

# MEMORANDUM

Agenda Item No. 11(A)(12)

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**TO:** Honorable Chairwoman Rebeca Sosa  
and Members, Board of County Commissioners

**DATE:** July 2, 2013

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

**SUBJECT:** Resolution creating the Miami-Dade Sea Level Rise Task Force; providing for membership, organization and procedures; setting forth purpose, function, responsibility, and sunset provision

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The accompanying resolution was prepared and placed on the agenda at the request of Prime Sponsor Chairwoman Rebeca Sosa.

  
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R. A. Cuevas, Jr.  
County Attorney

RAC/cp



# MEMORANDUM

(Revised)

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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
- 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  
Veto \_\_\_\_\_  
Override \_\_\_\_\_

Agenda Item No. 11(A)(12)

7-2-13

RESOLUTION NO. \_\_\_\_\_

RESOLUTION CREATING THE MIAMI-DADE SEA LEVEL RISE TASK FORCE; PROVIDING FOR MEMBERSHIP, ORGANIZATION AND PROCEDURES; SETTING FORTH PURPOSE, FUNCTION, RESPONSIBILITY, AND SUNSET PROVISION

**WHEREAS**, Southeast Florida is considered one of the most vulnerable areas of the country to suffer from the consequences of sea level rise; and

**WHEREAS**, Miami-Dade County is composed of a large section of water front property and is a low-lying coastal community at the frontline to experience the impacts of sea level rise; and

**WHEREAS**, Miami-Dade County has various vital facilities and infrastructure that could be adversely affected by sea level rise; and

**WHEREAS**, local and regional tide data show a trend of rising sea levels and more recent data and factors suggest this trend may accelerate in the future; and

**WHEREAS**, climate scientists and other groups such as the Southeast Environmental Research Center and the National Oceanic and Atmospheric Administration's Coastal Services Center have predicted the potential erosion of dry land and loss of water front property in Miami-Dade County as a result of sea level rise; and

**WHEREAS**, according to the National Wildlife Federation and the Florida Wildlife Federation a mid-range sea level rise of fifteen (15) inches in Biscayne Bay would result in an 85% loss of cypress swamp, a 33% loss of inland fresh marsh, a 79% loss of tidal flats, and a 54% loss of salt marsh; and

**WHEREAS**, Miami-Dade County has been in the forefront of these issues for many years; and

**WHEREAS**, sea level rise was identified as a major issue in the Comprehensive Development Master Plan (CDMP), 2003 Evaluation and Appraisal Report (EAR), approved by the Board of County Commissioners and as a result, policies have been proposed for amendment of the Comprehensive Development Master Plan; and

**WHEREAS**, Miami-Dade County is a member of the Southeast Florida Regional Climate Compact; and

**WHEREAS**, a “Unified Sea Level Rise Projection for Southeast Florida” was developed by a Sea Level Rise Technical Ad Hoc Work Group of the Southeast Florida Regional Climate Compact; and

**WHEREAS**, the Board of County Commissioner had previously created the Miami-Dade Climate Change Advisory Task Force, established in July 2006 through the adoption of Ordinance 06-113, which served as an advisory board to the Board of County Commission on the issue of global warming climate change and was charged with identifying potential future climate change impacts to Miami-Dade County, while providing recommendations regarding mitigation and adaptation measures to respond to climate change; and

**WHEREAS**, the Miami-Dade Climate Change Advisory Task Force co-chaired the Interagency Climate Change Adaptation Task Force with the White House Council on Environmental Quality, the Office of Science and Technology Policy, and the National Oceanic and Atmosphere Administration, and released its interagency report in October of 2010 outlining recommendations to the President of the United States for how Federal Agency policies and programs can better prepare the United States to respond to the impacts of climate change; and

**WHEREAS**, In 2010, Miami-Dade County was featured as a best practice case study — Adapting to Sea Level Rise in Miami-Dade County, Florida — as part of the National Oceanic and Atmospheric Administration's Digital Coast Initiative and Inundation Toolkit; and

**WHEREAS**, the Miami-Dade Climate Change Advisory Task Force, sunset and dissolved in 2011, pursuant to Ordinance 06-113; and

**WHEREAS**, the City of Miami Beach has developed a Stormwater Master Plan in 2012 with estimated costs of over \$206,000,000 in infrastructure needs for its drainage system, which is being increasingly compromised by sea level rise; and

**WHEREAS**, local, regional and national news media outlets have recently featured numerous stories with varied predictions on Southeast Florida's vulnerability to sea level rise; and

