

MEMORANDUM

Agenda Item No. 11(A)(7)

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

DATE: October 19, 2021

FROM: Geri Bonzon-Keenan
County Attorney

SUBJECT: Resolution urging (1) the Florida Legislature to appropriate funding for the development, design, and construction of four pedestrian bridges for the Ludlam Trail over the following intersections along the Ludlam Trail: Flagler Street; SW 8th Street; Coral Way; and Bird Road (the "Ludlam Trail Pedestrian Bridges"); (2) the Florida Department of Transportation ("FDOT") to, subject to the appropriation of funding, include funding for the development, design, and construction of the Ludlam Trail Pedestrian Bridges in the appropriate current and future FDOT Five-Year Work Programs; and (3) the Miami-Dade Transportation Planning Organization to take the necessary actions, such as amending its Long Range Transportation Plan and Transportation Improvement Program, to prioritize the development, design, and construction of the Ludlam Trail Pedestrian Bridges

Resolution No. R-1000-21

The accompanying resolution was prepared and placed on the agenda at the request of Prime Sponsor Commissioner Rebeca Sosa.



Geri Bonzon-Keenan
County Attorney

GBK/smm



MEMORANDUM

(Revised)

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

DATE: October 19, 2021

FROM: 
Gen Bonzon-Keenan
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)
10-19-21

RESOLUTION NO. _____ R-1000-21

RESOLUTION URGING (1) THE FLORIDA LEGISLATURE TO APPROPRIATE FUNDING FOR THE DEVELOPMENT, DESIGN, AND CONSTRUCTION OF FOUR PEDESTRIAN BRIDGES FOR THE LUDLAM TRAIL OVER THE FOLLOWING INTERSECTIONS ALONG THE LUDLAM TRAIL: FLAGLER STREET; SW 8TH STREET; CORAL WAY; AND BIRD ROAD (THE “LUDLAM TRAIL PEDESTRIAN BRIDGES”); (2) THE FLORIDA DEPARTMENT OF TRANSPORTATION (“FDOT”) TO, SUBJECT TO THE APPROPRIATION OF FUNDING, INCLUDE FUNDING FOR THE DEVELOPMENT, DESIGN, AND CONSTRUCTION OF THE LUDLAM TRAIL PEDESTRIAN BRIDGES IN THE APPROPRIATE CURRENT AND FUTURE FDOT FIVE-YEAR WORK PROGRAMS; AND (3) THE MIAMI-DADE TRANSPORTATION PLANNING ORGANIZATION TO TAKE THE NECESSARY ACTIONS, SUCH AS AMENDING ITS LONG RANGE TRANSPORTATION PLAN AND TRANSPORTATION IMPROVEMENT PROGRAM, TO PRIORITIZE THE DEVELOPMENT, DESIGN, AND CONSTRUCTION OF THE LUDLAM TRAIL PEDESTRIAN BRIDGES

WHEREAS, Miami-Dade County has acquired 5.6 miles of former railroad corridor for the purpose of developing the Ludlam Trail, a shared-use path for non-motorized transportation and recreational uses; and

WHEREAS, the Ludlam Trail Corridor is a 5.6-mile long, 100-foot wide former railroad corridor that stretches from the southern edge of the Miami International Airport to the Downtown Kendall Urban Center; and

WHEREAS, the Ludlam Trail Corridor breaks up the Ludlam Trail into either recreational trail segments or development areas; and

WHEREAS, in accordance with the Miami-Dade County Comprehensive Development Master Plan, the Ludlam Trail recreational trail segments must be developed solely with recreational uses, including, but not limited to, a pedestrian and bicycle trail, parks and associated amenities, which may include, but not be limited to, above-grade pedestrian crossings, parking, restroom facilities, signage, benches, information and vending kiosks, recreational equipment and bicycle rental stations, and shelters, where appropriate; and

WHEREAS, once developed, the Ludlam Trail will serve as an asset to the community and will connect more than 35,000 people within a one-half mile radius of the trail to five schools, four parks, three greenway trails, two transit hubs, and other commercial shopping areas and activity centers; and

WHEREAS, the construction of the Ludlam Trail will promote the community interest and welfare of the residents of Miami-Dade County by enhancing regional mobility, providing opportunities for physical activity, and improving the economic vitality of the area by conversion of this former railway corridor into a continuous publicly-accessible primarily pedestrian and bicycle trail; and

WHEREAS, the Ludlam Trail will provide vital economic recreational and community opportunities for the residents of the County, including, among other things, pristine park lands, scenic vistas, a tourist and vacation destination and other valuable resources that distinguish the County for its natural beauty and quality of life; and

WHEREAS, the County has allocated funding in the amount of \$30,000,000.00 for the acquisition and environmental remediation of the property for Ludlam Trail, in addition to approximately \$1,500,000.00 in General Obligation Bond Funds that have become available for certain areas of the Ludlam Trail; and

