

**CLERK'S SUMMARY OF AGENDA ACTION
AND OFFICIAL MINUTES
MIAMI-DADE AVIATION AD HOC COMMITTEE
MEETING OF JULY 23, 2003**

The Miami-Dade Aviation Ad Hoc committee met in the County Commission Chambers on the second floor of the Stephen P. Clark Government Center, 111 N.W. First Street, Miami, Florida at 4:00 p.m., July 23, 2003, there being present upon roll call, Ad Hoc Committee Chairperson Neisen Kasdin, and members Mario Artecona, Dorothy Baker, Raymond Cain, Terry A. Coble, Charlotte Gallogly, Allan Harper, George Siggins, and Mayor Donald Slesnick, (William Alexander, Michelle Austin, Councilman Leslie Bowe, Wayne Darnell, Dr. Jorge Salazar-Carillo, and Maria Sastre were absent); also in attendance were Angela Gittens, Aviation Department Director; Assistant County Attorney Abigail Price-Williams and Deputy Clerk Cheryl Shamsid-Deen.

I. Roll Call

Presented

II. Meeting Minutes

None presented.

III. Governance Matrix Working Session

Chairperson Kasdin opened the meeting and noted the accomplishments made by the committee at its last meeting and stated that the committee would continue working on the governance matrix at today's meeting.

Authority Membership

Chairperson Kasdin noted at the last meeting Ms. Michelle Austin had been requested to provide a description of the qualities sought in an Airport Authority member.

Ms. Angela Gittens, Aviation Department Director, presented a list of Qualifications of the Board of Directors for the proposed Aviation Authority. In addition, Ms. Gittens recommended using the preamble statement presented at the last meeting by Ms. Austin.

Chairperson Kasdin reviewed the following proposed qualifications for the Airport Authority membership:

- Each member of the Aviation Authority shall be a United States citizen and a resident of Miami-Dade County.
- Appointees shall possess outstanding reputations for integrity, responsibility, and commitment to serving the community.
- No member shall have a criminal conviction for any felony offense.

- The make-up of the Aviation Authority shall reflect a broad cross-section of constituent groups and the diversity of Miami-Dade County.
- Members shall have expertise and/or experience in one or more fields such as business, law, economics, finance, construction, public affairs, and/or aviation.
- No member shall be a sitting elected official in any jurisdiction, an employee of Miami-Dade County, or possess a conflict of interest.

The Assistant County Attorney read into the record the following language for incorporation into the foregoing qualifications for Airport Authority membership, "that each voting member of the authority shall be a United States citizen, and a permanent resident and qualified elector of Miami-Dade County and shall possess an outstanding reputation for integrity, responsibility, and commitment to serving the community during his or her term in office."

Upon the request of Ms. Coble, the foregoing language read by the Assistant County Attorney was revised to provide that these provisions apply both prior to and during an Aviation Authority member's term in office.

It was moved by Ms. Gallogly that the foregoing qualifications for Airport Authority membership be approved as amended to include Labor and Employee Relations as a field of experience for membership, and reserving the right to incorporate Ms. Austin's preamble statement. This motion was seconded by Chairperson Kasdin.

Prior to voting on the foregoing motion and following discussion, Mayor Slesnick offered an amendment to the motion to eliminate the qualification language that provided that no member shall be a sitting elected official in any jurisdiction. This motion was seconded by Mr. Artecona.

Ms. Gallogly did not accept the foregoing amendment to the main motion.

The committee then voted on the amendment to eliminate the language that provided that no member shall be a sitting elected official in any jurisdiction, and upon being put to a vote, Chairperson Kasdin announced that the motion failed to carry by a vote of 5 to 4, (Mr. Alexander, Ms. Austin, Councilman Bowe, Mr. Darnell, Dr. Salazar-Carillo, and Ms. Sastre were absent).

The Committee returned its consideration to the main motion which was moved by Ms. Gallogly and restated and clarified to provide that the foregoing qualifications for Airport Authority membership be approved as amended to include Labor and Employee Relations as a field of experience for membership, the revised language read into the record by the Assistant County Attorney and reserving the right to incorporate Ms. Austin's preamble statement. The motion, upon being put to a vote passed by a vote of 7-2, (Mr. Harper and Mayor Slesnick voted no), (Mr. Alexander, Ms. Austin, Councilman Bowe, Mr. Darnell, Dr. Salazar-Carillo and Ms. Sastre were absent).

Discussion ensued among the committee members regarding the possibility of re-examining and compromising on certain issues in order to receive the support of the County Commission.

Nominating Council Appointment Process for Authority Membership

Ms. Gallogly presented her recommendations relating to the composition of the nominating council and the appointment process for Authority Membership.

Following discussion among the members of the committee, Chairperson Kasdin called for a consensus of the committee regarding the following:

- That the Nominating Council be comprised of representative groups to be determined, which would come up with a slate of candidates that it submits to the final decision maker(s), who would appoint the membership of the authority.
- That the Nominating Council be permanent.

The committee proceeded to review the following list of organizations that had been recommended to serve on the Nominating Council by the Blue Ribbon Panel:

- Greater Miami Chamber of Commerce
- Miami-Dade Chamber of Commerce
- CAMACOL
- Black Business Association
- League of Women Voters
- Convention and Visitors Bureau
- Beacon Council
- Greater Miami Aviation Association

In response to the committee's inquiry, Ms. Gittens stated the focus of the Greater Miami Aviation Association was on aviation support systems and the committee may also want to consider other organizations that focused more specifically on general aviation coverage. She recommended that the nominating council include representation of the passengers.

It was moved by Ms. Gallogly that the following organizations be designated to serve on the Nominating Council:

- Greater Miami Chamber of Commerce
- Miami-Dade Chamber of Commerce
- CAMACOL
- Black Business Association
- League of Women Voters
- Convention and Visitors Bureau
- Beacon Council

- Greater Miami Aviation Association
- World Trade Center
- Miami Business Forum

This motion was seconded by Mr. Artecona.

There being no objection, the foregoing motion was amended to add the Dade League of Cities to the Nominating Council. The motion, as amended, upon being put to a vote passed by a unanimous vote of those members present, (Mr. Alexander, Ms. Austin, Councilman Bowe, Mr. Darnell, Dr. Salazar-Carillo, and Ms. Sastre were absent).

It was moved by Mayor Slesnick that the Chairperson or the Chairperson's designee of the twelve organizations shall serve on the Nominating Council. This motion was seconded by Mr. Siggins and upon being put to a vote, passed unanimously by those members present, (Mr. Alexander, Ms. Austin, Councilman Bowe, Mr. Darnell, Dr. Salazar-Carillo, and Ms. Sastre were absent).

The committee proceeded to discuss the number of nominees that should be submitted to the final decision maker(s) who would appoint the membership of the authority.

It was moved by Mr. Artecona that the Nominating Council recommended a slate of 21 candidates to fill the Airport Authority's initial seven (7) vacancies. This motion was seconded by Mayor Slesnick, and upon being put to a vote, passed unanimously by those members present, (Mr. Alexander, Ms. Austin, Councilman Bowe, Mr. Darnell, Dr. Salazar-Carillo, and Ms. Sastre were absent).

Airport Authority Membership

It was moved by Mr. Harper that of the seven members of the Airport Authority, one appointment be made by the Governor, one appointment be made by the Mayor and five appointments be made by the Board of County Commissioners. This motion was seconded by Ms. Gallogly.

Discussion ensued among the committee members regarding the foregoing motion.

It was moved by Mr. Siggins, and seconded, that the foregoing motion be amended to eliminate the Governor from making an appointment to the Airport Authority.

Following discussion regarding the amount of support received by the Airport from the State, members of the committee expressed concern with not having the Governor make an appointment to the Airport Authority.

It was moved by Mr. Artecona that consideration of the appointment process for the Airport Authority be deferred to the next meeting. This motion was seconded by Mr. Siggins and upon being put to a vote passed by a vote of 7-2, (Mr. Harper and Mayor Selsnick voted no) (Mr. Alexander, Ms. Austin, Councilman Bowe, Mr. Darnell, Dr. Salazar-Carillo, and Ms. Sastre were absent).

IV. Other Business

Discussion ensued among the members of the committee regarding its meeting schedule and the deadline for submitting its recommendations.

Chairperson Kasdin was asked to request that the County Commission Chairperson extend the committee's deadline for submitting its recommendations.

The committee cancelled its meeting of August 6, 2003 and indicated that the meeting of August 27, 2003, would be held at the Airport from 2:00 p.m. to 6:00 p.m.

The committee tentatively scheduled a meeting for September 10, 2003 at the Airport at 2:00 p.m.

Assistant County Attorney Price Williams presented Financial Disclosure forms to the members of the committee and noted that pursuant to the advise of the Commission on Ethics, these documents needed to be filled out by the committee members.

V. Adjourned

There being no further business to come before the Aviation Ad Hoc Committee the meeting was adjourned at 6:07 p.m.



