




Council Report

776 N.E. 125 Street, North Miami, Florida 33161

To: The Honorable Mayor and City Council
From: Wisler Pierre-Louis, P.E., Public Works Director 
Date: February 13, 2018

RE: A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF NORTH MIAMI, FLORIDA, SUPPORTING THE DESIGN AND INSTALLATION OF TRAFFIC CIRCLES AT THE INTERSECTIONS OF NE 10TH AVENUE AND NE 131ST ST, AND NE 14TH AVENUE AND NE 131ST STREET, TO PROTECT THE HEALTH, SAFETY, AND WELFARE OF THE RESIDENTS; AUTHORIZING THE CITY MANAGER TO TAKE ALL STEPS NECESSARY TO PROCEED WITH THE IMPLEMENTATION OF THESE PROJECTS; PROVIDING FOR AN EFFECTIVE DATE AND FOR ALL OTHER PURPOSES.

RECOMMENDATION

Staff is recommending that the Mayor and City Council pass and adopt the proposed resolution of support for the design and installation of traffic circles at the intersections of NE 10th Avenue and NE 131st Street, and NE 14th Avenue and NE 131st Street.

BACKGROUND

The residents voiced their concerns about excessive speeding on various streets and intersections. The traffic studies confirmed excessive speeding and a high volume of traffic on NE 10th Avenue and NE 131st Street, and NE 14th Avenue and NE 131st Street. In addition to the traffic study, staff reviewed the accident data and determined that these intersections have high accident rates.

Proposed Solution

Traffic circles are a proven way to calm traffic and reduce the occurrence of accidents. Miami-Dade County has provided preliminary approval for the installation of the traffic circles per the requirements of the inter-local agreement.

FUNDING SOURCE

½-cent Transportation Surtax – Traffic Calming Supplies and Installation.

ATTACHMENTS

Resolution of Support
Intergovernmental Agency Agreement

RESOLUTION NO. _____

A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF NORTH MIAMI, FLORIDA, SUPPORTING THE DESIGN AND INSTALLATION OF TRAFFIC CIRCLES AT THE INTERSECTIONS OF NE 10TH AVENUE AND NE 131ST ST, AND NE 14TH AVENUE AND NE 131ST STREET, TO PROTECT THE HEALTH, SAFETY, AND WELFARE OF THE RESIDENTS; AUTHORIZING THE CITY MANAGER TO TAKE ALL STEPS NECESSARY TO PROCEED WITH THE IMPLEMENTATION OF THESE PROJECTS; PROVIDING FOR AN EFFECTIVE DATE AND FOR ALL OTHER PURPOSES.

WHEREAS, residents throughout the City of North Miami (“City”) have complained about speeding vehicles on City streets; and

WHEREAS, in response to such complaints, a traffic study (“Study”) is performed to ascertain the viability of installing traffic calming devices, specifically traffic circles, subject to Miami-Dade County (“the County”) Traffic Flow Modification Procedures; and

WHEREAS, the Study found NE 14th Avenue and NE 10th Avenue to have excessive speed, excessive volume, and the intersections of the avenues with NE 131st Street had above-average accident rates that negatively impact the health, safety, and welfare of the neighborhood residents; and

WHEREAS, traffic circles are a proven method to calm traffic and reduce the severity of accidents due to existing traffic concerns; and

WHEREAS, the County has provided preliminary approval for the installation of the traffic circles, in accordance with the attached Intergovernmental Agency Agreement (“Exhibit A”).

NOW THEREFORE, BE IT DULY RESOLVED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF NORTH MIAMI, FLORIDA:

Section 1. Authority of City Manager. The City Manager is authorized to take all steps necessary and appropriate to proceed with the installation of traffic circles at the intersections of NE 10th Avenue and NE 131st ST; and NE 14th Avenue and NE 131st Street; and to do and cause to be done any and all acts and things necessary or proper for carrying out the transactions contemplated by this Resolution.

Section 2. **Effective Date.** This Resolution shall take effect immediately upon approval.

PASSED AND ADOPTED by a _____ vote of the Mayor and City Council of the City of North Miami, Florida, this _____ day of _____, 2018.

