

MEMORANDUM

Agenda Item No. 11(A)(9)

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

DATE: March 16, 2021

FROM: Geri Bonzon-Keenan
County Attorney

SUBJECT: Resolution urging the Florida
Legislature to enact SB 514, HB
315, or similar legislation
creating the Statewide Sea-
Level Rise Task Force and
codifying in state law the
establishment of the Statewide
Office of Resiliency, provided
that there is no local
government preemption

Resolution No. R-222-21

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



Geri Bonzon-Keenan
County Attorney

GBK/jp



MEMORANDUM
(Revised)

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

DATE: March 16, 2021

FROM: 
Gen. Bonzon-Keenan
County Attorney

SUBJECT: Agenda Item No. 11(A)(9)

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)(9)
3-16-21

RESOLUTION NO. R-222-21

RESOLUTION URGING THE FLORIDA LEGISLATURE TO ENACT SB 514, HB 315, OR SIMILAR LEGISLATION CREATING THE STATEWIDE SEA-LEVEL RISE TASK FORCE AND CODIFYING IN STATE LAW THE ESTABLISHMENT OF THE STATEWIDE OFFICE OF RESILIENCY, PROVIDED THAT THERE IS NO LOCAL GOVERNMENT PREEMPTION

WHEREAS, Miami-Dade County (the “County”), like the rest of South Florida, is particularly vulnerable to sea-level rise due to its low elevation and proximity to the coast; and

WHEREAS, Florida has approximately 1,350 miles of coastline, which is more coastline than any other state besides Alaska; and

WHEREAS, the County has demonstrated leadership on issues related to sea-level rise through the creation of the County’s Office of Resilience; and

WHEREAS, additionally, in 2013, this Board adopted Resolution No. R-599-13 creating the County Sea Level Rise Task Force; and

WHEREAS, this Board subsequently adopted multiple resolutions in order to implement the recommendations of the County Sea Level Rise Task Force; and

WHEREAS, for example, Resolution No. R-48-15 noted that the County has facilities and infrastructure that could be adversely affected by sea-level rise and directed the Mayor or Mayor’s designee to conduct a comprehensive study and develop adaptation strategies to address potential flood damage reduction and saltwater intrusion that may be associated with sea-level rise; and

WHEREAS, similarly, Resolution No. R-451-14 established as policy that all County infrastructure projects shall consider sea-level rise projections and potential impacts as best estimated at the time of the project; and

WHEREAS, Senate Bill (SB) 514 and House Bill (HB) 315 have been filed for consideration during the 2021 session of the Florida Legislature by Senator Ray Rodrigues (R – Fort Myers) and Representative Chip LaMarca (R – Lighthouse Point), respectively; and

WHEREAS, this legislation would codify in state law the establishment of the Statewide Office of Resiliency within the Executive Office of the Governor; and

WHEREAS, this legislation also would create the Statewide Sea-Level Rise Task Force (the “Task Force”) adjunct to the Statewide Office of Resiliency for the purpose of recommending consensus projections of the anticipated sea-level rise and flooding impacts along this state’s coastline; and

WHEREAS, the Task Force’s duties would include developing official scientific information necessary to make recommendations on consensus baseline projections of the expected sea-level rise along Florida’s coastline for planning horizons designated by the Task Force; and

WHEREAS, SB 514 and HB 315 would further require the Task Force to submit its recommended consensus baseline projections to the Environmental Regulation Commission, which is required to adopt or reject these projections; and

WHEREAS, if adopted, the Task Force’s projections would serve as the state’s official estimate of sea-level rise and flooding impacts along the state’s coastline and would be used to develop future state projects, plans, and programs; and

WHEREAS, this Board previously adopted Resolution No. R-153-20, which urged the Florida Legislature during the 2020 session to enact legislation creating the Statewide Sea-Level Rise Task Force and codifying in state law the establishment of the Statewide Office of Resilience, provided that there is no local government preemption; and

WHEREAS, the Statewide Office of Resiliency and the Task Force to be established by SB 514 and HB 315 would serve a valuable purpose and fulfill an important function to the County and its residents; and

WHEREAS, accordingly, this Board wishes to urge the Florida Legislature to enact such legislation,

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

Section 1. Supports SB 514, HB 315, or similar legislation that would create the Statewide Sea-Level Rise Task Force for the purpose of recommending consensus projections of the anticipated sea-level rise and flooding impacts along this state's coastline and codify in state law the establishment of the Statewide Office of Resiliency, provided that such legislation does not preempt local standards relating to sea-level rise or preempt the implementation of policies and recommendations of local sea-level rise task forces.

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 Ray Rodrigues, Representative Chip LaMarca, and the Chair and Members of the Miami-Dade State Legislative Delegation.

Section 3. Directs the County's state lobbyists to advocate for the legislation described in section 1 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 Rebeca Sosa. It was offered by Commissioner **Rebeca Sosa**, who moved its adoption. The motion was seconded by Commissioner **Sally A. Heyman** and upon being put to a vote, the vote was as follows:

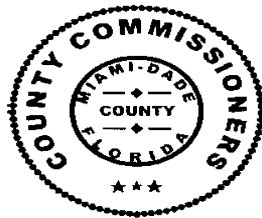
	Jose "Pepe" Diaz, Chairman	aye	
	Oliver G. Gilbert, III, Vice-Chairman	aye	
Sen. René García	aye	Keon Hardemon	aye
Sally A. Heyman	aye	Danielle Cohen Higgins	aye
Eileen Higgins	aye	Joe A. Martinez	aye
Kionne L. McGhee	aye	Jean Monestime	aye
Raquel A. Regalado	aye	Rebeca Sosa	aye
Sen. Javier D. Souto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

The Chairperson thereupon declared this resolution duly passed and adopted this 16th day of March, 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.

Cristina M. Rabionet