

MEMORANDUM

Agenda Item No. 14(A)(1)

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

DATE: November 2, 2021

FROM: Geri Bonzon-Keenan
County Attorney

SUBJECT: Resolution directing the County Mayor to initiate negotiations with the Florida Department of Transportation ("FDOT") for an Interlocal Agreement to provide for the funding, design and construction by FDOT of four pedestrian bridges over Flagler Street, SW 8th Street, Coral Way and Bird Road along Ludlam Trail (or theoretical NW/SW 69th Avenue); and further directing the County Mayor to provide status report

Resolution No. R-1076-21

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/jp



MEMORANDUM

(Revised)

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

DATE: November 2, 2021

FROM: 
Gen Bonzon-Keenan
County Attorney

SUBJECT: Agenda Item No. 14(A)(1)

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. 14(A)(1)
11-2-21

RESOLUTION NO. _____ R-1076-21

RESOLUTION DIRECTING THE COUNTY MAYOR OR MAYOR'S DESIGNEE TO INITIATE NEGOTIATIONS WITH THE FLORIDA DEPARTMENT OF TRANSPORTATION ("FDOT") FOR AN INTERLOCAL AGREEMENT TO PROVIDE FOR THE FUNDING, DESIGN AND CONSTRUCTION BY FDOT OF FOUR PEDESTRIAN BRIDGES OVER FLAGLER STREET, SW 8TH STREET, CORAL WAY AND BIRD ROAD ALONG LUDLAM TRAIL (OR THEORETICAL NW/SW 69TH AVENUE); AND FURTHER DIRECTING THE COUNTY MAYOR OR MAYOR'S DESIGNEE TO PROVIDE STATUS REPORT

WHEREAS, on July 19, 2017, this Board approved an amendment to the Miami-Dade County ("County") Comprehensive Development Master Plan for the Ludlam Trail Corridor District; and

WHEREAS, the Ludlam Trail Corridor District applies to an approximately 5.8-mile segment of the former Florida East Coast Railway South Little River Branch spurline that is generally 100 feet wide and extends from SW 80th Street to approximately 400 feet north of NW 7th Street and generally along theoretical NW/SW 69th Avenue, which 5.8 mile segment is commonly referred to as the Ludlam Trail; and

WHEREAS, the Ludlam Trail Corridor District breaks up the Ludlam Trail into either Recreational Trail Segments or Development Areas; and

WHEREAS, the Development Areas are located along the Ludlam Trail at SW 8th Street, Coral Way and Bird Road; and

WHEREAS, the Ludlam Trail Corridor District provides that 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, further, within the Development Areas, the Ludlam Trail Corridor District provides for development of a publicly accessible trail to connect to the Recreation Trail Segments; and

WHEREAS, on September 14, 2018, this Board adopted Resolution No. R-939-18, which approved and authorized the County Mayor or Mayor's designee to, among other things, execute contracts for sale and purchase between the County and LR 13-18, LLC and FECI LT1, LLC, two subsidiaries of Florida East Coast Industries, of, essentially, the Ludlam Trail Recreational Segments, and easements through the balance of the Ludlam Trail; and

WHEREAS, on December 31, 2018, the County closed on the purchase of the Ludlam Trail; and

WHEREAS, the easement agreements granting the County and the public access through the Development Areas located on: (a) SW 8th Street and Bird Road allow the County the right to construct the pedestrian bridges over the roadways and to place the bridge support structures on the private property within the Development Areas; and (b) Coral Way, required the private developer to construct the pedestrian bridge over Coral Way; and

WHEREAS, the State of Florida owns Flagler Street, SW 8th Street and Bird Road where such roads intersect with the Ludlam Trail and the County owns Coral Way where such road intersects with Ludlam Trail; and

WHEREAS, recently, the County, through the County Commissioner for District 6, has been in communications with FDOT and members of the Florida legislature and whereby FDOT advised the County that it was willing to provide the funding for and undertake the design and construction of the four pedestrian bridges over Flagler Street, SW 8th Street, Coral Way and Bird Road along the Ludlam Trail; and

WHEREAS, this Board wishes to direct the County Mayor or Mayor's designee to contact FDOT and initiate negotiations for an Interlocal Agreement between FDOT and the County for the funding, design and construction by FDOT of the four pedestrian bridges over Flagler Street, SW 8th Street, Coral Way and Bird Road along the Ludlam Trail,

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

Section 1. Approves the foregoing recitals and incorporates them into this resolution.

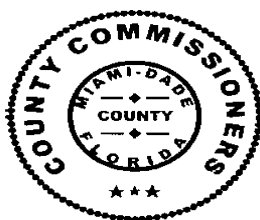
Section 2. Directs the County Mayor or Mayor's designee to contact FDOT and initiate negotiations for an Interlocal Agreement between FDOT and the County for the funding, design and construction by FDOT of the four pedestrian bridges over Flagler Street, SW 8th Street, Coral Way and Bird Road along the Ludlam Trail. The negotiations with FDOT should include coordination and discussions with the private owners of the Development Areas, as needed, to ensure that the pedestrian bridges are connected to the publicly accessible trails within the easement areas and to negotiate and prepare any needed amendments to the easement contracts.

Section 3. Further directs the County Mayor or Mayor's designee to provide a written status report to this Board by placement on the first available agenda of this Board within 90 days of the effective date of this resolution pursuant to Ordinance No. 14-65.

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 **Raquel A. Regalado** 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	absent
Raquel A. Regalado	aye	Rebeca Sosa	aye
Sen. Javier D. Souto	aye		

The Chairperson thereupon declared this resolution duly passed and adopted this 2nd day of November, 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.

MRP

Monica Rizo Perez