

RESOLUTION NO. _____

A RESOLUTION OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, STRONGLY OPPOSING ANY STATE LEGISLATION SEEKING TO EXPAND CASINO GAMBLING OPERATIONS IN FLORIDA, INCLUDING, BUT NOT LIMITED TO ANY ATTEMPT TO (1) SUPERSEDE THE PROHIBITIONS ON GAMBLING AND CASINO OPERATIONS IN THE CITY'S LAND DEVELOPMENT REGULATIONS AND COMPREHENSIVE PLAN, (2) AUTHORIZE THE TRANSFER OF AN EXISTING GAMBLING OR CASINO LICENSE TO A NEW LOCATION, OR (3) ALLOW AN EXISTING GAMBLING OR CASINO LICENSEE TO OPEN A NEW FACILITY AT A NEW LOCATION UNDER THE EXISTING LICENSE; AND DIRECTING THE CITY CLERK TO TRANSMIT A COPY OF THIS RESOLUTION TO THE SPEAKER OF THE FLORIDA HOUSE OF REPRESENTATIVES, AND THE PRESIDENT OF THE FLORIDA SENATE.

WHEREAS, Article VIII, Section 2(b) of the Florida Constitution provides that "municipalities shall have governmental, corporate and proprietary powers to enable them to conduct municipal government, perform municipal functions and render municipal services, and may exercise any power for municipal purposes except as otherwise provided by law"; and

WHEREAS, in 1973, the Florida Legislature enacted the Municipal Home Rule Powers Act, guaranteeing that municipalities shall have the "governmental, corporate, and proprietary powers to enable them to conduct municipal government, perform municipal functions, and render municipal services, and may exercise any power for municipal purposes, except when expressly prohibited by law"; and

WHEREAS, the City of Miami Beach has a long-standing policy against casino gambling in Florida as evidenced by the following resolutions: No. 2018-30199, No. 2017-29846, No. 2014-28529, No. 2011-27812, No. 2008-26927, and No. 2008-26925; and

WHEREAS, pursuant to Ordinance Nos. 2017-4104, 2017-4105, and 2017-4125, the City Commission has prohibited casino and gambling uses and operations in all zoning districts and future land use categories in the City; and

WHEREAS, in addition, in 2018, Florida voters overwhelmingly voted for Voter Approval of Casino Gambling Initiative, which amended the Florida Constitution to ensure that Florida voters shall have the exclusive right to decide whether to authorize casino gambling by requiring that in order for casino gambling to be authorized under Florida law, it must be approved by Florida voters pursuant to Article XI, Section 3 of the Florida Constitution; and

WHEREAS, if gambling interests are allowed to obtain major casino expansion, full scale casino and gambling operations will become commonplace throughout our community and state; and

WHEREAS, our community will bear the severe and painful economic and social costs that always accompany expansive gambling, including the misery of individuals and families touched by problem gambling as they are at higher risk of divorce, bankruptcy, child abuse, domestic violence, crime and suicide; and

WHEREAS, the City of Miami Beach desires to continue to be a number one destination for tourism and local growth to the economy by supporting independent hotels, restaurants and entertainment, without the overwhelming introduction of gambling that was responsible for cannibalizing non-gambling businesses and have caused the shuttering of forty percent of all restaurants and one-third of all retail businesses in Atlantic City; and

WHEREAS, the negative economic and social effects of gambling operations far outweigh any potential revenues that could be generated if allowed in our community; and

WHEREAS, any new gambling operations in South Florida, especially in such close proximity to the City of Miami Beach, could damage the City's brand and image, its vital tourism and hospitality industry, and could cause irreparable harm to the City's quality of life for its residents, businesses, and visitors; and

WHEREAS, any expansion of gambling operations in South Florida would have a detrimental impact not only on the City, but the neighborhoods surrounding the proposed gaming facilities, which have taken many years to transform into the thriving business, cultural, art, shopping, and residential destinations of the Design District, Wynwood, and the Edgewater District; and

WHEREAS, the City of Miami Beach rejects any expansion of gambling into the City of Miami Beach, and opposes any effort to preempt the City's long-standing opposition to gambling within the City of Miami Beach.

NOW, THEREFORE, BE IT DULY RESOLVED BY THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, that the Mayor and City Commission hereby strongly oppose any state legislation seeking to expand casino gambling operations in Florida, including, but not limited to any attempt to (1) supersede the prohibitions on gambling and casino operations in the City's Land Development Regulations and Comprehensive Plan, (2) authorize the transfer of an existing gambling or casino license to a new location, or (3) allow an existing gambling or casino licensee to open a new facility at a new location under the existing license; and direct the City Clerk to transmit a copy of this Resolution to the Speaker of the Florida House of Representatives, and the President of the Florida Senate.

PASSED AND ADOPTED this ____ day of February 2021.

ATTEST:

Mayor Dan Gelber

Rafael E. Granado, City Clerk

(Sponsored by Mayor Dan Gelber)

**APPROVED AS TO
FORM & LANGUAGE
& FOR EXECUTION**



City Attorney

FA

2-23-21

Date