

# MEMORANDUM

Agenda Item No. 7(D)

---

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


**DATE:** (Second Reading 9-3-14)  
June 3, 2014

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

**SUBJECT:** Ordinance relating to the Rules  
of Procedure of the Board of  
County Commissioners  
amending Section 2-1 of the  
Code, to require that in all  
agenda items related to planning,  
design and construction of  
County infrastructure a statement  
be included that the impact of sea  
level rise has been considered

---

The accompanying ordinance was prepared and placed on the agenda at the request of Prime Sponsor Chairwoman Rebeca Sosa and Co-Sponsor Commissioner Sally A. Heyman.

  
\_\_\_\_\_  
R. A. Cuevas, Jr.  
County Attorney

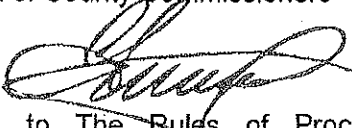
RAC/smm

# Memorandum



**Date:** September 3, 2014

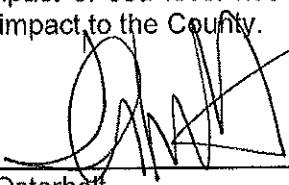
**To:** Honorable Chairwoman Rebeca Sosa  
and Members, Board of County Commissioners

**From:** Carlos A. Gimenez  
Mayor 

**Subject:** Ordinance Relating to The Rules of Procedure of The Board of County Commissioners and County Boards, Amending Section 2-1 of the Code To Require that in all agenda items related to planning, design and construction of County infrastructure a statement be included that the impact of sea level rise has been considered

---

The proposed ordinance relates to the rules of procedure of the Board of County Commissioners and County Boards amending Section 2-1 of the code of Miami-Dade County, requiring that in all agenda items relating to planning, design and construction of County infrastructure a statement be included that the impact of sea level rise has been considered. Implementation of this ordinance will not have a fiscal impact to the County.



Jack Osterhoff  
Deputy Mayor

Fis8014



# MEMORANDUM

(Revised)

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

**DATE:** September 3, 2014

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

**SUBJECT:** Agenda Item No. 7(D)

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. 7(D)  
9-3-14

ORDINANCE NO. \_\_\_\_\_

ORDINANCE RELATING TO THE RULES OF PROCEDURE OF THE BOARD OF COUNTY COMMISSIONERS AMENDING SECTION 2-1 OF THE CODE OF MIAMI-DADE COUNTY, FLORIDA, TO REQUIRE THAT IN ALL AGENDA ITEMS RELATED TO PLANNING, DESIGN AND CONSTRUCTION OF COUNTY INFRASTRUCTURE A STATEMENT BE INCLUDED THAT THE IMPACT OF SEA LEVEL RISE HAS BEEN CONSIDERED; PROVIDING SEVERABILITY, INCLUSION IN THE CODE, AND AN EFFECTIVE DATE

**WHEREAS**, Southeast Florida is considered one of the most vulnerable areas of the country to the consequences 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**, Miami-Dade County has historically been, and strives to continue to be, on the forefront of issues related to climate change, global warming and sea level rise; and

**WHEREAS**, in July 2013, the Board of County Commissioners ("Board") created the Miami-Dade Sea Level Rise Task Force through adoption of Resolution No. R-599-13; and

**WHEREAS**, in May 2014, through Resolution R-451-14, the Board adopted a policy for Miami-Dade County that "all County infrastructure projects, including but not limited to County building elevation projects, County installation of mechanical and electrical systems, County infrastructure modifications and County infrastructure renovations... shall consider sea level rise projections and potential impacts as best estimated at the time of the project, using the regionally consistent unified sea level rise projections, during all project phases including but not limited to

planning, design, and construction, in order to ensure that infrastructure projects will function properly for fifty (50) years or the design life of the project, whichever is greater”.

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

**Section 1.** Section 2-1 of the Code of Miami-Dade County, Florida, is hereby amended to read as follows:<sup>1</sup>

**Sec. 2-1. RULES OF PROCEDURE OF THE COUNTY COMMISSION.**

\* \* \*

**Rule 5.08. STATEMENT OF PRIVATE BUSINESS SECTOR IMPACT REQUIRED FOR ORDINANCE**

At the request of any commissioner at the first reading of any ordinance that regulates private business, land development or building code standards, the mayor shall prepare a written statement setting forth the fiscal impact, if any, of the proposed ordinance on the private business sector. No ordinance regulating private business, land development or building code standards shall be considered on second reading if the requested statement of fiscal impact on private business is not submitted with the ordinance as part of the agenda.

**>>Rule 5.09 STATEMENT OF CONSIDERATION OF IMPACT OF SEA LEVEL RISE**

For all agenda items brought to the Board that relate to the planning, design and/or construction of County infrastructure projects, including but not limited to, County building elevation projects, County installation of mechanical and electrical systems, County infrastructure modifications and County infrastructure renovations, the Mayor or Mayor’s designee shall include a statement in the item that the impact of sea level rise has been considered in the project.<<

**Section 2.** 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.

<sup>1</sup> Words stricken through and/or [[double bracketed]] shall be deleted. Words underscored and/or >>double arrowed<< constitute the amendment proposed. Remaining provisions are now in effect and remain unchanged.

**Section 3.** It is the intention of the Board of County Commissioners, and it is hereby ordained that the provisions of this ordinance, including any sunset provision, shall become and be made a part of the Code of Miami-Dade County, Florida. 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 4.** 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 this Board.

PASSED AND ADOPTED:

Approved by County Attorney as  
to form and legal sufficiency:



Prepared by:



Sarah E. Davis

Prime Sponsor: Chairwoman Rebeca Sosa  
Co-Sponsor: Commissioner Sally A. Heyman