OFFICIAL FILE COPY
CLERK OF THE BOARD
OF COUNTY COMMISSIONERS
MIAMI-DADE COUNTY, FLORIDA

MEMORANDUM

Amended
Agenda Item No. 7(F)

(Second Reading 10-7-08)

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

DATE: May 20, 2008

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

SUBJECT: Ordinance creating Miami International Airport Neighborhood Relations Committee

Ordinance No. 08-115

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

MIAMI-DADE COUNTY

Date: October 7, 2008

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

From: George M. Burgess
County Manager

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.

Ysela Llort
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: Amended
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
Veto _____
Override _____

Amended
Agenda Item No. 7(F)
10-7-08

ORDINANCE NO. **08-115**

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 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 NRC shall be provided 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: **October 7, 2008**

Approved by County Attorney as
to form and legal sufficiency:

Prepared by:

Cynji A. Lee

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

Memorandum

MIAMI-DADE COUNTY

Date: October 7, 2008

Supplement to
Agenda Item No. 7(F)

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

From: George M. Burgess
County Manager

Subject: Miami International Airport Neighborhood Relations Committee Report Pursuant to Section 2-11.37(b)

In accordance with Section 2-11.37 (b) of the Code, the following information is provided regarding the proposed establishment of the Miami International Airport (MIA) Neighborhood Relations Committee (NRC).

(1) Whether the establishment of the board will create sufficient betterment to the community to justify the Board of County Commissioners' delegation of a portion of its authority.

The MIA-NRC will serve only in an advisory capacity. The purpose of the NRC will be to bring together a group of citizens of Miami-Dade County to discuss, evaluate and recommend to the 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.

(2) Whether another board or agency, either public or private, which is already in existence, could serve the same purpose.

There is a Board in existence that addresses aircraft noise abatement issues related to Miami International Airport and a similar group of citizens under the Board name "Aircraft Noise Abatement Advisory Task Force" for Opa-locka Executive Airport (OPF). However, this Board is envisioned to address a more diverse agenda, such as traffic and environmental impacts.

(3) The costs, both direct and indirect, of establishing and maintaining the board.

The negligible costs of establishing and maintaining the NRC will be covered by the MDAD budget. The NRC will be staffed by Aviation Department staff.

(4) Whether the board is necessary to enable the County to obtain state or federal grants or other financing.

While a Board such as this is not required to obtain state or federal funding both the Florida Department of Transportation (FDOT), and the Federal Aviation Administration (FAA) look favorably on aviation projects requiring funding that have been brought before Boards such as this.

(5) Whether the board should have bonding authority.

The NRC will not have bonding authority.

(6) Whether the board should have final authority to enter into contracts and spend County funds, or whether its contracts expenditures must be ratified by the Board of County Commissioners.

The NRC will not have the authority to enter into contracts or spend County funds.

(7) Whether the creation of a new Board is in the best method of achieving the benefit desired.

The NRC is the best way of achieving the desired benefits, as it brings together the Aviation Department, airport users and the community to resolve aircraft noise, vehicle traffic, vehicle access to MIA, construction in and around MIA, and air quality/aircraft emissions issues specific to Districts 6 and 12.

Assistant County Manager