



# City of Miami

## Legislation

### Resolution: R-15-0072

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File Number: 15-00059

Final Action Date: 2/26/2015

A RESOLUTION OF THE MIAMI CITY COMMISSION ESTABLISHING THE CITY OF MIAMI SEA LEVEL RISE COMMITTEE, TO STUDY SEA LEVEL RISE AND ITS EFFECT ON THE CITY OF MIAMI AND MAKE RECOMMENDATIONS TO THE CITY COMMISSION, INCORPORATING ALL AVAILABLE INFORMATION ON THE SUBJECT, INCLUDING, BUT NOT LIMITED TO, RECOMMENDATIONS MADE BY THE FEDERAL GOVERNMENT AND MIAMI-DADE COUNTY; STATING THE COMMITTEE'S PURPOSE, POWERS, DUTIES, COMPOSITION, APPOINTMENT QUALIFICATIONS AND REQUIREMENTS FOR MEMBERSHIP; PROVIDING FOR OFFICERS, RULES OF PROCEDURE, MEETINGS, QUORUM, LEGAL AND STAFF SUPPORT, ASSIGNMENT OF PERSONNEL, WAIVERS, AND PUBLIC NOTICE; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the City of Miami ("City") abuts the ocean along a considerable length of its borders; and

WHEREAS, sea level rise will require adaptation and change on the part of the City to mitigate against the adverse effects of a rising ocean; and

WHEREAS, the City Commission has deemed it necessary to create a committee to study the effects of sea level rise on the City;

NOW, THEREFORE, BE IT RESOLVED BY THE COMMISSION OF THE CITY OF MIAMI, FLORIDA:

Section 1. The recitals and findings contained in the Preamble to this Resolution are adopted by reference and incorporated as fully set forth in this Section.

Section 2. The City of Miami Sea Level Rise Committee is hereby established.

Section 3. Purpose, Powers, and Duties. The purpose, powers, and duties of the Sea Level Rise Committee are:

- (1) To review any and all available information pertaining to sea level rise; and
- (2) To hold public hearings to receive public input; and
- (3) To issue a final written report to the City Commission by a date certain to be established by the City Commission; and
- (4) To serve in an advisory capacity to the City Commission and recommend any changes to City policy to help the City better combat the deleterious effects of sea level rise.

Section 4. Membership; Composition, Appointments, Qualifications, Minimum Attendance

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Requirements, Removal, and Appointment to Fill Vacancies.

(a) Composition, Appointment, and Qualifications.

The Sea Level Rise Committee shall consist of seven (7) voting members. All voting members shall be invested in the City and serve without compensation. At least one (1) member shall possess an expertise in civil engineering with a focus on infrastructure. At least one (1) member shall possess an expertise in community and real estate development. At least one (1) member shall possess expertise in one or more of the following areas: climatology; geophysics; coastal management, oceanography or coastal ocean science. At least one (1) member shall possess expertise in emergency management. At least one (1) member shall possess expertise in economics. Members shall be appointed as follows:

(1) Each of the five (5) City Commissioners shall appoint one (1) person to serve as voting members of the Sea Level Rise Committee. Any such voting member shall be a City resident, work in the City, or own real property in the City; and

(2) One (1) person shall be appointed by the Mayor. Such person shall be a City resident, work in the City, or own real property in the City; and

(3) One (1) person shall be appointed by the City Manager. Such person shall be a City resident, work in the City, or own real property in the City; and

(4) No alternates shall be appointed.

(5) An appointee who may be currently serving as special counsel to the City performing basic non-litigation legal services for the City may continue to do so and receive an automatic waiver from the Commission to sit on the Sea Level Rise Committee and continue assisting the City pursuant to City Code Sections 2-612 and 2-614.

(b) Minimum Attendance Requirements.

It is expected that appointed members of the Sea Level Rise Committee attend each meeting. Any member of the Sea Level Rise Committee, who is absent from more than three (3) meetings, shall automatically be deemed to have vacated his or her position.

(c) Removal.

The City Commission shall have the power to remove any member by majority vote without a finding of cause.

(d) Vacancies.

In the event a vacancy occurs on the Sea Level Rise Committee, whether automatically, by vote of the City Commission, or by resignation of the member, the City Commission may, by majority vote, appoint a qualified person to fill the remaining term of the vacant position. The appointment may be made at the next regularly scheduled meeting of the City Commission or as soon as practicable thereafter. Such appointment shall be consistent with the residency requirements stated in Section 4(a) of this Resolution.

(e) Waiver.

The City Commission shall have the power to waive any of the requirements of Section 4 of this Resolution by four-fifths vote of its membership or an unanimous vote of the quorum that exists

because of either abstentions or vacancies resulting from resignation, death, suspension, or physical incapacitation.

#### Section 5. Officers.

At the initial organizational meeting, the members of the Sea Level Rise Committee shall select and designate a Chairperson and Vice-Chairperson from among the members of the Committee who shall serve at the pleasure of the Sea Level Rise Committee. The Chairperson shall reserve the right to appoint an executive committee and to delegate tasks to various subcommittees of the whole. Decisions of the executive committee and subcommittees are subject to ratification by the full Sea Level Rise Committee.

#### Section 6. Meetings and Quorum.

All meetings of the Sea Level Rise Committee shall be noticed and open to the public. The public shall be encouraged to submit oral and written comments to the Sea Level Rise Committee. A minimum of fifty percent (50%) plus one (1) of the Sea Level Rise Committee's total members shall constitute a quorum for the purpose of convening any meeting. An affirmative vote of not less than fifty percent (50%) plus one (1) of the members present and voting at any meeting is required for any action to be taken by the members.

#### Section 7. Rules of Procedure.

The Sea Level Rise Committee may adopt its own order of business and rules of procedure governing its meetings, and take actions on matters within its jurisdiction, not inconsistent with the provisions set forth herein, which rules of procedure shall be filed with the City Clerk. The Sea Level Rise Committee and any executive committee or subcommittee, if applicable, shall comply with all requirements of Chapters 119 (Public Records) and 286 (Sunshine Law), of the Florida Statutes. The minutes of each meeting shall be promptly made available by the City Clerk and such records shall be open to public inspection. Copies of minutes of all Sea Level Rise Committee meetings shall be furnished to the Mayor, City Commissioners, City Attorney, and City Manager.

#### Section 8. Legal Counsel.

The City Attorney shall serve as legal counsel to the Sea Level Rise Committee and shall provide legal advice on all matters considered by the Sea Level Rise Committee.

#### Section 9. City Manager.

It shall be the duty of the City Manager to provide full cooperation and sufficient personnel for administrative necessary support to the Sea Level Rise Committee, including assignment of a particular person to act as liaison and Secretary to the Sea Level Rise Committee. The City Manager may participate in deliberations of the Sea Level Rise Committee and may give technical and policy advice to the Committee as requested.

#### Section 10. City Clerk.

It shall be the duty of the City Clerk to provide the services of an individual to keep minutes of meetings, maintain Sea Level Rise Committee correspondence and public input, update the City website with Sea Level Rise Committee information, post meeting notices, file reports, and perform all other necessary support functions in compliance with applicable laws related to public notice and recordation of meetings.

Section 11. This Resolution shall become effective immediately upon its adoption and signature of the Mayor.{1}

**Footnotes:**

{1} If the Mayor does not sign this Resolution, it shall become effective at the end of (10) calendar days from the date it was passed and adopted. If the Mayor vetoes this Resolution, it shall become effective immediately upon override of the veto by the City Commission .