

**RESOLUTION No. 20-179**

**A RESOLUTION OF THE MAYOR AND THE CITY COUNCIL OF THE CITY OF DORAL, FLORIDA, AUTHORIZING THE CITY MANAGER TO ENTER INTO AN INTERLOCAL AGREEMENT WITH MIAMI-DADE COUNTY TO OBTAIN THE COUNTY'S APPROVAL AUTHORIZING THE CITY TO INSTALL AND MAINTAIN 25 MILE PER HOUR (MPH) SPEED LIMIT SIGNS AS OUTLINED IN THE AGREEMENT; AUTHORIZING THE CITY MANAGER TO EXECUTE THE AGREEMENT; AND PROVIDING FOR AN EFFECTIVE DATE**

**WHEREAS**, the City of Doral desires to improve the quality of life and public health through traffic safety improvements on City and Local streets; and

**WHEREAS**, per Miami-Dade County (MDC) Code Sections 2-95 and 2-96.1 all traffic control and traffic engineering services within the County are under the exclusive jurisdiction of MDC; and

**WHEREAS**, the City of Doral Public Works Department (PWD) has requested to assume the installation and maintenance responsibilities of 25 MPH Speed Limit Signs on local municipal residential streets; and

**WHEREAS**, the City of Doral currently has approval from MDC to install the 25 MPH speed limit signs within Section 7 of the City; and

**WHEREAS**, the City will perform a Speed Limit Reduction Study for any additional locations outside of Section 7 but within the City's limits and submit said study to the County for review and approval prior to design and installation of additional 25 MPH Speed Limit Signs; and

**WHEREAS**, the proposed 25 MPH speed limit signs provide a greater ability to focus on pedestrian safety and greater emphasis on motorists' speeds; and

**WHEREAS**, upon full execution of this agreement, or as in the attached substantial form, the PWD will move forward with the implementation of the criteria proposed for traffic engineering functions within City limits; and

**WHEREAS**, if the County makes any substantial changes to the agreement prior to execution the PWD will present the revised agreement to Council for approval.

**NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF DORAL AS FOLLOWS:**

**Section 1. Recitals.** The above recitals are confirmed, adopted, and incorporated herein and made part hereof by this reference.

**Section 2. Approval.** The Interlocal Agreement for 25 MPH Speed Limit Signs, attached hereto as Exhibit "A", is hereby approved.

**Section 3. Authorization.** The City Manager is authorized to execute the Interlocal Agreement.

**Section 4. Implementation.** The City Manager and the City Attorney are hereby authorized to take such further action as may be necessary to implement the purpose and the provisions of this Resolution.

**Section 5. Effective Date.** This Resolution shall take effect immediately upon adoption.

The foregoing Resolution was offered by Councilmember Cabrera who moved its adoption. The motion was seconded by Councilmember Cabral and upon being put to a vote, the vote was as follows:

Mayor Juan Carlos Bermudez	Yes
Vice Mayor Christi Fraga	Yes
Councilwoman Digna Cabral	Yes
Councilman Pete Cabrera	Yes
Councilwoman Claudia Mariaca	Yes

PASSED AND ADOPTED this 9 day of September, 2020.

  
\_\_\_\_\_  
JUAN CARLOS BERMUDEZ, MAYOR

ATTEST:

  
\_\_\_\_\_  
CONNIE DIAZ, MMC  
CITY CLERK

APPROVED AS TO FORM AND LEGAL SUFFICIENCY  
FOR THE USE AND RELIANCE OF THE CITY OF DORAL ONLY:

  
\_\_\_\_\_  
LUIS FIGUEREDO, ESQ.  
CITY ATTORNEY

# EXHIBIT “A”

**INTERGOVERNMENTAL AGENCY AGREEMENT TO ALLOW  
CITYWIDE RESIDENTIAL SPEED REDUCTION TO 25 MPH AND  
TO PERFORM THE INSTALLATION AND MAINTENANCE OF  
THE SPEED LIMIT SIGNS  
(25 MPH Speed Limit Signs)**

THIS INTERGOVERNMENTAL AGENCY AGREEMENT TO INSTALL AND MAINTAIN CITYWIDE TWENTY-FIVE (25) MILES PER HOUR (MPH) SPEED LIMIT SIGNS ("Agreement") is made and entered into this \_\_\_\_\_ day of \_\_\_\_\_, 2020, by and between the CITY OF DORAL (the "City"), a municipal corporation of the State of Florida, and MIAMI-DADE COUNTY (the "County"), a political subdivision of the State of Florida.

