



**VILLAGE OF BISCAYNE PARK**  
**Village Commission Agenda Report**

**Item # 8.g**

**REGULAR MEETING**

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**TO:** Honorable Mayor & Members of the Village Commission

**FROM:** Rox Ross

**DATE:** October 6, 2020

**TITLE:** **RESOLUTION 2020-54 - A RESOLUTION OF THE VILLAGE COMMISSION OF THE VILLAGE OF BISCAYNE PARK, FLORIDA, URGING CONGRESS TO REAUTHORIZE THE NATIONAL FLOOD INSURANCE PROGRAM; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.**

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**Recommendation**

Approval of the attached resolution urging Congress to Reauthorize the National Flood Insurance Program.

**Background**

As is the regular practice of The Florida League of Cities, at the 2020 Annual Conference (this year virtual online) the voting delegates approved certain resolutions at its Business Session. One of the approved resolutions urged Congress to reauthorize the National Flood Insurance Program, to balance of the fiscal solvency of the program, and to provide sufficient resources for FEMA to utilize the best technology and methodology available to improve the mapping process that impacts on zoning and risk rating.

The attached Resolution is based on the FLC's version, with few local identifying deviations.

**Resource Impact**

The fiscal impact of approving, distributing and incorporating the proposed Resolution into Village records is minimal.

**Attachment**

Proposed draft Resolution 2020-54

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Prepared by: Rox Ross

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**RESOLUTION NO. 2020-54**

**A RESOLUTION OF THE VILLAGE COMMISSION OF THE  
VILLAGE OF BISCAYNE PARK, FLORIDA, URGING CONGRESS  
TO REAUTHORIZE THE NATIONAL FLOOD INSURANCE  
PROGRAM; PROVIDING FOR SEVERABILITY; AND  
PROVIDING FOR AN EFFECTIVE DATE.**

**WHEREAS**, floods are the most common and destructive natural disasters in the United States and Florida; and

**WHEREAS**, Congress created the National Flood Insurance Program (NFIP) in 1968 to make affordable flood insurance available to homeowners, renters and business owners in exchange for using the United States Department of Homeland Security Federal Emergency Management Agency (FEMA) generated Flood Insurance Rate Maps for floodplain management by participating communities; and

**WHEREAS**, the Flood Disaster Act of 1973 requires the purchase of flood insurance as a condition of receiving any form of federal or federal-related financial assistance for acquisition or construction purposes with respect to the insurance of buildings; and

**WHEREAS**, the NFIP provides affordable flood insurance to property owners by encouraging local governments to adopt and enforce flood plan and water management regulations, best practices and techniques; and,

**WHEREAS**, the Village of Biscayne Park participates in the Community Rating System (CRS) promulgated under the auspices of FEMA, the Insurance Services Office, Inc., and NFIP; and,

**WHEREAS**, these mitigation efforts reduce and prevent flooding on new and improved structures, thereby saving lives and reducing injuries, reducing economic losses, maintaining and protecting critical infrastructure, and reducing the liability borne by local governments and their elected officials; and,

**WHEREAS**, flooding is a serious risk in Florida due to the state's geography and proximity to water, both coastal and inland; and,

**WHEREAS**, this issue is a critical concern for our state as Florida has the largest number of participants in the NFIP with more than 1.7 million policies in force; and,

**WHEREAS**, lack of a long-term reauthorization causes uncertainty for beneficiaries and providers; and,

**WHEREAS**, there is no viable private market for homeowners and businesses to acquire sufficient flood insurance coverage; and,

**WHEREAS**, accurate mapping is fundamental for local governments to assess and communicate risk to their communities and property owners, but the current mapping process is faulty and often results in artificially inflated risk or communities not being aware that they are at risk of flooding; and

**WHEREAS**, it is incumbent upon all of us to have a long-term, sustainable and viable NFIP with rates that are affordable; and,

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2       **WHEREAS**, bi-partisan legislation has been introduced in the House and Senate titled the  
3 National Flood Insurance Program Reauthorization and Reform Act of 2019 (NFIP-RE), H.R. 3872 and  
4 S. 2187, which would reauthorize the NFIP program for five years; and,

5       **WHEREAS**, this legislation includes provisions to cap annual rate increases to 9 percent, fund  
6 resiliency and mitigation programs, and modernize mapping; and,

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8       **WHEREAS**, FEMA has scheduled to launch a new risk rating system called Risk Rating 2.0 to  
9 address deficiencies in the traditional mapping process that was originally scheduled to go into effect  
10 October 1, 2020; and,

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12       **WHEREAS**, FEMA postponed the launch of Risk Rating 2.0 until October 1, 2021, to allow  
13 additional time to conduct a comprehensive analysis of the proposed rating structure to protect  
14 policyholders and minimize any unintended negative effects of the transition.

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16 **NOW, THEREFORE, BE IT RESOLVED BY THE VILLAGE COMMISSION OF THE**  
17 **VILLAGE OF BISCAYNE PARK, FLORIDA, THAT:**

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19       **Section 1. Recitals.** The above recitals are true and correct, and incorporated herein by this  
20 reference and are hereby adopted as the legislative and administrative findings of the Village Commission.

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22       **Section 2. Reauthorization.** The Village Commission of the Village of Biscayne Park  
23 supports H.R. 3872 and S. 2187 and urges Congress to reauthorize the NFIP and to keep flood insurance  
24 rates affordable for primary, non-primary and business properties while balancing the fiscal solvency of  
25 the program. The Village Commission also expresses appreciation to Senator Marco Rubio (R-FL) and  
26 Representatives Debbie Mucarsel-Powell (D-26-FL), Charlie Christ (D-13-FL), Stephanie Murphy (D-  
27 7\_FL) and Alcee Hastings (D-20-FL) for co-sponsoring this legislation.

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29       **Section 3. Support.** In order for local governments to help their communities and property  
30 owners to adequately prepare for risk, Congress should provide additional resources to FEMA to utilize  
31 the best technology and methods available to improve the mapping process, including seeking the input  
32 from local government officials prior to approving any flood map that could impact local zoning rules.

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34       **Section 4. Severability.** If any section, sentence, clause or phrase herein is held to be invalid  
35 by any court of competent jurisdiction, then said holding shall in no way affect the validity of the  
36 remaining portions of this Resolution.

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38       **Section 5. Effective Date.** This Resolution shall become effective immediately upon its  
39 adoption.

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41       **Section 6. Distribution.** A copy of this resolution shall be sent to President Donald Trump,  
42 the Florida Congressional Delegation, the National League of Cities, the Florida League of Cities and the  
43 Miami Dade County League of Cities.

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46       **PASSED AND ADOPTED** this 6<sup>th</sup> day of October, 2020.  
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1 The foregoing Resolution was offered by Commissioner Samaria, who moved its adoption. The  
2 motion was seconded by Commissioner Tudor, and upon being put to a vote the vote was as follows:

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- 4 Virginia O’Halpin, Mayor
- 5 MacDonald Kennedy, Vice-Mayor
- 6 Roxanna Ross, Commissioner
- 7 Dan Samaria, Commissioner
- 8 Dan Samaria, Commissioner
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10 VILLAGE OF BISCAYNE PARK

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14 Virginia O’Halpin, Mayor

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17 ATTEST:

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21 Roseann Prado, Village Clerk

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24 APPROVED AS TO FORM AND LEGAL SUFFICIENCY FOR THE

25 USE AND RELIANCE OF THE VILLAGE OF BISCAYNE PARK ONLY:

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29 Edward A. Dion, Village Attorney

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