

RESOLUTION NO. 2024 - _____

A RESOLUTION OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, DIRECTING THE CITY ADMINISTRATION TO DEVELOP ADDITIONAL STRATEGIES FOR ADDRESSING TRAFFIC CONGESTION WITHIN THE CITY INCLUDING, WITHOUT LIMITATION, THE FOLLOWING: (1) EXPLORING THE STATUTORY APPROVAL PROCESS FOR TRANSFER OF OWNERSHIP TO THE CITY OF CERTAIN FLORIDA DEPARTMENT OF TRANSPORTATION (“FDOT”) CAUSEWAYS AND/OR MAJOR STATE ROADS WITHIN THE CITY (INCLUDING THE MACARTHUR CAUSEWAY, JULIA TUTTLE CAUSEWAY, 5TH STREET, ALTON ROAD, AND COLLINS AVENUE, TO ALLOW THE CITY TO IMPOSE TOLLS AND/OR CONGESTION PRICING TOLLING RATES (WITH DISCOUNTS FOR MIAMI BEACH RESIDENTS) DURING HIGH IMPACT EVENT PERIODS, AND OTHERWISE BETTER CONTROL THE MOVEMENT OF TRAFFIC ON MAJOR STREETS; (2) DEVELOPING MORE RIGOROUS SPECIAL EVENT PERMIT REVIEWS, INCLUDING A TRAFFIC ANALYSIS AS PART OF A LARGE SPECIAL EVENT PERMIT APPLICATION, AS WELL AS ADDITIONAL PERMIT CONDITIONS RELATING TO MAINTENANCE OF TRAFFIC (“MOT”) PLANS AND OTHER TRAFFIC MITIGATION MEASURES; AND (3) EXPEDITING THE DEPLOYMENT OF PUBLIC SAFETY TRAFFIC CONTROL OFFICERS TO FACILITATE THE MOVEMENT OF TRAFFIC, PARTICULARLY DURING PEAK PERIODS AND HIGH IMPACT EVENT WEEKENDS; AND FURTHER DIRECTING THE CITY ADMINISTRATION TO REPORT BACK TO THE CITY COMMISSION AT THE APRIL 3, 2024 CITY COMMISSION MEETING WITH AN UPDATE ON THESE MEASURES, AS PART OF THE CITY COMMISSION’S COMPREHENSIVE APPROACH TO MITIGATING TRAFFIC CONGESTION IN THE CITY.

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

WHEREAS, traffic congestion in the City, particularly on major causeways and corridors can be nearly unbearable on a regular basis, especially during the peak hours of 4 pm. – 7 p.m., Monday through Friday; and

WHEREAS, traffic congestion during major special events often escalates from the unbearable to outright impossible to navigate; and

WHEREAS, a more comprehensive strategy to mitigate the deleterious impacts of out-of-control traffic in our City is desirable and necessary; and

WHEREAS, this more comprehensive strategy should include, without limitation, the exploration of the transfer of ownership of certain highly impacted causeways and roadways within the City from the Florida Department of Transportation (“FDOT”) to the City and/or the imposition of tolls (with discounts for Miami Beach residents) during high-impact events in the City; the development of more stringent requirements for organizers of major special events in our City; and expedited deployment of public safety traffic control officers (as previously approved by the City Commission); and

WHEREAS, one element of a comprehensive traffic reduction strategy should be the exploration of imposition of tolls by FDOT or the transfer of ownership to the City of FDOT causeways and/or major state roads, to allow City to impose tolls and/or congestion pricing tolling rates (with discounts for Miami Beach residents) during high impact event periods, and otherwise better control the movement of traffic on major streets in an effort to mitigate traffic congestion; and

WHEREAS, the City does not have the current legal authority to impose a toll on the MacArthur Causeway, Julia Tuttle Causeway, or other state roads owned by FDOT and which form part of the State Highway System (the "Proposed Toll Roads"). With respect to the Venetian Causeway, Miami-Dade County owns the Venetian Causeway and has jurisdiction to establish its toll program for the causeway; and