Neisen Kasdin, Chairperson
Aviation Ad Hoc Committee



Miami-Dade Aviation Ad-Hoc Committee
Exhibits List
July 23, 2003

Prepared by: Abraham Sanchez

EXHIBITS LIST

NO.	DATE	ITEM #	DESCRIPTION
1	07/23/2003		Clerk's Agenda Aviation Ad Hoc Committee for July 23, 2003
2	07/23/2003		Aviation Ad Hoc Committee Meeting Agenda July 23, 2003.
3	07/22/2003		July 22, 2003 Memorandum from World Trade Center Miami.
4	04/2003		Aviation Governance Proposals, April 2003
5	07/16/2003		July 16, 2003 Memorandum (Comments and Concerns)
6	04/2003		Aviation Governance Proposals (04/2003)
7			Goals to Consider and Qualifications of the Board of Directors
8			Sample Forms
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Exhibits:

- 1 = Order of the Day
- 2 = Pull List
- 3 = Memoranda for Changes to Agenda (Mayoral, County Manager or BCC Chair's Memo)
- 4 = **for BCC meetings**: Save PDF copies of all agenda items not assigned a resolution/ordinance number
- 5 = **for BCC Committees**: Save PDF copies of all agenda items not forwarded to the BCC
- 6 = Memoranda Re Allocations from Commission Office Funds/District Reserve Funds
- 7 = Memoranda Re Board Appointments
- 8 = Memoranda From Commissioners Re Absenteeism/late
- 9 = All Exhibits Distributed During Meetings: Memoranda, Reports, Maps, PowerPoint Presentations, Petitions (signed), Photographs, and all other Agenda Item-related documents
- 10 = **For Zoning meetings**: the Zoning Agenda, the sheet containing the list of the applications to be heard for the day (Yellow), the Zoning Action Sheet; a copy of the Zoning Meeting Exhibit list, which indicates exhibits transferred to the Zoning Department.



MIAMI-DADE AVIATION AD HOC COMMITTEE

July 23, 2003 at 4:00 p.m.
Commission Chambers, 2nd Floor, Stephen P. Clark
Government Center, 111 N.W. 1st Street, Miami

MEETING AGENDA

Legal/Staff Support: Abigail Price-Williams, Assistant County Attorney; Angela Gittens, Director, Miami-Dade Aviation Department; Kay Sullivan, Clerk of the Board

I. Roll Call

Neisen O. Kasdin, **Chairman**, Beacon Council
Dr. Raymond E. Cain, Jr., **Vice-Chairman**, Florida Memorial College
Allan Harper, Greater Miami Chamber of Commerce
Charlotte Gallogly, World Trade Center-Miami
Councilman Leslie Bowe, Miami-Dade League of Cities
D. Wayne Darnell, Greater Miami Aviation Association
Dorothy Baker, Miami-Dade Chamber of Commerce
Dr. Jorge Salazar-Carrillo, Florida International University
Maria Sastre, Greater Miami Visitors and Convention Bureau
George Siggins, Airport and Aviation Professionals, Inc.
Mario Artecona, Miami Business Forum
Mayor Don Slesnick, City of Coral Gables
Michelle Austin, Haitian-American Chamber of Commerce
Terry A. Coble, League of Women Voters
William Alexander, CAMACOL

II. Meeting Minutes - June 18 and July 2, 2003

III. Governance Matrix Working Session

IV. Other Business

V. Adjournment

EXHIBIT



MEMORANDUM

Date: July 22, 2003

To: Tony Quintero
Miami-Dade Aviation Dept.

From: Charlotte Gallogly
President

Subject: Completion of the Governance Proposal Matrix

The following recommendations are provided for the items identified in the Governance Matrix:

Creation Mechanism: Voter referendum amending the Home Rule Charter

Size of Aviation Authority: 9 members. Given the international travel schedules of business executives in Greater Miami, it is important to have a sufficient number of members present at authority meetings.

Authority Membership: Appointments to be made as follows:

Voting Members of the Authority

- 1 member to be appointed by the Mayor
- 5 members to be appointed by the Chairman and the Board of County Commissioners
- 3 members to be appointed by the Governor

Ex-officio Members of the Authority

- 3 members appointed by Board of County Commissioners
- County Manager

Nominating Council Appointment Process for Authority Membership:

- The appointees should be drawn from major constituent industries that use the airports managed by the Miami-Dade Aviation Department: tourism, international business, merchandise trade, aviation, cargo, cruise, foreign businesses, local

EXHIBIT

business community, local transportation, passengers and aviation related unions.

--The following organizations should be asked to recommend 3-5 candidates from the constituent groups. Special care should be taken to make sure that the recommended candidates are representative of the gender, race and ethnic diversity of Greater Miami.

Tourism Industry: Greater Miami Convention & Visitors Bureau
International Business and Merchandise Trade: World Trade Center Miami and Coral Gables Chamber of Commerce
Aviation Industry: Miami Airport Affairs Committee and Greater Miami Aviation Association
Cargo Industry: Miami Air Cargo Association and Air Cargo Americas Steering Committee
Cruise Industry: Florida Cruise Association
Foreign Businesses: International Trade Commissioners of Florida, Inc.
Local Business Community: The Beacon Council, Greater Miami Chamber of Commerce, Miami-Dade Chamber of Commerce and CAMACOL
Local Transportation: Organizations representing truckers and other modes of transportation
Passengers: To be determined
Aviation Related Unions: Unions that comprise the employees and other union groups represented at Miami International Airport

The recommended candidates should be provided to the Mayor, Chairman, Board of County Commissioners and Governor who will make the final appointments.

Authority Membership Term: One 4-year term, staggered in 2 and 4-year terms. Initial appointees with short terms may be reappointed.

Removal of Authority Members: 2/3 of the vote of the Aviation Authority for misconduct, malfeasance, misfeasance or nonfeasance in office.

Amendment or Repeal by BCC: No

Rulemaking Power: Drafted by Aviation Director for approval by the Aviation Authority.

By-laws: Drafted by Aviation Director for approval by the Aviation Authority.

Transfer of Powers and Functions: All assets and financing instruments transferred to the Aviation Authority.

Appointment of Director: The Aviation Authority should appoint the Director, who should be a contractual employee of the Authority.

Power to Tax: The Board of County Commissioners retains the right to tax.

Impose User Fees and Charges: Fees and charges to be determined by the Aviation Authority.

Bond Issuance/Indebtedness: Aviation Authority

Budget Approval/Financial Management: Aviation Director with approval by Aviation Authority

Eminent Domain: Board of County Commissioners

Zoning (contiguous to airport property): Board of County Commissioners

Contracting Power/Procurement: Aviation Authority with contracting authority delegated to Aviation Director. The Authority must comply with all federal, state and local laws and regulations.

Police & Fire Protection: The Authority should utilize the services of the Miami-Dade County fire and police services on a contractual basis with an ability to contract at will with other organizations.

Legal Services: Hired by Authority Director with approval of Aviation Authority.

Application of County Conflict of Interest and Code of Ethics Ordinances:

--Members of the Aviation Authority must comply with state financial disclosure requirements.

--Members, wives and families of Authority members should be prohibited from owning stocks or holding bonds of companies that do business with the Authority in any way including any and all contracts or business conducted with the Authority.

--Members may not contribute to the campaigns of elected officials or solicit campaign funds.

--Former Aviation Authority employees would be prevented for 2 years from soliciting or receiving any work from the Authority.

Lobbying: To be determined by the Aviation Authority

Assets: Property and all fixed assets owned and controlled by the Aviation Authority.

Existing Employees: To become employees of the Aviation Authority.

Collective Bargaining Agreements: Aviation Authority to recognize existing labor agreements until the terms are over and then renegotiate all agreements.

Personnel Policies: To be established by the Aviation Authority

Personnel Hiring and Management: Aviation Authority staff

Retirement System: Option to continue with existing Florida Retirement System or enroll in Authority approved system.

AVIATION GOVERNANCE PROPOSALS

Issues	Aviation Authority Ordinance of January 1, 2000 (Commissioner Carey-Shuler)	Aviation Authority Blue Ribbon Aviation Panel March 1, 2000	Florida Airport Authority Act Florida Senate Bill SB 2828	Airport Authority Ad-Hoc Committee Board of County Commissioners 2003
Creation Mechanism	Ordinance	Voter referendum amending Home Rule charter.	Voter referendum	Ordinance with a recommendation for the BCC to place the item on the ballot as a charter revision if they fail to adopt the ordinance
Size of Aviation Authority	(11) Authority Members	(9) Authority Members	(7) Authority Members	5 members
Authority Membership	<p><u>(11) Voting Members</u></p> <ul style="list-style-type: none"> • (9) Individuals representing named organizations recommended to BCC by Nominating Council • (1) Appointed by Mayor • (1) Appointed by BCC <p><u>(3) Non-voting Members</u></p> <ul style="list-style-type: none"> • (1) County Manager or Designee • (2) County Commissioners (Appointed by the Chairperson of the Board) <p>Chair elected by the Authority</p>	<p><u>(9) Voting Members</u></p> <ul style="list-style-type: none"> • (1) Appointed by Mayor (Mayoral appointee shall be Chair.) • (3) Appointed by BCC • (5) Appointed by Governor (from Nominating Committee comprised of representatives of (9) local organizations) 	<p><u>(7) Voting Members</u></p> <ul style="list-style-type: none"> • (2) Appointed by Governor & confirmed by State Senate • (2) Appointed by Miami-Dade County Commission on Ethics • (1) Appointed by Mayor • (2) Appointed by BCC (One appointee must possess expertise in airport security.) <p>Chair elected by the Authority.</p>	5 voting members. All members should have a business background of some kind. It could include University professors.
Nominating Council Appointment Process for Authority Membership	<p><u>(5) Nominating Council Members</u></p> <ul style="list-style-type: none"> • (3) Appointed by Mayor • (2) Appointed by BCC <p>Staggered 3 year terms</p> <p>Nominating Council formulates its slate of nominees following recommendations from local organizations. Nominating Council recommendations submitted to BCC for approval.</p>	<p><u>(9) Nominating Committee Members</u></p> <p>Elected Chairpersons of (9) local organizations. Nominating Committee shall recommend to the Governor (2) names for each vacancy.</p>	Not addressed	Undecided

