

RESOLUTION NO. \_\_\_\_\_

A RESOLUTION OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, URGING THE UNITED STATES CONGRESS TO REFORM THE NATIONAL FLOOD INSURANCE PROGRAM TO ELIMINATE THE DISPROPORTIONATE SUBSIDIES PAID BY THE STATE OF FLORIDA TO OTHER PARTS OF THE NATION, AND TO INCREASE THE AMOUNT OF SUBSIDIES ALLOCATED IN FLORIDA, TO AN AMOUNT EQUAL TO AT LEAST 25% OF FLOOD INSURANCE PREMIUMS PAID IN THE STATE OF FLORIDA, FOR REINVESTMENT IN RESILIENT INFRASTRUCTURE PROJECTS IN THE STATE OF FLORIDA; TO AMEND FLOOD INSURANCE POLICY RENEWALS FROM ANNUALLY TO EVERY FOUR YEARS SO THAT PROPERTY OWNERS MAY SECURE LOWER AND MORE PREDICTABLE RATES; AND, FURTHER, URGING THE FLORIDA LEGISLATURE TO ADOPT STRICTER BUILDING CODES THAT INCORPORATE MEASURES THAT ADDRESS SEA LEVEL RISE, AND TO ADOPT LAWS THAT REQUIRE INSURANCE COMPANIES TO PROVIDE INCENTIVES FOR THE IMPLEMENTATION OF RESILIENT MEASURES THAT MITIGATE THE RISKS RELATED TO CLIMATE CHANGE AND FLOODING.

**WHEREAS**, the State of Florida has the longest coastline and the most expensive coastal real estate in the continental United States, with trillions of dollars in property values at stake, and is particularly vulnerable to the constant and global effects of sea level rise due to climate change and the effects of flooding incidents resulting from storms and other weather events; and

**WHEREAS**, the United States Environmental Protection Agency and countless scientific studies agree that sea levels in Florida are rising at approximately one inch per decade and that tropical storms and hurricanes have become more intense during the last 20 years due to climate change; and

**WHEREAS**, recognizing that the scientific community has reached consensus that the climate is changing, federal and state governments have a responsibility to plan for the economic and environmental impacts of climate change and sea level rise; and

**WHEREAS**, the National Flood Insurance Program (NFIP or Program) was established in 1968 to require that all residential and commercial properties, that are located in areas at high risk of flooding and that have federally-backed mortgages, carry flood insurance; and

**WHEREAS**, the United States Congress passed the Biggert-Waters Flood Insurance Reform Act of 2012 (BW12), which extended the National Flood Insurance Program for five years, set forth significant reforms to the Program, and addressed property damage claims as a result of Hurricane Katrina; however, BW12 resulted in inordinate premium increases for some property owners; and

**WHEREAS**, in 2014, Congress passed the Homeowner Flood Insurance Affordability Act (HFIAA) to repeal portions of BW12 and to address the short-comings of BW12, but did not correct or adequately address the disparities in burdens imposed upon certain policyholders; and

**WHEREAS**, according to recent data, Florida has the highest coverage amount under the National Flood Insurance Program (approximately 3 to 10 times more) than other coastal states; however, Florida ranks among the states with the lowest payouts in claims since 1978 (\$4,003,070,654.41)—behind Louisiana (\$18,854,167,084.33), Texas (\$6,845,524,846.17), New Jersey (\$5,918,523,671.47), and New York (\$5,300,671,445.45); and

**WHEREAS**, due to the exceptional risks to the State of Florida and to the property of its residents and businesses as a result of climate change and sea level rise, the United States Congress should reform the Federal Flood Insurance Program because, as currently structured, the Program allows for the disproportionate distribution of subsidies paid by the State of Florida to other parts of the nation and does not focus on preventive hazard mitigation but, rather, on funding for after-the-fact disasters; and

**WHEREAS**, despite the intent of the HFIAA to reform and improve the NFIP, that Program is in debt, and there is low compliance, thus, fewer policies are in place to generate revenue from premiums, the premiums do not adequately reflect all of the risk factors because they rely on inaccurate and incomplete data regarding, among other things, elevations, and the caps on insurance premiums are artificially low; and

**WHEREAS**, due to the significant disparity in the amount of federal flood insurance premiums paid into the Program by property owners in the State of Florida, relative to actual claims paid and the exceptional risks from climate change and sea level rise in Florida that are projected by the scientific community, the Program should not only be reformed to address and remedy the aforementioned problems, but the Program should also allocate at least 25% of the flood insurance premiums paid in the State of Florida to fund resilient infrastructure projects in Florida as preventative flood mitigation measures; and

**WHEREAS**, further, the NFIP should be amended to provide for the renewal of flood insurance policies every four years, with premium payments every six to 12 months, so that property owners may secure lower and more predictable rates; and

**WHEREAS**, in addition, Florida lawmakers should address the effects of climate change and sea level rise on a statewide level by adopting stricter building code regulations that require resiliency, and to further require that insurance companies offer incentives for resilient measures that mitigate the risks related to climate change and sea level rise and that will reduce, or at least moderate, the cost of homeowner and flood insurance premiums.

**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 of the City of Miami Beach hereby urge the United States Congress to reform the Federal Flood Insurance Program to eliminate disproportionate subsidies paid by the State of Florida to other parts of the nation and to increase the amount of subsidies, to an amount equal to at least 25% of flood insurance premiums paid in the State of Florida, for reinvestment in resilient infrastructure projects in Florida; to amend flood insurance policy renewals from annually to every four years so that property owners may secure lower and more predictable rates; and, further, hereby urge the Florida Legislature to adopt stricter building codes that incorporate measures that address sea level rise and to adopt laws that require insurance companies to provide incentives for the implementation of resilient measures that mitigate the risks related to climate change and flooding.

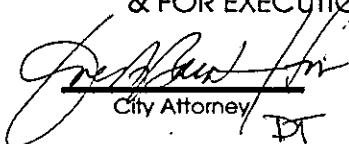
**PASSED AND ADOPTED** this \_\_\_\_ day of March, 2017.

**ATTEST:**

\_\_\_\_\_  
Philip Levine, Mayor

\_\_\_\_\_  
Rafael E. Granado, City Clerk

APPROVED AS TO  
FORM & LANGUAGE  
& FOR EXECUTION

  
\_\_\_\_\_  
City Attorney

  
\_\_\_\_\_  
Date