

MEMORANDUM

Agenda Item No. 7(F)

TO: Honorable Chairman Bruno A. Barreiro
and Members, Board of County Commissioners

DATE: (Second Reading 10-7-08)
May 20, 2008

FROM: R. A. Cuevas, Jr.
County Attorney

SUBJECT: Ordinance creating Miami
International Airport
Neighborhood Relations
Committee

The accompanying ordinance was prepared and placed on the agenda at the request of Prime Sponsor Commissioner Rebeca Sosa and Co-Sponsor Commissioner Jose "Pepe" Diaz.



R. A. Cuevas, Jr.
County Attorney

RAC/jls

Memorandum



Date: October 7, 2008

To: Honorable Chairman Bruno A. Barreiro
and Members, Board of County Commissioners

From: George M. Burgess
County Manager

A handwritten signature in black ink, appearing to read "George M. Burgess". The signature is written over the printed name and title of the sender.

Subject: Ordinance creating Miami International Airport Neighborhood Relations Committee

The ordinance creating Miami International Airport Neighborhood Relations Committee will be supported by existing staff and will not have a fiscal impact to Miami-Dade County.

A handwritten signature in black ink, appearing to read "Ysela Llorca". The signature is written over the printed name and title of the sender.

Ysela Llorca
Assistant County Manager

fiscal04908



MEMORANDUM

(Revised)

TO: Honorable Bruno A. Barreiro
and Members, Board of County Commissioners

DATE: October 7, 2008

FROM: 
R. A. Cuevas, Jr.
County Attorney

SUBJECT: Agenda Item No. 7(F)

Please note any items checked.

- "4-Day Rule" ("3-Day Rule" for committees) applicable if raised
- 6 weeks required between first reading and public hearing
- 4 weeks notification to municipal officials required prior to public hearing
- Decreases revenues or increases expenditures without balancing budget
- Budget required
- Statement of fiscal impact required
- Bid waiver requiring County Manager's written recommendation
- Ordinance creating a new board requires detailed County Manager's report for public hearing
- Housekeeping item (no policy decision required)
- No committee review

Approved _____ Mayor

Agenda Item No. 7(F)

Veto _____

10-7-08

Override _____

ORDINANCE NO. _____

ORDINANCE CREATING MIAMI INTERNATIONAL AIRPORT NEIGHBORHOOD RELATIONS COMMITTEE; PROVIDING PURPOSE, MEMBERSHIP, PROCEDURE, POWERS AND DUTIES, STAFF; PROVIDING SEVERABILITY, INCLUSION IN THE CODE, AND AN EFFECTIVE DATE

WHEREAS, it is desirable to create a committee for those residential areas immediately adjacent to Miami International Airport (“MIA”) to evaluate and recommend measures to the County Commissioners of District 6 and 12, to reduce or mitigate adverse impacts resulting from various airport related activities including but not limited to aircraft noise, airport vehicle traffic, vehicle access to MIA, construction in and around MIA, and air quality/aircraft emissions, and to promote positive communications between those residential areas and MIA,

NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF MIAMI-DADE COUNTY, FLORIDA:

Section 1. Creation.

There is hereby created a Miami International Airport Neighborhood Relations Committee (the “NRC”).

Section 2. Purpose.

The purpose of the NRC is to discuss, evaluate and recommend to County Commissioners of Districts 6 and 12, measures to reduce or mitigate adverse impacts to the residential areas immediately adjacent to MIA from various airport related activities including but not limited to aircraft noise, airport vehicle traffic, vehicle access to MIA, construction in and around MIA, and air quality/aircraft emissions, and to promote positive communications between those residential areas and MIA.

Section 3. Membership.

