MEMORANDUM

Agenda Item No. 11(A)(10)

TO:	Honorable Chairman Jean Monestime and Members, Board of County Commissioners	**DATE:**	March 17, 2015
FROM:	R. A. Cuevas, Jr. County Attorney	**SUBJECT:**	Resolution supporting the 2015 State and Federal Energy and Climate Legislative Programs of the Southeast Florida Regional Climate Change Compact; incorporating the Compact's Legislative Programs into Miami-Dade County's 2015 Federal and State Legislative Packages

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

R. A. Cuevas, Jr.
County Attorney

RAC/cp

MEMORANDUM
(Revised)

TO: Honorable Chairman Jean Monestime
and Members, Board of County Commissioners

DATE: March 17, 2015

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

SUBJECT: Agenda Item No. 11(A)(10)

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)(10)
3-17-15

RESOLUTION NO. _____

RESOLUTION SUPPORTING THE 2015 STATE AND FEDERAL ENERGY AND CLIMATE LEGISLATIVE PROGRAMS OF THE SOUTHEAST FLORIDA REGIONAL CLIMATE CHANGE COMPACT; INCORPORATING THE COMPACT'S LEGISLATIVE PROGRAMS INTO MIAMI-DADE COUNTY'S 2015 FEDERAL AND STATE LEGISLATIVE PACKAGES

WHEREAS, Florida is considered one of the most vulnerable states to the consequences of climate change, with Southeast Florida on the front line to experience the impacts of climate change, especially sea level rise; and

WHEREAS, Southeast Florida, through its regional state agencies, county and municipal governments, must give significant consideration to strategies designed to protect public infrastructure, property, water resources, natural areas and native species, and basic quality of life; and

WHEREAS, on December 1, 2009, this Board approved Resolution No. R-1388-09, joining with Broward, Monroe, and Palm Beach Counties (the "Compact Counties") to form the Southeast Florida Regional Climate Change Compact (the "Compact") to collaborate in formulating an appropriate response to the regional challenges climate change poses; and

WHEREAS, the Compact calls for the development of joint state and federal policies representative of shared challenges and priorities related to climate change, and to advocate for increased state and federal funding for mitigation and adaptation projects; and

WHEREAS, the Compact Counties have jointly developed the 2015 State and Federal Energy and Climate Legislative Programs, copies of which are attached and incorporated by reference; and

WHEREAS, this Board desires to support the 2015 State and Federal Energy and Climate Legislative Programs,

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

Section 1. Supports the Southeast Florida Regional Climate Change Compact Counties' 2015 State and Federal Energy and Climate Legislative Programs.

Section 2. Urges Congress and the Florida Legislature to enact the policies set forth in the Compact Counties' 2015 State and Federal Energy and Climate Legislative Programs.

Section 3. Directs the County's federal and state lobbyists to advocate for the Compact Counties' 2015 State and Federal Energy and Climate Legislative Programs, and authorizes and directs the Office of Intergovernmental Affairs to amend Miami-Dade County's 2015 Federal and State Legislative Packages to include the Compact Counties' 2015 Legislative Programs.

Section 4. Directs the Office of Intergovernmental Affairs and the County's federal and state contract lobbyists to coordinate efforts with their counterparts in Broward, Monroe, and Palm Beach Counties in pursuing the Compact Counties' 2015 Legislative Programs.

Section 5. Directs the Clerk of the Board to transmit a certified copy of this resolution to the Mayor, County Manager, or other Chief Administrative Officer of Broward, Monroe, and Palm Beach Counties, the members of the Florida Congressional Delegation, the Governor, Senate President, House Speaker, and the Chair and Members of the Miami-Dade County State Legislative Delegation.

Section 6. The provisions of this resolution shall only be effective upon receipt by the Mayor of Miami-Dade County of legislation of the other three Compact Counties approving

the Compact Counties' 2015 State and Federal Energy and Climate Legislative Programs. Upon receipt, the Mayor or the Mayor's designee shall provide a certified copy of such legislation to the Clerk of the Board. This Board hereby directs the Clerk of the Board to attach and permanently store such certified copies together with this resolution.

