

MEMORANDUM

Agenda Item No. 14(A)(5)

TO: Honorable Chairman Esteban L. Bovo, Jr.
and Members, Board of County Commissioners


DATE: December 18, 2018


FROM: Abigail Price-Williams
County Attorney

SUBJECT: Resolution directing the County Mayor, in conjunction with the Office of Intergovernmental Affairs, to work with the United States Department of Homeland Security Customs and Border Protection, to determine costs to provide enhanced customs and immigration services at Miami Executive Airport; directing the County Mayor to enter into an agreement with United States Department of Homeland Security Customs and Border Protection to effectuate a one year pilot program for such services at Miami-Dade County's expense in an amount not to exceed \$450,000.00 provided that funds are available for this purpose in the Fiscal Year 2018-2019 budget, or alternatively to provide a report to the Board; urging the United States Department of Homeland Security Customs and Border Protection to consider the results of the pilot program in setting future funding and staffing levels

Resolution No. R-1305-18

The accompanying resolution was prepared and placed on the agenda at the request of Prime Sponsor Commissioner Joe A. Martinez.



Abigail Price-Williams
County Attorney 

APW/smm

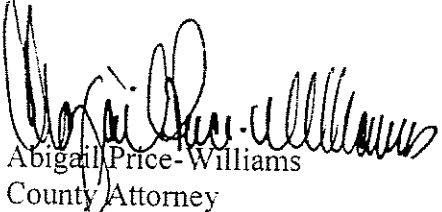


MEMORANDUM

(Revised)

TO: Honorable Chairman Esteban L. Bovo, Jr.
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Please note any items checked.

- "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
- Statement of social equity required
- Ordinance creating a new board requires detailed County Mayor's report for public hearing
- No committee review
- Applicable legislation requires more than a majority vote (i.e., 2/3's ____, 3/5's ____, unanimous ____) to approve
- Current information regarding funding source, index code and available balance, and available capacity (if debt is contemplated) required

Approved _____ Mayor

Agenda Item No. 14(A)(5)

Veto _____

12-18-18

Override _____

RESOLUTION NO. R-1305-18

RESOLUTION DIRECTING THE COUNTY MAYOR OR COUNTY MAYOR’S DESIGNEE, IN CONJUNCTION WITH THE OFFICE OF INTERGOVERNMENTAL AFFAIRS, TO WORK WITH THE UNITED STATES DEPARTMENT OF HOMELAND SECURITY CUSTOMS AND BORDER PROTECTION, TO DETERMINE COSTS TO PROVIDE ENHANCED CUSTOMS AND IMMIGRATION SERVICES AT MIAMI EXECUTIVE AIRPORT; DIRECTING THE COUNTY MAYOR OR COUNTY MAYOR’S DESIGNEE TO ENTER INTO AN AGREEMENT WITH UNITED STATES DEPARTMENT OF HOMELAND SECURITY CUSTOMS AND BORDER PROTECTION TO EFFECTUATE A ONE YEAR PILOT PROGRAM FOR SUCH SERVICES AT MIAMI-DADE COUNTY’S EXPENSE IN AN AMOUNT NOT TO EXCEED \$450,000.00 PROVIDED THAT FUNDS ARE AVAILABLE FOR THIS PURPOSE IN THE FISCAL YEAR 2018-2019 BUDGET, OR ALTERNATIVELY TO PROVIDE A REPORT TO THE BOARD; URGING THE UNITED STATES DEPARTMENT OF HOMELAND SECURITY CUSTOMS AND BORDER PROTECTION TO CONSIDER THE RESULTS OF THE PILOT PROGRAM IN SETTING FUTURE FUNDING AND STAFFING LEVELS

WHEREAS, Miami Executive Airport (TMB) is the fifth busiest airport with general aviation operations (take-offs and landings) in the United States, serving corporate, private, recreational, flight training, and governmental agency activities; and

WHEREAS, TMB is home to numerous fixed base operators supporting private jet operations and aircraft charter operations; and

WHEREAS, business travelers and tourists routinely make use of TMB to travel between South Florida and international destinations; and

WHEREAS, this international travel cannot be accommodated unless the United States Department of Homeland Security Customs and Border Protection (USCBP) provides immigration processing and customs inspections to inbound travelers and cargo; and

WHEREAS, currently, USCBP staffs a customs and immigration station at TMB that opens at 10:00 a.m. and closes at 5:00 p.m., which does not accommodate many travelers wishing to make use of TMB and thus deprives TMB of potential flight operations; and

WHEREAS, frequent meetings have been held with TMB tenants who have expressed concern regarding the constraints and burdens placed on their operations due to the current staffing hours maintained AT TMB by USCBP; and

WHEREAS, the USCBP's station at Miami-Opa Locka Executive Airport is staffed daily until midnight; and

WHEREAS, additional flight operations at TMB would provide economic benefits to Miami-Dade County, and would provide enhanced access to South Miami-Dade County; and

WHEREAS, USCBP has authorized various program by which airport users or owners pay USCBP to fund enhanced operations at ports of entry, including general aviation airports servicing international traffic; and

WHEREAS, costs for Miami-Dade County to fund additional hours of operations by USCBP at TMB would be approximately \$429,000.00 per year,

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

Section 1. The foregoing recitals are incorporated in this resolution and are approved.