**WHEREAS**, it is desirable to create a Miami-Dade County focused task force to review existing studies, scientific reports, and other relevant information to determine the current realistic impact of sea level rise on Miami-Dade County vital facilities, real estate, water front property, vital water resources, and infrastructure,

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

**Section 1.**     Creation. There is hereby created the Miami-Dade Sea Level Rise Task Force.

**Section 2.**     Purpose. The purpose of the Miami-Dade Sea Level Rise Task Force is to review the relevant data and prior studies, assessments, reports, and evaluations of the potential impact of sea level rise on vital public services and facilities, real estate, water and other ecological resources, water front property, and infrastructure, and to provide a

comprehensive and realistic assessment of the likely and potential impacts of sea level rise and storm surge over time, which shall be used to help develop a set of recommendations relative to amendments to the Comprehensive Development Master Plan, capitol facilities planning, budgetary priorities and other County programs as necessary to ensure that Miami-Dade County is taking all appropriate actions to reduce its contributions to climate-induced sea level rise and to ensure its resiliency to that increase in sea level rise, storm surge and related impacts which are expected to occur.

**Section 3.** Limitations on Authority. The Miami-Dade Sea Level Rise Task Force is advisory only and shall not have the power or authority to commit Miami-Dade County or any of its agencies or instrumentalities to any policies, incur and financial obligations or to create any liability, contractual or otherwise, on behalf of Miami-Dade County or any of its agencies or instrumentalities.

**Section 4.** Membership. The Miami-Dade Sea Level Rise Task Force shall consist of five (5) members who reside in Miami-Dade County. At least (1) member of the Miami-Dade Sea Level Rise Task Force shall possess an expertise in civil engineering with a focus on infrastructure. At least (1) one member shall possess an expertise in community and real estate development. At least (1) one member shall possess expertise in one or more of the following areas: climatology, geophysics, coastal management, oceanography or coastal ocean science. At least (1) one member shall possess expertise in emergency management. At least (1) one member shall possess expertise in economics. The members should have reputations for integrity and community service. The members shall be appointed in the following manner:

- (a) Within thirty (30) days of the effective date of this resolution each member of the Miami-Dade County Board of County Commissioners may nominate experts to

the Clerk of the Board to be considered for service on the Miami-Dade Sea Level Rise Task Force;

- (b) Within thirty (30) days of the effective date of this resolution interested experts may submit their qualifications to the Clerk of the Board to be considered for service on the Miami-Dade Sea Level Rise Task Force;
- (c) If the Clerk of the Board has not received more than a total of five (5) nominations from the Miami-Dade County Board of County Commissioners and submissions from interested experts within thirty (30) days of the effective date of this resolution, the Clerk of the Board shall immediately notify the Miami-Dade County Board of County Commissioners and the deadline for nominations and submissions shall be extended by fifteen (15) days;
- (d) Within thirty (30) days of the deadline for the submission of expert nominations the Miami-Dade County Board of County Commissioners shall select who serves on the Miami-Dade Sea Level Rise Task Force;
- (e) The Miami-Dade County Board of County Commissioners shall consider all nominations made by its members and all submissions by interested experts in making the selection of who shall serve on the Miami-Dade Sea Level Rise Task Force;
- (f) The Miami-Dade County Board of County Commissioners shall ensure a diversity of scientific experts in making the selection of who shall serve on the Miami-Dade Sea Level Rise Task Force;

- (g) The Miami-Dade County Board of County Commissioners shall ensure that the membership of the Miami-Dade Sea Level Rise Task Force reflects the diversity of the community;
- (h) The same day the five (5) members of the Miami-Dade Sea Level Rise Task Force are selected by the Miami-Dade County Board of County Commissioners, the Miami-Dade County Board of County Commissioners shall select one (1) member of the Miami-Dade Sea Level Rise Task Force to serve as chairperson and one (1) member of the Miami-Dade Sea Level Rise Task Force to serve as the vice chairperson.

Any member, chairperson, or vice chairperson who ceases to meet the membership requirements set forth above shall immediately forfeit his or her position on the Miami-Dade Sea Level Rise Task Force. Any member vacancies on the Miami-Dade Sea Level Rise Task Force shall be filled in the manner provided for in the initial appointment. In the event of a chairperson vacancy, the vice chairperson shall conduct the next meeting and the members of the Miami-Dade Sea Level Rise Task Force shall select a new chairperson at that meeting. In the event of a vice chairperson vacancy, the chairperson shall conduct the next meeting and the members of the Miami-Dade Sea Level Rise Task Force shall select a new vice chairperson at that meeting.

