

MEMORANDUM

Agenda Item No. 11(A)(13)

TO: Honorable Chairman Jose "Pepe" Diaz
and Members, Board of County Commissioners

DATE: February 2, 2021

FROM: Geri Bonzon-Keenan
Successor County Attorney

SUBJECT: Resolution opposing Senate
Bill 62 or similar legislation that
would abolish regional planning
councils under state law in
Florida

Resolution No. R-89-21

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



Geri Bonzon-Keenan
Successor County Attorney

GBK/smm



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(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
- ☐ Statement of social equity 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 present ____, 2/3 membership ____, 3/5's ____, unanimous ____, CDMP 7 vote requirement per 2-116.1(3)(h) or (4)(c) ____, CDMP 2/3 vote requirement per 2-116.1(3)(h) or (4)(c) ____, or CDMP 9 vote requirement per 2-116.1(4)(c)(2) ____ 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)(13)

2-2-21

RESOLUTION NO. _____ R-89-21

RESOLUTION OPPOSING SENATE BILL 62 OR SIMILAR
LEGISLATION THAT WOULD ABOLISH REGIONAL
PLANNING COUNCILS UNDER STATE LAW IN FLORIDA

WHEREAS, prior to 1980, regional planning councils existed in Florida solely by interlocal agreement, whereby local governments voluntarily agreed with one another to form regional entities to address planning and growth management issues at the regional level; and

WHEREAS, in 1980, the Florida Legislature enacted the Florida Regional Planning Council Act, finding that “the problems of growth and development often transcend the boundaries of individual units of local general-purpose government,” and that “there is a need for regional planning agencies to assist local governments to resolve their common problems, engage in areawide comprehensive and functional planning, administer certain federal and state grants-in-aid, and provide a regional focus in regard to multiple programs undertaken on an area-wide basis”; and

WHEREAS, every county in Florida is assigned to a specific regional planning council, with contiguous groups of counties forming each of the 10 regional planning councils throughout the state; and

WHEREAS, the South Florida Regional Planning Council represents the geographic area of Miami-Dade, Broward, and Monroe counties; and

WHEREAS, the South Florida Regional Planning Council board consists of county and municipal elected officials, gubernatorial appointees, and ex-officio representatives from the South Florida Water Management District, Florida Department of Transportation, and Florida Department of Environmental Protection; and

WHEREAS, the regional planning councils are empowered to provide technical assistance to local governments and meet other needs of local communities in each region; and

WHEREAS, among other responsibilities, regional planning councils:

- Act in an advisory capacity to the constituent local governments in regards to regional, metropolitan, county, and municipal planning matters;
- Conduct studies of the resources of a particular region;
- Assist local governments with growth management matters;
- Coordinate land development and transportation policies in a manner that fosters region-wide transportation systems;
- Review plans of independent transportation authorities and metropolitan planning organizations to identify inconsistencies between those agencies' plans and applicable local government plans;
- Provide consulting services to private developers or landowners; and
- Serve as one of several reviewing agencies authorized to review local comprehensive plan amendments and provide comments to local governments regarding adverse effects on regional resources or facilities; and

WHEREAS, regional planning councils are also charged with developing regional goals and policies to address affordable housing, economic development, emergency preparedness, natural resources of regional significance, and regional transportation, and must identify and address significant regional resources and facilities; and

WHEREAS, additionally, regional planning councils have certain dispute resolution powers for disputes of regional significance between local governments and agencies, as well as certain important emergency management powers; and

WHEREAS, regional planning councils also provide assistance to local governments with activities designed to promote and facilitate economic development in the geographic area covered by each council, including economic studies and analyses, and may seek and accept federal, state, and local grants and other funding for such purposes; and

WHEREAS, Senate Bill (SB) 62 has been filed by Senator Jennifer Bradley (R – Orange Park) for consideration during the Florida Legislature’s 2021 session; and

WHEREAS, SB 62 would remove all references to, and effectively abolish, regional planning councils under state law, while leaving local governments the option to continue to function under existing interlocal agreements or enter into new interlocal agreements to create regional planning entities, pursuant to chapter 163, Florida Statutes; and

WHEREAS, under the proposed legislation, many of the duties and responsibilities currently entrusted to regional planning councils would be reassigned to local governments and other state and local entities; and

WHEREAS, regional planning councils are Florida’s only multipurpose regional entities that coordinate intergovernmental solutions to multijurisdictional issues identified by their constituent local governments; and

WHEREAS, if SB 62 is enacted, all references in state law to regional planning councils will be eliminated , and there will be no entities expressly required under state law to address issues of regional importance, including issues relating to transportation, economic development, land development, resiliency, and the environment; and

WHEREAS, such issues often require a regional perspective and cannot be effectively addressed solely at the local level and also may not be suited to statewide review because of the uniqueness of each region; and

WHEREAS, while some local governments may choose to voluntarily continue the work of regional planning councils through interlocal agreements, some local governments may choose not to do so, forcing other local governments in the same area to attempt to address truly regional issues in uncoordinated, piecemeal fashion and providing no assurance that regional issues across the state will be dealt with in a systematic, uniform manner; and

WHEREAS, in addition, regional planning councils seek, and bring into Florida, millions of dollars in federal grants and funding for economic development, transportation, emergency preparedness, and resiliency initiatives; and

WHEREAS, if SB 62 is enacted and regional planning councils are no longer required to exist under state law, such grant funding may be lost to other states; and

WHEREAS, regional planning councils play an important governmental role and should not be made merely optional under state law; and

WHEREAS, accordingly, this Board wishes to oppose the proposed legislation,

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

Section 1. Opposes Senate Bill 62 or similar legislation that would abolish regional planning councils under state law in Florida.

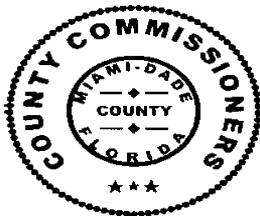
Section 2. Directs the Clerk of the Board to transmit certified copies of this resolution to the Governor, the Senate President, the House Speaker, Senator Jennifer Bradley, and the Chair and Members of the Miami-Dade County State Legislative Delegation.

Section 3. Directs the County's state lobbyists to oppose the legislation described in section 1 above, and authorizes and directs the Office of Intergovernmental Affairs to amend the 2021 State Legislative Package to include this item.

The Prime Sponsor of the foregoing resolution is Commissioner Jean Monestime. It was offered by Commissioner **Jean Monestime**, who moved its adoption. The motion was seconded by Commissioner **Oliver G. Gilbert, III** and upon being put to a vote, the vote was as follows:

Jose "Pepe" Diaz, Chairman	aye		
Oliver G. Gilbert, III, Vice-Chairman	aye		
Sen. René García	aye	Keon Hardemon	aye
Sally A. Heyman	aye	Danielle Cohen Higgins	aye
Eileen Higgins	aye	Joe A. Martinez	aye
Kionne L. McGhee	aye	Jean Monestime	aye
Raquel A. Regalado	aye	Rebeca Sosa	absent
Sen. Javier D. Souto	aye		

The Chairperson thereupon declared this resolution duly passed and adopted this 2nd day of February, 2021. 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: **Melissa Adames**

Deputy Clerk

Approved by County Attorney as
to form and legal sufficiency.

James Eddie Kirtley