

CITY OF CORAL GABLES, FLORIDA

RESOLUTION NO. 2018-29

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF CORAL GABLES, FLORIDA, IN SUPPORT OF FLORIDA CONSTITUTION REVISION COMMISSION PROPOSAL 61, AND THE PROPOSED AMENDMENT TO PROPOSAL 61.

WHEREAS, every twenty years the Constitution Revision Commission (CRC) is convened in order to review Florida's Constitution and propose potential changes to the Constitution to be approved by Florida voters; and

WHEREAS, the Constitution Revision Commission is created by Article XI, Section 2 of the Florida Constitution; and

WHEREAS, the Constitution Revision Commission consists of thirty-seven (37) members; 15 of whom are appointed by the Governor, 9 by the Florida Senate President, 9 by the Speaker of the Florida House of Representatives, and 3 by the Chief Justice of the Florida Supreme Court; and

WHEREAS, the City has concerns when the Florida Legislature adopts laws that preempt to the State a city's local authority; and

WHEREAS, Constitution Revision Commissioner Chris Smith has submitted Proposal 61 to the CRC entitled "A proposal to amend Section 2 of Article VIII of the State Constitution to provide that any law enacted by the Legislature that restricts the home rule powers granted to municipalities must meet certain criteria."; and

WHEREAS, this proposal would provide for a transparent process prior to the Florida Legislature enacting a law that would have the effect of preempting a local government's authority; and

WHEREAS, an amendment has been offered to Proposal 61 that would require the Legislature to enact each preemption of Home Rule authority as a stand-alone bill, rather than tacked on to "must-pass" legislation during the final hours of the legislative session, without the benefit of a full debate in broad daylight; and

WHEREAS, the City Commission strongly recommends that the full Constitution Revision Commission vote to place an amendment based on Proposal 61, and the proposed amendment to Proposal 61, on the statewide General Election Ballot in 2018;

NOW, THEREFORE, BE IT RESOLVED BY THE COMMISSION OF THE CITY OF CORAL GABLES:

SECTION 1. The foregoing "Whereas" clauses are hereby ratified and confirmed as being true and correct and are hereby made a specific part of this Resolution upon adoption hereof.

SECTION 2. That the City Commission strongly recommends that the full Constitution Revision Commission vote to place an amendment based on Proposal 61, and the proposed amendment to Proposal 61, on the statewide General Election Ballot in 2018 to ensure that cities are constitutionally protected from legislative unfunded mandates.

SECTION 3. That the Clerk is ordered to send a certified copy of this Resolution to every member of the Constitution Revision Commission.

SECTION 4. That this Resolution shall become effective upon the date of its passage and adoption herein.

PASSED AND ADOPTED THIS twenty-third DAY OF January, A.D., 2018.

(Moved: Quesada / Seconded: Mena)

(Yeas: Lago, Mena, Quesada, Keon)

(Majority: (4-0) Vote)

(Absent: Valdes-Fauli)

(Non-Agenda Item)

APPROVED:



RAÚL VALDÉS-FAULI
MAYOR

ATTEST:



WALTER J. FOEMAN
CITY CLERK

APPROVED AS TO FORM AND
LEGAL SUFFICIENCY:



MIRIAM SOLER RAMOS
CITY ATTORNEY