**WITNESSETH**

**WHEREAS**, pursuant to Sections 2-95 and 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 of Doral desires to assume, and is requesting from the County to allow it to perform, the installation and maintenance responsibilities of the twenty-five (25) miles per hour ("MPH") speed limit signs pertaining to its local municipal streets only; and

**WHEREAS**, the City of Doral has Transportation Engineers available to plan, design, and perform construction inspection of Transportation Projects within its Public Works Department, and has represented to the County that it is capable, equipped, and qualified to perform the duties and functions requested herein; and

**WHEREAS**, the City currently has approval from Miami-Dade County for a Speed Limit Reduction Study in the Section 7 area of the City; and

**WHEREAS**, the City will perform a Speed Limit Reduction Study for any additional locations outside of Section 7 but within the City's limits and submit said study to the County for review and approval in writing prior to design and installation of additional 25 MPH Speed Limit Signs; and

**WHEREAS**, Miami Dade County shall approve the City's standard detail for the posted speed limit signs, attached hereto as Exhibit A; and

**WHEREAS**, the County and the City agree that nothing contained in this Agreement shall diminish or impact the rights of either entity with respect to jurisdiction, sovereign or permitting powers, or in any other matter related to the installation, use and maintenance of the traffic control devised unless specifically set forth herein, including but not limited to any County powers under the Miami-Dade County Code; and

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

**NOW THEREFORE**, the City of Doral and the County agree as follows:

**Section 1. Recitals Adopted.** The recitals set forth above are incorporated herein by reference and confirmed.

**Section 2. Speed Limit Signs.** The City of Doral may install and maintain twenty-five (25) MPH Speed Limit Signs on only those local municipal residential streets operated and maintained by the City within its boundaries, and not on County or State roadways; or within school zones.

**Section 3. Installation.** Any such Speed Limit Signs may be installed on local municipal streets only after an appropriate design plan depicting the location of the new speed limit signs has received written approval

from the City Manager or his/her designee. A copy of such plans must be submitted to the Department of Transportation and Public Works (“DTPW”) of the County. Any such speed limit signs may be installed on local municipal streets only after signed and sealed design plans have been reviewed, permitted, and received written approval by the City, through its City Manager or his/her designee. Provided that such design plans utilize the standard design attached hereto as Exhibit “A”, no additional review or approval by the County shall be required before installation. To the extent that design plans deviate from the standard design attached hereto as Exhibit “A”, such plans shall be submitted to the County for its review and written approval. A copy of such design plans must be submitted to the applicable Department of the County.

**Section 4. Decals.** The City of Doral shall attach a decal to the back of the sign panels indicating the City of Doral’s ownership and date of installation.

**Section 5. Standards.** All Speed Limit Signs installed by the City of Doral in accordance with this Agreement shall conform to the applicable requirements established by the following publications including latest revisions:

- Manual on Uniform Traffic Control Devices for Streets and Highways, U.S. Department of Transportation Federal Highway Administration
- Standard Highway Signs, U.S. Department of Transportation, Federal Highway Administration
- Florida Department of Transportation’s Standard Specifications for Road and Bridge Construction
- Miami-Dade County Public Works Standard Details Manual, or any other comparative criteria available to municipalities which has been approved by the County.

**Section 6. Maintenance Responsibility.** The City of Doral assumes sole and complete responsibility for the maintenance of all 25 mph speed limit signs installed by the City on local municipal roads within the City’s boundaries. If the City fails to maintain the 25 mph speed limit signs, it shall be the responsible for any and all costs incurred by the County to replace them or remove them. The City shall be responsible for the aesthetics of all installed 25 mph Speed Limit Signs (e.g. peeling, graffiti, flyers, stickers, etc.) pursuant to this agreement.

**Section 7. Liability and Indemnification.** The City of Doral assumes sole and complete liability for any and all accidents, damages, claims, and/or injuries which may, or are alleged to, occur or arise out of the installation, operation or maintenance of said Speed Limit Signs, and hereby indemnifies to the extent allowed by Section 768.28, Florida Statutes, and holds harmless the County from any and all claims and damages arising from such installation, operation or maintenance of the Speed Limit Signs.

**Section 8. No Waiver of Sovereign Immunity.** Notwithstanding any other term in this Agreement, nothing shall be deemed to be a waiver of either the City of Doral or the County’s immunity or limitation of liability as provided pursuant to Section 768.28, Florida Statutes, as may be amended from time to time.

**Section 9. Public Records.** The City of Doral shall be responsible for keeping records of any and all installations and repairs, and for furnishing pertinent documents as and when said records may be requested by the County. The Parties shall each maintain their own requirements for records retention set forth in Chapter 119, Florida Statutes.

