

MIAMI BEACH

OFFICE OF THE CITY MANAGER

No. **228-2016**

LETTER TO COMMISSION

TO: Mayor Philip Levine and Members of the City Commission

FROM: Jimmy L. Morales, City Manager

DATE: May 25, 2016

SUBJECT: **CITY OF MIAMI RESOLUTION**



Attached for your information are Resolutions No. R-16-0225 & R-16-0226, adopted by the Mayor and Commission of the City of Miami on May 12, 2016.

R-16-0225

A Resolution Of The Miami City Commission Expressing Its Commitment To The Principles Of Inclusion For Individuals With Autism And Other Special Needs, And Urging Action By National, State, And Local Governments, Businesses, And Residential Communities Consistent With These Principles; Directing The City Clerk To Transmit A Copy Of This Resolution To The Agencies Named Herein.

R-16-0226

A Resolution Of The Miami City Commission Supporting The Designation Of The Miami Tiger Beetle As A Threatened Species And Urging The Florida Fish And Wildlife Conservation Commission And The United States Fish And Wildlife Service To Designate The Same; Supporting The Preservation And Restoration Of The Richmond Pine Rocklands; Directing The City Clerk To Transmit A Copy Of This Resolution To The Officials Stated Herein.

The City of Miami requests that the City of Miami Beach adopt similar resolutions.

If you have any questions, please contact the Office of the City Clerk at 305.673.7411.

JLM/REG



Attachments



City of Miami

Legislation

Resolution: R-16-0225

City Hall
3500 Pan American
Drive
Miami, FL 33133
www.miamigov.com

File Number: 16-00672

Final Action Date: 5/12/2016

A RESOLUTION OF THE MIAMI CITY COMMISSION EXPRESSING ITS COMMITMENT TO THE PRINCIPLES OF INCLUSION FOR INDIVIDUALS WITH AUTISM AND OTHER SPECIAL NEEDS, AND URGING ACTION BY NATIONAL, STATE, AND LOCAL GOVERNMENTS, BUSINESSES, AND RESIDENTIAL COMMUNITIES CONSISTENT WITH THESE PRINCIPLES; DIRECTING THE CITY CLERK TO TRANSMIT A COPY OF THIS RESOLUTION TO THE AGENCIES NAMED HEREIN.

WHEREAS, April was National Autism Awareness Month, which provided an opportunity to reflect on the inherent dignity of all human beings, and the importance of including and accommodating children and adults on the autism spectrum, as well as children and adults with other special needs and disabilities in all aspects of daily life; and

WHEREAS, approximately one (1) in sixty-eight (68) children has an autism spectrum disorder according to the Centers for Disease Control and Prevention Autism and Developmental Disabilities Monitoring Network, and approximately one (1) in five (5) individuals has a disability according to the 2010 United States Census; and

WHEREAS, the United States of America is a signatory of the United Nations Convention on the Rights of Persons with Disabilities ("Convention"), which supports inclusion and accommodation of children and adults with special needs and disabilities; and

WHEREAS, the Convention has identified the following core principles of inclusion:

- a. Respect for inherent dignity, individual autonomy including the freedom to make one's own choices, and independence of persons;
- b. Non-discrimination;
- c. Full and effective participation and inclusion in society;
- d. Respect for difference and acceptance of persons with disabilities as part of human diversity and humanity;
- e. Equality of opportunity;
- f. Accessibility;
- g. Equality between men and women; and
- h. Respect for the evolving capacities of children with disabilities and respect for the right of children with disabilities to preserve their identities; and

WHEREAS, inclusion is an attitude, an approach, and a mindset, which welcomes and facilitates participation by those with disabilities and special needs, and encourages accommodations beyond those required by law; and

WHEREAS, the City of Miami ("City") is committed to the principle of inclusion as demonstrated through the Sandra DeLucca Developmental Center, a division of the City's Department of Parks and Recreation, which provides recreational, leisure, and daily living skills programs for children and

adults with a variety of disabilities such as the Adult Day Training Program, Getting Exercise Through Friendship, Involvement and Training (G.E.T. F.I.T.) summer camp, and Miami's Accessible Guide to Inclusion in Our Community (M.A.G.I.C.); and

WHEREAS, the City further demonstrates its commitment to the principle of inclusion through the City's collaboration with Miami-Dade County Public Schools, Vocational Rehabilitation, and other agencies in the operation of Project SEARCH Miami, which is a one-year School-To-Work Transition Program designed for students with disabilities who are in their last year of high school and are pursuing a Special Diploma with the goal of helping students develop the tools necessary for employment as well as the skills needed for self-determination, self-management, and self-advocacy; and

WHEREAS, the City further demonstrates its commitment to the principle of inclusion through the collaboration of the City's Education Initiative division with The Children's Trust in the development of the Miami Learning Zone Program, which is an after-school program that services up to ninety (90) children in addition to ten (10) children with learning, mental, and/or emotional disabilities ranging in age from six (6) through twelve (12) and offers activities for the children in literacy, physical fitness, social skills, homework assistance, art, music, and dance;

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 if fully set forth in this Section.

Section 2. The City expresses its commitment to the principle of inclusion of children and adults with special needs and disabilities in all aspects of its governance and services, and seeks to welcome and facilitate such participation.

