

MEMORANDUM

Agenda Item No. 11(A)(7)

TO: Honorable Chairwoman Audrey M. Edmonson
and Members, Board of County Commissioners

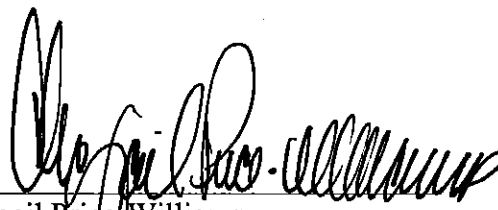
DATE: January 22, 2020

FROM: Abigail Price-Williams
County Attorney

SUBJECT: Resolution urging the Florida
Legislature to enact SB 1090, HB
829, or similar legislation that
prohibits tolling and express
lanes on State Road 826/Palmetto
Expressway and requires that the
tolling and express lanes that
currently exist on State Road 826
be eliminated

Resolution No. R-62-20

The accompanying resolution was prepared and placed on the agenda at the request of Prime Sponsor
Commissioner Esteban L. Bovo, Jr.


Abigail Price-Williams
County Attorney

APW/uw

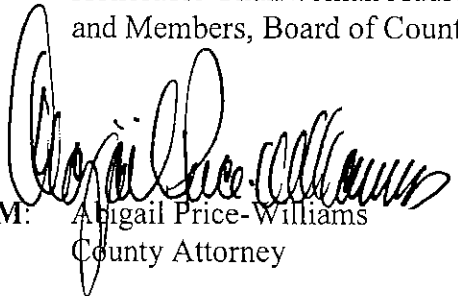


MEMORANDUM

(Revised)

TO: Honorable Chairwoman Audrey M. Edmonson
and Members, Board of County Commissioners

DATE: January 22, 2020

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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)

1-22-20

RESOLUTION NO. _____ R-62-20

RESOLUTION URGING THE FLORIDA LEGISLATURE TO ENACT SB 1090, HB 829, OR SIMILAR LEGISLATION THAT PROHIBITS TOLLING AND EXPRESS LANES ON STATE ROAD 826/PALMETTO EXPRESSWAY AND REQUIRES THAT THE TOLLING AND EXPRESS LANES THAT CURRENTLY EXIST ON STATE ROAD 826 BE ELIMINATED

WHEREAS, in September 2019, the Florida Department of Transportation (“FDOT”) began tolling on the new managed toll lanes, also known as express lanes, along State Road 826/Palmetto Expressway; and

WHEREAS, the new express lanes were intended to create a northbound and southbound express route on State Road 826 between West Flagler Street and NW 154th Street; and

WHEREAS, FDOT officials have said while drivers can expect to pay a minimum of 50 cents to utilize the new express lanes, there is no cap on the tolls and the price will increase depending on traffic flow; and

WHEREAS, many residents have expressed significant concerns regarding the uncapped costs associated with the new express lanes; and

WHEREAS, residents have also expressed frustration regarding what appears to be increased traffic congestion along State Road 826 stemming from limited access onto the express lane, and the elimination or narrowing of lanes; and

WHEREAS, on November 19, 2019, this Board adopted Resolution No. R-1270-19, opposing the express lanes on State Road 826 and urging FDOT to eliminate said express lanes and to restore State Road 826 to a toll-free expressway; and

WHEREAS, Senate Bill (SB) 1090 by Senator Manny Diaz (R-Hialeah) and House Bill (HB) 829 by Representative Bryan Avila (R-Hialeah), have been filed for consideration during the 2020 session of the Florida Legislature; and

WHEREAS, SB 1090 and HB 829 prohibit the existence of any tolling and express lanes on State Road 826, require that the express lanes that currently exist on State Road 826 be immediately opened to the public, require that any tolls that exist on said road to be immediately removed, and prohibit any tolls from being imposed for use of said road; and

WHEREAS, this Board supports the enactment of SB 1090, HB 829, or similar legislation that prohibits the existence of tolling or express lanes on State Road 826,

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

Section 1. Urges the Florida Legislature to enact SB 1090, HB 829, or similar legislation that prohibits tolling and express lanes on State Road 826/Palmetto Expressway and requires that the tolling and express lanes that currently exist on State Road 826 be eliminated.

Section 2. Directs the Clerk of this Board to send a certified copy of this resolution to the Governor, Senate President, House Speaker, Senator Manny Diaz, Representative Bryan Avila, the Chair and remaining members of the Miami-Dade State Legislative Delegation, the Secretary of the Florida Department of Transportation, and the District Six Secretary of the Florida Department of Transportation.

Section 3. Directs the County's state lobbyists to advocate for the legislation and actions described in section 1 above, and authorizes and directs the Office of Intergovernmental Affairs to amend the 2020 State Legislative Package to include this item.

The Prime Sponsor of the foregoing resolution is Commissioner Esteban L. Bovo, Jr. It was offered by Commissioner **Rebeca Sosa**, who moved its adoption. The motion was seconded by Commissioner **Esteban L. Bovo, Jr.** and upon being put to a vote, the vote was as follows:

Audrey M. Edmonson, Chairwoman	aye		
Rebeca Sosa, Vice Chairwoman	aye		
Esteban L. Bovo, Jr.	aye	Daniella Levine Cava	aye
Jose "Pepe" Diaz	aye	Sally A. Heyman	absent
Eileen Higgins	aye	Barbara J. Jordan	aye
Joe A. Martinez	aye	Jean Monestime	aye
Dennis C. Moss	aye	Sen. Javier D. Souto	aye
Xavier L. Suarez	aye		

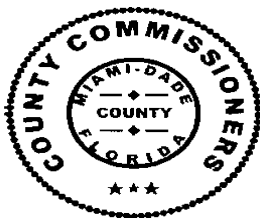
The Chairperson thereupon declared this resolution duly passed and adopted this 22nd day of January, 2020. This resolution shall become effective upon the earlier of (1) 10 days after the date of its adoption unless vetoed by the County Mayor, and if vetoed, shall become effective only upon an override 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

Linda L. Cave

By: _____
Deputy Clerk



Approved by County Attorney as
to form and legal sufficiency.

Annery Pulgar Alfonso