

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28
29
30
31
32
33
34
35
36
37
38
39
40
41
42
43
44
45

RESOLUTION NO. 2012-30

A RESOLUTION OF THE MAYOR AND VILLAGE COUNCIL OF THE VILLAGE OF PALMETTO BAY, FLORIDA, RELATING TO THE TRANSFER OF FRANJO ROAD/SW 97th AVENUE FROM SW 184TH STREET TO NORTHBOUND US-1; HEREBY AMENDING THE EXECUTED ROAD TRANSFER AGREEMENT BETWEEN MIAMI-DADE COUNTY AND THE VILLAGE OF PALMETTO BAY; FURTHER AUTHORIZING THE VILLAGE MANAGER TO EXECUTE AN AGREEMENT WITH MIAMI-DADE COUNTY ACCEPTING JURISDICTION, OWNERSHIP AND RESPONSIBILITY FOR FRANJO ROAD FROM SW 184TH STREET TO NORTHBOUND US-1 WITHIN THE CORPORATE LIMITS OF THE VILLAGE OF PALMETTO BAY PER THE ATTACHED AGREEMENT; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the Board of County Commissioners (BCC) adopted Resolution No. R-75-05 authorizing the execution of a Road Transfer Agreement between Miami-Dade County and the Village of Palmetto Bay to transfer the jurisdiction, ownership and control of public roads within the limits of the Village; and,

WHEREAS, the Village of Palmetto Bay requested the transfer of Franjo Road/SW 97th Avenue between SW 184th Street and US-1 from Miami- Dade County Public Works and Waste Management Department (PWWM) on August 5, 2009; and,

WHEREAS, PWWM agreed to enter into a Road Transfer Agreement once the street light improvement project along Franjo Road/SW 97th Avenue between SW 184th Street and northbound US-1, is complete and fully reimbursed by the Florida Department of Transportation; and,

WHEREAS, the Village is requesting that the County proceed with a road transfer agreement to convey jurisdiction, ownership and control of Franjo Road/SW 97th Avenue between SW 184th Street and US-1 within the Village's municipal limits, currently designated as part of the County road system; and,

WHEREAS, this agreement will transfer a major arterial road corridor that the County will no longer maintain; and,

WHEREAS, the Village and the County have determined that it is in the best interest of the parties that the responsibility for operation, maintenance, planning, design and construction and any future improvements thereto be transferred to the Village; and,

WHEREAS, the transfer of jurisdictional functions, outlined in the Agreement, will provide the Village the right and responsibility to maintain the existing right-of-way and infrastructure of Franjo Road/SW 97th Avenue, including road resurfacing, sidewalks, lighting and landscaping.

1 Section 1.01(1) of the Dade County Home Rule Character gives Miami-Dade County the
2 responsibility to regulate countywide traffic functions; and,
3

4 **WHEREAS**, also, Section 2-96-1 of Miami-Dade County Code gives the County's Public
5 Works Department exclusive jurisdiction to regulate vehicular traffic in Miami-Dade County
6 including municipalities; and,
7

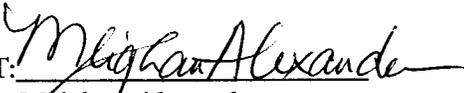
8 **NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND VILLAGE**
9 **COUNCIL OF THE VILLAGE OF PALMETTO BAY, FLORIDA, AS FOLLOWS:**

10
11 **Section 1:** The Village Manager is authorized to execute an agreement with Miami-Dade
12 County accepting jurisdiction, ownership and responsibility for Franjo Road from SW 184th Street to
13 northbound US-1 within the corporate limits of the Village of Palmetto Bay.
14

15 **Section 2:** This resolution shall take effect immediately upon approval.
16

17 **PASSED and ADOPTED** this 2nd day of April, 2012.

18
19
20 ATTEST:


21 Meighan Alexander
22 Village Clerk
23
24


25 Shelley Stanczyk
26 Mayor
27

28 **READ AND APPROVED AS TO FORM:**


29 Eve Boutsis
30 Village Attorney
31
32

33
34 **FINAL VOTE AT ADOPTION:**

35
36 Council Member Patrick Fiore YES
37
38 Council Member Howard J. Tendrich YES
39
40 Council Member Joan Lindsay YES
41
42 Vice-Mayor Brian W. Pariser YES
43
44 Mayor Shelley Stanczyk. YES