(a) *NRC Members.* The NRC shall consist of nine (9) members representing the areas with the greatest potential for adverse impacts from MIA. Each member may designate a single alternate to participate and vote on his or her behalf. The members of the NRC shall comply with the requirements of Section 2-11.38 of the Code of Miami-Dade County (“Code”) and shall serve without compensation. Notwithstanding any provision in the Code to the contrary, the members shall be appointed in the following manner:

Two (2) members shall be residents of County Commission District 6, and shall be appointed by the County Commissioner of District 6;

Two (2) members shall be residents of County Commission District 12, and shall be appointed by the County Commissioner of District 12;

One (1) member shall be a resident of the City of Miami, and shall be nominated by the Mayor of the City of Miami;

One (1) member shall be a resident of the City of Miami Springs, and shall be nominated by the Mayor of the City of Miami Springs;

One (1) member shall be a resident of the City of Doral, and shall be nominated by the Mayor of the City of Doral;

One (1) member shall be a resident of the City of Coral Gables, and shall be nominated by the Mayor of the City of Coral Gables;

One (1) member shall be a resident of the Village of Virginia Gardens, and shall be nominated by the Mayor of the Village of Virginia Gardens.

Any member who ceases to meet the membership requirements set forth above shall immediately forfeit his or her office.

(b) *Term.* In accordance with Section 2-11.38.2 of the Code, the members of the NRC shall serve staggered terms of three (3) years each. Notwithstanding any other provision of the Code, no member shall be permitted to serve more than eight (8) consecutive years. Members nominated by the County Commissioners representing

Districts 6 and 12 shall serve an initial term of three (3) years. Members nominated by the Mayor of the City of Miami, the Mayor of the City of Miami Springs, the Mayor of the City of Doral, the Mayor of the City of Coral Gables, and the Mayor of the Village of Virginia Gardens shall serve an initial term of two (2) years.

(c) *Vacancies.* Vacancies in the membership of the NRC shall be filled in the same manner by which the original NRC members were appointed and shall be filled within 45 days.

(d) *Removal from Office.* Notwithstanding any other provision of the Code, if any NRC member is absent from two (2) consecutive NRC meetings annually without an acceptable excuse, or from four (4) NRC meetings annually without an acceptable excuse, the NRC shall report the same to the County Commissioners of District 6 and 12.

Section 4. Procedure.

(a) *Executive Director.* A member of the NRC, chosen by a majority of the members, shall serve as Executive Director of the NRC.

(b) *Ex-Officio Member.* An employee of the Florida Department of Transportation shall be invited to serve as an ex-officio non-voting member of the NRC.

(c) *Meetings.* A majority of the members, then in office, constitutes a quorum for the purpose of conducting business and exercising the powers of the NRC and for all other purposes. Meetings of the NRC shall be held quarterly, shall be public and written minutes of the proceedings thereof shall be maintained. No vacancy in the membership of the NRC shall impair the right of a quorum to exercise the right to perform all the duties of the NRC.

Section 5. Powers and Duties.

(a) *Functions.* The NRC shall consider present and future adverse impacts to the residential areas immediately adjacent to MIA arising from activity in and around MIA. With the assistance of staff, the NRC shall explore, consider and recommend programs and practices, such as airport landscaping, noise buffering, trash cleanup

programs, signage and construction progress notices/updates, that may be helpful in reducing or mitigating those adverse impacts.

(b). *Report.* The NRC shall present an annual report of its recommendations at a sunshine meeting to the County Commissioners of Districts 6 and 12. A copy shall be filed with the Clerk of the Board.

Section 6. Staff.

The Mayor or his designee shall provide the NRC with adequate staff and support services to carry out its purposes.

Section 7. If any section, subsection, sentence, clause or provision of this ordinance is held invalid, the remainder of this ordinance shall not be affected by such invalidity.

Section 8. It is the intention of the Board of County Commissioners, and it is hereby ordained that the provisions of this ordinance shall become and be made a part of the Code. The sections of this ordinance may be renumbered or relettered to accomplish such intention, and the word "ordinance" may be changed to "section," "article," or other appropriate word.

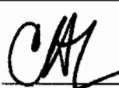
Section 9. This ordinance shall become effective ten (10) days after the date of enactment unless vetoed by the Mayor, and if vetoed, shall become effective only upon an override by the Board of County Commissioners.

Section 10. This ordinance shall stand repealed five (5) years from its effective date unless extended by amendment of the Board of County Commissioners prior to such date.

PASSED AND ADOPTED:

Approved by County Attorney as
to form and legal sufficiency:





Prepared by:
Cynji Lee

Prime Sponsor: Commissioner Rebeca Sosa
Co-Sponsor: Commissioner Jose "Pepe" Diaz