DR. SMITH JOSEPH
MAYOR

ATTEST:

MICHAEL A. ETIENNE, ESQ.
CITY CLERK

APPROVED AS TO FORM AND
LEGAL SUFFICIENCY:

JEFF P. H. CAZEAU, ESQ.
CITY ATTORNEY

SPONSORED BY: CITY ADMINISTRATION

Moved by: _____

Seconded by: _____

Vote:

Mayor Smith Joseph, D.O., Pharm. D.	_____ (Yes)	_____ (No)
Vice Mayor Carol Keys, Esq.	_____ (Yes)	_____ (No)
Councilman Scott Galvin	_____ (Yes)	_____ (No)
Councilman Philippe Bien-Aime	_____ (Yes)	_____ (No)
Councilman Alix Desulme	_____ (Yes)	_____ (No)

**INTERGOVERNMENTAL AGENCY AGREEMENT
TO PERFORM TRAFFIC ENGINEERING FUNCTIONS**

THIS INTERGOVERNMENTAL AGENCY AGREEMENT TO PERFORM TRAFFIC ENGINEERING FUNCTIONS (**AGREEMENT**), made and entered into this 30th day of July, 2014, by and between the **CITY OF NORTH MIAMI, FLORIDA**, a municipal corporation of the STATE OF FLORIDA, hereinafter referred to as the **CITY** and **MIAMI-DADE COUNTY (COUNTY)**, a political subdivision of the STATE OF FLORIDA, MIAMI-DADE County.

WITNESSETH

WHEREAS, pursuant to Section 2-96.1 of the Miami-Dade County Code, all traffic control and traffic engineering services in Miami-Dade County are under the exclusive jurisdiction of the **COUNTY**; and

WHEREAS, the **CITY** desires to assume the installation and maintenance responsibilities of certain traffic engineering functions pertaining to its local municipal streets only; and

WHEREAS, the **COUNTY** has determined that the **CITY** is both equipped and able to perform the traffic engineering functions as herein specified on its local streets; and

WHEREAS the **CITY** has, by proper resolution attached hereto and by reference made a part hereof, authorized its officer(s) to enter into this **AGREEMENT**.

NOW THEREFORE, the **CITY** and the **COUNTY** agree as follows:

1. The recitals set forth above are incorporated herein by reference.
2. The **CITY** will only install and maintain the following designated types of traffic control devices and only on those local municipal streets operated and maintained by the **CITY** within its boundaries:

Speed Humps

Traffic Circles

Traffic calming devices may be installed on local municipal streets only after an appropriate traffic engineering study has been performed and sealed and signed plans have been submitted to the Public

Works and Waste Management Department of the **COUNTY** for its review and approval.

3. The **CITY** shall attach a decal to the back of the sign panels indicating ownership and date of installation.

4. The **CITY** assumes sole and complete responsibility for the maintenance of all such signs that are installed by the **CITY** within its boundaries.

5. The **CITY** assumes sole and complete liability for any accidents and/or injuries which may or are alleged to occur or arise out of the installation, operation or maintenance of said traffic control devices, and hereby indemnifies and saves harmless the **COUNTY** from any and all claims of negligence as a result of the installation, operation or maintenance of said signs.

6. All traffic control signs installed by the **CITY** in accordance with this **AGREEMENT** shall conform to the applicable requirements established by the following publications:

Florida Department of Transportation's Standard Specifications for Road and Bridge Construction.

Manual on Uniform Traffic Control Devices for Streets and Highways, U.S. Department of Transportation Federal Highway Administration (ANSI D6.1e-1989), including latest revisions.

Standard Highway Signs, U.S. Department of Transportation, Federal Highway Administration.

Miami-Dade County Public Works Manual (available from the Public Works and Waste Management Department, Reproduction Services, 111 NW 1 Street, Suite 1604, Miami, FL 33128)

7. For installation of traffic control devices, the **CITY** shall hire a **COUNTY** licensed contractor or perform the work in-house by the **CITY** Public Works crew.

8. Should the **CITY** install street name signs at the same site where a stop-top street name exists, then the **CITY** shall utilize the other corners of the intersection. Subsequently, the **CITY**, shall remove the **COUNTY'S** stop-top street name signs by an approved sign contractor. All signs and hardware removed shall be dismantled and returned to the Traffic Signals and Signs Division of the **COUNTY'S** Public Works and Waste Management

Department.

9. The CITY shall be responsible for keeping records of any and all installations and repairs, and furnishing pertinent documents as and when said records may be requested.

10. Failure to carry out any of the duties and responsibilities assumed herein by the CITY may result in termination of this AGREEMENT, at the sole discretion of the COUNTY.

IN WITNESS WHEREOF, the CITY and the COUNTY have set their hands the day and year above written.