**Section 10. Headings.** The headings or captions of sections or paragraphs used in this Agreement are for convenience of reference only and are not intended to define or limit their contents, nor are they to affect the construction of or to be taken into consideration in interpreting this Agreement.

**Section 11. Ambiguities.** The preparation of this Agreement has been a joint effort of the Parties hereto and both Parties have had the benefit of consultation with legal counsel of their choosing prior to its execution. The resulting document shall not, solely as a matter of judicial construction, be construed more severely against one of the Parties than the other.

**Section 12. Entirety.** This Agreement embodies the entire agreement between the Parties with respect to the matters addressed herein. Previous agreements and understandings of the Parties with respect to such matters are null, void, and of no effect. Notwithstanding any other provision contained herein, no third-party beneficiaries are created with respect to any claims against the County by virtue of this Agreement.

**Section 13. Amendments.** This Agreement may be amended, modified, or altered, and its material provisions may be waived, only by written instrument, and only if properly executed by all parties hereto.

**Section 14. Effective Date.** That this Agreement shall become effective on the date first written above after such Agreement is fully executed by all parties hereto.

**Section 15. Termination.** Either the City of Doral or the County may, in their respective sole and complete discretion, terminate this Agreement, with or without cause and/or convenience of the terminating party, upon twenty (20) business days written notice; provided, however, the City of Doral shall continue to maintain, repair, and be responsible for any Speed Limit Signs installed by the City of Doral while this Agreement was in effect. Prior to the termination of this Agreement, however, the City of Doral may elect to remove any one or all Speed Limit Signs installed by the City of Doral; provided the City of Doral shall restore the roadway and area in which the Speed Limit Sign was located to the condition that existed before the City of Doral's installation.

**Section 16. Execution.** This Agreement may be executed in one or more hard or electronic counterparts, which, when taken together, shall constitute one fully executed instrument.

**Section 17. Notice.** Any notices to be given hereunder shall be in writing and shall be deemed to have been given if sent by hand deliver, recognized overnight courier (e.g. Federal Express), or by written certified U.S. mail, with return receipt requested, addressed to the Party for whom it is intended, at the place specified. The method of delivery shall be consistent among all of the persons listed herein. For the present, the Parties designate the following as the representative for notice purposes:

- a. **For the County:** Miami-Dade Department of Transportation and Public Works,  
Attn: Director, 111 NW 1<sup>st</sup> Street, Suite 1510, Miami, FL 33128

**With a Copy To:** Miami-Dade County Attorney's Office,  
111 NW 1<sup>st</sup> Street, Suite 2910, Miami FL 33128

- b. **For the City:** City of Doral, Attn: Albert P. Childress, City Manager,  
8401 NW 53<sup>rd</sup> Terrace, Doral, FL 33166

**With a Copy To:** Luis Figueredo, City Attorney,  
8401 NW 53<sup>rd</sup> Terrace, Doral, FL 33166

**With a Copy To:** City of Doral Public Works Department,  
Attn: Director, 8401 NW 53<sup>rd</sup> Terrace, Doral, FL 33166

**IN WITNESS WHEREOF**, the City and the County have set their hands the day and year above written.

ATTEST:

HARVEY RUVIN, CLERK

MIAMI-DADE COUNTY

By:

\_\_\_\_\_  
County Mayor

By: \_\_\_\_\_  
County Deputy Clerk

(Affix County Seal)

Approved as to form and legal sufficiency:

