

RESOLUTION NO. 2023 - _____

A RESOLUTION OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, DIRECTING THE CITY ADMINISTRATION TO IDENTIFY AND PLAN FOR THE DEPLOYMENT OF ADDITIONAL LAW ENFORCEMENT OFFICERS OR, ALTERNATIVELY, TRAFFIC CONTROL OFFICERS, TO DIRECT TRAFFIC AND/OR OPERATE TRAFFIC CONTROL DEVICES ON MAJOR CORRIDORS IN THE CITY INCLUDING, BUT NOT LIMITED TO, 5TH STREET, 41ST STREET, 63RD STREET, 71ST STREET, BELLE ISLE, AND NORTH BAY / ALTON ROAD DURING THE PEAK HOURS (4 P.M. – 7 P.M.) OF TRAFFIC CONGESTION; AND FURTHER, DIRECTING THE CITY ADMINISTRATION TO PRESENT ITS PLAN TO THE MAYOR AND CITY COMMISSION AT THE FEBRUARY 22, 2023 CITY COMMISSION MEETING, INCLUDING ANY COSTS ASSOCIATED WITH THIS INITIATIVE, IN AN EFFORT TO MITIGATE THE SERIOUS TRAFFIC CONGESTION ISSUES ADVERSELY AFFECTING THE QUALITY OF LIFE OF CITY RESIDENTS.

WHEREAS, the City hosts thousands of tourists, day-trippers, and other individuals driving to the City for employment or other purposes, each day; and

WHEREAS, traffic congestion in the City, particularly on major corridors – including 5th Street, 41st Street, 63rd Street, 71st Street, Belle Isle, and North Bay / Alton Road – can be nearly unbearable, especially during the peak hours of 4 pm. – 7 p.m., Monday through Friday; and

WHEREAS, the City Commission has previously heard various items that I, and other elected officials, have sponsored concerning the multitude of traffic issues that the City faces on a regular basis; and

WHEREAS, Chapter 316 of the Florida Statutes specifically authorizes the police department of each chartered municipality to enforce the traffic laws of the State on all streets and roadways throughout the municipality wherever the public has the right to travel by motor vehicle; and

WHEREAS, in addition to law enforcement officers, Fla. Stat. 316.640 also expressly provides that any police department of a municipality may employ as a “traffic control officer” any individual who successfully completes at least eight (8) hours of instruction in traffic control procedures through a program approved by the Division of Criminal Justice Standards and Training of the Department of Law Enforcement, or through a similar program offered by the local sheriff’s department or police department, but who does not necessarily otherwise meet the uniform minimum standards established by the Criminal Justice Standards and Training Commission for law enforcement officers or auxiliary law enforcement officers; and

WHEREAS, pursuant to Fla. Stat. 316.640, “traffic control officers” employed pursuant to such statute may direct traffic or operate a traffic control device at fixed locations and upon the direction of a fully qualified law enforcement officer; however, it is not necessary that the “traffic control officer’s” duties be performed under the immediate supervision of a fully qualified law enforcement officer; and

WHEREAS, to the extent that law enforcement officers are unavailable for various traffic control assignments due to staffing issues, preoccupation with other law enforcement responsibilities and duties, or any other reason, then the use of “traffic control officers” may be of

benefit, as “traffic control officers” could aid in improving traffic flow and simultaneously free sworn law enforcement officers to contend with other important public safety matters.

NOW THEREFORE, BE IT DULY RESOLVED THAT THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, hereby direct the City Administration to identify and plan for the deployment of additional law enforcement officers or, alternatively, traffic control officers, to direct traffic and/or operate traffic control devices on major corridors in the City including, but not limited to, 5th Street, 41st Street, 63rd Street, 71st Street, Belle Isle, and North Bay / Alton Road during the peak hours (4 p.m. – 7 p.m.) of traffic congestion; and further, directing the City Administration to present its plan to the Mayor and City Commission at the February 22, 2023 City Commission meeting, including any costs associated with this initiative, in an effort to mitigate the serious traffic congestion issues adversely affecting the quality of life of City residents.

PASSED and ADOPTED this _____ day of February, 2023.

ATTEST:

Dan Gelber, Mayor

Rafael E. Granado, City Clerk

(Sponsored by Vice-Mayor Steven Meiner)

APPROVED AS TO
FORM & LANGUAGE
& FOR EXECUTION

City Attorney

1-25-23

Date

MAF