

MEMORANDUM

Agenda Item No. 11(A)(17)


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

DATE: May 6, 2014

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

SUBJECT: Resolution setting policy for
Miami-Dade County; directing
the Mayor to require all County
infrastructure projects to consider
potential impacts of sea level rise
during all project phases

The accompanying resolution was prepared and placed on the agenda at the request of Prime Sponsor Chairwoman Rebeca Sosa, and Co-Sponsors Commissioner Sally A. Heyman and Commissioner Barbara J. Jordan.



R. A. Cuevas, Jr.
County Attorney

RAC/smm



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)(17)
5-6-14

RESOLUTION NO. _____

RESOLUTION SETTING POLICY FOR MIAMI-DADE COUNTY; DIRECTING THE MAYOR OR DESIGNEE TO REQUIRE ALL COUNTY INFRASTRUCTURE PROJECTS TO CONSIDER POTENTIAL IMPACTS OF SEA LEVEL RISE DURING ALL PROJECT PHASES INCLUDING BUT NOT LIMITED TO PLANNING, DESIGN, AND CONSTRUCTION, AND FURTHER DIRECTING THE MAYOR OR DESIGNEE TO EVALUATE THE EXISTING INFRASTRUCTURE IN THE FACE OF SEA LEVEL RISE

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 is composed of a large section of waterfront 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 waterfront 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, the Miami-Dade County Comprehensive Development Master Plan (hereinafter "the CDMP") was recently amended to address sea level rise and climate change, through policies which call for the consideration of sea level rise and climate change as an integral component of all planning processes, including incorporation into public investment processes and decisions; 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 Commissioners (hereinafter "the Board") had previously created the Miami-Dade Climate Change Advisory Task Force, established in July 2006 for a period of five years, through the adoption of Ordinance 06-113, which served as an advisory board to the Board 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, in 2012 the City of Miami Beach has developed a Stormwater Master Plan 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, in 2012 through Resolution No. R-240-13, the Board accepted the Regional Climate Action Plan, with recommendations for regionally coordinated climate change mitigation, adaptation strategies, and efforts in building community resilience; 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, in July of 2013 the Board created the Miami-Dade Sea Level Rise Task Force through the adoption of Resolution No. R-599-13; and

WHEREAS, the Miami-Dade Sea Level Rise Task Force is currently reviewing 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

WHEREAS, the Miami-Dade Sea Level Rise Task Force will provide a comprehensive and realistic assessment of the likely and potential impacts to sea level rise and storm surge over time, which shall be used to help develop a set of recommendations relative to amendments to the CDMP, capital 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 the increase in sea level rise, storm surge and related impacts which are expected to occur,

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

Section 1. It is the policy of 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, initiated from the effective date of this resolution 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.

Section 2. This Board directs the Mayor or designee to establish recommended priorities for adapting existing County infrastructure located in areas at increased risk of flooding and tidal inundation with increases in sea level to the degree opportunity and resources allow, and shall present such recommended priorities to the Board for approval, including committee review, within one-hundred-twenty (120) days of the effective date of this resolution.

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The Prime Sponsor of the foregoing resolution is Chairwoman Rebeca Sosa, and the Co-Sponsors are Commissioner Sally A. Heyman and Commissioner Barbara J. Jordan. 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 6th day of May, 2014. 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