

MEMORANDUM

Agenda Item No. 11(A)(9)

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

Resolution No. R-832-21

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



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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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. _____ R-832-21

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 **Rebeca Sosa**, who moved its adoption. The motion was seconded by Commissioner **Sally A. Heyman** and upon being put to a vote, the vote was as follows:

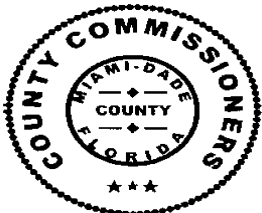
	Jose “Pepe” Diaz, Chairman	aye	
	Oliver G. Gilbert, III, Vice-Chairman	aye	
Sen. René García	absent	Keon Hardemon	aye
Sally A. Heyman	aye	Danielle Cohen Higgins	aye
Eileen Higgins	aye	Joe A. Martinez	aye
Kionne L. McGhee	aye	Jean Monestime	aye
Raquel A. Regalado	aye	Rebeca Sosa	aye
Sen. Javier D. Souto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

The Chairperson thereupon declared this resolution duly passed and adopted this 1st 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

Melissa Adames
By: _____
Deputy Clerk



Approved by County Attorney
as to form and legal sufficiency.

D.P.C

Dale P. Clarke