**Section 5.** Organization and procedures at meetings. The Miami-Dade Sea Level Rise Task Force may establish, adopt, and amend bylaws, rules, and regulations for its own governance. The chairperson and vice chairperson shall serve at the will of the Miami-Dade Sea Level Rise Task Force. The chairperson shall preside at all meetings at which he or she is present. The vice chairperson shall act as chairperson in the absence or inability of the chairperson.

In order to transact any business or to exercise any power vested in the Miami-Dade Sea Level Rise Task Force, a quorum consisting of a majority of those persons duly appointed to the Miami-Dade Sea Level Rise Task Force shall be present. The members of the Miami-Dade Sea Level Rise Task Force shall serve without compensation.

**Section 6.**     Regulations. All proceedings of the Miami-Dade Sea Level Rise Task Force shall be conducted in accordance with the Government in the Sunshine Law (Sec. 286.011, Fla. Stats.) and the Citizens Bill of Rights of the Miami-Dade County Home Rule Charter. The Miami-Dade Sea Level Rise Task Force shall be deemed an “agency” for purposes of the Public Records Law. The Miami-Dade Sea Level Rise Task Force shall be governed by all State and County conflict of interest laws, as applicable, including the Miami-Dade County Conflict of Interest and Code of Ethics Ordinance, Section 2-11.1 the Code of Miami-Dade County. The Miami-Dade Sea Level Rise Task Force shall meet within fifteen (15) days of the appointment of its members, and shall meet no less than every thirty (30) days from the date of the initial meeting. Additional meetings may be held at the discretion of the Miami-Dade Sea Level Rise Task Force.

**Section 7.**     Reports. The Miami-Dade Sea Level Rise Task Force shall provide its report setting forth its findings and recommendations to the Board of County Commissioners within ninety (90) days from the date of the Miami-Dade Sea Level Rise Task Force first meeting. The report submitted shall consist of a comprehensive assessment of the realistic impacts of sea level rise and storm surge on vital public services and facilities, water and other ecological resources, water front property, real estate, and infrastructure over time. These shall then be used to help develop a set of recommendations relative to amendments to the Comprehensive Development Master Plan, capitol facilities planning, budgetary priorities and

other County programs as necessary to ensure that Miami-Dade County is taking all appropriate actions to reduce its contributions to climate- induced sea level rise and to ensure its resiliency to that increase in sea level rise, storm surge and related impacts which are expected to occur.

**Section 8.**     **Staff.**     The Miami-Dade Sea Level Rise Task Force shall be provided adequate staff and support services by Miami-Dade County. The staff shall maintain and keep records of the Miami-Dade Sea Level Rise Task Force; prepared in cooperation with the chairperson, the agenda for each meeting; be responsible for the preparation of such reports, minutes, documents, or correspondence as the Miami-Dade Sea Level Rise Task Force may direct; and generally administer the business and affairs of the Miami-Dade Sea Level Rise Task Force, subject to budgetary limitations. The Miami-Dade Sea Level Rise Task Force may request the Board of County Commissioners to provide such other specialized consulting expertise as it may determine are necessary from time to time. The County Attorney's Office shall provide legal counsel, as needed, to the Miami-Dade Sea Level Rise Task Force.

**Section 9.**     **Sunset.**     The Miami-Dade Sea Level Rise Task Force shall sunset and stand dissolved on the two-hundred-and-twentieth (220<sup>th</sup>) day from the effective day of this resolution.

The Prime Sponsor of the foregoing resolution is Chairwoman Rebeca Sosa. It was offered by Commissioner \_\_\_\_\_, who moved its adoption. The motion was seconded by Commissioner \_\_\_\_\_ and upon being put to a vote, the vote was as follows:

Rebeca Sosa, Chairwoman

Lynda Bell, Vice Chair

Bruno A. Barreiro

Jose "Pepe" Diaz

Sally A. Heyman

Jean Monestime

Sen. Javier D. Souto

Juan C. Zapata

Esteban L. Bovo, Jr.

Audrey M. Edmonson

Barbara J. Jordan

Dennis C. Moss

Xavier L. Suarez

The Chairperson thereupon declared the resolution duly passed and adopted this 2<sup>nd</sup> day of July, 2013. This resolution shall become effective ten (10) days after the date of its adoption unless vetoed by the Mayor, and if vetoed, shall become effective only upon an override by this Board.

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

HARVEY RUVIN, CLERK

By: \_\_\_\_\_  
Deputy Clerk

Approved by County Attorney as  
to form and legal sufficiency.



Christopher A. Angell