The Prime Sponsor of the foregoing resolution is Commissioner 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:

Jean Monestime, Chairman
Esteban L. Bovo Jr. Vice Chairman

Bruno A. Barreiro	Daniella Levine Cava
Jose "Pepe" Diaz	Audrey M. Edmonson
Sally A. Heyman	Barbara J. Jordan
Dennis C. Moss	Rebeca Sosa
Sen. Javier D. Souto	Xavier L. Suarez
Juan C. Zapata	

The Chairperson thereupon declared the resolution duly passed and adopted this 17th day of March, 2015. This resolution shall become effective upon the earlier of (1) 10 days after the date of its adoption unless vetoed by the County Mayor, and if vetoed, shall become effective only upon an override by this Board, or (2) approval by the County Mayor of this Resolution and the filing of this approval with the Clerk of the 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. MP
Matthew Papkin

SOUTHEAST FLORIDA REGIONAL CLIMATE CHANGE COMPACT COUNTIES
2015 FEDERAL ENERGY AND CLIMATE LEGISLATIVE PROGRAM

APPROVED BY STAFF STEERING COMMITTEE – 12/12/2014

Background

Southeast Florida is one of the most vulnerable areas in the country to climate change and sea level rise. Recognizing their shared challenges, Palm Beach, Broward, Miami-Dade and Monroe counties ("Compact counties") adopted the Southeast Florida Regional Climate Change Compact ("Compact") in 2010. The Compact includes a commitment to develop and advocate for joint state and federal legislative policies. Accordingly, the Compact counties have adopted a *Federal Energy and Climate Legislative Program* each year since 2011.

The following federal policies and priorities form the *Southeast Florida Regional Climate Change Compact Counties 2015 Federal Energy and Climate Legislative Program:*

Infrastructure Investments

SUPPORT federal legislation to create and fund a national infrastructure bank or other new infrastructure funding source to finance projects needed by state and local governments to adapt to climate impacts and address aging infrastructure. Emphasis should be placed on investments in water management, water supply, transportation, and other projects that make urban infrastructure more resilient to extreme weather events and rising sea levels.

SUPPORT legislation prioritizing non-structural, nature-based infrastructure investments, including dunes, wetlands, marshes, reefs, mangroves, and other natural features.

SUPPORT legislation that creates incentives for the consideration of climate impacts, including sea level rise, in federal aid for transportation, water, and other infrastructure projects.

SUPPORT the use of emissions reduction and climate adaptation performance measures and standards to evaluate infrastructure investments, including transportation and water projects.

SUPPORT federal programs that shift priorities toward public transit and non-motorized travel, including reinvestment in existing infrastructure and communities, support for public transportation and transit-oriented development, and congestion management strategies other than new road building.

Adaptation and Resilience

SUPPORT specific recognition in federal legislation of land use designations made by local governments for the purposes of building community resilience, such as the Adaptation Action Areas (AAAs) defined in Chapter 163, Florida Statutes, and the development of regulations that give priority consideration to local land use designations for climate-resilient investments.

SUPPORT multiagency initiatives like the Partnership for Sustainable Communities that provide federal grants, technical support, and other services to aid community planning for sustainability and climate adaptation.

SUPPORT reform of the Stafford Act to allow greater flexibility in disaster reconstruction efforts to ensure that properties and infrastructure are not merely rebuilt to their previous condition, but to higher, more resilient standards (where appropriate).

SUPPORT funding for weatherization programs to harden buildings against flooding and windstorm impacts.

SUPPORT continued funding for the Federal Emergency Management Administration's (FEMA) natural hazard mitigation programs to include mitigation for hazards associated with climate change impacts.

SUPPORT the continued eligibility of funding for activities to adapt to climate change and extreme weather events under the Federal-Aid and Federal Lands Highway programs, including vulnerability/risk assessments, highway project development, environmental review and design, construction of projects or features to protect existing assets, and evaluation of life cycle costs.

Climate and Energy Research

SUPPORT continued funding for the US Global Climate Change Research Program and the ongoing National Climate Assessments created by the US Global Change Research Act of 1990.

SUPPORT sufficient funding for weather- and climate-monitoring satellites to ensure that critical data needs continue to be met.

SUPPORT sufficient funding for the National Weather Service, National Hurricane Center, and other atmospheric and ocean research programs.

SUPPORT funding to downscale global and national climate models to regional and local levels and to develop reliable future climate and sea level rise scenarios for regional and local use.