	Aviation Authority	Aviation Authority	Florida Airport Authority Act	Airport Authority
Issues	Ordinance of January 1, 2000 (Commissioner Carey-Shuler)	Blue Ribbon Aviation Panel March 1, 2000	Florida Senate Bill SB 2828	Ad-Hoc Committee Board of County Commissioners 2003
Authority Membership Term	<u>Voting Members</u> 3 consecutive three-year terms (unless waived by the BCC) Terms are staggered. <u>Non-Voting Members</u> No limit	One, 6-year term, initially staggered in 2, 4, and 6-year terms. Initial appointees with short terms may be reappointed.	4-year terms for the Governor's appointees. Terms of other members not specified.	undecided
Removal of Authority Members	2/3 vote of the entire BCC for good cause	Not addressed	By Governor for misconduct, malfeasance, misfeasance or nonfeasance in office.	undecided
Amendment or repeal by BCC?	Yes (Majority vote required)	No	No	No
Rulemaking Power	Aviation Authority shall adopt rules and regulations applicable to the use of any facility or service of the airport system, provided that they shall not conflict with the Code or with federal or state law. BCC retains authority to amend Chapter 25 "Aviation Department Rules and Regulations".	Aviation Director	The Authority	Aviation Director recommends procedures. Authority would sign off on establishment of new policies.
Bylaws	Shall be approved by the BCC and consistent with County Ordinances	Approved by the Authority	Not addressed	Approved by the authority
Transfer of Powers and Functions	All proprietary powers and duties relating to the airport system and vested in the County are transferred to the Authority except as specifically provided for in the Ordinance.	Transfer of airport assets and related financing to Aviation Authority. Detailed plan and options for transition to be determined.	Authority shall be an agency of the state. All proprietary powers and duties relating to the airport system and vested in the County transferred to the Authority, with the exception of the ability to add airports without BCC approval and the requirement that construction must be consistent with the County's comprehensive master plan and applicable State and Federal requirements.	Transfer of airport assets and related financing to Aviation Authority. Detailed plan and options for transition to be determined
Appointment of Director	Aviation Authority with approval of County Manager	Aviation Authority	Aviation Authority	Aviation Authority. Current contracts must be honored by Authority

Issues	Aviation Authority Ordinance of January 1, 2000 (Commissioner Carey-Shuler)	Aviation Authority Blue Ribbon Aviation Panel March 1, 2000	Florida Airport Authority Act Florida Senate Bill SB 2828	Airport Authority Ad-Hoc Committee Board of County Commissioners 2003
Power to Tax	BCC retains power to tax.	BCC retains power to tax.	BCC retains power to tax.	BCC
Impose User Fees and Charges	Authority shall establish rates and charges for the use of all facilities and services provided by the airport system. Rates and charges shall be based on methodologies presently employed and consistent with federal law or on different methodologies established by the Authority consistent with federal law and the County's obligates under any trust agreement or bond indentures.	User fees and charges determined by Authority.	User fees and charges determined by Authority.	User fees and charges determined by Authority.
Bond Issuance / Indebtedness	BCC retains power to issue bonds.	Aviation Authority	Authority, pursuant to the State Bond Act, and with prior consent of the BCC.	If allowed by law, bonding authority should go to the Authority.
Budget approval / financial management	Authority shall prepare an annual budget for approval by BCC. Authority to manage airport system finances	Aviation Director with approval by Aviation Authority	Authority	Budget submitted by Aviation director, subject to approval by the Authority.
Eminent Domain	BCC	Not addressed	Authority may condemn by eminent domain.	BCC
Zoning (contiguous to airport property)	BCC	Not addressed	BCC	BCC

Issues	Aviation Authority Ordinance of January 1, 2000 (Commissioner Carey-Shuler)	Aviation Authority Blue Ribbon Aviation Panel March 1, 2000	Florida Airport Authority Act Florida Senate Bill SB 2828	Airport Authority Ad-Hoc Committee Board of County Commissioners 2003
Contracting Power / Procurement	Aviation Authority, consistent with County Policies and Procedures	Aviation Authority; contracting authority specifically delegated to Aviation Director. The awarding of contracts must be based only on competitive considerations, as modified by objectives for minority participation. Capacity to manage all procurement systems and processes independent of elected officials. Compliance with County/community goals for minority and women-owned business participation. Option to participate in County bulk purchasing.	Authority, subject to State law	Aviation Authority; contracting authority specifically delegated to Aviation Director. The awarding of contracts must be based only on competitive considerations, as modified by objectives for minority participation. Capacity to manage all procurement systems and processes independent of elected officials. Compliance with County/community goals for minority and women-owned business participation. Option to participate in County bulk purchasing
Police and Fire Protection	Miami-Dade County	Existing arrangements (use of County services) for at least (5) years from establishment of Authority.	The Authority. [The Authority may enter into interlocal agreements with the County.	Authority. Subcontracting with MDC PD and FD should remain a priority.
Legal Services	County Attorney's Office	Existing arrangements (use of County attorney) for at least 5 years from establishment of Authority.	The Authority may employ its own counsel and legal staff.	Aviation Director and staff should continue using County Attorney's office. However, Authority should retain counsel.
Application of County Conflict of Interest and Code of Ethics Ordinances	Applicable	Authority to have strict conflict of interest code.	Members of the Authority must comply with state financial disclosure requirements. Members and spouses are prohibited from owning stock or holding bonds of companies that do business with the Authority. Members may not contribute to campaign of elected officials or solicit campaign funds.	Authority to devise a conflict of interest process.
Lobbying	Governed by Conflict of Interest Ordinance	To be determined by Authority.	Lobbying not addressed.	To be determined by authority. Every effort should be made to curb lobbyist influence on staff and voting members. Lobbying should be strongly discouraged.

	Aviation Authority	Aviation Authority	Florida Airport Authority Act	Airport Authority
Issues	Ordinance of January 1, 2000 (Commissioner Carey-Shuler)	Blue Ribbon Aviation Panel March 1, 2000	Florida Senate Bill SB 2828	Ad-Hoc Committee Board of County Commissioners 2003
Assets	The Authority to purchase and hold real and personal property. Approval of BCC to purchase and dispose of real property.	Property owned and controlled by Authority.	Controlled by the Aviation Authority	Controlled by Aviation authority.
Existing employees	Existing employees under labor agreements retained by Authority unless new agreement approved by BCC. Non-union employees retained subject to Authority approval.	Retained with current salaries, wages, benefits, and protections. Continued participation in a career service system in accordance with the terms of the applicable collective bargaining agreement and County personnel rules. Recognize existing public employee unions and collective bargaining agreements. Six-month window in which employees can decide whether to remain with the airport or seek employment elsewhere in the County.	Not addressed.	Retained with current salaries, wages, benefits, and protections. Continued participation in a career service system in accordance with the terms of the applicable collective bargaining agreement and County personnel rules. Recognize existing public employee unions and collective bargaining agreements. Six-month window in which employees can decide whether to remain with the airport or seek employment elsewhere in the County.
Collective Bargaining Agreements	Subject to BCC approval	Aviation Authority to recognize existing collective bargaining Agreements	Aviation Authority	Aviation Authority to recognize existing collective bargaining Agreements
Personnel Policies	Aviation Authority	Aviation Authority	Aviation Authority	Aviation Authority.
Personnel Hiring and Management	Responsibility of Authority Director. Administrative staff to be dealt with through the Director.	Aviation Authority	The Authority may employ such employees, permanent or temporary, as it may require and to fix their compensation.	Aviation Director. General policies to be addressed by Authority. Authority should have NO direct effect on hiring and firing of employees below the assistant director level.
Retirement System	Existing employee option to continue participation in Florida Retirement System or State and County Officers and Employees Retirement System, or enroll in Authority-approved system.	Existing employee option to continue participation in Florida Retirement System or State and County Officers and Employees Retirement System, or enroll in Authority-approved system.	Aviation Authority	Existing employee option to continue participation in Florida Retirement System or State and County Officers and Employees Retirement System, or enroll in Authority-approved system

