

**RESOLUTION NO. 2021- 2755**

**A RESOLUTION OF THE MAYOR AND THE TOWN COMMISSION OF THE TOWN OF SURFSIDE, FLORIDA, AMENDING RESOLUTION NO. 2020-2746 IN SUPPORT OF CLOSING BYRON AVENUE AT 96TH STREET AND/OR OTHER TRAFFIC MITIGATION MEASURES, IN ORDER TO ADD AND IN SUPPORT OF CLOSING BAY DRIVE AT 96<sup>TH</sup> STREET AND/OR OTHER TRAFFIC MITIGATION MEASURES; DIRECTING THE TOWN ADMINISTRATION TO COMMENCE THE PROCESS OF CLOSING 96<sup>TH</sup> STREET AT BYRON AVENUE AND BAY DRIVE AND/OR OTHER TRAFFIC MITIGATION MEASURES, INCLUDING APPLICATION TO AND WORKING WITH MIAMI-DADE COUNTY FOR SUCH CLOSURES AND/OR TRAFFIC MITIGATION MEASURES; PROVIDING FOR IMPLEMENTATION; PROVIDING FOR TRANSMITTAL TO MIAMI-DADE COUNTY; AND PROVIDING FOR AN EFFECTIVE DATE.**

**WHEREAS**, on December 8, 2020, the Town Commission of the Town of Surfside (“Town”) adopted Resolution No. 2020-2746 in support of closing Byron Avenue at 96<sup>th</sup> Street and/or other traffic mitigation measures, and directing the Town administration to commence the process of closing 96<sup>th</sup> Street at Byron Avenue, including application to Miami-Dade County for such closure and/or traffic mitigation measures (the “Original Resolution”); and

**WHEREAS**, at the December 8, 2020 and January 14, 2021 Commission meetings, the Town Commission held a public hearing on this matter and received significant public comment and input from residents and interested parties also seeking the closure of Bay Drive at 96<sup>th</sup> Street, and approved an amendment to the Original Resolution to add support for the closure of Bay Drive at 96<sup>th</sup> Street; and

**WHEREAS**, the Town Commission hereby determines that it is in the best interest and welfare of the residents of the Town to amend the Original Resolution in order to add support for the closure of Bay Drive at 96<sup>th</sup> Street, and makes additional findings with respect to the closure of Bay Drive at 96<sup>th</sup> Street; and

**WHEREAS**, the traffic light at 96<sup>th</sup> Street and Byron Avenue in the 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 96<sup>th</sup> 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 96<sup>th</sup> Street to go west and left; and

**WHEREAS**, the traffic light and northbound exit at 96<sup>th</sup> 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 and potentially all streets adjacent, near and connected to same, 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 and potentially all streets adjacent, near and connected to same, with at least one resident being hit by a car and hospitalized and numerous pets have been killed; and

**WHEREAS**, the road network and geography of Surfside constrain and funnel northbound traffic patterns to three potential outlets, Byron Avenue, Carlyle Avenue, and Bay Drive; and

**WHEREAS**, Carlyle Avenue having been previously closed to through traffic some time ago, any closure of Byron Avenue will likely divert traffic to the last remaining open street on the north end of Surfside, Bay Drive; and

**WHEREAS**, diverting traffic to a northern exit on Bay Drive will have serious, deleterious and enduring impact on the health, safety and welfare, for residents and children using the park in

the vicinity of Bay Drive; and

**WHEREAS**, the outflows of the road network at the north end of Surfside is a set of heavily trafficked interrelated parts, best addressed together, and Byron Avenue and Bay Drive at 96<sup>th</sup> Street, being only two blocks apart should be expeditiously reviewed by Miami-Dade County and permanently closed for the safety and welfare of all of Surfside's residents, especially its children.

**WHEREAS**, the Town Commission finds that closing Byron Avenue and Bay Drive at 96<sup>th</sup> Street and/or other traffic mitigation measures are needed to protect the life, safety and welfare of residents along Byron Avenue and Bay Drive 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 Bay Drive and the Town; and

**WHEREAS**, the Town Commission has directed the Town administration to commence the process of closing 96<sup>th</sup> Street at Byron Avenue and Bay Drive 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 closures and/or traffic mitigation measures; 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. Amendment to the Original Resolution; In Support of Closing Byron Avenue and Bay Drive at 96<sup>th</sup> Street and/or Other Traffic Mitigation Measures.** The Mayor and Town Commission of the Town of Surfside hereby amend Resolution 2020-2746 to support the closure of Byron Avenue and Bay Drive at 96<sup>th</sup> Street and/or other traffic mitigation measures as necessary to protect the life, safety and welfare of residents along Byron Avenue, Bay Drive 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, Bay Drive and the Town.

**Section 3. Direction to Town Administration; Implementation.** The Town Commission directs and authorizes the Town Administration to commence the process of closing 96<sup>th</sup> Street at Byron Avenue and Bay Drive 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 closures and/or traffic mitigation measures, and to take all action necessary to implement the purposes of this Resolution.

**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 14th day of January, 2021.


Motion By: Vice Mayor Paul  
Second By: Commissioner Velasquez

**FINAL VOTE ON ADOPTION:**


Commissioner Charles Kesl	<u>No</u>
Commissioner Eliana R. Salzhauer	<u>Absent</u>
Commissioner Nelly Velasquez	<u>Yes</u>
Vice Mayor Tina Paul	<u>Yes</u>
Mayor Charles W. Burkett	<u>Yes</u>

**ATTEST:**

  
\_\_\_\_\_  
Sandra N. McCready, MMC  
Town Clerk

  
\_\_\_\_\_  
Charles W. Burkett, Mayor

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

  
\_\_\_\_\_  
Weiss Serota Helfman Cole & Bierman, P.L.  
Town Attorney