SUPPORT funding for advanced energy research programs.

Energy and Emissions

SUPPORT federal legislation or administrative action that removes federal restrictions on Property Assessed Clean Energy programs and expands the list of eligible improvements to include weatherization measures.

SUPPORT reauthorization of and renewed funding for the Department of Energy's Energy Efficiency and Conservation Block Grant (EECBG) Program.

SUPPORT continued funding for the US Department of Energy to support the Southeast Florida Clean Cities Coalition and funding for implementation of projects developed under Drive Electric Florida plan and the US 1 Corridor Pilot Project.

SUPPORT continued funding for the US Environmental Protection Agency to support the Southeast Diesel Collaborative and the National Clean Diesel Funding Assistance Program.

Oil Exploration and Drilling

OPPOSE oil exploration and drilling on federal lands in Florida, including the Everglades, and in federal waters on Florida's Outer Continental Shelf.

SUPPORT legislation or administrative action halting oil and gas exploration off the eastern seaboard of the United States.

SUPPORT legislation or administrative action restricting the use of seismic testing for offshore oil and gas exploration, which can severely impact marine animals.

SUPPORT - revisions to the Oil Protection Act of 1990 or other laws to ensure that:

- Local governments may act as first responders in an effort to protect local communities and will be reimbursed for actions undertaken to protect their resources and restore damaged areas during oil spill events.
- The Oil Spill Liability Trust Fund is capable of addressing Spills of National Significance where there is not a financially viable or legally responsible "Responsible Party.

Everglades Restoration

SUPPORT continued focus on Everglades restoration as an essential component of protecting regional water resources and building regional climate resilience.

SUPPORT funding for authorized Everglades restoration projects and legislation authorizing the Central Everglades Planning Project (CEPP) and expediting other projects related to the Comprehensive Everglades Restoration Plan.

Tax and Fiscal Policies

OPPOSE reductions in funding for critically important conservation, public health, and environmental protection efforts that reduce carbon emissions, support climate preparedness, build resilience to extreme weather, and protect the nation's natural resources.

SUPPORT renewal of tax incentives for renewable energy, particularly the Solar Investment Tax Credit.

SUPPORT the elimination of federal subsidies for oil and gas production and the raising of royalties for oil and gas drilling on federal lands.

SUPPORT legislation allowing for Master Limited Partnerships—publicly-traded limited partnerships not subject to corporate income tax—for renewable energy businesses, just as they are already available for fossil fuel businesses.

SUPPORT renewal of the expired Section 179D of the Internal Revenue Code, which allows deductions for energy efficiency improvements in commercial buildings, and an increase in the per-square-foot value of the deduction from the previous value of $1.80.

SUPPORT legislation that affirms equal treatment of pretax spending programs for transit and parking and makes future increases in the transit program maximums automatic (as the parking maximum increases already are).

Other

SUPPORT the Invasive Fish and Wildlife Prevention Act or similar legislation to better regulate importation of, and interstate commerce in, nonnative, potentially invasive species.

SOUTHEAST FLORIDA REGIONAL CLIMATE CHANGE COMPACT COUNTIES
2015 STATE ENERGY AND CLIMATE LEGISLATIVE PROGRAM

APPROVED BY STAFF STEERING COMMITTEE – 12/12/2014

Background

Southeast Florida is one of the most vulnerable areas in the country to climate change and sea level rise. Recognizing their shared challenges, Palm Beach, Broward, Miami-Dade and Monroe counties ("Compact counties") adopted the Southeast Florida Regional Climate Change Compact ("Compact") in 2010. The Compact includes a commitment to develop and advocate for joint state and federal legislative policies. Accordingly, the Compact counties have adopted a *State Energy and Climate Legislative Program* each year since 2011.

The following state policies and priorities form the *Southeast Florida Regional Climate Change Compact Counties 2015 State Energy and Climate Legislative Program:*

Solar Energy

SUPPORT the expansion of existing net metering policies to allow for off-site or "virtual" net metering.

OPPOSE any weakening of existing net metering policies.

SUPPORT legislation and/or constitutional amendments that will exempt solar photovoltaic systems from commercial property assessments and the tangible personal property tax.

SUPPORT legislation allowing Power Purchase Agreements.

SUPPORT existing statutory authority for the Florida Solar Energy Center (FSEC).

