

RESOLUTION NO. 2020- 2746

A RESOLUTION OF THE MAYOR AND THE TOWN COMMISSION OF THE TOWN OF SURFSIDE, FLORIDA, IN SUPPORT OF CLOSING BYRON AVENUE AT 96TH STREET AND/OR OTHER TRAFFIC MITIGATION MEASURES; DIRECTING THE TOWN ADMINISTRATION TO COMMENCE THE PROCESS OF CLOSING 96TH STREET AT BYRON AVENUE AND/OR OTHER TRAFFIC MITIGATION MEASURES, INCLUDING APPLICATION TO AND WORKING WITH MIAMI-DADE COUNTY FOR SUCH CLOSURE AND/OR TRAFFIC MITIGATION MEASURES; PROVIDING FOR IMPLEMENTATION; PROVIDING FOR TRANSMITTAL TO MIAMI-DADE COUNTY; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the traffic light at 96th Street and Byron in the Town of Surfside (“Town”) has caused the entire length of Byron Avenue to become a speedway for commuters and has caused northbound traffic from Collins Avenue to utilize Byron Avenue as a short cut to go west on 96th Street; and

WHEREAS, the traffic light at 96th Street and Byron Avenue has incentivized the entire residential area to utilize only this street to exit the Town at its north end, rather than to exit the residential area by way of Collins Avenue via all streets throughout the Town; and

WHEREAS, the traffic light at 96th Street and Byron Avenue has caused a hugely disproportionate amount of traffic and impact on Byron Avenue and its residents, as rather than utilizing Collins Avenue, many non-residents and commercial traffic leaving the business district and beach, utilize Byron Avenue and 96th Street to go west and left; and

WHEREAS, the traffic light and northbound exit at 96th Street and Byron Avenue, and the heavy and constant traffic along Byron Avenue, has caused a safety concern for residents, pedestrians and bikers utilizing Byron Avenue, including families with children, our elderly and anyone walking to worship; and

WHEREAS, the extreme traffic driven by funneling traffic to the Byron Avenue traffic light at 96th Street has impacted and caused the value of homes along Byron Avenue to be diminished in value; and

WHEREAS, the traffic light at 96th Street and Byron Avenue has caused diminished quality of life, anxiety and stress for all residents who live along the length on Byron Avenue, with at least one resident being hit by a car and hospitalized and numerous pets have been killed; and

WHEREAS, the Town Commission finds that closing Byron Avenue at 96th Street and/or other traffic mitigation measures are needed to protect the life, safety and welfare of residents along Byron Avenue and in the Town, to ensure proper traffic flow and safety, and to improve the quality of life and property values for residents along Byron Avenue and the Town; and

WHEREAS, the Town Commission wishes to direct the Town administration to commence the process of closing 96th Street at Byron Avenue and/or other traffic mitigation measures, including application to and working with Miami-Dade County, including the Department of Transportation and Public Works, for such closure and/or traffic mitigation measures pursuant to the County's "Traffic Flow Modification/Street Closure Procedures"; and

WHEREAS, on December 8, 2020, the Town Commission conducted a public hearing on this matter and all interested parties were heard and provided public comment, and due and proper consideration was given to the matter; and

WHEREAS, the Town Commission finds that this Resolution is in the best interest of the public health, welfare, and safety of the Town's residents.

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND TOWN COMMISSION OF THE TOWN OF SURFSIDE, FLORIDA, AS FOLLOWS:

Section 1. Recitals. Each of the above-stated recitals are hereby adopted, confirmed, and incorporated herein.

Section 2. In Support of Closing Byron Avenue at 96th Street and/or Other Traffic Mitigation Measures; Request to Miami-Dade County Department of Transportation and Public Works. The Mayor and Town Commission of the Town of Surfside support the closure of Byron Avenue at 96th Street and/or other traffic mitigation measures as necessary to protect the life, safety and welfare of residents along Byron Avenue and in the Town, to ensure proper traffic flow and safety, and to improve the quality of life and property values for residents along Byron Avenue and the Town. The Town Commission hereby requests that the Miami-Dade County Department of Transportation and Public Works consider any proposed Town application for Traffic Flow Modification/Street Closure.

Section 3. Direction to Town Administration; Implementation. The Town Commission directs and authorizes the Town Administration to commence the process of closing 96th Street at Byron Avenue and/or other traffic mitigation measures, including application to and working with Miami-Dade County, including the Department of Transportation and Public Works, for such closure and/or traffic mitigation measures pursuant to the County's "Traffic Flow Modification/Street Closure Procedures", and to take all action necessary to implement the purposes of this Resolution. The Town Administration is further authorized to engage a traffic engineer to consult and assist in the submittal of a Traffic Flow Modification/Street Closure application to Miami-Dade County and/or a traffic study and supporting documentation, as may be prudent or required.

Section 4. Transmittal. That the Town Clerk is directed to transmit a copy of this Resolution to Miami-Dade County, including the Board of County Commissioners and the Department of Transportation and Public Works.

Section 5. Effective Date. That this Resolution shall become effective immediately upon its adoption.

PASSED AND ADOPTED this 8th day of December, 2020.

Motion By: Commissioner Kesl
Second By: Vice Mayor Paul

FINAL VOTE ON ADOPTION:

Commissioner Charles Kesl	<u>yes</u>
Commissioner Eliana R. Salzhauer	<u>NO</u>
Commissioner Nelly Velasquez	<u>ABSENT</u>
Vice Mayor Tina Paul	<u>yes</u>
Mayor Charles W. Burkett	<u>yes.</u>

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Charles W. Burkett, Mayor

ATTEST:

Sandra N. McCready, MMC
Town Clerk

**APPROVED AS TO FORM AND LEGALITY FOR THE USE
AND BENEFIT OF THE TOWN OF SURFSIDE ONLY:**



Weiss Seroja Helfman Cole & Bierman, P.L.
Town Attorney