Section 2. The Board directs the County Mayor or County Mayor's designee, in conjunction with the Office of Intergovernmental Affairs, to work with the United States Department of Homeland Security Customs and Border Protection (USCBP), to determine the actual costs to provide enhanced customs and immigration services at Miami Executive Airport, to be funded by Miami-Dade County, to expand the hours of operation of the USCBP station at Miami Executive Airport to 9:00 A.M. to midnight Thursdays through Mondays, and from 11:00 A.M. to 7:00 P.M., Tuesdays and Wednesdays. The cost to provide such expanded coverage is currently estimated at approximately \$429,000.00 per year.

Section 3. The County Mayor or County Mayor's designee is directed to enter into all appropriate agreements, after review and approval by the County Attorney's Office, to provide and fund enhanced hours of operation by USCBP at Miami Executive Airport, without need for further action of this Board, provided that funds are available for this purpose in the Fiscal Year 2018-2019 budget, including, but not limited to, Aviation Department Operating Funds; and further provided that such agreements shall be on a pilot basis, shall not exceed one year in duration, and shall not, unless approved by this Board, provide for payments to USCBP at amounts that exceed \$450,000.00 in the aggregate. In the event that agreement cannot be reached with USCBP, funds are not available for this purpose or the purposes of the resolution are not otherwise carried out, the County Mayor or County Mayor's designee shall provide a report to the Board within 120 days of the effective date of this resolution detailing the reasons why this policy directive could not be carried out. The Board directs the County Mayor or County Mayor's designee to place such written report required by this section of this resolution on an agenda of the Board pursuant to Ordinance No. 14-65.

Section 4. Urges the USCBP to consider the results of this pilot program in setting future budget and staffing levels for Miami Executive Airport, and to fund and staff Miami Executive Airport to sustain the same level of service as was achieved under this pilot project.

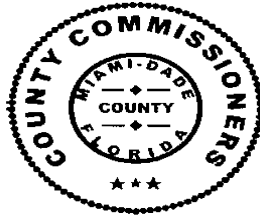
Section 5. Directs the Clerk of the Board to transmit certified copies of this resolution to the President of the United States, United States Senator Bill Nelson, United States Senator Marco Rubio, United States Senator-elect Rick Scott, the remaining Members of the Florida Congressional Delegation, and the Secretary of the Department of Homeland Security.

Section 6. Directs the County's federal lobbyists to support the action described in Section 4 above, and authorizes and directs the Office of Intergovernmental Affairs to amend the 2019 Federal Legislative Package to include this item and to include this item in the 2019 Federal Legislative Package when it is presented to the Board.

The Prime Sponsor of the foregoing resolution is Commissioner Joe A. Martinez. It was offered by Commissioner **Sally A. Heyman**, who moved its adoption. The motion was seconded by Commissioner **Rebeca Sosa** and upon being put to a vote, the vote was as follows:

	Esteban L. Bovo, Jr., Chairman	aye	
	Audrey M. Edmonson, Vice Chairwoman	aye	
Daniella Levine Cava	aye	Jose "Pepe" Diaz	aye
Sally A. Heyman	aye	Eileen Higgins	aye
Barbara J. Jordan	aye	Joe A. Martinez	aye
Jean Monestime	aye	Dennis C. Moss	aye
Rebeca Sosa	aye	Sen. Javier D. Souto	aye
Xavier L. Suarez	aye		

The Chairperson thereupon declared this resolution duly passed and adopted this 18th day of December, 2018. This resolution shall become effective upon the earlier of (1) 10 days after the date of its adoption unless vetoed by the County Mayor, and if vetoed, shall become effective only upon an override by this Board, or (2) approval by the County Mayor of this resolution and the filing of this approval with the Clerk of the Board.



MIAMI-DADE COUNTY, FLORIDA
BY ITS BOARD OF
COUNTY COMMISSIONERS

HARVEY RUVIN, CLERK

By: **Linda L. Cave**
Deputy Clerk

Approved by County Attorney as
to form and legal sufficiency.

A handwritten signature in dark ink, appearing to read "DM", is written over a horizontal line.

David M. Murray