Sea Level Rise and Adaptation

OPPOSE any infringement on local home rule authority to plan for and adapt to future climate conditions, including sea level rise, changing precipitation patterns, and more extreme temperatures.

SUPPORT greater incorporation of adaptation strategies in state climate/energy policies, legislation, and appropriations.

SUPPORT legislation and policies requiring state agencies, water management districts, local governments, and industries regulated by the state (e.g. electric utilities) to consider projected sea-level rise, coastal flooding, and potential storm surge in all infrastructure and facility-siting decisions.

SUPPORT legislation, programs, and funding that support local governments' adaptation activities, including the establishment and use of Adaptation Action Areas.

SUPPORT legislation directing closer coordination among state agencies on climate and extreme weather preparedness, resilience, and adaptation issues.

Energy

SUPPORT integrated resource planning/least cost planning for electric utilities to ensure that energy efficiency and renewable energy sources are fully considered as strategies for meeting future needs.

OPPOSE legislation limiting the ability of the Florida Department of Environmental Protection to craft a State Implementation Plan in response to the US Environmental Protection Agency's Clean Power Plan.

SUPPORT energy efficiency and renewable energy finance options, including the retention and strengthening of Property Assessed Clean Energy (PACE) programs, to advance local economic development, alternative and renewable energy technologies, and pollution reduction goals.

SUPPORT legislation to establish stringent energy conservation targets and meaningful renewable energy programs for electric utilities.

SUPPORT rebate programs, tax credits, and other financial incentives that encourage property owners to invest in energy efficiency and renewable energy systems.

SUPPORT legislation allowing local water conservation amendments to an edition of the Florida Building Code to carry over into the next edition, subject to the normal review and modification procedures outlined in the Code.

SUPPORT legislation creating a green bank or state investment fund to finance renewable energy and energy efficiency projects.

SUPPORT renewable portfolio standards for utilities that would require a set percentage of electricity to be generated from renewable energy sources by a given date.

Water

SUPPORT legislation enhancing the authority and finances of the state's Water Management Districts, in recognition of their vital role in protecting water resources.

OPPOSE legislation centralizing management of water resources at the state level at the expense of the regional Water Management Districts.

SUPPORT legislation expanding the list of priorities used in evaluating proposed projects for State Revolving Fund assistance to include incorporation of nature-based infrastructure.

Oil and Gas Drilling

OPPOSE relaxation of prohibitions against leases or permits for oil or gas drilling within Florida's territorial seas and the Everglades.

OPPOSE legislation authorizing hydraulic fracturing operations near conservation land or drinking water aquifers.

OPPOSE legislation limiting the Florida Department of Environmental Protection's authority to block requests for offshore drilling in federal waters off Florida's coast.

Everglades Restoration and Land Conservation

SUPPORT legislation and funding supporting complete implementation of the Comprehensive Everglades Restoration Plan and advancing the Central Everglades Planning Project, recognizing that a restored Everglades will help make the region more resilient to sea level rise and extreme weather events.

SUPPORT legislation to ensure that regional and local priorities, including extreme-weather and climate resilience, shoreline protection and restoration, Everglades restoration, and water resource protection, are reflected in the programs funded under the terms of the Water and Land Conservation Amendment.

Investment Priorities

SUPPORT funding for alternative water supply development through the Water Protection and Sustainability Program.

SUPPORT funding for adaptation planning and no-regrets investments in water management, water supply, conservation land acquisition, transportation, and other infrastructure that provide hazard mitigation and improve immediate and long-term resilience.

SUPPORT prioritized funding for infrastructure investments in Adaptation Action Areas or other areas subject to the impacts of sea level rise.

Transportation

SUPPORT development of electrical vehicle infrastructure, including statewide policies to streamline siting and permitting of electrical vehicle charging stations, siting of charging infrastructure on state property, and inclusion of electric vehicle models and specifications in the state contract system.

SUPPORT legislation that encourages the adoption of Complete Streets policies by the Florida Department of Transportation and local transportation agencies and the establishment of integrated local and regional networks of non-motorized transportation corridors (such as bike lanes).

SUPPORT legislation that would provide additional local transit connectivity to existing and proposed regional transit systems (i.e., a "first and last mile strategy").

SUPPORT legislation that supports planning and construction of transit-oriented developments (TODs).