

RESOLUTION NO. _____

A RESOLUTION OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, STRONGLY OPPOSING SENATE BILL 1128 AND HOUSE BILL 919, BOTH OF WHICH SEEK TO PREEMPT LOCAL GOVERNMENT REGULATION OF FUEL SOURCES OF ENERGY PRODUCTION; AND DIRECTING THE CITY CLERK TO TRANSMIT THIS RESOLUTION TO THE PRESIDENT OF THE FLORIDA SENATE AND THE SPEAKER OF THE FLORIDA HOUSE OF REPRESENTATIVES.

WHEREAS, Senate Bill ("SB") 1128 and its related House Bill ("HB") 919 were filed for consideration during the 2021 Florida Legislative session; and

WHEREAS, if enacted, both SB 1128 and HB 919 would prohibit municipalities, counties, special districts, and political subdivisions from enacting or enforcing policies, resolutions, ordinances, codes that restrict the types or fuel sources used by utility service providers; and

WHEREAS, SB 1128 and HB 919 define "utility service provider" as any person, corporation, partnership, association, or political subdivision, whether private, municipal, county, special district, or cooperative, which is engaged in the sale or supply of electricity or gas to or for the public within this state; and

WHEREAS, according to the U.S. Energy Information Administration, about 75% of total U.S. greenhouse gas ("GHG") emissions are caused from fuel combustion for the production of energy; 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 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, 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 degrees Celsius above pre-industrial levels," and to "pursue efforts to limit the temperature increase to 1.5 degree Celsius"; 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, 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 (the "City") is an urban leader in addressing and responding to the actual and measurable impacts of climate change; 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, and pledged to reduce GHG emissions, track progress towards GHG reduction goals, and enhance the City's resiliency to climate change; and

WHEREAS, the City 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; and

WHEREAS, the City's annual GHG inventory demonstrates that the majority of emissions community wide and in government operations are a result of energy consumption; and

WHEREAS, if adopted, SB 1128 and HB 919 would prohibit municipalities, counties, special districts, and political subdivisions from enacting or enforcing policies, resolutions, ordinances, codes, or take any action that restricts or prohibits or has the effect of restricting or prohibiting the types of fuel sources of energy production which may be used, delivered, converted, or supplied to customers by utility service providers; and

WHEREAS, SB 1128 and HB 919 would prohibit local governments from implementing certain climate actions such as enacting policies requiring the transition to 100 percent renewable energy and requiring 100 percent electrification of buildings; and

WHEREAS, SB 1128 and HB 919 would retroactively void all fuel restriction activities as defined above if they existed before or on July 1, 2021; and

WHEREAS, SB 1128 and HB 919 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.

WHEREAS, as such, the Mayor and City Commission declare their strong opposition to SB 1128 and HB 919, and any substitute or similar legislation that seek to preempt local government regulation of fuel sources of energy production.

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 Senate Bill 1128 and House Bill 919, both of which seek to preempt local government regulation of fuel sources of energy production; and direct the City Clerk to transmit this Resolution to the President of the Florida Senate and the Speaker of the Florida House of Representatives.

PASSED AND ADOPTED this ____ day of April, 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
FA

4-8-21

Date