AVIATION GOVERNANCE PROPOSALS

	Aviation Authority	Aviation Authority	Florida Airport Authority Act	Airport Authority
Issues	Ordinance of January 1, 2000 (Commissioner Carey-Shuler)	Blue Ribbon Aviation Panel March 1, 2000	Florida Senate Bill SB 2828	Ad-Hoc Committee Board of County Commissioners 2003
Creation Mechanism	Ordinance	Voter referendum amending Home Rule charter.	Voter referendum	Ordinance
Size of Aviation Authority	(11) Authority Members	(9) Authority Members	(7) Authority Members	Seven (7) Members
Authority Membership	<p style="text-align: center;"><u>(11) Voting Members</u></p> <ul style="list-style-type: none"> • (9) Individuals representing named organizations recommended to BCC by Nominating Council • (1) Appointed by Mayor • (1) Appointed by BCC <p style="text-align: center;"><u>(3) Non-voting Members</u></p> <ul style="list-style-type: none"> • (1) County Manager or Designee • (2) County Commissioners (Appointed by the Chairperson of the Board) <p>Chair elected by the Authority</p>	<p style="text-align: center;"><u>(9) Voting Members</u></p> <ul style="list-style-type: none"> • (1) Appointed by Mayor (Mayoral appointee shall be Chair.) • (3) Appointed by BCC • (5) Appointed by Governor (from Nominating Committee comprised of representatives of (9) local organizations) 	<p style="text-align: center;"><u>(7) Voting Members</u></p> <ul style="list-style-type: none"> • (2) Appointed by Governor & confirmed by State Senate • (2) Appointed by Miami-Dade County Commission on Ethics • (1) Appointed by Mayor • (2) Appointed by BCC (One appointee must possess expertise in airport security.) <p>Chair elected by the Authority.</p>	<ul style="list-style-type: none"> • Authority members must be a resident of Miami-Dade County and include the following areas of expertise: <ul style="list-style-type: none"> • Finance • Engineer • Lawyer • Aviation Related Business • Must be selected from a slate developed by Nominating Committee • Can not be an elected official • If elected to an office during their tenure as an Authority member, will be required to resign and the normal appointment process will be followed • For the initial establishment of the Aviation Authority, 5 appointed by BCC and 2 appointed by Mayor • As positions become vacant due to term or other action, the BCC and Mayor will replace their appointee from a list provided by the nominating committee • Chair to be elected by the Authority members.
Nominating Council Appointment Process for Authority Membership	<p><u>(5) Nominating Council Members</u></p> <ul style="list-style-type: none"> • (3) Appointed by Mayor • (2) Appointed by BCC <p>Staggered 3 year terms</p> <p>Nominating Council formulates its slate of nominees following recommendations from local organizations. Nominating Council recommendations submitted to BCC for approval.</p>	<p><u>(9) Nominating Committee Members</u></p> <p>Elected Chairpersons of (9) local organizations. Nominating Committee shall recommend to the Governor (2) names for each vacancy.</p>	Not addressed	<ul style="list-style-type: none"> • Nominating committee made up of 9 elected chairpersons of local organizations • Recommend to appointing officials at least 2 names for each vacancy

	Aviation Authority	Aviation Authority	Florida Airport Authority Act	Airport Authority
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Authority Membership Term	<u>Voting Members</u> 3 consecutive three-year terms (unless waived by the BCC) Terms are staggered. <u>Non-Voting Members</u> No limit	One, 6-year term, initially staggered in 2, 4, and 6-year terms. Initial appointees with short terms may be reappointed.	4-year terms for the Governor's appointees. Terms of other members not specified.	<ul style="list-style-type: none"> • One complete 4 year term • Initial Board to have staggered terms so that following the first two years, new members would be appointed to replace those 2 year appointees. 2 year appointees would be eligible for reappointment to a following 4 year term. • Initially, 3 members would be appointed to a 2 year term and 4 members would be appointed for 4 year terms. Following that,, each new member would be appointed to a 4 year term. • No member would be allowed to serve on the Authority for more than one full 4 year term.
Removal of Authority Members	2/3 vote of the entire BCC for good cause	Not addressed	By Governor for misconduct, malfeasance, misfeasance or nonfeasance in office.	Vote of at least 2/3 of Authority members, for cause.
Amendment or repeal of the Airport Authority Resolution by the BCC?	Yes (Majority vote required)	No	No	2/3 vote by BCC would be required to amend the Authority Resolution. The BCC would be prohibited from terminating the Authority as long as Authority issue bonds were outstanding.
Rulemaking Power	Aviation Authority shall adopt rules and regulations applicable to the use of any facility or service of the airport system, provided that they shall not conflict with the Code or with federal or state law. BCC retains authority to amend Chapter 25 "Aviation Department Rules and Regulations".	Aviation Director	The Authority	<ul style="list-style-type: none"> • The Airport Authority has the power to adopt rules and regulations applicable to the use of any facility or service of the airport system including those covered by Chapter 25 "Aviation Department Rules and Regulations" • BCC would no longer be responsible to control the management or operation of MIA. • BCC would take the necessary steps to remove itself from control of those activities controlled by Chapter 25
Bylaws of the Authority	Shall be approved by the BCC and consistent with County Ordinances	Approved by the Authority	Not addressed	Approved by the Airport Authority
Additions/Subtractions to the Airport System				Recommendation by the Authority and approval by the BCC
Approval of the FAA accepted Master Plan				Recommendation by the Authority and approval by the BCC

	Aviation Authority	Aviation Authority	Florida Airport Authority Act	Airport Authority
Issues	Ordinance of January 1, 2000 (Commissioner Carey-Shuler)	Blue Ribbon Aviation Panel March 1, 2000	Florida Senate Bill SB 2828	Ad-Hoc Committee Board of County Commissioners 2003
Transfer of Powers and Functions	All proprietary powers and duties relating to the airport system and vested in the County are transferred to the Authority except as specifically provided for in the Ordinance.	Transfer of airport assets and related financing to Aviation Authority. Detailed plan and options for transition to be determined.	Authority shall be an agency of the state. All proprietary powers and duties relating to the airport system and vested in the County transferred to the Authority, with the exception of the ability to add airports without BCC approval and the requirement that construction must be consistent with the County's comprehensive master plan and applicable State and Federal requirements.	<ul style="list-style-type: none"> All propriety powers and duties relating to the airport system vested in the County are transferred to the Authority
Appointment of Director	Aviation Authority with approval of County Manager	Aviation Authority	Aviation Authority	Aviation Authority
Power to Tax	BCC retains power to tax.	BCC retains power to tax.	BCC retains power to tax.	BCC
User Fees and Charges	Authority shall establish rates and charges for the use of all facilities and services provided by the airport system. Rates and charges shall be based on methodologies presently employed and consistent with federal law or on different methodologies established by the Authority consistent with federal law and the County's obligates under any trust agreement or bond indentures.	User fees and charges determined by Authority.	User fees and charges determined by Authority.	User fees and charges determined by Authority for the Airport
CIP Financing & Bond Issuance	BCC retains power to issue bonds.	Aviation Authority	Authority, pursuant to the State Bond Act, and with prior consent of the BCC.	<ul style="list-style-type: none"> The Authority, through the Director, would recommend the Capital Improvement Plan to the BCC. The BCC could accept or reject it. The Airport Authority would be authorized to issue bonds

	Aviation Authority	Aviation Authority	Florida Airport Authority Act	Airport Authority
Issues	Ordinance of January 1, 2000 (Commissioner Carey-Shuler)	Blue Ribbon Aviation Panel March 1, 2000	Florida Senate Bill SB 2828	Ad-Hoc Committee Board of County Commissioners 2003
Budget approval / financial management	Authority shall prepare an annual budget for approval by BCC. Authority to manage airport system finances	Aviation Director with approval by Aviation Authority	Authority	<ul style="list-style-type: none"> • Aviation Director responsible for the development of a budget and financial management of the assets. • Authority has the responsibility for approval of the budget. • The Authority should have a separate capability to audit beyond the airport staff.
Eminent Domain	BCC	Not addressed	Authority may condemn by eminent domain.	BCC
Zoning (contiguous to airport property)	BCC	Not addressed	BCC	BCC
Contracting Power / Procurement	Aviation Authority, consistent with County Policies and Procedures	Aviation Authority; contracting authority specifically delegated to Aviation Director. The awarding of contracts must be based only on competitive considerations, as modified by objectives for minority participation. Capacity to manage all procurement systems and processes independent of elected officials. Compliance with County/community goals for minority and women-owned business participation. Option to participate in County bulk purchasing.	Authority, subject to State law	Contracting authority specifically delegated to Aviation Director for contracts up to \$20M. Contracts larger than \$20M must receive the ratification of the Airport Authority. Awarding of contracts must be based only on competitive considerations, as modified by objectives for minority participation or other well defined exceptions.. Director to manage all procurement systems and processes. Compliance with County/community goals for minority and women-owned business participation to be insured by a joint committee made up of Authority and BCC members. Aviation Director has the responsibility for implementation of goals. Option to participate in County bulk purchasing.
Police and Fire Protection	Miami-Dade County	Existing arrangements (use of County services) for at least (5) years from establishment of Authority.	The Authority. [The Authority may enter into interlocal agreements with the County.	Responsibility of Authority but recommendation of continuing the existing agreement.

	Aviation Authority	Aviation Authority	Florida Airport Authority Act	Airport Authority
Issues	Ordinance of January 1, 2000 (Commissioner Carey-Shuler)	Blue Ribbon Aviation Panel March 1, 2000	Florida Senate Bill SB 2828	Ad-Hoc Committee Board of County Commissioners 2003
Legal Services	County Attorney's Office	Existing arrangements (use of County attorney) for at least 5 years from establishment of Authority.	The Authority may employ its own counsel and legal staff.	Authority to employ its own legal staff.
Application of County Conflict of Interest and Code of Ethics Ordinances	Applicable	Authority to have strict conflict of interest code.	Members of the Authority must comply with state financial disclosure requirements. Members and spouses are prohibited from owning stock or holding bonds of companies that do business with the Authority. Members may not contribute to campaign of elected officials or solicit campaign funds.	Authority to follow the County Code of Ethics and Conflict of Interest ordinance.
Lobbying	Governed by Conflict of Interest Ordinance	To be determined by Authority.	Lobbying not addressed.	To be determined by Authority in connection with the Conflict of Interest and Code of Ethics Ordinances.
Assets	The Authority to purchase and hold real and personal property. Approval of BCC to purchase and dispose of real property.	Property owned and controlled by Authority.	Controlled by the Aviation Authority	The Authority to purchase, sell and hold real and personal property.