WHEREAS, the County has received funding awards from the Florida Legislature and state agencies totaling \$18,993,150.00 in support of the acquisition and development of the Ludlam Trail, including two awards from the Economic Development Transportation Project Fund totaling \$5,903,150.00, a \$5,000,000.00 award pursuant to a state appropriation request programmed for state fiscal year 2018, and a \$8,000,000.00 award under the Shared-Use Nonmotorized (SUN) Trail Program that has been programmed for fiscal year 2024; and

WHEREAS, the construction of pedestrian bridges where the Ludlam Trail intersects with Flagler Street, SW 8th Street, Coral Way, and Bird Road would promote the safe use of the Ludlam Trail while maintaining the uninterrupted flow of traffic at the subject intersections; and

WHEREAS, the Ludlam Trail is designated as a priority trail by the Florida Department of Environmental Protection's Office of Greenways and Trails; and

WHEREAS, in accordance with section 339.135, Florida Statutes, the FDOT is responsible for the development of a State Transportation Five-Year Work Program which meets the mission, goals and objectives of FDOT and the Florida Transportation Plan; and

WHEREAS, the FDOT Five-Year Work Program is a statewide project-specific list of transportation activities and projects scheduled for implementation during the ensuing five-year period and is developed through extensive coordination with local governments, metropolitan planning organizations, regional planning groups and Florida citizens; and

WHEREAS, section 339.135 requires that FDOT's tentative and adopted work programs be based on a complete, balanced financial plan for the State Transportation Trust Fund and the other funds managed by FDOT and shall set forth FDOT's proposed commitments and planned expenditures; and

WHEREAS, section 339.135, Florida Statutes, states that projects may not be undertaken unless they are listed in FDOT's Five-Year Work Program; and

WHEREAS, section 339.175, Florida Statutes, requires that each metropolitan planning organization, in cooperation with FDOT, develop a long-range transportation plan and an annually updated transportation improvement program; and

WHEREAS, the long-range transportation plan must, among other things, address at least a 20-year transportation planning horizon and provide a financial plan that demonstrates how the projects can be implemented; and

WHEREAS, the transportation improvement program is a five-year plan that identifies, prioritizes and allocates funding for transportation projects; and

WHEREAS, the District Six FDOT Tentative Work Program for fiscal years 2023-2027 reflects the construction phase of the Ludlam Trail pedestrian bridge at Bird Road as funded in fiscal year 2026 with \$1,005,000.00 in federal funds, and \$2,275,418.00 as a match in local funds; and

WHEREAS, the above referenced District Six FDOT Tentative Work Program also reflects local funds covering the costs of the preliminary engineering phase of the Ludlam Trail pedestrian bridge at Flagler Street in fiscal year 2025 in an amount of \$1,627,757.00, and reflects the construction phase as funded in fiscal year 2027 with \$1,005,000.00 in federal funds, and \$12,511,773.00 as the local funds match; and

WHEREAS, Miami-Dade County has not identified a local funding source for the development, design, or construction for any of the pedestrian bridges along the Ludlam Trail; and

WHEREAS, Miami-Dade County seeks the Florida Legislature’s and FDOT’s continued support for the development, design, and construction of four pedestrian bridges for the Ludlam Trail over the following intersections along the Ludlam Trail: Flagler Street; SW 8th Street; Coral Way; and Bird Road,

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 appropriate funding for the development, design, and construction of four pedestrian bridges for the Ludlam Trail over the following intersections along the Ludlam Trail: Flagler Street; SW 8th Street; Coral Way; and Bird Road (the “Ludlam Trail Pedestrian Bridges”).

Section 2. Further urges FDOT to, subject to the appropriation of funding, include funding for the development, design, and construction of the Ludlam Trail Pedestrian Bridges in the appropriate current and future FDOT Five-Year Work Programs.

Section 3. Urges the Miami-Dade Transportation Planning Organization (“TPO”) to take the necessary actions, such as amending its Long Range Transportation Plan and Transportation Improvement Program, to prioritize the development, design, and construction of the Ludlam Trail Pedestrian Bridges.

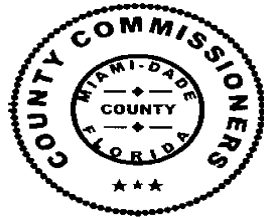
Section 4. Directs the Clerk of this Board to send a certified copy of this resolution to the Governor, Senate President, House Speaker, the Chair and members of the Miami-Dade State Legislative Delegation, the Secretary of the Florida Department of Transportation, the District Six Secretary of the Florida Department of Transportation, and the Executive Director of the TPO.

Section 5. Directs the County’s state lobbyists to advocate for the actions described in sections 1 and 2 above, and authorizes and directs the Office of Intergovernmental Affairs to amend the 2022 State Legislative Package to include this item and to include this item in the 2023 State Legislative Package when it is presented to the Board.

The Prime Sponsor of the foregoing resolution is Commissioner Rebeca Sosa. 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	aye	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 19th 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

Melissa Adames

By: _____
Deputy Clerk

Approved by County Attorney as
to form and legal sufficiency.

A handwritten signature in dark ink, appearing to be "Annery Pulgar Alfonso", written over a horizontal line.

Annery Pulgar Alfonso