

MEMORANDUM

Agenda Item No. 11(A)(7)

TO: Honorable Chairman Jose "Pepe" Diaz
and Members, Board of County Commissioners

DATE: July 8, 2021

FROM: Geri Bonzon-Keenan
County Attorney

SUBJECT: Resolution directing the County Mayor to conduct an engineering study related to flooding in the area of the County generally known as Biscayne Gardens, to identify both short term and long-term solutions to the problems that residents may be experiencing; directing the County Mayor to conduct a traffic impact study with respect to proposed or potential developments in the said area; and requiring reports

The accompanying resolution was prepared and placed on the agenda at the request of Prime Sponsor Commissioner Jean Monestime.



Geri Bonzon-Keenan
County Attorney

GBK/smm



MEMORANDUM
(Revised)

TO: Honorable Chairman Jose "Pepe" Diaz
and Members, Board of County Commissioners

DATE: July 8, 2021

FROM: 
Gen Bonzon-Keenan
County Attorney

SUBJECT: Agenda Item No. 11(A)(7)

Please note any items checked.

- "3-Day Rule" for committees applicable if raised
- 6 weeks required between first reading and public hearing
- 4 weeks notification to municipal officials required prior to public hearing
- Decreases revenues or increases expenditures without balancing budget
- Budget required
- Statement of fiscal impact required
- Statement of social equity required
- Ordinance creating a new board requires detailed County Mayor's report for public hearing
- No committee review
- Applicable legislation requires more than a majority vote (i.e., 2/3's present ____, 2/3 membership ____, 3/5's ____, unanimous ____, CDMP 7 vote requirement per 2-116.1(3)(h) or (4)(c) ____, CDMP 2/3 vote requirement per 2-116.1(3)(h) or (4)(c) ____, or CDMP 9 vote requirement per 2-116.1(4)(c)(2) ____) to approve
- Current information regarding funding source, index code and available balance, and available capacity (if debt is contemplated) required

Approved _____ Mayor
Veto _____
Override _____

Agenda Item No. 11(A)(7)
7-8-21

RESOLUTION NO. _____

RESOLUTION DIRECTING THE COUNTY MAYOR OR COUNTY MAYOR'S DESIGNEE TO CONDUCT AN ENGINEERING STUDY RELATED TO FLOODING IN THE AREA OF THE COUNTY GENERALLY KNOWN AS BISCAYNE GARDENS, TO IDENTIFY BOTH SHORT TERM AND LONG-TERM SOLUTIONS TO THE PROBLEMS THAT RESIDENTS MAY BE EXPERIENCING; DIRECTING THE COUNTY MAYOR OR COUNTY MAYOR'S DESIGNEE TO CONDUCT A TRAFFIC IMPACT STUDY WITH RESPECT TO PROPOSED OR POTENTIAL DEVELOPMENTS IN THE SAID AREA; AND REQUIRING REPORTS

WHEREAS, at this Board's Comprehensive Development Master Plan ("CDMP") meeting on Thursday, December 17, 2020, public comments were received from residents in relation to applications to amend the CDMP for three properties that lie in close proximity to Northwest 2nd Avenue and within the area generally known as Biscayne Gardens ("Biscayne Gardens"); and

WHEREAS, many of the residents who spoke expressed concerns regarding flooding in Biscayne Gardens; and

WHEREAS, many of the residents who spoke also expressed concerns regarding the negative impact to traffic that could result from any proposed or potential developments in Biscayne Gardens; and

WHEREAS, mitigating flooding risks and managing traffic congestion are of the utmost importance to this Board; and

WHEREAS, section 1.01(A)(1) of the Home Rule Charter vests this Board with the power to provide and regulate arterial, toll, and other roads, bridges, tunnels, and related facilities and develop and enforce master plans for the control of traffic and parking; and

WHEREAS, providing this Board with studies on flooding and the negative impact to traffic that could potentially result from new developments in Biscayne Gardens would help inform the conversation of how to better address the flooding and traffic congestion concerns in the said area,

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF MIAMI-DADE COUNTY, FLORIDA, that this Board:

Section 1. Directs the County Mayor or County Mayor’s designee to conduct an engineering study related to flooding in the area of the County generally known as Biscayne Gardens, and more specifically, within the area bordered to the north by Northwest 167th Street; to the east by North Miami Avenue; to the south by Northwest 158th Street (east of Northwest 2nd Avenue) and Northwest 157th Street (west of Northwest 2nd Avenue); and to the west by Northwest 6th Avenue (the “study area”), to identify both short term and long-term solutions to the problems that residents may be experiencing.

Section 2. Directs the County Mayor or County Mayor’s designee to conduct a traffic impact study with respect to any proposed or potential developments in the study area.

Section 3. Directs the County Mayor or County Mayor’s designee to prepare reports regarding the engineering and traffic impact studies referenced in sections 1 and 2 above. The County Mayor or County Mayor’s designee shall place the completed reports on an agenda of the Board pursuant to Ordinance No. 14-65 within 90 days of the effective date of this resolution.

The Prime Sponsor of the foregoing resolution is Commissioner Jean Monestime. It was offered by Commissioner _____, who moved its adoption. The motion was seconded by Commissioner _____ and upon being put to a vote, the vote was as follows:

Jose "Pepe" Diaz, Chairman	
Oliver G. Gilbert, III, Vice-Chairman	
Sen. René García	Keon Hardemon
Sally A. Heyman	Danielle Cohen Higgins
Eileen Higgins	Joe A. Martinez
Kionne L. McGhee	Jean Monestime
Raquel A. Regalado	Rebeca Sosa
Sen. Javier D. Souto	

The Chairperson thereupon declared this resolution duly passed and adopted this 8th day of July, 2021. This resolution shall become effective upon the earlier of (1) 10 days after the date of its adoption unless vetoed by the County Mayor, and if vetoed, shall become effective only upon an override by this Board, or (2) approval by the County Mayor of this resolution and the filing of this approval with the Clerk of the Board.

MIAMI-DADE COUNTY, FLORIDA
BY ITS BOARD OF
COUNTY COMMISSIONERS

HARVEY RUVIN, CLERK

By: _____
Deputy Clerk

Approved by County Attorney as
to form and legal sufficiency.

D.P.C

Dale P. Clarke