	Aviation Authority	Aviation Authority	Florida Airport Authority Act	Airport Authority
Issues	Ordinance of January 1, 2000 (Commissioner Carey-Shuler)	Blue Ribbon Aviation Panel March 1, 2000	Florida Senate Bill SB 2828	Ad-Hoc Committee Board of County Commissioners 2003
Existing employees	Existing employees under labor agreements retained by Authority unless new agreement approved by BCC. Non-union employees retained subject to Authority approval.	Retained with current salaries, wages, benefits, and protections. Continued participation in a career service system in accordance with the terms of the applicable collective bargaining agreement and County personnel rules. Recognize existing public employee unions and collective bargaining agreements. Six-month window in which employees can decide whether to remain with the airport or seek employment elsewhere in the County.	Not addressed.	<ul style="list-style-type: none"> Retained with current salaries, wages, benefits, and protections. Continued participation in a career service system in accordance with the terms of the applicable collective bargaining agreement and County personnel rules. Recognize existing public employee unions and collective bargaining agreement. Establish a time certain that employees can decide whether to remain with the Airport or seek employment elsewhere in the County. Provide the ability for the union to separate from the County at a time certain by vote of its members
Collective Bargaining Agreements	Subject to BCC approval	Aviation Authority to recognize existing collective bargaining Agreements	Aviation Authority	Aviation Authority to recognize existing collective bargaining agreements but will take over negotiation of those agreements at the next contract renegotiation.
Personnel Policies	Aviation Authority	Aviation Authority	Aviation Authority	Aviation Authority
Personnel Hiring and Management	Responsibility of Authority Director. Administrative staff to be dealt with through the Director.	Aviation Authority	The Authority may employ such employees, permanent or temporary, as it may require and to fix their compensation.	The Authority may employ such employees, permanent or temporary, as it may require and to set their compensation.
Retirement System	Existing employee option to continue participation in Florida Retirement System or State and County Officers and Employees Retirement System, or enroll in Authority-approved system.	Existing employee option to continue participation in Florida Retirement System or State and County Officers and Employees Retirement System, or enroll in Authority-approved system.	Aviation Authority	Existing employee option to continue participation in Florida Retirement System or State and County Officers and Employees Retirement System, or enroll in Authority-approved system.

	Aviation Authority	Aviation Authority	Florida Airport Authority Act	Airport Authority
Issues	Ordinance of January 1, 2000 (Commissioner Carey-Shuler)	Blue Ribbon Aviation Panel March 1, 2000	Florida Senate Bill SB 2828	Ad-Hoc Committee Board of County Commissioners 2003
Capital Improvement Program & FAA Approved Master Plan				Development by the Aviation Director with Authority approval. Approval by BCC required
Minority Participation Program				Joint Committee of Airport Authority and BCC. This Committee, made up of two members of the Airport Authority and two members of the BCC, will review implementation of the minority participation program and recommend to the Authority any changes, adjustments or improvements it sees as beneficial. The Authority receives the report and is required to vote on any recommendations presented by the Committee.
Reporting				The Authority will report to the BCC the status and financial condition of the Airport on an annual basis at a time set by the BCC.

AVIATION GOVERNANCE PROPOSALS

Issues	Aviation Authority Ordinance of January 1, 2000 (Commissioner Carey-Shuler)	Aviation Authority Blue Ribbon Aviation Panel March 1, 2000	Florida Airport Authority Act Florida Senate Bill SB 2828	Airport Authority Ad-Hoc Committee Board of County Commissioners 2003
Creation Mechanism	Ordinance	Voter referendum amending Home Rule charter.	Voter referendum	1. Recommend Referendum 2. Ordinance
Size of Aviation Authority	(11) Authority Members	(9) Authority Members	(7) Authority Members	7
Authority Membership	<p style="text-align: center;"><u>(11) Voting Members</u></p> <ul style="list-style-type: none"> • (9) Individuals representing named organizations recommended to BCC by Nominating Council • (1) Appointed by Mayor • (1) Appointed by BCC <p style="text-align: center;"><u>(3) Non-voting Members</u></p> <ul style="list-style-type: none"> • (1) County Manager or Designee • (2) County Commissioners (Appointed by the Chairperson of the Board) <p>Chair elected by the Authority</p>	<p style="text-align: center;"><u>(9) Voting Members</u></p> <ul style="list-style-type: none"> • (1) Appointed by Mayor (Mayoral appointee shall be Chair.) • (3) Appointed by BCC • (5) Appointed by Governor (from Nominating Committee comprised of representatives of (9) local organizations) 	<p style="text-align: center;"><u>(7) Voting Members</u></p> <ul style="list-style-type: none"> • (2) Appointed by Governor & confirmed by State Senate • (2) Appointed by Miami-Dade County Commission on Ethics • (1) Appointed by Mayor • (2) Appointed by BCC (One appointee must possess expertise in airport security.) <p>Chair elected by the Authority.</p>	<p>-Citizen of County – A must</p> <p>-Business Background or Competent Professional Preferred</p> <p>-1 County Commissioner Appointed by Mayor</p> <p>-1 County Commissioner Appointed by Commission Chairperson</p> <p>-1 County Commissioner –Chair of Transportation Committee</p> <p>-4 members –Private Citizens</p>
Nominating Council Appointment Process for Authority Membership	<p><u>(5) Nominating Council Members</u></p> <ul style="list-style-type: none"> • (3) Appointed by Mayor • (2) Appointed by BCC <p>Staggered 3 year terms</p> <p>Nominating Council formulates its slate of nominees following recommendations from local organizations. Nominating Council recommendations submitted to BCC for approval.</p>	<p><u>(9) Nominating Committee Members</u></p> <p>Elected Chairpersons of (9) local organizations. Nominating Committee shall recommend to the Governor (2) names for each vacancy.</p>	Not addressed	<p>The four private authority members chosen from four sets of four nominees each by county commission</p> <p>The nomination committee as provided by Blue Ribbon Panel</p>

EXHIBIT

	Aviation Authority	Aviation Authority	Florida Airport Authority Act	Airport Authority
Issues	Ordinance of January 1, 2000 (Commissioner Carey-Shuler)	Blue Ribbon Aviation Panel March 1, 2000	Florida Senate Bill SB 2828	Ad-Hoc Committee Board of County Commissioners 2003
Authority Membership Term	<u>Voting Members</u> 3 consecutive three-year terms (unless waived by the BCC) Terms are staggered. <u>Non-Voting Members</u> No limit	One, 6-year term, initially staggered in 2, 4, and 6-year terms. Initial appointees with short terms may be reappointed.	4-year terms for the Governor's appointees. Terms of other members not specified.	All commissioners at will of their appointee Four private members in 4 year staggered terms.
Removal of Authority Members	2/3 vote of the entire BCC for good cause	Not addressed	By Governor for misconduct, malfeasance, misfeasance or nonfeasance in office.	Per Carey-Shuler Ordinance
Amendment or repeal by BCC?	Yes (Majority vote required)	No	No	NO
Rulemaking Power	Aviation Authority shall adopt rules and regulations applicable to the use of any facility or service of the airport system, provided that they shall not conflict with the Code or with federal or state law. BCC retains authority to amend Chapter 25 "Aviation Department Rules and Regulations".	Aviation Director	The Authority	Aviation
Bylaws	Shall be approved by the BCC and consistent with County Ordinances	Approved by the Authority	Not addressed	Approved by Authority
Transfer of Powers and Functions	All proprietary powers and duties relating to the airport system and vested in the County are transferred to the Authority except as specifically provided for in the Ordinance.	Transfer of airport assets and related financing to Aviation Authority. Detailed plan and options for transition to be determined.	Authority shall be an agency of the state. All proprietary powers and duties relating to the airport system and vested in the County transferred to the Authority, with the exception of the ability to add airports without BCC approval and the requirement that construction must be consistent with the County's comprehensive master plan and applicable State and Federal requirements.	Per Blue Ribbon Panel
Appointment of Director	Aviation Authority with approval of County Manager	Aviation Authority	Aviation Authority	By Authority

	Aviation Authority	Aviation Authority	Florida Airport Authority Act	Airport Authority
Issues	Ordinance of January 1, 2000 (Commissioner Carey-Shuler)	Blue Ribbon Aviation Panel March 1, 2000	Florida Senate Bill SB 2828	Ad-Hoc Committee Board of County Commissioners 2003
Power to Tax	BCC retains power to tax.	BCC retains power to tax.	BCC retains power to tax.	BCC
Impose User Fees and Charges	Authority shall establish rates and charges for the use of all facilities and services provided by the airport system. Rates and charges shall be based on methodologies presently employed and consistent with federal law or on different methodologies established by the Authority consistent with federal law and the County's obligates under any trust agreement or bond indentures.	User fees and charges determined by Authority.	User fees and charges determined by Authority.	By the Authority
Bond Issuance / Indebtedness	BCC retains power to issue bonds.	Aviation Authority	Authority, pursuant to the State Bond Act, and with prior consent of the BCC.	BCC Approval
Budget approval / financial management	Authority shall prepare an annual budget for approval by BCC. Authority to manage airport system finances	Aviation Director with approval by Aviation Authority	Authority	Director Proposes Authority Approves BCC override with 75% vote
Eminent Domain	BCC	Not addressed	Authority may condemn by eminent domain.	BCC
Zoning (contiguous to airport property)	BCC	Not addressed	BCC	BCC

