

CITY OF CORAL GABLES, FLORIDA

RESOLUTION NO. 2021-66

A RESOLUTION OF THE CITY COMMISSION OPPOSING STATE PREEMPTION OF LOCAL ZONING CODES AS APPLIED TO PARI-MUTUEL FACILITIES AND CASINO GAMBLING AND OPPOSING THE PORTABILITY OF GAMING LICENSES.

WHEREAS, the Miami-Dade County Home Rule Amendment and Charter and the Home Rule Amendment to the Florida Constitution grant the City of Coral Gables the ability to self-govern including the ability to establish, coordinate, and enforce zoning regulations; and

WHEREAS, Coral Gables Zoning Code Article 4, Division 4 “Prohibited Uses”, Section 4-401 “Uses prohibited”, prohibits casinos in the City of Coral Gables; and

WHEREAS, the City is opposed to state preemptions that infringe upon the City’s home rule authority, zoning authority, and ability to pass laws in the interest of the health, safety, and welfare of its citizens; and

WHEREAS, after decades of failed initiatives to expand casino gambling in the State, in 2004 Amendment 4 to the Florida Constitution authorized Miami-Dade County and Broward County voters to approve slot machines in pari-mutuel facilities; and

WHEREAS, the amendment was strictly limited to licensed pari-mutuel facilities (thoroughbred and harness racing, greyhound racing, and jai alai) that had conducted live racing or games in that county during each of the last two calendar years preceding the effective date of the amendment; and

WHEREAS, following the passage of Amendment 4, in 2008 the voters of Miami-Dade County approved the use of slot machines at Calder Racecourse, Flagler Sports and Entertainment Center Dog Track, and Miami Jai-Alai; and

WHEREAS, in 2018, the electorate of Florida passed Amendment 3 to the Florida Constitution, giving the people of Florida the exclusive right to decide whether to authorize casino gambling in the State via the citizen initiative process, meaning the Florida State Legislature could not authorize casino gambling through statute or through referring a constitutional amendment to the ballot; and

WHEREAS, the City of Coral Gables opposes state preemption of local zoning codes as applied to pari-mutuel facilities and casino gambling, including legislative proposals that would allow the portability of Gaming Licenses; and

WHEREAS, the City Commission urges the Florida Legislature to uphold the will of Florida’s voters by limiting slot machines to the pari-mutuels that currently have them, and by

allowing the citizens of the State to decide via citizen initiative only whether to allow expanded casino gambling in Florida;

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 hereby opposes state preemption of local zoning codes as applied to pari-mutuel facilities and casino gambling, including legislative proposals that would allow the portability of Gaming Licenses.

SECTION 3. That the City Clerk is directed to transmit a copy of this Resolution to Miami-Dade County Mayor Daniella Levine Cava, the Miami-Dade County League of Cities, Governor Ron DeSantis, Speaker of the House Chris Sprowls and Senate President Wilton Simpson.

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

PASSED AND ADOPTED THIS TWENTY-THIRD DAY OF MARCH, A.D. 2021.

(Moved: Keon/ Seconded: Lago)

(Yeas: Lago, Fors, Jr., Keon, Valdes-Fauli)

(Absent: Mena)

(Unanimous: 4-0: Vote)

(Non-Agenda Item)

APPROVED:

RAUL VALDES-FAULI
MAYOR

ATTEST:


BILLY Y. URQUIA
CITY CLERK

APPROVED AS TO FORM
AND LEGAL SUFFICIENCY:


MIRIAM SOLER RAMOS
CITY ATTORNEY