MIAMI BEACH

COMMISSION MEMORANDUM

TO: Honorable Mayor and Members of the City Commission
FROM: Rafael A. Paz, City Attorney
DATE: February 1, 2023

SUBJECT: A RESOLUTION OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, RELATING TO TRAFFIC CONGESTION IN THE AREA OF INDIAN CREEK DRIVE/41ST STREET, AND TAKING THE FOLLOWING ACTION: (1) URGING THE FLORIDA DEPARTMENT OF TRANSPORTATION ("FDOT") TO EXPEDITE THE REINSTATEMENT OF THE DUAL SOUTHBOUND RIGHT TURN LANES AT THE INTERSECTION OF INDIAN CREEK DRIVE/41 STREET, TO ALLEVIATE CHRONIC TRAFFIC GRIDLOCK AT THIS MAJOR INTERSECTION, UNTIL SUCH TIME AS FDOT COMPLETES THE PLANNING STUDIES FOR THE IMPLEMENTATION OF A PERMANENT CONFIGURATION TO ACCOMMODATE A SECOND RIGHT TURN LANE AT THIS INTERSECTION; (2) REQUESTING THE CITY'S POLICE DEPARTMENT TO ASSIGN ADDITIONAL LAW ENFORCEMENT OFFICERS TO 41ST STREET DURING PEAK TRAFFIC HOURS, AND PRIORITIZING THE HIRING OF SEASONAL TRAFFIC CONTROL OFFICERS AS PART OF THE FY 2024 ANNUAL BUDGET PROCESS TO ASSIST WITH FLOW OF TRAFFIC ON MAJOR CORRIDORS, INCLUDING 41ST STREET; (3) REQUESTING THAT THE CITY ADMINISTRATION TO COORDINATE A ROUND TABLE WITH FDOT, MIAMI-DADE COUNTY DEPARTMENT OF TRANSPORTATION AND PUBLIC WORKS, THE CITY OF MIAMI, AND NEIGHBORING COASTAL CITIES, AMONG OTHERS, TO DISCUSS REGIONAL TRAFFIC CONCERNS, INCLUDING ADDRESSING THE CAPACITY OF REGIONAL ROADS SHARED BY THE VARIOUS JURISDICTIONS TO ACCOMMODATE EXISTING AND PROJECTED TRAFFIC PATTERNS; (4) DIRECTING THE ADMINISTRATION DEVELOP A NEW POLICY FOR CONSIDERATION BY THE MAYOR AND CITY COMMISSION, TO ALLOW NIGHTTIME WORK WHEREVER POSSIBLE, AND EXPEDITE THE COMPLETION OF CONSTRUCTION PROJECTS THAT OTHERWISE ADVERSELY IMPACT TRAFFIC ALONG MAJOR CORRIDORS; (5) REQUESTING THAT THE MIAMI-DADE COUNTY TRANSPORTATION PLANNING ORGANIZATION ("TPO") PRIORITIZE REGIONAL COORDINATION OF NEW DEVELOPMENT TO ENSURE THAT REGIONAL ASSETS SUCH AS THE CAUSEWAYS MAINTAIN CAPACITY WITHIN EXISTING DENSITY LIMITS; (6) REFERRING TO THE PUBLIC SAFETY AND NEIGHBORHOOD QUALITY OF LIFE COMMITTEE A DISCUSSION OF THE POTENTIAL CLOSURE DURING PEAK HOURS OF CERTAIN CITY STREETS IN RESIDENTIAL AREAS LOCATED IMMEDIATELY NORTH AND SOUTH OF 41ST STREET BETWEEN FLAMINGO DRIVE AND NORTH BAY ROAD, EXCEPT FOR LOCAL RESIDENTS, IN AN EFFORT TO IMPROVE TRAFFIC CONDITIONS IN RESIDENTIAL NEIGHBORHOODS, AS WELL AS PEDESTRIAN AND BICYCLIST SAFETY; AND (7) REFERRING TO THE PUBLIC SAFETY AND NEIGHBORHOOD QUALITY OF LIFE COMMITTEE A DISCUSSION REGARDING THE POTENTIAL USE OF TECHNOLOGY TO ANALYZE TRAFFIC PATTERNS IN CONGESTED CORRIDORS, TO SUPPORT THE CITY AND OTHER AGENCIES WITH JURISDICTION WITH TRAFFIC PLANNING EFFORTS.