	Aviation Authority	Aviation Authority	Florida Airport Authority Act	Airport Authority
Issues	Ordinance of January 1, 2000 (Commissioner Carey-Shuler)	Blue Ribbon Aviation Panel March 1, 2000	Florida Senate Bill SB 2828	Ad-Hoc Committee Board of County Commissioners 2003
Contracting Power / Procurement	Aviation Authority, consistent with County Policies and Procedures	Aviation Authority; contracting authority specifically delegated to Aviation Director. The awarding of contracts must be based only on competitive considerations, as modified by objectives for minority participation. Capacity to manage all procurement systems and processes independent of elected officials. Compliance with County/community goals for minority and women-owned business participation. Option to participate in County bulk purchasing.	Authority, subject to State law	Per Blue Ribbon Panel
Police and Fire Protection	Miami-Dade County	Existing arrangements (use of County services) for at least (5) years from establishment of Authority.	The Authority. [The Authority may enter into interlocal agreements with the County.	Per Blue Ribbon Panel
Legal Services	County Attorney's Office	Existing arrangements (use of County attorney) for at least 5 years from establishment of Authority.	The Authority may employ its own counsel and legal staff.	Per Blue Ribbon Panel
Application of County Conflict of Interest and Code of Ethics Ordinances	Applicable	Authority to have strict conflict of interest code.	Members of the Authority must comply with state financial disclosure requirements. Members and spouses are prohibited from owning stock or holding bonds of companies that do business with the Authority. Members may not contribute to campaign of elected officials or solicit campaign funds.	Carey-Shuler Ordinance
Lobbying	Governed by Conflict of Interest Ordinance	To be determined by Authority.	Lobbying not addressed.	Carey Shuler Ordinance

	Aviation Authority	Aviation Authority	Florida Airport Authority Act	Airport Authority
Issues	Ordinance of January 1, 2000 (Commissioner Carey-Shuler)	Blue Ribbon Aviation Panel March 1, 2000	Florida Senate Bill SB 2828	Ad-Hoc Committee Board of County Commissioners 2003
Assets	The Authority to purchase and hold real and personal property. Approval of BCC to purchase and dispose of real property.	Property owned and controlled by Authority.	Controlled by the Aviation Authority	Per Blue Ribbon Panel
Existing employees	Existing employees under labor agreements retained by Authority unless new agreement approved by BCC. Non-union employees retained subject to Authority approval.	Retained with current salaries, wages, benefits, and protections. Continued participation in a career service system in accordance with the terms of the applicable collective bargaining agreement and County personnel rules. Recognize existing public employee unions and collective bargaining agreements. Six-month window in which employees can decide whether to remain with the airport or seek employment elsewhere in the County.	Not addressed.	Per Blue Ribbon Panel
Collective Bargaining Agreements	Subject to BCC approval	Aviation Authority to recognize existing collective bargaining Agreements	Aviation Authority	Per Blue Ribbon Panel
Personnel Policies	Aviation Authority	Aviation Authority	Aviation Authority	Aviation Authority
Personnel Hiring and Management	Responsibility of Authority Director. Administrative staff to be dealt with through the Director.	Aviation Authority	The Authority may employ such employees, permanent or temporary, as it may require and to fix their compensation.	Aviation Authority as it may delegate to Director.
Retirement System	Existing employee option to continue participation in Florida Retirement System or State and County Officers and Employees Retirement System, or enroll in Authority-approved system.	Existing employee option to continue participation in Florida Retirement System or State and County Officers and Employees Retirement System, or enroll in Authority-approved system.	Aviation Authority	Per Blue Ribbon Panel

WILLIAM ALEXANDER

MEMORANDUM

Date: July 16, 2003

TO: Mr. Tony Quintero, Executive Assistant
Miami Dade Aviation Department
(305) 869-8653
TQUINTERO@miami-airport.com

From: William Alexander, President CAMACOL and 
Member Aviation Ad Hoc Committee

Re: Comments and concerns regarding the proposed governance matrix

As per your e-mail of July 7, 2003; the following are my main areas of concerns and recommendations, to-date.

As an Ad Hoc Committee Member, the committee is responsible for generating an Ordinance which will create the Miami-Dade Aviation Authority, which will:

- A. Provide the Operation;
- B. Maintenance;
- C. Governance;
- D. Qualifications for Authority Members;
- E. Appointment, tenure, removal, **compensation**;
- F. Organization of the Authority
- G. Powers and jurisdiction;

1. Creation Mechanism

Background -- the Ad Hoc Committee's mandate is to generate an Ordinance. However, CAMACOL's concern is that if the Ordinance is created, that does it Go to referendum. That was not cleared up at the last meeting.

2. Size of Aviation Authority

7 individuals

3. Authority Membership

In accordance with Florida Senate Bill SB 2828

EXHIBIT

4 Nominating Council (Appointment Process for Authority Membership)

Who appoints the Nominating Council? That issue has not be fully addressed. However, Nominating Council must be reflective of Community's diversity; therefore, the Council must have the representation of local organizations, and chambers of commerce.

When appointed, each member of the Council may submit at least 3 names for consideration.

Who makes the final selection as to who decides the final composition of the Port Authority, does the BCC have final approval.

In general, other issues of concern to-date, are that when the Port Authority is created, during the transition period all existing contracts should be honored.

Another issue is that if the Director is appointed by the Port Authority, and the Airport staff answerable to the Director, is the Director answerable to both the Port Authority and the BCC?

Also, CAMACOL recommends that the members of the PA be compensated for their time; that issue should be discussed as well as the issue of expense account, etc. These should be analyzed according to other existing Port Authorities.

Tony Quintero

From: Patricia Arias [patricia@camacol.org]
Sent: Monday, July 21, 2003 4:01 PM
To: Tony Quintero
Subject: Ad hoc committee recomendations

Dear Tony:

Thank you for your e-mail; however, Mr. Alexander had one more comment to-date:

After the transition period is completed and contracts are expired; the contracts and/or positions whic need to be filled, are they identified by the Port Authority, and if they (candidates) are, they should have the final approval of the Airport Director.

See you on the 23rd.

Thank you,

Patty Arias

Attachments are automatically scanned for viruses using McAfee

AVIATION GOVERNANCE PROPOSALS

	Aviation Authority	Aviation Authority	Florida Airport Authority Act	Airport Authority
Issues	Ordinance of January 1, 2000 (Commissioner Carey-Shuler)	Blue Ribbon Aviation Panel March 1, 2000	Florida Senate Bill SB 2828	Ad-Hoc Committee Board of County Commissioners 2003
Creation Mechanism	Ordinance	Voter referendum amending Home Rule charter.	Voter referendum	Ordinance
Size of Aviation Authority	(11) Authority Members	(9) Authority Members	(7) Authority Members	(7) Authority Members
Authority Membership	<p><u>(11) Voting Members</u></p> <ul style="list-style-type: none"> (9) Individuals representing named organizations recommended to BCC by Nominating Council (1) Appointed by Mayor (1) Appointed by BCC <p><u>(3) Non-voting Members</u></p> <ul style="list-style-type: none"> (1) County Manager or Designee (2) County Commissioners (Appointed by the Chairperson of the Board) <p>Chair elected by the Authority</p>	<p><u>(9) Voting Members</u></p> <ul style="list-style-type: none"> (1) Appointed by Mayor (Mayoral appointee shall be Chair.) (3) Appointed by BCC (5) Appointed by Governor (from Nominating Committee comprised of representatives of (9) local organizations) 	<p><u>(7) Voting Members</u></p> <ul style="list-style-type: none"> (2) Appointed by Governor & confirmed by State Senate (2) Appointed by Miami-Dade County Commission on Ethics (1) Appointed by Mayor (2) Appointed by BCC (One appointee must possess expertise in airport security.) <p>Chair elected by the Authority.</p>	<p><u>(7) Voting Members</u></p> <ul style="list-style-type: none"> (1) Appointed by Gov. & confirmed by State Senate (1) Appointed by Mayor (3) Appointed by Miami-Dade County Commission (1) Appointed by Miami-Dade County Commission on Ethics <p>Chair elected by the Authority</p>
Nominating Council Appointment Process for Authority Membership	<p><u>(5) Nominating Council Members</u></p> <ul style="list-style-type: none"> (3) Appointed by Mayor (2) Appointed by BCC <p>Staggered 3 year terms</p> <p>Nominating Council formulates its slate of nominees following recommendations from local organizations. Nominating Council recommendations submitted to BCC for approval.</p>	<p><u>(9) Nominating Committee Members</u></p> <p>Elected Chairpersons of (9) local organizations. Nominating Committee shall recommend to the Governor (2) names for each vacancy.</p>	Not addressed	<p><u>(5) Nominating Committee Members</u></p> <p>Elected Chairpersons of (5) local organizations. Nominating Committee shall recommend to the Governor, Mayor, and BCC for vacancies. County Commission on Ethics to arrive at own recommendation.</p>