Attest:

MIAMI-DADE COUNTY

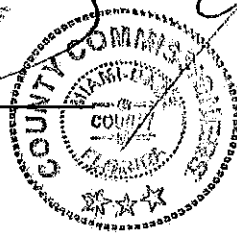
HARVEY RUVIN, CLERK

By:

Deputy Mayor

By:

County Deputy Clerk



Approved as to form and legal sufficiency:

Assistant County Attorney

Attest:

CITY OF NORTH MIAMI

By:

City Clerk

By:

City Manager

Approved as to form and legal sufficiency:

City Attorney

Memorandum



Date: (Second Reading 04-25-06)
January 24, 2006

To: Honorable Chairman Joe A. Martinez
and Members, Board of County Commissioners

From: George W. Burgess
County Manager

Subject: Ordinance Amending Section 2-96.1, Article XIII, Chapter 2, of the Code of Miami-Dade County, Florida; Providing for the Traffic and Transportation Department to Authorize Municipalities Through Intergovernmental Agreements to Perform Certain Traffic Engineering Functions on Local Municipal Streets; Providing Severability, Inclusion in the Code and an Effective Date

Amended
Agenda Item No. 7(D)

0406-55

RECOMMENDATION

It is recommended that the Board of County Commissioners (BCC) approve the attached Ordinance amending Section 2-96.1, Article XIII, Chapter 2, of the Code of Miami-Dade County, Florida; providing for the Traffic and Transportation Department, subsequently incorporated into the Public Works Department in 1981, to authorize municipalities through Intergovernmental Agreements to perform certain traffic engineering functions on local municipal streets.

BACKGROUND

Several municipalities have expressed a desire to design, install and maintain certain traffic control devices within their municipal boundaries along local municipal streets. The Public Works Department has had a long series of meetings with municipal representatives to reach a consensus with towns and cities that wish to utilize the administration of traffic control devices as a part of enhancing and expediting local transportation projects; while balancing the needs of other localities that wish to continue to rely on the County for such services; and also retaining the overall responsibility of Countywide traffic engineering services.

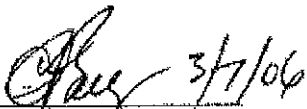
The County can enter into individual interagency agreements, on a case-by-case basis, to authorize municipalities that have the capacity to perform such functions. Such interagency agreements, as executed by me or my designee on behalf of the County and by the legally designated municipal authority, may allow the design, installation and maintenance of traffic control and calming devices on local municipal streets.

FISCAL IMPACT

The attached ordinance allows municipalities to perform certain traffic engineering functions on local municipal roads through an intergovernmental agency agreement between the County and the respective municipality. If an agreement between the County and a certain municipality is authorized by the County Manager or his/her designee, the municipality must be equipped and able to perform the installation and maintenance of regulatory and street name signs, warning signs, construction warning signs, markings and barricades, pavement markings, traffic maintenance and traffic calming devices, all as may be specifically provided in the Agreement and subject to performing appropriate traffic engineering studies if required by such Agreement. The municipalities will also assume liability.

Honorable Chairman Joe A. Martinez
and Members, Board of County Commissioners
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The fiscal impact will actually be determined during negotiations between the County and the municipality. This ordinance may increase the cost of the installation of these traffic engineering activities to the County.

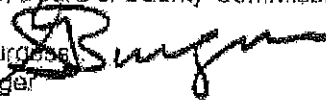

Assistant County Manager

Memorandum



Date:

To: Honorable Chairman Joe A. Martinez
and Members, Board of County Commissioners

From: George M. Burgess 
County Manager

Subject: Ordinance Amending Section 2-96.1, Article XIII, Chapter 2, of the Code

This ordinance amending Section 2-96.1, Article XIII, Chapter 2, of the Code of Miami-Dade County, Florida, providing for the Public Works Department to authorize municipalities through intergovernmental agreements to perform certain traffic engineering functions on local municipal streets, may have a positive fiscal impact to Miami-Dade County.

The amendment to the ordinance would allow the County Manager or designee to authorize municipalities, which desire and are equipped and able, to perform certain traffic engineering, installation and maintenance functions for designated traffic control devices, and to assume such responsibilities as well as all liability, through an Intergovernmental Agency Agreement without any additional cost to the County. This may allow the County in some cases to reallocate funds for other projects. The amendment also allows the County's Public Works Department to retain exclusive jurisdiction over the permanent closure of access to any road or street.


