

CITY OF CORAL GABLES, FLORIDA

RESOLUTION NO. 2018-69

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF CORAL GABLES, FLORIDA, IN OPPOSITION OF HOUSE BILL 7037 PREEMPTING LOCAL CONTROL OVER THE DATES OF MUNICIPAL ELECTIONS.

WHEREAS, on January 11, 2018, Representative Matthew H. "Matt" Caldwell introduced House Bill 7037 – Election Dates for Municipal Office; and

WHEREAS, the full title of House Bill 7037 is: “An act relating to election dates for municipal office; amending s. 100.3605, F.S.; requiring the governing body of a municipality to determine the dates on which an initial and runoff election for municipal office are held and providing options therefor; requiring counties that have established certain dates for the election of municipal officers through a special act to conduct municipal elections on specified dates; preempting to the state the authority to establish election dates for municipal elections; providing construction; amending s. 100.361, F.S.; requiring municipal recall elections to be held concurrently with municipal elections under certain conditions; repealing s. 101.75, F.S., relating to change of dates for cause in municipal elections; extending the terms of incumbent elected municipal officers until the next municipal election; providing an effective date; and

WHEREAS, the text of House Bill 7037 purports to expressly preempt all authority to establish the dates of municipal elections and provides the sole method for establishing the dates of election; and

WHEREAS, House Bill 7037 requires the governing body of a municipality to select a specified date, either the third Tuesday in March or the first Tuesday after the first Monday in November, for holding its election, and requires all general elections that require a runoff election be held 10 weeks prior to the runoff election; and

WHEREAS, the protection of Home Rule powers is of utmost importance to the City of Coral Gables as Home Rule ensure the efficacy of local government in exercising governmental powers to address and protect the health, safety, and welfare of its residents and address matters of local concern; and

WHEREAS, the decision on how and when to hold municipal elections should be left to the municipality, county or political subdivision affected by these elections as they are best equipped to know and understand the needs of their community; and

WHEREAS, the City of Coral Gables Commission directs that the opposition to House Bill 7037 be made part of the City's legislative agenda; and

WHEREAS, the City of Coral Gables urges the House of Representatives not to adopt House Bill 7037 or similar legislation;

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 directs that opposition to House Bill 7037 or similar legislation be made part of the City's legislative agenda.

SECTION 3. That the City Commission urges the House of Representatives not to adopt House Bill 7037 as it is not good public policy.

SECTION 4. That the City Clerk is directed to send a certified copy of this resolution to the Florida League of Cities, Miami-Dade League of Cities, Miami-Dade County, the City's legislative delegation, and neighboring municipalities.

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

PASSED AND ADOPTED THIS THIRTEENTH DAY OF FEBRUARY, A.D., 2018.

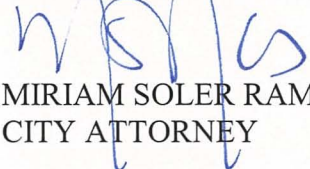
(Moved: Lago / Seconded: Mena)
(Yeas: Lago, Mena, Keon)
(Majority: (3-0) Vote)
(Absent: Quesada, Valdes-Fauli)
(Non-Agenda)

APPROVED:




RAÚL VALDÉS FAULI
MAYOR

APPROVED AS TO FORM AND
LEGAL SUFFICIENCY;



MIRIAM SOLER RAMOS
CITY ATTORNEY

ATTEST:

WALTER J. FOEMAN
CITY CLERK