Issues	Aviation Authority Ordinance of January 1, 2000 (Commissioner Carey-Shuler)	Aviation Authority Blue Ribbon Aviation Panel March 1, 2000	Florida Airport Authority Act Florida Senate Bill SB 2828	Airport Authority Ad-Hoc Committee Board of County Commissioners 2003
Authority Membership Term	<u>Voting Members</u> 3 consecutive three-year terms (unless waived by the BCC) Terms are staggered. <u>Non-Voting Members</u> No limit	One, 6-year term, initially staggered in 2, 4, and 6-year terms. Initial appointees with short terms may be reappointed.	4-year terms for the Governor's appointees. Terms of other members not specified.	4 year staggered terms.
Removal of Authority Members	2/3 vote of the entire BCC for good cause	Not addressed	By Governor for misconduct, malfeasance, misfeasance or nonfeasance in office.	By Governor for misconduct, malfeasance, or misfeasance upon recommendation of County Commission on Ethics
Amendment or repeal by BCC?	Yes (Majority vote required)	No	No	By 2/3 Majority vote
Rulemaking Power	Aviation Authority shall adopt rules and regulations applicable to the use of any facility or service of the airport system, provided that they shall not conflict with the Code or with federal or state law. BCC retains authority to amend Chapter 25 "Aviation Department Rules and Regulations".	Aviation Director	The Authority	The Authority
Bylaws	Shall be approved by the BCC and consistent with County Ordinances	Approved by the Authority	Not addressed	Shall be approved by the BCC and consistent with County Ordinances

Issues	Aviation Authority Ordinance of January 1, 2000 (Commissioner Carey-Shuler)	Aviation Authority Blue Ribbon Aviation Panel March 1, 2000	Florida Airport Authority Act Florida Senate Bill SB 2828	Airport Authority Ad-Hoc Committee Board of County Commissioners 2003
Transfer of Powers and Functions	All proprietary powers and duties relating to the airport system and vested in the County are transferred to the Authority except as specifically provided for in the Ordinance.	Transfer of airport assets and related financing to Aviation Authority. Detailed plan and options for transition to be determined.	Authority shall be an agency of the state. All proprietary powers and duties relating to the airport system and vested in the County transferred to the Authority, with the exception of the ability to add airports without BCC approval and the requirement that construction must be consistent with the County's comprehensive master plan and applicable State and Federal requirements.	All proprietary powers and duties relating to the airport system and vested in the County are transferred to the Authority except as specifically provided for in the Ordinance.
Appointment of Director	Aviation Authority with approval of County Manager	Aviation Authority	Aviation Authority	Aviation Authority
Power to Tax	BCC retains power to tax.	BCC retains power to tax.	BCC retains power to tax.	BCC retains power to tax
Impose User Fees and Charges	Authority shall establish rates and charges for the use of all facilities and services provided by the airport system. Rates and charges shall be based on methodologies presently employed and consistent with federal law or on different methodologies established by the Authority consistent with federal law and the County's obligates under any trust agreement or bond indentures.	User fees and charges determined by Authority	User fees and charges determined by Authority.	User fees and charges determined by Authority.
Bond Issuance / Indebtedness	BCC retains power to issue bonds.	Aviation Authority	Authority, pursuant to the State Bond Act and with prior consent of the BCC.	BCC retains power to issue bonds. Process to be established to allow Authority to petition BCC to issue bonds.

Issues	Aviation Authority Ordinance of January 1, 2000 (Commissioner Carey-Shuler)	Aviation Authority Blue Ribbon Aviation Panel March 1, 2000	Florida Airport Authority Act Florida Senate Bill SB 2828	Airport Authority Ad-Hoc Committee Board of County Commissioners 2003
Budget approval / financial management	Authority shall prepare an annual budget for approval by BCC. Authority to manage airport system finances	Aviation Director with approval by Aviation Authority	Authority	Aviation Director with approval by Aviation Authority
Eminent Domain	BCC	Not addressed	Authority may condemn by eminent domain.	BCC retains power of eminent domain, but process established to allow Authority to petition BCC to exercise power.
Zoning (contiguous to airport property)	BCC	Not addressed	BCC	BCC
Contracting Power / Procurement	Aviation Authority, consistent with County Policies and Procedures	Aviation Authority; contracting authority specifically delegated to Aviation Director. The awarding of contracts must be based only on competitive considerations, as modified by objectives for minority participation. Capacity to manage all procurement systems and processes independent of elected officials. Compliance with County/community goals for minority and women-owned business participation. Option to participate in County bulk purchasing.	Authority, subject to State law	Aviation Authority; contracting authority specifically delegated to Aviation Director. The awarding of contracts must be based only on competitive considerations, as modified by objectives for minority participation. Capacity to manage all procurement systems and processes independent of elected officials. Compliance with County/community goals for minority and women-owned business participation. Option to participate in County bulk purchasing.
Police and Fire Protection	Miami-Dade County	Existing arrangements (use of County services) for at least (5) years from establishment of Authority.	The Authority. [The Authority may enter into interlocal agreements with the County.	Existing arrangements (use of County services) for at least (5) years from establishment of Authority.

	Aviation Authority	Aviation Authority	Florida Airport Authority Act	Airport Authority
Issues	Ordinance of January 1, 2000 (Commissioner Carey-Shuler)	Blue Ribbon Aviation Panel March 1, 2000	Florida Senate Bill SB 2828	Ad-Hoc Committee Board of County Commissioners 2003
Legal Services	County Attorney's Office	Existing arrangements (use of County attorney) for at least 5 years from establishment of Authority.	The Authority may employ its own counsel and legal staff.	Existing arrangements (use of County attorney) for at least 5 years from establishment of Authority.
Application of County Conflict of Interest and Code of Ethics Ordinances	Applicable	Authority to have strict conflict of interest code.	Members of the Authority must comply with state financial disclosure requirements. Members and spouses are prohibited from owning stock or holding bonds of companies that do business with the Authority. Members may not contribute to campaign of elected officials or solicit campaign funds.	Applicable
Lobbying	Governed by Conflict of Interest Ordinance	To be determined by Authority.	Lobbying not addressed.	Governed by Conflict of Interest Ordinance
Assets	The Authority to purchase and hold real and personal property. Approval of BCC to purchase and dispose of real property.	Property owned and controlled by Authority.	Controlled by the Aviation Authority	Property owned and controlled by Authority.

Issues	Aviation Authority Ordinance of January 1, 2000 (Commissioner Carey-Shuler)	Aviation Authority Blue Ribbon Aviation Panel March 1, 2000	Florida Airport Authority Act Florida Senate Bill SB 2828	Airport Authority Ad-Hoc Committee Board of County Commissioners 2003
Existing employees	Existing employees under labor agreements retained by Authority unless new agreement approved by BCC. Non-union employees retained subject to Authority approval.	Retained with current salaries, wages, benefits, and protections. Continued participation in a career service system in accordance with the terms of the applicable collective bargaining agreement and County personnel rules. Recognize existing public employee unions and collective bargaining agreements. Six-month window in which employees can decide whether to remain with the airport or seek employment elsewhere in the County.	Not addressed.	Retained with current salaries, wages, benefits, and protections. Continued participation in a career service system in accordance with the terms of the applicable collective bargaining agreement and County personnel rules. Recognize existing public employee unions and collective bargaining agreements. Six-month window in which employees can decide whether to remain with the airport or seek employment elsewhere in the County.
Collective Bargaining Agreements	Subject to BCC approval	Aviation Authority to recognize existing collective bargaining Agreements	Aviation Authority	Aviation Authority to recognize existing collective bargaining Agreements
Personnel Policies	Aviation Authority	Aviation Authority	Aviation Authority	Aviation Authority
Personnel Hiring and Management	Responsibility of Authority Director. Administrative staff to be dealt with through the Director.	Aviation Authority	The Authority may employ such employees, permanent or temporary, as it may require and to fix their compensation.	Aviation Director
Retirement System	Existing employee option to continue participation in Florida Retirement System or State and County Officers and Employees Retirement System, or enroll in Authority-approved system.	Existing employee option to continue participation in Florida Retirement System or State and County Officers and Employees Retirement System, or enroll in Authority approved system.	Aviation Authority	Existing employee option to continue participation in Florida Retirement System or State and County Officers and Employees Retirement System, or enroll in Authority approved system.

Goals to Consider While Formulating the Structure of an Airport Authority Ordinance

- Provide a management and operational structure to operate MIA in a safe, efficient and professional manner
- Provide a structure that recognizes the importance of MIA as the main economic engine of Miami-Dade County
- Preserve and enhance the financial viability of MIA while providing an attractive, efficient gateway to south FLA
- Enhance a professional business approach that contributes to the development of a strong business plan, which enhances the ability of the stakeholders to grow and prosper.
- Recognize the competitiveness of MIA with other airports around the world and develop a management structure that can adjust to the needs of a dynamic commercial aviation industry
- Address issues for which the Commission has a strong concern:
 - Development of a strong minority participation program, using the Miami-Dade County guidelines, including an interface with the BCC
 - Include the BCC in the decision making process for major issues which directly impacts citizens of Miami-Dade County
 - Include the BCC in the decision making process for major changes to MIA in growth or operation.

