

RESOLUTION No. 2010-64-1246

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MIAMI GARDENS, FLORIDA, EXPRESSING OPPOSITION TO THE PASSAGE AND THE PROVISIONS OF INITIATIVE "AMENDMENT NO. 4;" URGING CITIZENS TO VOTE AGAINST INITIATIVE "AMENDMENT NO. 4" ON THE ELECTION BALLOT; DECLARING SUPPORT OF CURRENT POLICIES AND PROCEDURES GOVERNING "SMART GROWTH" IN FLORIDA; PROVIDING FOR INSTRUCTIONS TO THE CITY CLERK; PROVIDING FOR THE ADOPTION OF REPRESENTATIONS; PROVIDING AN EFFECTIVE DATE.

WHEREAS, the State of Florida has experienced tremendous growth, and

WHEREAS, the challenges presented by growth require that local governments embrace smart growth policies aimed at protecting our state's quality of life, engendering greater economic prosperity, and equitably planning for the common good, and

WHEREAS, smart growth requires careful planning and direction combined with a clear and effective means of engaging the people's voice, and

WHEREAS, the City Council believes that the planning process must empower citizens and encourage sound public policy, and

WHEREAS, the Florida Hometown Democracy initiative has placed a constitutional amendment before Florida's voters to amend Article II, Section 7, of the Florida Constitution (Title: REFERENDA REQUIRED FOR ADOPTION AND AMENDMENT OF LOCAL GOVERNMENTAL COMPREHENSIVE LAND USE PLANS), and

WHEREAS, this amendment constitutes a fundamental abandonment of government's responsibility to represent all its citizens, because it will prevent the City's

elected officials from approving amendments to the City's Comprehensive Plan and will require that all amendment be approved by voter referendum.

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF MIAMI GARDENS, FLORIDA, AS FOLLOWS:

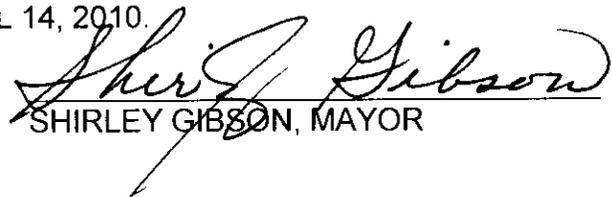
Section 1. ADOPTION OF REPRESENTATIONS: The foregoing Whereas paragraphs are hereby ratified and confirmed as being true, and the same are hereby made a specific part of this Resolution.

Section 2. EXPRESSION: The City Council of the City of Miami Gardens hereby expresses its opposition to the passage and the provisions of initiative "Amendment No. 4."

Section 3. INSTRUCTIONS TO THE CITY CLERK: The City Clerk is hereby authorized to transmit certified copies of this Resolution to the Governor, Senate President, House Speaker, the Chair and Members of the Miami-Dade County Board of County Commissioners.

Section 3. EFFECTIVE DATE: This Resolution shall take effect immediately upon its final passage.

PASSED AND ADOPTED BY THE CITY COUNCIL OF THE CITY OF MIAMI GARDENS AT ITS REGULAR MEETING HELD ON APRIL 14, 2010.

  
SHIRLEY GIBSON, MAYOR

ATTEST:

  
RONETTA TAYLOR, MMC, CITY CLERK

Resolution No. 2010-64-1246

PREPARED BY: SONJA KNIGHTON DICKENS, ESQ., CITY ATTORNEY

SPONSORED BY: MAYOR SHIRLEY GIBSON

MOVED BY: Councilwoman Watson  
SECONDED BY: Councilman Bratton

**VOTE: 6-0**

Mayor Shirley Gibson	<u>  X  </u> (Yes)	<u>    </u> (No)
Vice Mayor Aaron Campbell Jr.	<u>  X  </u> (Yes)	<u>    </u> (No)
Councilman Melvin L. Bratton	<u>  X  </u> (Yes)	<u>    </u> (No)
Councilman Oliver Gilbert, III	<u>  X  </u> (Yes)	<u>    </u> (No)
Councilwoman Barbara Watson	<u>  X  </u> (Yes)	<u>    </u> (No)
Councilwoman Sharon Pritchett	<u>    </u> (Yes)	<u>    </u> (No)(not present)
Councilman André Williams	<u>  X  </u> (Yes)	<u>    </u> (No)



## City of Miami Gardens Agenda Cover Memo

<b>Council Meeting Date:</b>	April 14, 2010		<b>Item Type:</b> <i>(Enter X in box)</i>	<b>Resolution</b>	<b>Ordinance</b>		<b>Other</b>	
				<b>X</b>				
<b>Fiscal Impact:</b> <i>(Enter X in box)</i>	Yes	No	<b>Ordinance Reading:</b> <i>(Enter X in box)</i>	<b>1<sup>st</sup> Reading</b>		<b>2<sup>nd</sup> Reading</b>		
		X		<b>Public Hearing:</b> <i>(Enter X in box)</i>	Yes	No	Yes	No
					X			
<b>Funding Source:</b>	N/A		<b>Advertising Requirement:</b> <i>(Enter X in box)</i>	<b>Yes</b>		<b>No</b>		
						X		
<b>Contract/P.O. Required:</b> <i>(Enter X in box)</i>	Yes	No	<b>RFP/RFQ/Bid #:</b>	N/A				
		X						
<b>Sponsor Name</b>	<b>Mayor Shirley Gibson</b>		<b>Department:</b>	<b>City Council</b>				

**Short Title:**

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MIAMI GARDENS, FLORIDA, EXPRESSING OPPOSITION TO THE PASSAGE AND THE PROVISIONS OF INITIATIVE "AMENDMENT NO.4"; URGING CITIZENS TO VOTE AGAINST INITIATIVE "AMENDMENT NO. 4" ON THE ELECTION BALLOT; DECLARING SUPPORT OF CURRENT POLICIES AND PROCEDURES GOVERNING "SMART GROWTH" IN FLORIDA; DIRECTING THE CITY CLERK TO TRANSMIT CERTIFIED COPIES OF THIS RESOLUTION; PROVIDING AN EFFECTIVE DATE.

**Staff Summary:**

The Florida Hometown Democracy Land Use Initiative is on the November 2, 2010 ballot, as Amendment No. 4 for approval by registered voters. This proposed constitutional amendment to the Florida Constitution, proposes to require voter approval of all changes in local comprehensive land use plans. Currently, county and city elected officials make land-use decisions.

The amendment directly effects the potential growth and development in the City. If approved, the amendment will require that taxpayers be required to fund elections for technical planning changes. This will impede progress and stifle prosperity. Before local government may adopt a new or amend a comprehensive land use plan, the proposed plan or plan amendment will be subjected to a vote by local

**ITEM J-3) CONSENT AGENDA  
RESOLUTION  
Expressing Opposition to  
Amendment No. 4**

electors of the local government by referendum, which will be costly to the city, and which will prohibit the City's elected officials from approving amendment to the City's Comprehensive Plans.

**Proposed Action:**

Mayor Shirley Gibson is requesting that City Council supports the opposition to the passage and the provisions of Article II, Section 7 of the Florida Constitution, known as the Land Use, Amendment No.4 that will be on the November 2, 2010 ballot for Florida voters.

**Attachment:**

None