Section 3. The City urges businesses to express their commitment to the principle of inclusion in both employment and commerce.

Section 4. The City urges developers, homeowner associations, and condominium associations to adopt policies supporting the principle of inclusion in residential communities.

Section 5. The City urges universities and other places of learning to prioritize programs supporting inclusion of individuals with special needs and disabilities.

Section 6. The City urges national, state, and local governments to express their commitment to the principle of inclusion as well, and to continue expanding services to children and adults with special needs and disabilities.

Section 7. The City's Administration, Departments, and Staff are commended for their excellent work in promoting the principle of inclusion, and the City Manager is directed to continue pursuing initiatives and collaborations that promote the principle of inclusion.

Section 8. The City Clerk is directed to send a copy of this resolution to the National League of Cities, National Association of Counties, Florida League of Cities, Florida Association of Counties,

Miami-Dade County League of Cities, Miami-Dade County, Miami-Dade Public Schools, and all municipalities in Miami-Dade County.

Section 9. This Resolution shall become effective immediately upon its adoption and signature of the Mayor. {1}

APPROVED AS TO FORM AND CORRECTNESS:

VICTORIA MÉNDEZ
CITY ATTORNEY

Footnotes:

{1} If the Mayor does not sign this Resolution, it shall become effective at the end of ten (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.



City of Miami
Legislation
Resolution: R-16-0226

City Hall
3500 Pan American
Drive
Miami, FL 33133
www.miamigov.com

File Number: 16-00509

Final Action Date: 5/12/2016

A RESOLUTION OF THE MIAMI CITY COMMISSION SUPPORTING THE DESIGNATION OF THE MIAMI TIGER BEETLE AS A THREATENED SPECIES AND URGING THE FLORIDA FISH AND WILDLIFE CONSERVATION COMMISSION AND THE UNITED STATES FISH AND WILDLIFE SERVICE TO DESIGNATE THE SAME; SUPPORTING THE PRESERVATION AND RESTORATION OF THE RICHMOND PINE ROCKLANDS; DIRECTING THE CITY CLERK TO TRANSMIT A COPY OF THIS RESOLUTION TO THE OFFICIALS STATED HEREIN.

WHEREAS, before a plant or animal species can receive the protection provided by the Endangered Species Act ("ESA"), it must first be added to the federal lists of endangered and threatened wildlife and plants, a process referred to as "listing"; and

WHEREAS, a species is added to the list when it is determined to be endangered or threatened because of any of the following factors: the present or threatened destruction, modification, or curtailment of its habitat or range; overutilization for commercial, recreational, scientific, or educational purposes; disease or predation; the inadequacy of existing regulatory mechanisms; and/or other natural or manmade factors affecting its survival; and

WHEREAS, the area bounded to the south by Southwest 152nd Street, to the north by Southwest 184th Street, to the east by Southwest 117th Avenue, and to the west by Southwest 137th Avenue, Miami, Florida, located adjacent to Zoo Miami, is one of Miami-Dade County's last remaining tracts of pine rockland, and is known as the Richmond Tract ("Richmond Tract"); and

WHEREAS, pine rockland habitats have diminished greatly in Miami-Dade County due to development; and

WHEREAS, pine rockland habitats support various rare plants, animals, and insects that are exclusive to said areas; and

WHEREAS, one of the rare insects of pine rockland habitats is the Miami Tiger Beetle ("Tiger Beetle"); and

WHEREAS, the Tiger Beetle was believed to be extinct until a survey detected the species at the Richmond Tract in 2007; and

WHEREAS, on June 29, 2015, the Florida Fish and Wildlife Commission received a request from, inter alia, the Center for Biological Diversity to evaluate the Tiger Beetle's status for listing as a state-designated threatened species; and

WHEREAS, the United States Fish and Wildlife Service is undergoing a similar process that includes public comment; and

WHEREAS, the City of Miami ("City") is concerned that the rare Tiger Beetle could become extinct if preventative measures are not taken to conserve the same;

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 if fully set forth in this Section.

Section 2. The Mayor and City Commission hereby express their support for the listing of the Tiger Beetle and the protection of the Richmond Tract under the Endangered Species Act by the United States Fish and Wildlife Service.

Section 3. The Mayor and City Commission hereby express their support for the listing of the Tiger Beetle as a state-designated threatened species by the Florida Fish and Wildlife Commission.

Section 4. The Mayor and City Commission hereby express their support to preserve the Richmond Tract and all other pine rocklands in Miami-Dade County, including designating the Richmond Tract as a "Critically Endangered Habitat" under the ESA.

Section 5. The City Clerk is directed to transmit a copy of this Resolution to the Members of the United States Senate and House of Representatives that represent Miami-Dade County, Florida; the United States Fish and Wildlife Service; Members of the Miami-Dade County Legislative Delegation; the Florida Fish and Wildlife Commission; and all elected municipal and county officials in Miami-Dade County, Florida.

Section 6. This Resolution shall become effective immediately upon its adoption and signature of the Mayor.{2}

Footnotes:

{1} The herein authorization is further subject to compliance with all requirements that may be imposed by the City Attorney, including but not limited to those prescribed by applicable City Charter and Code provisions.