ANALYSIS

Pursuant to the request of Commissioner Alex Fernandez, the above-referenced Resolution is submitted for consideration by the Mayor and City Commission at the February 1, 2023 Commission meeting.

SUPPORTING SURVEY DATA

N/A

FINANCIAL INFORMATION

Fiscal impact to be determined based on any programmatic actions as may be approved by the City Commission.

Is this a "Residents Right to Know" item, pursuant to City Code Section 2-14?	**Does this item utilize G.O. Bond Funds?**
No	No

Legislative Tracking
Office of the City Attorney

Sponsor
Commissioner Alex Fernandez

ATTACHMENTS:

	Description
🗋	Resolution
🗋	Resolution 2021-31905

RESOLUTION NO. _____

A RESOLUTION OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, RELATING TO TRAFFIC CONGESTION IN THE AREA OF INDIAN CREEK DRIVE/41ST STREET, AND TAKING THE FOLLOWING ACTION: (1) URGING THE FLORIDA DEPARTMENT OF TRANSPORTATION ("FDOT") TO EXPEDITE THE REINSTATEMENT OF THE DUAL SOUTHBOUND RIGHT TURN LANES AT THE INTERSECTION OF INDIAN CREEK DRIVE/41 STREET, TO ALLEVIATE CHRONIC TRAFFIC GRIDLOCK AT THIS MAJOR INTERSECTION, UNTIL SUCH TIME AS FDOT COMPLETES THE PLANNING STUDIES FOR THE IMPLEMENTATION OF A PERMANENT CONFIGURATION TO ACCOMMODATE A SECOND RIGHT TURN LANE AT THIS INTERSECTION; (2) REQUESTING THE CITY'S POLICE DEPARTMENT TO ASSIGN ADDITIONAL LAW ENFORCEMENT OFFICERS TO 41ST STREET DURING PEAK TRAFFIC HOURS, AND PRIORITIZING THE HIRING OF SEASONAL TRAFFIC CONTROL OFFICERS AS PART OF THE FY2024 ANNUAL BUDGET PROCESS TO ASSIST WITH FLOW OF TRAFFIC ON MAJOR CORRIDORS, INCLUDING 41ST STREET; (3) REQUESTING THAT THE CITY ADMINISTRATION TO COORDINATE A ROUND TABLE WITH FDOT, MIAMI-DADE COUNTY DEPARTMENT OF TRANSPORTATION AND PUBLIC WORKS, THE CITY OF MIAMI, AND NEIGHBORING COASTAL CITIES, AMONG OTHERS, TO DISCUSS REGIONAL TRAFFIC CONCERNS, INCLUDING ADDRESSING THE CAPACITY OF REGIONAL ROADS SHARED BY THE VARIOUS JURISDICTIONS TO ACCOMMODATE EXISTING AND PROJECTED TRAFFIC PATTERNS; (4) DIRECTING THE ADMINISTRATION DEVELOP A NEW POLICY FOR CONSIDERATION BY THE MAYOR AND CITY COMMISSION, TO ALLOW NIGHTTIME WORK WHEREVER POSSIBLE, AND EXPEDITE THE COMPLETION OF CONSTRUCTION PROJECTS THAT OTHERWISE ADVERSELY IMPACT TRAFFIC ALONG MAJOR CORRIDORS; (5) REQUESTING THAT THE MIAMI-DADE COUNTY TRANSPORTATION PLANNING ORGANIZATION ("TPO") PRIORITIZE REGIONAL COORDINATION OF NEW DEVELOPMENT TO ENSURE THAT REGIONAL ASSETS SUCH AS THE CAUSEWAYS MAINTAIN CAPACITY WITHIN EXISTING DENSITY LIMITS; (6) REFERRING TO THE PUBLIC SAFETY AND NEIGHBORHOOD QUALITY OF LIFE COMMITTEE A DISCUSSION OF THE POTENTIAL CLOSURE (EXCEPT FOR LOCAL RESIDENTS) DURING PEAK HOURS OF CERTAIN CITY STREETS IN RESIDENTIAL AREAS LOCATED IMMEDIATELY NORTH AND SOUTH OF 41ST STREET BETWEEN NORTH BAY ROAD AND FLAMINGO DRIVE (SOUTH OF 41ST ST) OR PINE TREE DRIVE (NORTH OF 41ST ST), IN AN EFFORT TO IMPROVE TRAFFIC CONDITIONS IN RESIDENTIAL NEIGHBORHOODS, AS WELL AS PEDESTRIAN AND BICYCLIST SAFETY; AND (7) REFERRING TO THE PUBLIC SAFETY AND NEIGHBORHOOD QUALITY OF LIFE COMMITTEE A DISCUSSION REGARDING THE POTENTIAL USE OF TECHNOLOGY TO ANALYZE TRAFFIC PATTERNS IN CONGESTED CORRIDORS, TO SUPPORT THE CITY AND OTHER AGENCIES WITH JURISDICTION WITH TRAFFIC PLANNING EFFORTS.

