

RESOLUTION No. 10 – 26

A RESOLUTION OF THE MAYOR AND THE CITY COUNCIL OF THE CITY OF DORAL, FLORIDA AUTHORIZING THE CITY MANAGER TO NEGOTIATE AND ENTER INTO AN INTERGOVERNMENTAL AGENCY AGREEMENT TO PERFORM TRAFFIC ENGINEERING FUNCTIONS WITH MIAMI-DADE COUNTY FOR THE PROVISION OF IMPLEMENTING THE SECTION 7 TRAFFIC CALMING PLAN; AND PROVIDING FOR AN EFFECTIVE DATE

WHEREAS, In October 2008, the City Council adopted a Traffic Calming Plan within Section 7 of the City of Doral which was reviewed by Miami-Dade County as the jurisdiction having control over traffic operations; and

WHEREAS, Miami-Dade County approved the use and location of specific traffic calming devices and right-of-way improvements which is subject to the City entering into an agreement with Miami-Dade County to assign the City as the responsible agency for the installation and maintenance of the approved traffic calming devices and right-of-way improvements; and

WHEREAS, Staff respectfully requests that the City Council authorize the City Manager to negotiate and enter into an Intergovernmental Agency Agreement to Perform Traffic Engineering Functions, presented herein as Exhibit "A," with Miami-Dade County for the provision of implementing the Section 7 Traffic Calming Plan.

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

Section 1. The City Council hereby authorizes the City Manager to negotiate and enter into an Intergovernmental Agency Agreement to Perform Traffic Engineering Functions, presented herein as Exhibit "A," with Miami-Dade County for the provision of implementing the Section 7 Traffic Calming Plan.

Section 2. This Resolution shall take effect immediately upon adoption.

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

Mayor Juan Carlos Bermudez	Yes
Vice Mayor Robert Van Name	Yes
Councilman Pete Cabrera	Yes
Councilman Michael DiPietro	Yes
Councilwoman Sandra Ruiz	Yes

PASSED and ADOPTED this 10th day of February, 2010.



JUAN CARLOS BERMUDEZ, MAYOR

ATTEST:



BARBARA HERRERA, CITY CLERK

APPROVED AS TO FORM AND
LEGAL SUFFICIENCY:



JIMMY MORALES, ESQ., CITY ATTORNEY

EXHIBIT "A"

**INTERGOVERNMENTAL AGENCY AGREEMENT
TO PERFORM TRAFFIC ENGINEERING FUNCTIONS**

THIS INTERGOVERNMENTAL AGENCY AGREEMENT TO PERFORM TRAFFIC ENGINEERING FUNCTIONS (**AGREEMENT**), made and entered into this ____ day of _____, 2010, by and between the **CITY OF DORAL, FLORIDA**, a municipal corporation of the STATE OF FLORIDA, hereinafter referred to as the **CITY** and **MIAMI-DADE COUNTY (COUNTY)**, a political subdivision of the STATE OF FLORIDA, MIAMI-DADE County.

WITNESSETH

WHEREAS, pursuant to Section 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** desires to assume the installation and maintenance responsibilities of certain traffic engineering functions pertaining to its local municipal streets only; and

WHEREAS, the **COUNTY** has determined that the **CITY** is both equipped and able to perform the traffic engineering functions as herein specified on its local streets; and

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

NOW THEREFORE, the **CITY** and the **COUNTY** agree as follows:

1. The recitals set forth above are incorporated herein by reference.
2. The **CITY** will only install and maintain the following designated types of traffic control devices and only on those local municipal streets operated and maintained by the **CITY** within its boundaries:

2.1. Traffic Circle/Roundabouts at the following locations

- a. **NW 109 Avenue at NW 78 Street**
- b. **NW 109 Avenue at NW 86 Street**
- c. **NW 112 Avenue at NW 78 Street**
- d. **NW 112 Avenue at NW 79 Lane**
- e. **NW 112 Avenue at NW 82 Street**

- f. **NW 114 Path/NW 114 Court at NW 52 Street**
- g. **NW 112 Avenue/NW 112 Court at NW 82 Street**

2.2. Raised median and bike lanes:

- a. **Along NW 112 Avenue from NW 74 Street to NW 112 Court**
- b. **Along NW 82 Street from NW 107 Avenue to NW 117 Avenue**

2.3. Bike lanes:

- a. **Along NW 78 Street from NW 107 Avenue to NW 112 Avenue**
- b. **Along NW 109 Avenue from NW 78 Street to NW 90 Street**

Traffic calming devices may be installed on local municipal streets only after an appropriate traffic engineering study has been performed and sealed and signed plans have been submitted to the Public Works Department of the **COUNTY** for its review and approval.

3. The **CITY** shall attach a decal to the back of the sign panels indicating ownership and date of installation.

4. The **CITY** assumes sole and complete responsibility for the maintenance of all such signs that are installed by the **CITY** within its boundaries.

5. The **CITY** assumes sole and complete liability for any accidents and/or injuries which may or are alleged to occur or arise out of the installation, operation or maintenance of said traffic control devices, and hereby indemnifies and saves harmless the **COUNTY** from any and all claims of negligence as a result of the installation, operation or maintenance of said signs.

6. All traffic control signs installed by the **CITY** in accordance with this **AGREEMENT** shall conform to the applicable requirements established by the following publications:

- o Florida Department of Transportation's Standard Specifications for Road and Bridge Construction.
- o Manual on Uniform Traffic Control Devices for Streets and Highways, U.S. Department of Transportation Federal Highway Administration (ANSI D6.1e-1989), including latest revisions.
- o Standard Highway Signs, U.S. Department of Transportation, Federal Highway Administration.
- o Miami-Dade County Public Works Manual (available from the Public Works Department, Reproduction Services, 111 NW 1 Street, Suite 1604, Miami, FL 33128)

7. For installation of traffic control devices, the **CITY** shall hire a **COUNTY** licensed contractor or perform the work in-house by the **CITY** Public Works crew.

8. Should the **CITY** install street name signs at the same site where a stop-top street name exists, then the **CITY** shall utilize the other corners of the intersection. Subsequently, the **CITY** shall remove the **COUNTY'S** stop-top street name signs by an approved sign contractor. All signs and hardware removed shall be dismantled and returned to the Traffic Signals and Signs Division of the **COUNTY'S** Public Works Department.

9. The **CITY** shall be responsible for keeping records of any and all installations and repairs, and furnishing pertinent documents as and when said records may be requested.

10. Failure to carry out any of the duties and responsibilities assumed herein by the **CITY** may result in termination of this **AGREEMENT**, at the sole discretion of the **COUNTY**.

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

ATTEST:

MIAMI-DADE COUNTY

HARVEY RUVIN, CLERK

By: _____
County Manager

By: _____
County Deputy Clerk

Approved as to form and legal sufficiency:

Assistant County Attorney

ATTEST:

CITY OF DORAL

By: _____
City Clerk

By: _____
City Manager

Approved as to form and legal sufficiency:

City Attorney