

RESOLUTION NO. _____

A RESOLUTION OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, STRONGLY OPPOSING HOUSE BILL 617, AND ITS RELATED BILL, SENATE BILL 1236, BOTH OF WHICH WOULD PREVENT THE STATE FROM ADOPTING OR PARTICIPATING IN GREENHOUSE GAS EMISSIONS REDUCTION PROGRAMS WITHOUT EXPLICIT LEGISLATIVE AUTHORIZATION; AND DIRECTING THE CITY CLERK TO TRANSMIT THIS RESOLUTION TO THE SPEAKER OF THE FLORIDA HOUSE OF REPRESENTATIVES AND THE PRESIDENT OF THE FLORIDA SENATE.

WHEREAS, House Bill ("HB") 617, and its related bill, Senate Bill ("SB") 1236, have been filed for consideration during the 2021 Florida Legislative Session; and

WHEREAS, if enacted, HB 617 would prevent the State from adopting or participating in greenhouse gas ("GHG") emissions reduction programs without explicit legislative authorization; and

WHEREAS, HB 617 would also prevent a State agency from adopting and enforcing State plans; low carbon fuel standards, plans or programs enabling regulation of mobile or station sources or GHG taxes or fees or trading; or State or regional programs prompted by the participation of the United States in international treaties or executive agreements or interstate compacts or agreements; and

WHEREAS, the term "state agency" is broadly applied within the HB 617, and therefore the Bill could also be applied to water management districts and regional planning councils as well; and

WHEREAS, if enacted, HB 617 would take effect on July 1, 2021; and

WHEREAS, cities and urban areas are in a unique position to combat climate change, because cities and urban areas are responsible for producing 70% of climate-changing GHG emissions worldwide; and

WHEREAS, acknowledging the major role of cities and local governments in the mobilization to address climate change, the United Nations General Secretary recognized the Global Covenant of Mayors for Climate & Energy (formerly the Compact of Mayors) in September 2014 in New York; and

WHEREAS, on October 14, 2015, the Mayor and City Commission adopted Resolution No. 2015-29156, joining the Global Covenant of Mayors for Climate & Energy, pledging to reduce GHG emissions, track progress towards GHG reduction goals, and enhance the City's resiliency to climate change; and

WHEREAS, in April 2016 world leaders from 175 countries recognized the threat of climate change and the urgent need to combat it by signing the Paris Agreement, agreeing to keep the increase in global average temperature to " well below 2° C above pre- industrial levels," and to " pursue efforts to limit the temperature increase to 1. 5° C; and

WHEREAS, any and all efforts possible must be made to prevent a 1.5 -degree-Celsius increase in average global temperature, and cities must play a major role in reaching this goal; and

WHEREAS, holding the increase in global average temperature to these levels would significantly reduce the risks and impacts of climate change; and

WHEREAS, by taking positive steps to reduce GHG emissions and otherwise mitigate the effects of climate change, cities can improve their quality of life, enhance their economic prosperity, and protect the livability of our cities; and

WHEREAS, the City of Miami Beach is an urban leader in addressing and responding to the actual and measurable impacts of climate change, and has amended its building and land development codes to increase resiliency standards, including without limitation (i) increased open space, and landscape requirements, (ii) new electric vehicle parking requirements, and (iii) a groundbreaking requirement that new construction larger than 7, 000 square feet and ground floor additions larger than 10, 000 square feet must meet applicable LEED or International Living Future Institute standards, or pay a sustainability fee; and

WHEREAS, the City of Miami Beach has already taken steps to aggressively address climate change and renewable energy, and to reduce our community' s carbon emissions, by completing an annual citywide and government operations GHG emissions inventory, streamlining the permitting process for solar installations, and providing a Property Assessed Clean Energy (PACE) Program for residents and businesses; and

WHEREAS, on May 17, 2017 the Mayor and City Commission adopted Resolution No. 2017-29872, supporting the Sierra Club's "Ready for 100%" campaign, which challenges cities across the United States to set a target of 100% clean, renewable energy, and supporting the Sierra Club's "Mayors for 100% Clean Energy" campaign; and

WHEREAS, on June 1, 2017, former United States President Donald Trump announced the country's withdrawal from the 2015 Paris Climate Agreement on global GHG emissions reduction and climate change mitigation; and

WHEREAS, on June 7, 2017, the Mayor and City Commission adopted Resolution No. 2017-29906, honoring and upholding the City's commitment to the policies, goals, and standards set forth in the Paris Climate Agreement and reaffirming the City's role as a global urban leader in efforts to reduce GHG emissions, mitigate the impacts of human activities that contribute to climate change, and enhance resiliency; and

WHEREAS, on October 16, 2019, the Mayor and City Commission adopted Resolution No. 2019-31040, declaring a Climate Emergency, urging the State of Florida and the U. S. government to declare a Climate Emergency, requesting regional collaboration on an immediate just transition and emergency mobilization effort to restore a safe climate; and

WHEREAS, on January 20, 2021, President Joe Biden, as one of his first acts in office, signed an Executive Order to have the United States rejoin the Paris Climate Agreement; and

WHEREAS, on February 10, 2021, the Mayor and City Commission adopted a Resolution endorsing several pledges (Under2 Coalition, United Nations (UN) Climate Change's Climate Neutral Now and C40 Race to Zero) to further commit to GHG emissions reductions

while planning for the challenges of climate change; and

WHEREAS, the City is currently developing a climate action plan which includes setting GHG emissions reduction targets; and

WHEREAS, HB 617 can have detrimental effect on Florida's GHG emissions reduction work, and consequently, affect the country's and Miami Beach's ability to significantly mitigate towards climate change; and

WHEREAS, as such, the Mayor and City Commission declare their strong opposition to HB 617 and SB 1236, and any substitute or similar legislation that seeks to prevent the State from adopting or participating in GHG emissions reduction programs without explicit legislative authorization.

NOW, THEREFORE, BE IT DULY RESOLVED BY THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, that the Mayor and City Commission hereby strongly oppose House Bill 617, and its related bill, Senate Bill 1236, which would prevent the State from adopting or participating in GHG emissions reduction programs without explicit legislative authorization; and direct the City Clerk to transmit this Resolution to the speaker of the Florida House of Representatives and the President of the Florida Senate.

PASSED AND ADOPTED this ___ day of March, 2021.

ATTEST:

Dan Gelber, Mayor

Rafael E. Granado, City Clerk

(Sponsored by Vice-Mayor Michael Gongora)

APPROVED AS TO
FORM & LANGUAGE
& FOR EXECUTION



City Attorney *fw*

3-9-21
Date