WHEREAS, the City has been pursuing the implementation of the dual southbound right turn lanes on a temporary basis though an FDOT permit, via implementation of a temporary Maintenance of Traffic (MOT) plan similar to the one that was in place during the City's Indian Creek Drive reconstruction project; and

WHEREAS, in 2022, the Mayor and City Commission adopted Resolution No. 2022-32294, requesting that the FDOT pursue the design and permanent implementation of dual right turn lanes along southbound Indian Creek Drive, onto westbound 41st Street, along with any other warranted improvements, as part of the upcoming roadway improvement project along SR A1A/Collins Avenue, from 44th Street to the 4700 block, and along Indian Creek Drive, from 41st Street to 44th Street; and

WHEREAS, over the last few months, the traffic gridlock on Collins Avenue and 41st Street during peak commuting hours has become unbearable; and

WHEREAS, the Mayor and City Commission urge the FDOT to expedite the reinstatement of the dual southbound right turn lanes at the intersection of Indian Creek Drive/41 Street in place approximately two years ago during the construction of the City's Indian Creek Drive Flood Mitigation Project; and

WHEREAS, the temporary configuration would entail closing the westbound lane on 41 Street from Collins Avenue to Indian Creek Drive to avoid conflicting movements between westbound vehicle traffic coming from Collins Avenue and southbound right turning vehicles using the requested additional right turn lane at Indian Creek Drive to travel westbound on 41 St; and

WHEREAS, under this interim configuration, northbound Collins Avenue traffic wishing to travel westbound on 41 Street will need to travel up to Collins/44 St, make a left turn at Indian Creek Drive/44 St, travel southbound on Indian Creek Drive back down to 41 Street, and make a right turn using the dual southbound right turn lanes; and

WHEREAS, in addition, during the interim implementation, pedestrian flashing beacons should be installed to enhance pedestrian safety while crossing the dual southbound right turn lanes; and

WHEREAS, this temporary solution would alleviate the traffic gridlock that occurs daily in the affected area, until FDOT completes its traffic study on design and permanent implementation of dual right turn lanes along southbound Indian Creek Drive, as requested by the City Commission in Resolution No. 2022-32294; and

WHEREAS, the permanent improvements would reconfigure Indian Creek Drive from 44 Street to 41 Street, to accommodate an additional southbound right turn lane (total of two right turn lanes), and as a result, some on-street parking spaces on the east side of Indian Creek Drive would be impacted. The FDOT project would also include new signalization improvements at the intersection of Indian Creek Drive/41 Street to accommodate the additional southbound right turn lane while not affecting westbound 41 Street traffic coming from Collins Avenue (which would need to be prohibited under the interim configuration as described above); and

WHEREAS, FDOT is amenable to proceeding with the permanent improvements, the process for which requires a comprehensive traffic study first to confirm need, impacts, and feasibility. If the traffic study finds that the improvement is warranted and feasible, FDOT would include it as part of a planned project (FM # 443931-1) currently in design. The latest FDOT project schedule that I have indicates construction beginning in July 2024 and ending by March 2025, making it all the more pressing that FDOT expedite the reinstatement of the temporary configuration, to provide immediate traffic relief to the area; and