\_\_\_\_\_  
Assistant County Attorney

**THE CITY OF DORAL, FLORIDA**

**ATTEST:**

CITY OF DORAL, FLORIDA, a municipal  
Corporation of the State of Florida

By: \_\_\_\_\_  
Connie Diaz, MMC, City Clerk

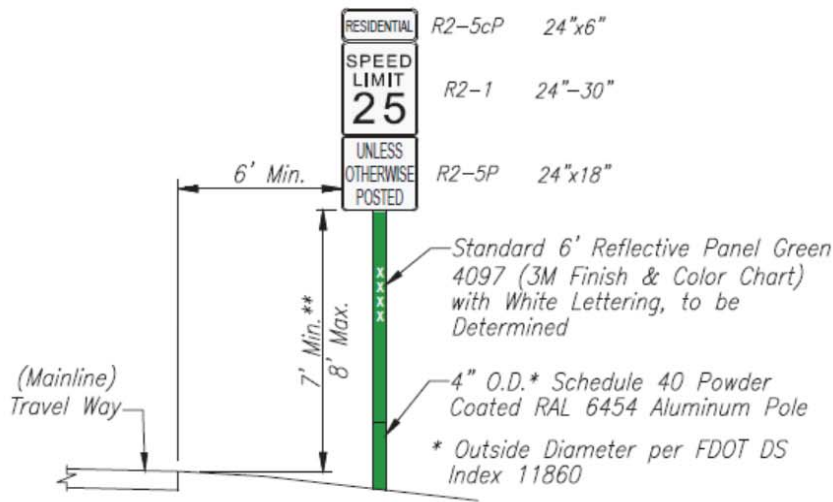
By: \_\_\_\_\_  
Albert P. Childress, City Manager

(Affix City of Doral Seal)

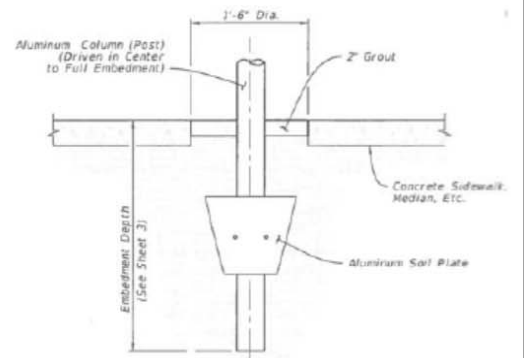
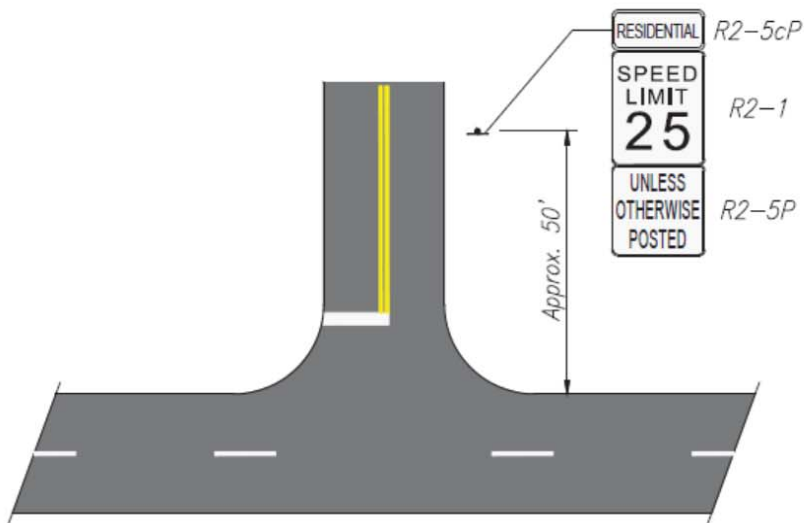
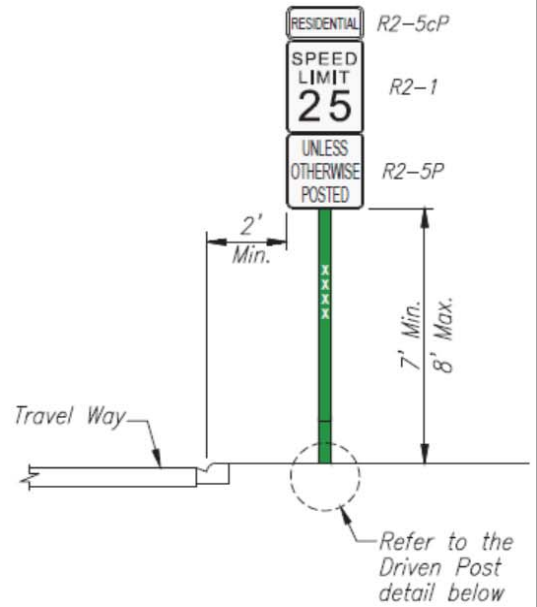
APPROVED AS TO LEGAL FORM  
CORRECTNESS:

By: \_\_\_\_\_  
Luis Figueredo, City Attorney






\*\* PER FDOT DS INDEX 17302



Driven Post Detail

Note: 2" Grout is not required when installed in soil.

ALL SIGNS AND POSTS SHALL BE INSTALLED PER FLORIDA DEPARTMENT OF TRANSPORTATION DESIGN STANDARDS FOR SINGLE COLUMN GROUND SIGNS

Approved: 08/18/2020		Dept. Of Public Works	Standard Details
Scale: N.T.S.		Engineering Division	Speed Limit Sign Placement
		City of Doral	Detail