

MEMORANDUM

Agenda Item No. 11(A)(6)

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

DATE: October 5, 2021

FROM: Geri Bonzon-Keenan
County Attorney

SUBJECT: Resolution establishing Board policy to encourage the creation of play streets in Miami-Dade County and directing the County Mayor to establish and standardize the process for the creation of play streets, including the prioritization and expediting of County approval; and to provide reports to the Board

The accompanying resolution was prepared and placed on the agenda at the request of Prime Sponsor Commissioner Eileen Higgins and Co-Sponsors Commissioner Sally A. Heyman and Commissioner Raquel A. Regalado.



Geri Bonzon-Keenan
County Attorney

GBK/uw



MEMORANDUM
(Revised)

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

DATE: October 5, 2021

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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)(6)
10-5-21

RESOLUTION NO. _____

RESOLUTION ESTABLISHING BOARD POLICY TO ENCOURAGE THE CREATION OF PLAY STREETS IN MIAMI-DADE COUNTY AND DIRECTING THE COUNTY MAYOR OR COUNTY MAYOR'S DESIGNEE TO ESTABLISH AND STANDARDIZE THE PROCESS FOR THE CREATION OF PLAY STREETS, INCLUDING THE PRIORITIZATION AND EXPEDITING OF COUNTY APPROVAL; AND TO PROVIDE REPORTS TO THE BOARD

WHEREAS, many areas throughout Miami-Dade County lack sufficient recreational spaces, parks, or green spaces within walking distance of residential or other community spaces, where residents or visitors can gather, engage, and connect; and

WHEREAS, play streets are streets closed to vehicular traffic, either permanently or during certain hours, so that they can be used as recreational areas, thereby providing opportunities for communities to connect in safe environments; and

WHEREAS, play streets encourage alternative methods of transportation such as walking and biking, provide a way to create additional space for outdoor recreation, and can provide economic support for small businesses through increased foot traffic in a lively environment; and

WHEREAS, the COVID-19 pandemic, through social distancing requirements, created opportunities for small businesses to use parklets and play streets to provide outdoor seating to patrons, which helped businesses to maintain income, and created a new demand among residents for outdoor seating; and

WHEREAS, in response to the COVID-19 pandemic, in order to allow social distancing, to increase the areas where people could more safely eat and interact, and to allow community businesses not to close down, temporary street closures were permitted in various municipalities, such as Fuller Street in Coconut Grove, in the City of Miami; and

WHEREAS, play streets are a means by which physical activity, social interaction, and community engagement can be increased; and

WHEREAS, several municipalities have successfully implemented play streets that have contributed to outdoor recreation and support for small businesses, such as Giralda Avenue, in the City of Coral Gables; and

WHEREAS, section 2-95.1, Code of Miami-Dade County, Florida provides that the County's traffic and transportation department has the power to designate and determine play streets; and

WHEREAS, sections 2-95.1 and 2-96.1 of the Code also provide that the County, through its traffic and transportation department, has exclusive jurisdiction over all matters of traffic engineering and traffic movement Countywide, subject only to the jurisdiction of the state road department with respect to state highways; and

WHEREAS, the Transportation and Public Works Department ("DTPW") currently utilizes the procedures and guidelines set forth in the Traffic Flow Modifications and Street Closure Procedure Manual dated January 2009 (the "traffic manual") when considering proposed modification of traffic flow; and

WHEREAS, the traffic manual applies in incorporated and unincorporated areas, but does not include specific procedures or standardized guidelines for creation or approval of play streets; and

WHEREAS, the County has not created a standardized process for applying for play streets, often leaving residents confused and unclear on how to apply and what standards are used to assess the application; and

WHEREAS, in 2018, the Health Foundation of South Florida funded the “Transform 5th Street” project wherein Urban Impact Lab brought together East Little Havana residents and community partners to activate a one block section of SW 5th Street which divides Jose Marti Park in the City of Miami into two disconnected pieces; and

WHEREAS, as part of the project, residents and frequent park users sought to activate 5th Street as an active, safe, and beautiful public space for families and children to play; and

WHEREAS, the temporary closure of 5th Street for weekly Zumba classes and other activities two to three hours in length required up to \$3,000.00 in costs for associated County and City requirements; and

WHEREAS, the County process for play streets should be simple, efficient, and cost effective, so that residents can temporarily transform their neighborhood streets into centers of health activity, engagement, and community connection; and

WHEREAS, this Board previously adopted Resolution No. R-1066-16, setting County policy supporting the development of parklets and directing the County Mayor to create and implement a Parklet Program to facilitate and provide guidelines for the creation of parklets; and

WHEREAS, parklets and play streets share the common goal of creating additional shared spaces to be used by the public for open space, a goal which this Board continues to support; and

WHEREAS, this Board seeks to streamline the process for the creation and approval of play streets, including procedures for expedited review and approval, in order to encourage the use of play streets in both incorporated and unincorporated Miami-Dade County,

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

Section 1. This Board approves and incorporates the foregoing recitals as if fully set forth herein.

Section 2. This Board establishes as County policy the promotion of the creation of play streets where appropriate in Miami-Dade County, and in furtherance of such policy, directs the County Mayor or County Mayor's designee to (i) create a streamlined, low cost, low barrier process for the creation, review and approval of play streets, where appropriate, throughout the incorporated and unincorporated areas of Miami Dade-County, and to (ii) revise the public works manual to include such process and to establish such revisions in accordance with the requirements of section 2-100(d) of the Code of Miami-Dade County, Florida by filing such revisions with the Clerk of the Board.

Section 3. This Board directs the County Mayor or County Mayor's designee to create a promotional campaign utilizing existing County resources to raise awareness regarding the implementation of the play street request process referenced in section 2 above. Such promotional campaign shall have no fiscal impact and shall include, but not be limited to, posting on the websites for the Miami-Dade Parks and Recreation Department and the Department of Transportation and Public Works.

Section 4. This Board directs the County Mayor or County Mayor's designee to provide a report to this Board setting forth the status of the directives set forth in sections 2 and 3, including a summary of the revisions to the traffic manual, within 120 days of the effective date of this resolution and to place the report on an agenda of the Board pursuant to Ordinance No. 14-65.

Section 5. This Board further directs the County Mayor or County Mayor's designee to report back to this Board within one year of the effective date of this resolution to provide a report identifying the play streets which have been implemented throughout Miami-Dade County, and to place the report on an agenda of this Board pursuant to Ordinance No. 14-65.

The Prime Sponsor of the foregoing resolution is Commissioner Eileen Higgins and the Co-Sponsors are Commissioner Sally A. Heyman and Commissioner Raquel A. Regalado. 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 5th day of October, 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.



Debra Herman
Annery Pulgar Alfonso