Qualifications of the Board of Directors for the Proposed Aviation Authority

- Each member of the Aviation Authority shall be a United States citizen and a resident of Miami-Dade County.
- Appointees shall possess outstanding reputations for integrity, responsibility, and commitment to serving the community.
- No member shall have a criminal conviction for any felony offense.
- The make-up of the Aviation Authority shall reflect a broad cross-section of constituent groups and the diversity of Miami-Dade County.
- Members shall have expertise and/or experience in one or more fields such as business, law, economics, finance, construction, public affairs, and/or aviation.
- No member shall be a sitting elected official in any jurisdiction, an employee of Miami-Dade County, or possess a conflict of interest.

FINANCIAL INTERESTS

Please print or type your name, mailing address, agency name, and position below:

LAST NAME -- FIRST NAME -- MIDDLE NAME :

MAILING ADDRESS :

CITY : ZIP : COUNTY :

NAME OF AGENCY :

NAME OF OFFICE OR POSITION HELD OR SOUGHT :

CHECK IF CANDIDATE OR NEW EMPLOYEE OR APPOINTEE

FOR OFFICE USE ONLY:

ID Code

ID No.

Conf. Code

P. Req. Code

****THIS SECTION MUST BE COMPLETED****

DISCLOSURE PERIOD:

THIS STATEMENT REFLECTS YOUR FINANCIAL INTERESTS FOR THE PRECEDING TAX YEAR, WHETHER BASED ON A CALENDAR YEAR OR ON A FISCAL YEAR. PLEASE STATE BELOW WHETHER THIS STATEMENT IS FOR THE PRECEDING TAX YEAR ENDING EITHER (check one):

DECEMBER 31, 2002 OR SPECIFY TAX YEAR IF OTHER THAN THE CALENDAR YEAR: _____

MANNER OF CALCULATING REPORTABLE INTERESTS:

THE LEGISLATURE ALLOWS FILERS THE OPTION OF USING REPORTING THRESHOLDS THAT ARE ABSOLUTE DOLLAR VALUES, WHICH REQUIRES FEWER CALCULATIONS, OR USING COMPARATIVE THRESHOLDS, WHICH ARE USUALLY BASED ON PERCENTAGE VALUES (see instructions for further details). PLEASE STATE BELOW WHETHER THIS STATEMENT REFLECTS EITHER (check one):

COMPARATIVE (PERCENTAGE) THRESHOLDS OR DOLLAR VALUE THRESHOLDS

PART A -- PRIMARY SOURCES OF INCOME [Major sources of income to the reporting person]

NAME OF SOURCE OF INCOME	SOURCE'S ADDRESS	DESCRIPTION OF THE SOURCE'S PRINCIPAL BUSINESS ACTIVITY

PART B -- SECONDARY SOURCES OF INCOME [Major customers, clients, and other sources of income to businesses owned by the reporting person]

NAME OF BUSINESS ENTITY	NAME OF MAJOR SOURCES OF BUSINESS' INCOME	ADDRESS OF SOURCE	PRINCIPAL BUSINESS ACTIVITY OF SOURCE

PART C -- REAL PROPERTY [Land, buildings owned by the reporting person]

FILING INSTRUCTIONS for when and where to file this form are located at the bottom of page 2.

INSTRUCTIONS on who must file this form and how to fill it out begin on page 3.

OTHER FORMS you may need to file are described on page 6.



PART D — INTANGIBLE PERSONAL PROPERTY [Stocks, bonds, certificates of deposit, etc.]

TYPE OF INTANGIBLE

BUSINESS ENTITY TO WHICH THE PROPERTY RELATES

PART E — LIABILITIES [Major debts]

NAME OF CREDITOR

ADDRESS OF CREDITOR

PART F — INTERESTS IN SPECIFIED BUSINESSES [Ownership or positions in certain types of businesses]

BUSINESS ENTITY # 1

BUSINESS ENTITY # 2

BUSINESS ENTITY # 3

NAME OF BUSINESS ENTITY			
ADDRESS OF BUSINESS ENTITY			
PRINCIPAL BUSINESS ACTIVITY			
POSITION HELD WITH ENTITY			
I OWN MORE THAN A 5% INTEREST IN THE BUSINESS			
NATURE OF MY OWNERSHIP INTEREST			

IF ANY OF PARTS A THROUGH F ARE CONTINUED ON A SEPARATE SHEET, PLEASE CHECK HERE

SIGNATURE (required):

DATE SIGNED (required):

FILING INSTRUCTIONS:

WHAT TO FILE:

After completing all parts of this form, including signing and dating it, send back only the first sheet (pages 1 and 2) for filing.

NOTE:

MULTIPLE FILING UNNECESSARY:

Generally, a person who has filed Form 1 for a calendar or fiscal year is not required to file a second Form 1 for the same year. However, a candidate who previously filed Form 1 because of another public position must at least file a copy of his or her original Form 1 when qualifying.

WHERE TO FILE:

If you were mailed the form by the Commission on Ethics or a County Supervisor of Elections for your annual disclosure filing, return the form to that location.

Local officers/employees file with the Supervisor of Elections of the county in which they permanently reside. (If you do not permanently reside in Florida, file with the Supervisor of the county where your agency has its headquarters.)

State officers or specified state employees file with the Commission on Ethics, P.O. Drawer 15709, Tallahassee, FL 32317-5709.

Candidates file this form together with their qualifying papers.

To determine what category your position falls under, see the "Who Must File" Instructions on page 3.

WHEN TO FILE:

Initially, each local officer/employee, state officer, and specified state employee must file **within 30 days** of the date of his or her appointment or of the beginning of employment. Appointees who must be confirmed by the Senate must file prior to confirmation, even if that is less than 30 days from the date of their appointment.

Candidates for publicly-elected local office must file at the same time they file their qualifying papers.

Thereafter, local officers/employees, state officers, and specified state employees are required to file by July 1st following each calendar year in which they hold their positions.

Finally, at the end of office or employment, each local officer/employee, state officer, and specified state employee is required to file a final disclosure form (Form 1F) within 60 days of leaving office or employment.



SOURCE OF INCOME STATEMENT

Please Print or Type

Name:	First Name	Middle Name/Initial	Last Name
Mailing Address:			
City/State/Zip			

Disclosure for Tax Year Ending: _____

Social Security Number: _____

Filing as a: County Employee

Municipal Employee of: _____

Position held or sought/ Board where serving: _____

Term or Employment began on: _____

Department where employed: _____

Work Address: _____

If your home address is exempt from public records pursuant to Florida Statutes 119.07 please check here (read instructions):

Work Telephone: _____

Home Address: _____

STREET ADDRESS

CITY

STATE

ZIP CODE

Please list below in descending order with the largest source first, the name, address and principal business activity of every source of your income including public salary you received or any person received for your benefit or use during the disclosure period. The income of your spouse or any business partner need not be disclosed. If continued on a separate sheet, check here:

NAME OF SOURCE OF INCOME	ADDRESS	DESCRIPTION OF THE PRINCIPAL BUSINESS ACTIVITY

I hereby swear (or affirm) that the aforesaid information is a true and correct statement.

EXHIBIT

SIGNATURE OF PERSON DISCLOSING

DATE SIGNED

Please Print or Type

SOURCE OF INCOME INFORMATION

(Required by the Miami-Dade County Code, Section 2-11.1 (i), as amended.)

The term **INCOME** shall include, but is not limited to, the following items: wages, salaries; tips; bonuses; commissions & fees; dividends, interest; profits from businesses and professions; your share of profits from partnerships and small business corporations; pensions, annuities & endowments; profits from the sale or exchange of real estate, securities or other property, including personal residence; rents and royalties; your share of estate or trust income, including accumulated distributions; alimony, separate maintenance or support payments; prizes, awards and gifts; fees as an Executor, Administrator or Director, disability retirement payments; workmen's compensation, insurance; damages; etc.

Filing instructions

A Source of Income Form, Financial Statement, Form 1 or copy of the personal Income Tax forms may be filed to satisfy the filing requirement for County, Municipal employees and advisory board members.

This form must be filed by July 1st of each year.

This form should not be used as a substitute for Form 1 for those required to file under state requirements.

Miami-Dade County Personnel and Advisory Board members shall file completed forms with:

Supervisor of Elections
111 NW 1 Street, Suite 1910
Miami, Florida 33128
or
P.O. Box 012241,
Miami, Florida 33101-2241

Municipal Personnel and Advisory Board members shall file completed forms with:

Their respective Municipal Clerk.

For further information contact the Miami-Dade Elections Department at 305-375-4382 or your Municipal Clerk's Office.

Note: The role of our office is to receive and maintain the forms filed as public record. If your home address appears on the form and you are exempt from public records and you do not wish it to be made public, you should use your office or other address. The following persons should not use their home addresses: active and former law enforcement personnel, including correctional and correctional probation officers; current or former state attorneys, asst. state attorneys, statewide prosecutors, and asst. statewide prosecutors; firefighters, personnel of D. H. R. S. whose duties include the investigation of abuse, neglect, exploitation, fraud, theft or other criminal activities; spouses of the above; and county and municipal code inspectors and code enforcement officers and personnel of the Department of Revenue or local governments responsible for revenue collection and enforcement or child support enforcement.