

CITY OF CORAL GABLES, FLORIDA

RESOLUTION NO. 2017-77

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF CORAL GABLES, FLORIDA, DIRECTING THE CITY'S ADMINISTRATION TO DRAFT A LETTER DETAILING THE CITY'S OPPOSITION OF HOUSE BILL 17, HOUSE BILL 1055, SENATE BILL 1048, AND SENATE BILL 1158 AND URGING THE FLORIDA HOUSE OF REPRESENTATIVES AND SENATE NOT TO ADOPT SAID LEGISLATION.

WHEREAS, House Bills 17 and 1055, along with Senate Bills 1048 and 1158, deprive municipalities of the Home Rule Powers over business regulations; and

WHEREAS, the protection of Home Rule powers is of utmost importance to the City of Coral Gables, and the City believes that the proposed bills are unconstitutional and not good public policy; and

WHEREAS, adoption of the proposed Bills would be an unconstitutional attempt to statutorily revoke the municipal home rule powers protected in the Florida Constitution, specifically Article VIII, Section 2(b), which protects municipalities throughout Florida, including the City of Coral Gables; and

WHEREAS, adoption of the proposed Bills would also be an unconstitutional attempt to statutorily revoke the Miami-Dade Home Rule Amendment, as delineated in Article VIII, Section 11 of the Florida Constitution, which guarantees home rule in local affairs for Miami-Dade County, including the City of Coral Gables; and

WHEREAS, the aforementioned constitutional provisions establish the constitutional relationship between the State government and municipal governments, which cannot be repealed or undermined by a statute; and

WHEREAS, the City of Coral Gables directs that opposition to House Bill 17, House Bill 1055, Senate Bill 1048, and Senate Bill 1158 as part of 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 17, House Bill 1055 or similar legislation, as it is unconstitutional and not good public policy; and

WHEREAS, the City urges the Florida Senate not to adopt Senate Bill 1048, Senate Bill 1158, or similar legislation;

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

SECTION 1. That 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 17, House Bill 1055, Senate Bill 1018, and Senate Bill 1158, or similar legislation in the House of Representatives or Senate be made part of the City's legislative agenda.

SECTION 3. That the Coral Gables City Attorney's Office is directed to take appropriate action to protect the City's constitutional Home Rule Powers.

SECTION 4. That the City Clerk is directed to send a certified copy of this Resolution to the Florida League of Cities, Miami-Dade County, and other neighboring municipalities.

SECTION 5. That this Resolution shall become effective upon the date of its passage and adoption herein.

PASSED AND ADOPTED THIS TWENTY-EIGHTH DAY OF MARCH, A.D., 2017.
(Moved: Quesada / Seconded: Lago)
(Yeas: Quesada, Slesnick, Keon, Lago, Cason)
(Unanimous: 5-0 Vote)
(Agenda Item: I-1)

APPROVED:

JIM CASON
MAYOR

ATTEST:

APPROVED AS TO FORM AND
LEGAL SUFFICIENCY:

WALTER J. FOEMAN
CITY CLERK

CRAIG E. LEEN
CITY ATTORNEY