

MEMORANDUM

Agenda Item No. 11(A)(17)

TO: Honorable Chairman Jean Monestime
and Members, Board of County Commissioners

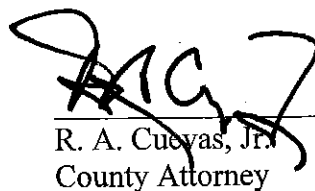
DATE: June 30, 2015

FROM: R. A. Cuevas, Jr.
County Attorney

SUBJECT: Resolution directing the County Mayor to submit a report examining the feasibility of using land owned, used or controlled by the County for mass transit projects and urging the County Mayor to consider the feasibility of mass transit projects before future acquisitions, uses, sales, or dedications of such land for other uses

Resolution No. R-606-15

The accompanying resolution was prepared and placed on the agenda at the request of Prime Sponsor Senator Javier D. Souto, and Co-Sponsors Vice Chairman Esteban L. Bovo, Jr. and Commissioner Jose "Pepe" Diaz.



R. A. Cuevas, Jr.
County Attorney

RAC/smm




MEMORANDUM

(Revised)

TO: Honorable Chairman Jean Monestime
and Members, Board of County Commissioners

DATE: June 30, 2015

FROM: 
R. A. Cuevas, Jr.
County Attorney

SUBJECT: Agenda Item No. 11(A)(17)

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
- 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 ____, 3/5's ____, unanimous ____) 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)(17)
6-30-15

RESOLUTION NO. R-606-15

RESOLUTION DIRECTING THE COUNTY MAYOR OR COUNTY MAYOR'S DESIGNEE TO SUBMIT A REPORT EXAMINING THE FEASIBILITY OF USING LAND OWNED, USED OR CONTROLLED BY THE COUNTY FOR MASS TRANSIT PROJECTS AND URGING THE COUNTY MAYOR TO CONSIDER THE FEASIBILITY OF MASS TRANSIT PROJECTS BEFORE FUTURE ACQUISITIONS, USES, SALES, OR DEDICATIONS OF SUCH LAND FOR OTHER USES

WHEREAS, this Board has on numerous occasions expressed a desire to increase mass transit availability and options for the residents of and visitors to Miami-Dade County; and

WHEREAS, this Board has been supportive of various projects, including the expansion of the Metrorail system to the airport, that increase the scope and availability of mass transit; and

WHEREAS, because increasing mass transit options has been identified as a priority of this Board and of this community, the County Mayor or County Mayor's designee should examine all land owned, used, or controlled by the County in order to identify the feasibility of using such land for a new or existing mass transit project, including but not limited to reviewing the use of public rights-of-ways along canals and roads, existing parcels of land, and various easements granted both in the County's favor and from the County in favor of entities such as Florida Power & Light; and

WHEREAS, in examining such County-owned or controlled land, the County Mayor or County Mayor's designee should consider whether that land by itself or with minimal additional acquisitions can be used to create, augment, or support any mass transit purpose; and

WHEREAS, such a study should also consider joint use agreements and acquisitions under consideration such as potential utility or railway rights-of-way; and

WHEREAS, it is imperative that before land is used, dedicated, sold or acquired for another purpose that the potential for that land to be used for public mass transit be considered in order to augment the transportation options available within Miami-Dade County; and

WHEREAS, in addition to studying the feasibility for land owned, used, controlled, or contemplated to be acquired by Miami-Dade County, the County Mayor should take such considerations into account when considering the acquisition or use of land in the future,

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

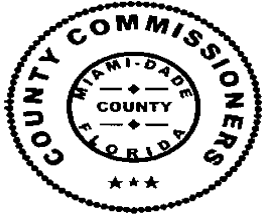
Section 1. The County Mayor or County Mayor's designee is directed to submit a report to the Board of County Commissioners within 90 days of the effective date of this resolution and to place the completed report on an agenda of the Board pursuant to Ordinance No. 14-65. The report shall examine the feasibility of using land owned, used or controlled by Miami-Dade County for mass transit projects.

Section 2. The Board further urges the County Mayor to consider the feasibility of mass transit projects before future acquisitions, uses, sales or dedications of such land for other uses.

The Prime Sponsor of the foregoing resolution is Senator Javier D. Souto, and the Co-Sponsors are Vice Chairman Esteban L. Bovo, Jr. and Commissioner Jose "Pepe" Diaz. It was offered by Commissioner **Sally A. Heyman**, who moved its adoption. The motion was seconded by Commissioner **Rebeca Sosa** and upon being put to a vote, the vote was as follows:

| | | | |
|-------------------------------------|--------|----------------------|-----|
| Jean Monestime, Chairman | | | aye |
| Esteban L. Bovo, Jr., Vice Chairman | | | aye |
| Bruno A. Barreiro | aye | Daniella Levine Cava | aye |
| Jose "Pepe" Diaz | absent | Audrey M. Edmonson | aye |
| Sally A. Heyman | aye | Barbara J. Jordan | aye |
| Dennis C. Moss | aye | Rebeca Sosa | aye |
| Sen. Javier D. Souto | aye | Xavier L. Suarez | aye |
| Juan C. Zapata | aye | | |

The Chairperson thereupon declared the resolution duly passed and adopted this 30th day of June, 2015. 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: **Christopher Agrippa**
Deputy Clerk

Approved by County Attorney as
to form and legal sufficiency.

Alex S. Bokor