WHEREAS, the Mayor and City Commission are grateful to Senator Ileana Garcia who has been actively assisting the City with respect to these issues, including coordinating meetings with the FDOT Secretary to urge expedited action with respect to the temporary configuration and the permanent, long-term solution; and

WHEREAS, in addition to urging FDOT to expedite the reinstatement of the dual southbound right turn lanes, the Mayor and City Commission wish to take the following action relating to traffic congestion in the City, including short-term and long-term solutions, such as:

- Request the City's Police Department to assign additional law enforcement officers to 41st Street during peak traffic hours, and prioritizing the hiring of seasonal traffic control officers as part of the FY2024 annual budget process to assist with flow of traffic on major corridors, including 41st Street;

- Request that the City Administration to coordinate a round table with FDOT, Miami-Dade County Department of Transportation and Public Works, the City of Miami, and neighboring coastal cities, among others, to discuss regional traffic concerns, including addressing the capacity of regional roads shared by the various jurisdictions to accommodate existing and projected traffic patterns;

- Direct the City Administration develop a new policy for consideration by the Mayor and City Commission, to allow nighttime work wherever possible, and expedite the completion of construction projects that otherwise adversely impact traffic along major corridors;

- Request that the Miami-Dade County Transportation Planning Organization ("TPO") prioritize regional coordination of new development to ensure that regional assets such as the causeways maintain capacity within existing density limits;

- Refer to the Public Safety and Neighborhood Quality of Life Committee a discussion of the potential closure during peak hours of certain City streets in residential areas located immediately north and south of 41st Street between Flamingo Drive and North Bay Road, except for local residents, in an effort to improve traffic conditions in residential neighborhoods, as well as pedestrian and bicyclist safety; and

- Refer to the Public Safety and Neighborhood Quality of Life Committee a discussion regarding the potential use of technology to analyze traffic patterns in congested corridors, to support the City and other agencies with jurisdiction with traffic planning efforts.

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, that the Mayor and City Commission hereby

relating to traffic congestion in the area of Indian Creek Drive/41st Street, and taking the following action: (1) urge the Florida Department Of Transportation ("FDOT") to expedite the reinstatement of the dual southbound right turn lanes at the intersection of Indian Creek Drive/41 Street, to alleviate chronic traffic gridlock at this major intersection, until such time as FDOT completes the planning studies for the implementation of a permanent configuration to accommodate a second right turn lane at this intersection; (2) request the City's Police Department to assign additional law enforcement officers to 41st Street during peak traffic hours, and prioritizing the hiring of seasonal traffic control officers as part of the FY2024 annual budget process to assist with flow of traffic on major corridors, including 41st Street; (3) request that the City Administration to coordinate a round table with FDOT, Miami-Dade County Department of Transportation and Public Works, the City of Miami, and neighboring coastal cities, among others, to discuss regional traffic concerns, including addressing the capacity of regional roads shared by the various jurisdictions to accommodate existing and projected traffic patterns; (4) direct the City Administration develop a new policy for consideration by the Mayor and City Commission, to allow nighttime work wherever possible, and expedite the completion of construction projects that otherwise adversely impact traffic along major corridors; (5) request that the Miami-Dade County Transportation Planning Organization ("TPO") prioritize regional coordination of new development to ensure that regional assets such as the causeways maintain capacity within existing density limits; (6) refer to the Public Safety and Neighborhood Quality of Life Committee a discussion of the potential closure (except for local residents) during peak hours of certain City streets in residential areas located immediately north and south of 41st street between North Bay Road and Flamingo Drive (south of 41st St) or Pine Tree Drive (North of 41st St), in an effort to improve traffic conditions in residential neighborhoods, as well as pedestrian and bicyclist safety; and (7) refer to the Public Safety and Neighborhood Quality of Life Committee a discussion regarding the potential use of technology to analyze traffic patterns in congested corridors, to support the City and other agencies with jurisdiction with traffic planning efforts.

PASSED and **ADOPTED** this ____ day of February 2023.

Dan Gelber, Mayor

ATTEST:

Rafael E. Granado, City Clerk

(sponsored by Commissioner Alex J. Fernandez)

APPROVED AS TO
FORM & LANGUAGE
& FOR EXECUTION

City Attorney PAZ 1-24-23 Date