



OFFICIAL COURT NEWSPAPER OF SOUTH FLORIDA  
DailyBusinessReview.com  
An ALM Publication VOL. 16, NO. 36 \$2.00

### LeClairRyan Opens Office in Boca Raton

By Shonda Bonaventura Pines  
LeClairRyan announced it has opened an office in Boca Raton and plans to add attorneys within the year. The firm will be adding to its South Florida presence, which includes offices in Miami, Fort Lauderdale, West Palm Beach, and Delray Beach. The Boca Raton office will be led by partner and managing director Robert J. LeClair. The firm also has offices in New York, Washington, D.C., and Chicago.

### Quick Biscayne Boulevard Experiment Ends, Flagler Street Work Drags On

By Carla Vianna  
Miami's Downtown Development Authority concluded a pop-up experiment that put pedestrians first and vehicles second on Biscayne Boulevard, one of the main arteries cutting through the urban core. The 20-day event wraps up Thursday, but the permanent project won't launch just yet. The Florida Department of Transportation approved over \$400,000 to fund a traffic elimination analysis starting in 2018, said Alyce Robertson, executive director of the DDA. "We'll be working with them to move the funding window up some," Robertson said. The study will determine how many lanes can be repurposed for things like

# Quick Biscayne Boulevard Experiment Ends, Flagler Street Work Drags On



The Biscayne Green initiative coincides with a \$13 million, five-block streetscape project on Flagler Street, a long-anticipated project that has fallen behind schedule.

### Senior Appellate Judge Rails Against 'Chevron' Deference

By Colin Hooper  
A Florida appellate judge has said that the Supreme Court's "Chevron" deference doctrine is "an affront to the rule of law." Judge Frank Phillips, writing for a majority in a recent decision, argued that the doctrine allows agencies to make up their own rules without proper oversight. He called for a re-examination of the doctrine.

### Proposal Could Resolve Key Florida Death Penalty Issue

By Colin Hooper  
Legislators are looking toward getting Florida's death penalty back on the books after a series of court rulings left the state without a way to maintain its death sentences. A bill introduced in the House would require the state to provide a way to execute those on death row. The bill also addresses the issue of how to handle cases where the state has no way to execute a death sentence.

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Miami's Downtown Development Authority conducted a pop-up experiment that put pedestrians first and vehicles second on Biscayne Boulevard, one of the main arteries cutting through the urban core.

Dubbed "Biscayne Green," the month-long project aimed to excite Miamians for what's to come: a development that will permanently strip travel lanes and parking from the eight-lane corridor to make way for more pedestrians, bicyclists and public transit.

"This was a dream had by the DDA ... to prioritize pedestrian and cycling activity over the traditional auto-centric mindset," said City Commissioner Ken Russell. While the idea of converting traffic lanes to other uses does "go against traditional thought," he said the temporary trial did not hurt vehicle flow.

The 20-day event wraps up Thursday, but the permanent project won't launch just yet.

The Florida Department of Transportation approved over \$400,000 to fund a traffic elimination analysis starting in 2018, said Alyce Robertson, executive director of the DDA.

"We'll be working with them to move the funding window up some," Robertson said.

The study will determine how many lanes can be repurposed for things like

public transit without disrupting the flow of traffic.

The long-term plan targets the southern end of Biscayne between Northeast Sixth and Southeast First streets. The DDA wants to convert four lanes — up to two in each direction — to pedestrian-friendly walkways, bicycle paths and public transit routes. Four parking lots in the median would be converted to pedestrian promenades. One lane would be left for parallel parking.

The traffic study, which should last six to nine months, will examine the feasibility of the plans, Robertson said.

The temporary initiative closed two southbound lanes to vehicle traffic, and placed planters, seating and public art in median parking lots. There's been little feedback from drivers, although people have reportedly adapted well to the parallel parking, she said.

"Biscayne Boulevard is eight lanes right now, but it bottlenecks at either end," Russell said. "What you have is a raceway going each way."

He said reducing the number of lanes would ensure a safer flow of vehicles.

"There's excess capacity there," Robertson said, which is why the DDA is looking to overhaul that section of the corridor.

The temporary project was made possible by seed funding from the Knight Foundation and the Miami Foundation.

While there aren't plans for an encore, Robertson said the DDA would consider bringing the pop-up event back if more funds become available.

### FLAGLER DELAY

The Biscayne Green initiative coincides with a \$13 million, five-block streetscape project on Flagler Street, a long-anticipated project that has fallen behind schedule.

The redevelopment intersecting Biscayne Boulevard is intended to improve the historic main street's sidewalks and reduce traffic congestion. The DDA launched the 13-phase project early last year near the Miami-Dade County Courthouse with a projected completion date at the end of 2017.

Shovels hit the ground on phase one and two from Northwest First Avenue to the courthouse about a year ago. The first phase wrapped up by mid-summer, but construction is still ongoing on phase two.

Each phase was to be completed in 60 days, but the contractor, Chicago-based F.H. Paschen, ran into several issues including aging buried utilities that delayed construction. Phases two, three and four are now underway. A message seeking comment from the company was not returned by deadline.

The second phase near the courthouse has been in the works for nearly a year and is nearing completion. The street re-

vamp will ultimately extend to Biscayne.

Brian Alonso, co-chair of the DDA's Flagler Street Task Force, said the contractor has had a considerable amount of turnover, which further delayed the work.

"It's been a challenge" to work with them, he said, adding the company's lack of response to the delays has been frustrating.

He said provisions exist in the contract between the city and F.H. Paschen to cover unforeseen delays. However, the DDA is not happy with the sluggish progress.

Neisen Kasdin, managing partner at Akerman's Miami office and vice chair of the DDA, said the group wants a more formal role in the project. The development authority plans to secure a memorandum of understanding with the city that will give it a stronger voice in major project decisions and the ability to push the process along.

Alonso said the city has tapped Atkins Engineering to analyze the delay. A new completion schedule will be negotiated, and the DDA wants a seat at the table when that decision is made.

He said construction work sped up in November when the city began to warn the contractor that it was in violation of the contract.

"There's some optimism there," he said.

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