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CLERK OF THE BOARD
OF COUNTY COMMISSIONERS
MIAMI-DADE COUNTY, FLORIDA**

MEMORANDUM

Agenda Item No. 7(B)

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

DATE: (Second Reading 02-05-08)
November 6, 2007

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

SUBJECT: Ordinance creating Aircraft
Noise Abatement Advisory
Task Force for Opa-locka
Executive Airport

Ordinance 08-15

The accompanying ordinance was prepared and placed on the agenda at the request of Commissioner Natacha Seijas and Vice-Chairwoman Barbara J. Jordan.



R. A. Cuevas, Jr.
County Attorney

RAC/jls

Memorandum



Date: February 5, 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", written over the printed name.

Subject: Ordinance creating the Aircraft Noise Abatement Advisory Task Force for Opa-Locka Executive Airport

The ordinance creating the Aircraft Noise Abatement Advisory Task Force for Opa-Locka Executive Airport will not have a fiscal impact to Miami-Dade County.

A handwritten signature in black ink, appearing to read "Ysela Llort", written over a horizontal line.

Ysela Llort
Assistant County Manager

fis01106

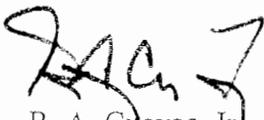


MEMORANDUM

(Revised)

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

DATE: February 5, 2008

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

SUBJECT: Agenda Item No. 7(B)

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(B)

Veto _____

02-05-08

Override _____

ORDINANCE NO. **08-15**_____

ORDINANCE CREATING AIRCRAFT NOISE ABATEMENT ADVISORY TASK FORCE FOR OPA-LOCKA EXECUTIVE AIRPORT; PROVIDING PURPOSE, MEMBERSHIP, PROCEDURE, POWERS AND DUTIES, STAFF, SCHEDULED MEETINGS; PROVIDING SEVERABILITY, INCLUSION IN THE CODE, AND AN EFFECTIVE DATE

WHEREAS, the Board of County Commissioners of Miami-Dade County, Florida, created an Aircraft Noise Abatement Task Force for Opa-locka Executive Airport on April 10, 2001, pursuant to Ordinance No. O-01-69; and

WHEREAS, the Aircraft Noise Abatement Task Force for Opa-locka Executive Airport has sunset; and

WHEREAS, it is desirable to reconstitute the group as the Aircraft Noise Abatement Advisory Task Force for Opa-locka Executive Airport to evaluate and recommend noise abatement measures to reduce or mitigate noise impact on the areas surrounding the airport,

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

Section 1. Creation.

There is hereby created an Aircraft Noise Abatement Advisory Task Force for Opa-locka Executive Airport (the “Task Force”).

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Section 2. Purpose.

The purpose of the Task Force is to discuss, evaluate and recommend to the Miami Dade Aviation Department (“MDAD”) alternatives to reduce or mitigate aircraft noise impact on the areas surrounding Opa-locka Executive Airport (“OPF”).

Section 3. Membership.

(a) *Members.* The Task Force shall consist of not fewer than seven (7) or more than nine (9) members, each of whom shall be appointed by the Mayor or designee. The Task Force is to be composed of members providing balanced representation from the communities impacted by aircraft noise at OPF, current and prospective tenants of OPF, and MDAD. The members of the Task Force shall comply with the requirements of Section 2-11.38 of the Code of Miami-Dade County (“Code”) and shall serve without compensation.

(b) *Term.* The members of the Task Force shall serve staggered terms of two (2) years each. Notwithstanding any other provision of the Code, no member shall be permitted to serve more than two (2) consecutive terms.

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

(d) *Removal from Office.* Notwithstanding any other provision of the Code, if any Task Force member is absent from two (2) consecutive Task Force meetings annually without an acceptable excuse, or from four (4) Task Force meetings annually without an acceptable excuse, the Task Force shall certify the same to the Mayor or designee.

(e) *Exemption from Conflict of Interest and Code of Ethics Ordinance.* Pursuant to the authority of Section 2-11.39.2 of the Code, the members of the Task

Force are exempted from the application of the Miami-Dade County Conflict of Interest and Code of Ethics Ordinance arising from Task Force membership.

Section 4. Procedure.

(a) *Executive Director.* An employee of MDAD shall serve as Executive Director of the Task Force.

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

Section 5. Powers and Duties of the Board. The Task Force shall consider present and future noise impacts arising from operations at OPF. With the assistance of staff, the Task Force shall explore, consider and recommend programs and practices that may be helpful in reducing or mitigating noise impacts.

Section 6. Staff.

The Mayor or designee and MDAD shall provide to the Task Force adequate staff and support services to enable the Task Force to carry out its purposes.

Section 7. Scheduled Meetings.

The Task Force shall meet no less than every three (3) months. The Task Force shall conduct quarterly meetings for the purpose of soliciting public participation and comments from OPF's surrounding communities.

Section 8. 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 9. 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 10. 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 11. 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: **February 5, 2008**

Approved by County Attorney as
to form and legal sufficiency:



Prepared by:



Cynji Lee

Sponsored by Commissioner Natacha Seijas and
Vice-Chairwoman Barbara J. Jordan