Assistant County Manager

Fiscal00008

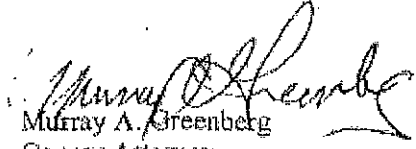


MEMORANDUM

(Revised)

TO: Honorable Chairman Joe A. Martinez
and Members, Board of County Commissioners

DATE: April 25, 2006

FROM: 
Murray A. Greenberg
County Attorney

SUBJECT: Amended
Agenda Item No. 7(D)

Please note any items checked.

- "4-Day Rule" ("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
- Bid waiver requiring County Manager's written recommendation
- Ordinance creating a new board requires detailed County Manager's report for public hearing
- Housekeeping item (no policy decision required)
- No committee review

Approved _____ Mayor

Veto _____

Override _____

Amended

Agenda Item No. 7(D)

4-25-06

ORDINANCE NO. 06-55

ORDINANCE AMENDING SECTION 2-96.1, ARTICLE XIII, CHAPTER 2, OF THE CODE OF MIAMI-DADE COUNTY, FLORIDA; PROVIDING FOR THE TRAFFIC AND TRANSPORTATION DEPARTMENT TO AUTHORIZE MUNICIPALITIES THROUGH INTERGOVERNMENTAL AGENCY AGREEMENTS TO PERFORM CERTAIN TRAFFIC ENGINEERING FUNCTIONS ON LOCAL MUNICIPAL STREETS; PROVIDING SEVERABILITY, INCLUSION IN THE CODE AND AN EFFECTIVE DATE

BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF MIAMI-DADE COUNTY, FLORIDA:

Section 1. Section 2-96.1, of Chapter 2, of Article XIII, Traffic and Transportation Department, of the Code of Miami-Dade County, Florida, is hereby amended as follows:¹

ARTICLE XIII. TRAFFIC AND TRANSPORTATION DEPARTMENT

* * *

Section 2-96.1. Jurisdiction declared exclusive; tampering with Control devices prohibited.

From and after September 16, 1960, all traffic engineering services shall be performed by the traffic and transportation department, and such department shall have exclusive jurisdiction over all traffic control devices in both the incorporated and unincorporated areas of the county, and shall have exclusive jurisdiction to exercise the powers, duties and functions set forth herein. All municipalities in Dade County are prohibited from exercising any such powers, duties and functions, and shall not interfere with the performance thereof by said county department~~[[+]]~~ >> provided, however, that the County Manager or designee, in his/her sole discretion, may authorize municipalities, which desire and are equipped and able to perform certain traffic engineering functions, to assume, together with all liability and without additional cost to the County, through an individual Intergovernmental Agency

¹ Words stricken through and/or [[double bracketed]] shall be deleted. Words underscored and/or >>double arrowed<< constitute the amendment proposed. Remaining provisions are now in effect and remain unchanged.

Agreement, and for local municipal streets only, the installation and maintenance of regulatory and street name signs, warning signs, construction warning signs, markings and barricades, pavement markings, traffic maintenance and traffic calming devices, all as may be specifically provided in the Agreement and subject to performing appropriate traffic engineering studies if required by such Agreement. The Department shall, however, retain exclusive jurisdiction over the permanent closure of access to any road or street. << It shall be unlawful for any person, firm, corporation, or other legal entity, including municipal corporations, to change, modify, install, remove, damage, deface or destroy any traffic control device, unless authorized to do so by the traffic and transportation department[?]] >>, or by an Intergovernmental Agency Agreement. <<

* * *

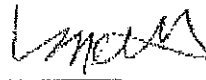
Section 2. If any section, subsection, sentence, clause of this ordinance is held invalid, the remainder of this ordinance shall not be affected thereby.

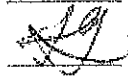
Section 3. It is the intention of the Board of County Commissioners, and it is hereby ordained that the provisions of this ordinance shall become and be made a part of the Code of Miami-Dade County, Florida. The sections of this ordinance may be renumbered or relettered to accomplish such intention, and the word "ordinance" may be changed to "section," or "article," or other appropriate word.

Section 4. This ordinance shall become effective ten (10) days after the date of enactment unless vetoed by the Mayor, and if vetoed, shall become effective only upon an override by this Board.

