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RESOLUTION NO. 09-60

A RESOLUTION OF THE MAYOR AND VILLAGE COUNCIL OF THE VILLAGE OF PALMETTO BAY, FLORIDA, RESCINDING RESOLUTION 08-118; REQUESTING THE BOARD OF COUNTY COMMISSIONERS AND THE MPO TO DELAY ANY FURTHER STUDY RELATED TO CREATING A TOLL ROAD OF PART OF US HIGHWAY 1 THROUGHOUT MUNICIPALITIES CONTIGUOUS TO THE PROPOSED TOLL LANE AREAS, INCLUDING BUT NOT LIMITED TO PINECREST, PALMETTO BAY, CUTLER BAY, HOMESTEAD AND FLORIDA CITY, UNTIL SUCH TIME AS CONFIRMATION HAS BEEN RECEIVED FROM THE FEDERAL GOVERNMENT WITH REGARD TO THE FISCAL VIABILITY OF SUCH PROJECT; PROVIDING AN EFFECTIVE DATE. [Sponsored by Mayor Eugene P. Flinn, Jr.].

WHEREAS, on December 1, 2008, the Village of Palmetto Bay passed Resolution 08-118 (attached hereto as Exhibit "A"). Said Resolution petitioned the Board of County Commissioners and the Miami-Dade County Metropolitan Planning Organization (MPO) to continue the study of the feasibility of "selling" excess capacity along the US 1 busway as a method of paying for the eventual extension of Metrorail; and,

WHEREAS, while the Village of Palmetto Bay remains committed to use of mass transit, as evidenced by its successful Circulator Transit System used in conjunction with the Miami-Dade busway, the Village believes providing means to facilitate mass transit, rather than creating additional lanes to increase vehicle capacity, is the responsible approach to resolving traffic and environmental concerns; and,

WHEREAS, financing a study for transit improvement without concurrence of fiscal viability from the United States Government would not be an appropriate use of taxpayer funds.

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND VILLAGE COUNCIL OF THE VILLAGE OF PALMETTO BAY, FLORIDA, AS FOLLOWS:


Section 1. The Mayor and Village Council of Palmetto Bay officially and respectfully requests the Board of County Commissioners to delay further study related to creating US-1 toll lanes throughout municipalities contiguous to the proposed toll lane areas until such time as the United States government has confirmed the fiscal viability of this project.

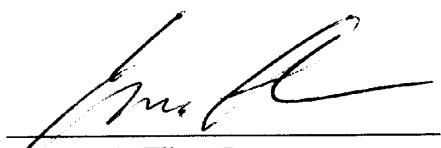
Section 2. This resolution shall take effect immediately upon approval.

Section 3. This resolution be forwarded to the Miami-Dade County Mayor and Board of County Commissioners, the Miami-Dade County Metropolitan Planning Organization and the Miami-Dade County Transportation Agency.

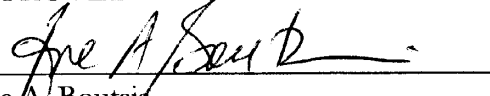
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PASSED and ADOPTED this 13 day of July, 2009.

Attest: 
Meighan Rader
Village Clerk


Eugene P. Flinn, Jr.
Mayor

APPROVED AS TO FORM:


Eve A. Boutsis,
Office of Village Attorney

FINAL VOTE AT ADOPTION:

- Council Member Ed Feller YES
- Council Member Howard Tendrich YES
- Council Member Shelley Stanczyk YES
- Vice-Mayor Brian W. Pariser YES
- Mayor Eugene P. Flinn, Jr. YES

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3 **RESOLUTION NO. 08-118**

4 A RESOLUTION OF THE MAYOR AND VILLAGE COUNCIL OF THE
5 VILLAGE OF PALMETTO BAY, FLORIDA, RELATING TO CREATING A
6 TOLL ROAD OF PART OF US HIGHWAY 1; PETITIONING THE BOARD
7 OF COUNTY COMMISSIONERS AND THE COUNTY MPO TO CONTINUE
8 TO STUDY SUCH A PLAN, BY PLACING THE NEXT LEVEL OF ANALYSIS
9 IN THE 2009 LONG RANGE TRANSPORTATION PLAN, SO THAT ANY
10 FATAL FLAWS CAN BE DISCOVERED; AND TO INCLUDE STAFF AND
11 AT LEAST ONE ELECTED OFFICIAL FROM ALL MUNICIPALITIES
12 CONTIGUOUS TO THE PROPOSED TOLL LANE AREAS, INCLUDING
13 BUT NOT LIMITED TO PINECREST, PALMETTO BAY, CUTLER BAY,
14 HOMESTEAD AND FLORIDA CITY; PROVIDING AN EFFECTIVE DATE.
15 [Sponsored by Mayor Eugene P. Flinn, Jr.]

