

CITY OF CORAL GABLES, FLORIDA

RESOLUTION 2017-_____

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF CORAL GABLES, FLORIDA, REAFFIRMING THE CITY'S COMMITMENT TO THE DEFENSE OF HOME RULE AND ENCOURAGING MIAMI-DADE COUNTY AND MUNICIPALITIES TO JOIN THE CITY IN ITS DEFENSE OF HOME RULE; PROVIDING FOR AN EFFECTIVE DATE

WHEREAS, the City has made it a priority to protect Home Rule as evidenced by its defending Home Rule and prevailing in *Florida Retail Federation, Inc. et al. v. City of Coral Gables*, where the Circuit Court ruled in the City's favor based on the Miami-Dade Home Rule Amendment and on the City being treated differently; and

WHEREAS, the City has further defended Home Rule by appearing as Amicus Curiae in *City of Miami v. Airbnb, Inc.* and *City of Miami Beach v. Florida Retail Federation, Inc. et al.*; and

WHEREAS, the City is aware of legislation or attempted legislation that could restrict Home Rule, such as House Bill 17 which ultimately did not pass and House Bill 1021 which did pass and purports to impact a municipality's ability to require paint permits and to regulate some retail signage; and

WHEREAS, the City believes in the Miami-Dade Home Rule Amendment and in Municipal Home Rule and has consistently raised these provisions in disputes, litigation and appeals; and

WHEREAS, the Miami-Dade County Charter provides authority to municipalities and the County, separate from municipal Home Rule power, thereby creating a shared interest.

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 urges Miami-Dade County, the City of Miami, and all municipalities to join the City in its defense of Home Rule.

SECTION 3. That the City Commission encourages Miami-Dade County to create a board composed of government officials and municipal attorneys and dedicated

to education about and the protection of Home Rule. This board would be helpful in coordinating efforts among municipalities and the County to defend Home Rule as a united front.

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

PASSED AND ADOPTED THIS _____ DAY OF _____, A.D., 2017.

(Moved:)

(Yeas:)

(Non-Agenda Item)

APPROVED:

RAUL VALDES-FAULI
MAYOR

ATTEST:

WALTER J. FOEMAN
CITY CLERK

APPROVED AS TO FORM AND
LEGAL SUFFICIENCY:

CRAIG E. LEEN
CITY ATTORNEY