PASSED AND ADOPTED:

Approved by County Attorney as
to form and legal sufficiency:





Prepared by:

Thomas Goldstein

RESOLUTION NO. 2014 - R - 50

A RESOLUTION OF THE VICE MAYOR AS ACTING MAYOR AND CITY COUNCIL OF THE CITY OF NORTH MIAMI, FLORIDA, AUTHORIZING THE CITY MANAGER TO EXECUTE AN INTERGOVERNMENTAL AGENCY AGREEMENT WITH MIAMI-DADE COUNTY, IN SUBSTANTIALLY THE ATTACHED FORM, TO ALLOW THE CITY TO PERFORM TRAFFIC ENGINEERING FUNCTIONS PERTAINING TO THE INSTALLATION AND MAINTENANCE OF TRAFFIC CALMING DEVICES ON CITY STREETS, IN ACCORDANCE WITH SECTION 2-96.1, MIAMI-DADE COUNTY CODE OF ORDINANCES; PROVIDING FOR AN EFFECTIVE DATE AND FOR ALL OTHER PURPOSES.

WHEREAS, City of North Miami ("City") residents are increasingly concerned of vehicles speeding through residential neighborhoods and therefore, desire the installation and maintenance of traffic calming devices as a proven method of protecting the wellbeing of residents as well as public and private property; and

WHEREAS, the basis for the installation of traffic calming devices at a particular street will be based on the findings of a traffic study analysis, or by the decision of the City Manager by a written finding that the installation of a traffic calming device is important for the preservation of the health and safety of affected residents, pursuant to City Administrative Regulation 09-14; and

WHEREAS, Miami-Dade County, Florida, ("County") has exclusive jurisdiction over all traffic control devices in both, the incorporated and unincorporated areas of the County; and

WHEREAS, the City is prohibited from installing and maintaining traffic calming devices, unless an Intergovernmental Agency Agreement with the County ("Intergovernmental Agreement"), is approved and executed in accordance with Section 2-96.1 County Code of Ordinances; and

WHEREAS, the City administration is respectfully requesting the approval of the Intergovernmental Agreement, in order to proceed with the appropriate installation and maintenance of traffic calming devices, on those City streets deemed to be necessary; and


WHEREAS, the Vice Mayor as Acting Mayor and City Council find that the execution of the Intergovernmental Agreement is a crucial step in protecting the health, safety and welfare of affected residents and serves to safeguard both, public and private property.

NOW THEREFORE, BE IT RESOLVED BY THE VICE MAYOR AS ACTING MAYOR AND CITY COUNCIL OF THE CITY OF NORTH MIAMI, FLORIDA:


Section 1. Authority of City Manager. The Vice Mayor as Acting Mayor and City Council of the City of North Miami, Florida, hereby authorize the City Manager to execute an Intergovernmental Agency Agreement with Miami-Dade County, in substantially the attached form, to allow the City to perform Traffic Engineering Functions pertaining to the installation and maintenance of traffic calming devices on City streets, in accordance with Section 2-96.1, Miami-Dade County Code of Ordinances.

Section 2. Effective Date. This Resolution shall become effective immediately upon adoption.

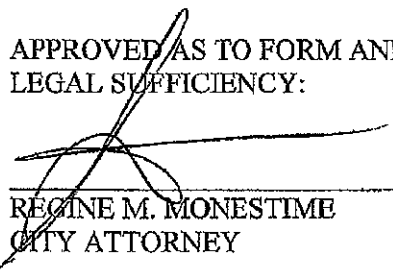
PASSED AND ADOPTED by a 4-0 vote of the Vice Mayor as Acting Mayor and City Council of the City of North Miami, Florida, this 24th day of June, 2014.


PHILIPPE BIEN-AIME
VICE MAYOR AS ACTING MAYOR

ATTEST:


MICHAEL A. ETIENNE, ESQ.
CITY CLERK

APPROVED AS TO FORM AND
LEGAL SUFFICIENCY:


REGINE M. MONESTIME
CITY ATTORNEY

SPONSORED BY: CITY ADMINISTRATION

Moved by: Galvin

Seconded by: Bien-Aime

Vote:

Vice Mayor as Acting Mayor Philippe Bien-Aime	<u>X</u>	(Yes)	<u> </u>	(No)
Councilperson Scott Galvin	<u>X</u>	(Yes)	<u> </u>	(No)
Councilperson Carol Keys, Esq.	<u>X</u>	(Yes)	<u> </u>	(No)
Councilperson Marie Erlande Steril	<u>X</u>	(Yes)	<u> </u>	(No)