16 **WHEREAS**, the Miami-Dade County Metropolitan Planning Organization (MPO), has the
17 goal of planning transportation facilities and services that are integrated and efficient while providing
18 effective community participation; and,
19

20 **WHEREAS**, the MPO undertook a study at the request of Commissioner Moss to examine
21 the feasibility of “selling” excess capacity along the US 1 busway as a method of paying for the
22 eventual extension of Metrorail; and,
23

24 **WHEREAS**, Through this request a study was undertaken by the MPO that looked at a
25 number of options for the development of managed lanes in the busway right-of-way; and,
26

27 **WHEREAS**, the first priority of the study was to improve bus operations along the busway;
28 and,
29

30 **WHEREAS**, the second priority was to increase the person carrying capacity of the corridor
31 and the final priority was to provide financing for future transit improvements; and,
32

33 **WHEREAS**, the MPO worked in close conjunction with Miami-Dade Expressway
34 Authority (MDX), and the results of the study will be presented to the MPO Board at their
35 December 2008 meeting; and,
36

37 **WHEREAS**, the MDX Board is not being asked to select an alternative at this time; and,
38

39 **WHEREAS**, if the MDX Board is interested in moving forward then MDX will initiate
40 more detailed studies, that could lead to the development of implementation plans; and,
41

42 **WHEREAS**, the Mayor and Village Council ask the Miami-Dade County Board of County
43 Commissioners, the MPO and MDX to review any proposed plan relating to a proposed US-1 toll
44 lanes project carefully; and
45

1 **WHEREAS**, the mayor and Village Council ask that a thorough study be done before
2 proceeding, and request that municipal staff and at least one elected official from all municipalities
3 contiguous to the proposed toll lanes, including; Pinecrest, Palmetto Bay, Cutler Bay, Homestead
4 and Florida City participate in any study.
5

6 **NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND VILLAGE**
7 **COUNCIL OF THE VILLAGE OF PALMETTO BAY, FLORIDA, AS FOLLOWS:**
8

9
10 Section 1. The above whereas clauses are incorporated by reference.

11
12 Section 2. This resolution shall take effect immediately upon approval.

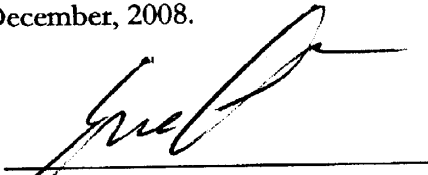
13
14 Section 3. This resolution be forwarded to the Miami-Dade County Mayor and Board of
15 County Commissioners, the Miami-Dade County Metropolitan Planning Organization and the
16 Miami-Dade County Transportation Agency.

17
18 PASSED and ADOPTED this 1 day of December, 2008.

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22 Attest:

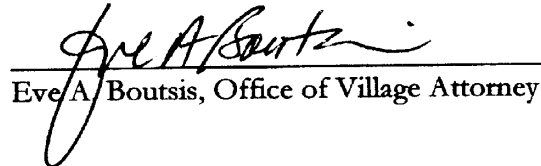


Meighan Rader
Village Clerk



Eugene P. Flinn, Jr.
Mayor

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27 APPROVED AS TO FORM:

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29 
30 _____
31 Eve A. Boutsis, Office of Village Attorney
32

33
34 FINAL VOTE AT ADOPTION:

35
36 Council Member Edward Feller YES
37
38 Council Member Howard Tendrich YES
39
40 Council Member Shelley Stanczyk YES
41
42 Vice-Mayor Brian W. Pariser YES
43
44 Mayor Eugene P. Flinn, Jr. YES
45