WHEREAS, the City would need to request transfer of ownership of the Proposed Toll Roads in order to impose a toll, pursuant to the road transfer process outlined in Florida Statute 335.0415, which requires the mutual agreement of FDOT and the City to transfer roads; and

WHEREAS, City ownership of the Proposed Toll Roads would also obligate the City to provide for and fund the maintenance of the roadways (all of which are currently maintained by FDOT) and the City Administration should explore whether the new toll revenues will be sufficient to fund those maintenance operations; and

WHEREAS, some of the Proposed Toll Roads, i.e. the MacArthur Causeway, are currently classified as a "Federal Aid Road", so the Administration should research this issue further to determine whether any federal approvals for tolls would also be required from the Federal Highway Administration after first determining if FDOT would be amenable to the imposition of tolling and/or a transfer of ownership to the City of the Proposed Toll Roads; and

WHEREAS, moreover, major special events that take place throughout the City on multiple dates and locations throughout the City often add an exponentially direr impact to the City's already heavily trafficked roadways; and

WHEREAS, currently, the City's special event procedures only require event organizers to obtain a right-of-way permit and provide a Maintenance of Traffic ("MOT") plan for the immediate area in and around any street or sidewalk closure, and that MOT is limited to ameliorating the impact to pedestrian and vehicular traffic during the load-in and load-out periods for the event (but not mitigating traffic impacts citywide during the actual event) and currently no traffic study to predict and mitigate citywide traffic impacts is required from major event organizers; and

WHEREAS, current City special event procedures and approvals have not kept pace with the growing impact of large-scale special events on traffic and congestion in our City, so, as one element of a new comprehensive strategy, a reexamination should be performed of these procedures to determine how large (more than 10,000 planned attendees) special event organizers can be required to conduct large scale traffic studies and provide more comprehensive MOTs to mitigate the impact of congestion caused by these special events throughout the City; and

WHEREAS, additionally, 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. Sec. 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; and

WHEREAS, the City Commission has previously approved by amendment to the Fiscal Year 2024 budget, the hiring and deployment of public safety traffic control officers to help mitigate and control traffic during peak traffic times and locations, and expedited deployment of these non-sworn officers should be one additional part of the new comprehensive strategy; and

WHEREAS, the City Administration is directed to be prepared to provide an update on the development of a comprehensive traffic strategy to mitigate the deleterious impacts of out-of-control congestion on the causeways and roadways in our City, including, but not limited to, the specific measures outlined herein, at the April 3, 2024 City Commission meeting.

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 develop additional strategies for addressing traffic congestion within the City including, without limitation, the following: (1) exploring the statutory approval process for transfer of ownership to the City of certain Florida Department Of Transportation (“FDOT”) causeways and/or major state roads within the City (including the Macarthur Causeway, Julia Tuttle Causeway, 5th Street, Alton Road, and Collins Avenue, to allow the City to impose tolls and/or congestion pricing tolling rates (with discounts for Miami Beach residents) during high impact event periods, and otherwise better control the movement of traffic on major streets; (2) developing more rigorous special event permit reviews, including a traffic analysis as part of a large special event permit application, as well as additional permit conditions relating to Maintenance of Traffic (“MOT”) plans and other traffic mitigation measures; and (3) expediting the deployment of public safety traffic control officers to facilitate the movement of traffic, particularly

during peak periods and high impact event weekends; and further direct the City Administration to report back to the City Commission at the April 3, 2024 City Commission meeting with an update on these measures, as part of the City Commission's comprehensive approach to mitigating traffic congestion in the City.

PASSED and ADOPTED this _____ day of _____, 2024.

ATTEST:

Steven Meiner, Mayor

Rafael E. Granado, City Clerk

(Sponsored by Mayor Steven Meiner)

APPROVED AS TO
FORM & LANGUAGE
& FOR EXECUTION

[Handwritten Signature] 2/20/24

City Attorney Date