

# MEMORANDUM

Agenda Item No. 11(A)(9)

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

**DATE:** September 1, 2021

**FROM:** Geri Bonzon-Keenan  
County Attorney

**SUBJECT:** Resolution urging the Florida Department of Transportation (FDOT) to cancel or cease development of FDOT's Financial Project Identification (FPID) No. 439545-2, which is a proposed project to widen the Homestead Extension of Florida's Turnpike from Campbell Drive to south of Palm Drive on U.S. 1 and to construct a 20-foot elevated fly-over above the intersection of U.S. 1 and Palm Drive

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The accompanying resolution was prepared and placed on the agenda at the request of Prime Sponsor Commissioner Kionne L. McGhee.



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Geri Bonzon-Keenan  
County Attorney

GBK/jp



**MEMORANDUM**  
(Revised)

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

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Gen Bonzon-Keenan  
County Attorney

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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)(9)  
9-1-21

RESOLUTION NO. \_\_\_\_\_

RESOLUTION URGING THE FLORIDA DEPARTMENT OF TRANSPORTATION (FDOT) TO CANCEL OR CEASE DEVELOPMENT OF FDOT'S FINANCIAL PROJECT IDENTIFICATION (FPID) NO. 439545-2, WHICH IS A PROPOSED PROJECT TO WIDEN THE HOMESTEAD EXTENSION OF FLORIDA'S TURNPIKE FROM CAMPBELL DRIVE TO SOUTH OF PALM DRIVE ON U.S. 1 AND TO CONSTRUCT A 20-FOOT ELEVATED FLY-OVER ABOVE THE INTERSECTION OF U.S. 1 AND PALM DRIVE

**WHEREAS**, Florida Department of Transportation's (FDOT's) Financial Project Identification (FPID) No. 439545-2 is a proposed project to widen the Homestead Extension of Florida's Turnpike (the "HEFT") from Campbell Drive to south of Palm Drive on the U.S. 1 and to construct a 20-foot elevated fly-over above the intersection of U.S. 1 and Palm Drive (the "Project"); and

**WHEREAS**, if the Project is constructed as currently proposed, the tolled fly-over will run down the center of U.S. 1, above Palm Drive, where it would continue south of Palm Drive for approximately 1,800 feet before returning to ground level; and

**WHEREAS**, as such, the proposed fly-over will effectively bypass Palm Drive, which could have a significant negative economic impact on the area's residents and businesses; and

**WHEREAS**, on Tuesday, July 20, 2021, as required by various state and federal statutes, FDOT's Project engineers held a virtual public hearing in relation to the Project, at which more than 120 people, including elected and appointed officials, and residents and business owners representing a cross-section of interests, were in attendance; and

**WHEREAS**, during the public comments phase of the hearing, many attendees spoke and expressed a collective, stern opposition to the Project; and

**WHEREAS**, included among the views expressed was an opposition to the negative effects the proposed fly-over across Palm Drive could have on the economic livelihood of the residents and businesses in the southern portions of the County; and

**WHEREAS**, because the proposed Project could negatively impact the livelihood of many residents in the southern portions of the County, this Board wishes to urge the Florida Legislature to enact legislation requiring FDOT to cancel or cease development of the Project,

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

**Section 1.** Urges the Florida Department of Transportation (FDOT) to cancel or cease development of FDOT's Financial Project Identification (FPID) No. 439545-2, which is a proposed project to widen the Homestead Extension of Florida's Turnpike from Campbell Drive to south of Palm Drive on U.S. 1 and to construct a 20-foot elevated fly-over above the intersection of U.S. 1 and Palm Drive.

**Section 2.** Directs the Clerk of the Board to transmit certified copies of this resolution to the Governor, Senate President, House Speaker, Chair and Members of the Miami-Dade State Legislative Delegation, the Secretary of the Florida Department of Transportation, the District 6 Secretary of the Florida Department of Transportation, and the Executive Director of Florida's Turnpike Enterprise.

**Section 3.** Directs the County’s state lobbyists to advocate for the actions described in section 1 above, and authorizes and directs the Office of Intergovernmental Affairs to amend the 2021 State Legislative Package to include this item and to include this item in the 2022 State Legislative package when its presented to the Board.

The Prime Sponsor of the foregoing resolution is Commissioner Kionne L. McGhee. 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 1<sup>st</sup> day of September, 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