

RESOLUTION NO. 03- 45

A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF DORAL, FLORIDA, AUTHORIZING CITY OFFICIALS AND STAFF TO SEEK DEFERRAL OF MIAMI-DADE COUNTY AIRPORT ZONING ORDINANCE; IN THE ALTERNATIVE, OPPOSING MIAMI-DADE COUNTY AIRPORT ZONING ORDINANCE; PROVIDING FOR TRANSMITTAL; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, Miami-Dade County is considering adoption of zoning ordinance, copy attached, that would prohibit schools within "no school zones" located within five miles of Miami International Airport; and

WHEREAS, the proposed zoning ordinance provides that the Board of County Commissioners has final authority over exceptions to the "no school zones"; and

WHEREAS, much of the City of Doral (the "City") is located within the proposed "no school zones"; and

WHEREAS, the City continues to experience rapid growth in school age children, specifically at the elementary school level; and

WHEREAS, the City Council wishes that additional schools be located within the City to meet this demand; and

WHEREAS, the City Council finds that the proposed ordinance may adversely affect the City by restricting the Council's power to approve sites for new schools within the areas affected by the proposed ordinance; and

WHEREAS, the City Council desires to work with Miami-Dade County in amending the proposed ordinance or entering into an alternative arrangement as required by state law.

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF DORAL, FLORIDA, AS FOLLOWS:

Section 1. Recitals. The above recitals are true and correct and are incorporated herein by this reference.

Section 2. Authorization. Pursuant to Section 333.03(1)(b), Miami-Dade County is required to either enter into an inter-local agreement with the City of Doral (the "City") or provide for a joint airport zoning board comprised of two representatives from each affected jurisdiction, to enforce airport zoning regulations and grant exceptions. The Vice-Mayor, or in his place, a City official or other City staff member is hereby authorized to seek deferral on behalf of the City of the proposed airport zoning ordinance before any County board, commission, or committee ("County Boards") until the proposed ordinance is amended to provide for final exercise of zoning authority with respect to the siting of schools within the "no school zone" by the City, an appropriate inter-local agreement between the City and County is executed, or a joint airport zoning board is created as required by state law.

Section 3. Opposition. In the event that the Vice-Mayor is unable to obtain deferral of the ordinance at meetings of County Boards, the City Council hereby opposes the proposed airport zoning ordinance.

Section 4. Transmittal. The City's officials and staff are authorized to send copies of this Resolution to all appropriate County, State and Federal agencies.

Section 7. **Effective Date.** This resolution shall take effect immediately on its adoption.

The foregoing Resolution was offered by Councilmember Van Name, who moved its adoption. The motion was seconded by Councilmember DiPietro and upon being put to a vote, the vote was as follows:

Mayor Juan Carlos Bermudez
Vice Mayor Peter Cabrera
Councilmember Michael DiPietro
Councilmember Sandra Ruiz
Councilmember Robert Van Name

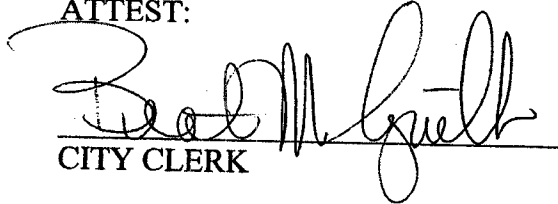
yes
yes
yes
yes
yes

PASSED and ADOPTED this 12th day of November, 2003.



JUAN CARLOS BERMUDEZ, MAYOR

ATTEST:



CITY CLERK

APPROVED AS TO FORM AND
LEGAL SUFFICIENCY FOR THE
SOLE USE OF THE CITY OF DORAL.



CITY ATTORNEY