

MEMORANDUM

Agenda Item No. 11(A)(7)

TO: Honorable Chairman Jose "Pepe" Diaz
and Members, Board of County Commissioners

DATE: May 18, 2021

FROM: Geri Bonzon-Keenan
County Attorney

SUBJECT: Resolution urging the Florida
Legislature to acknowledge
the will of the voters to decide
whether and how to allow
gaming and gambling in Florida
and to preserve the ability of
local governments to regulate
gaming or gambling within
their respective jurisdictions

Resolution No. R-516-21

The accompanying resolution was prepared and placed on the agenda at the request of Prime Sponsor Senator René García.



Geri Bonzon-Keenan
County Attorney

GBK/smm



MEMORANDUM

(Revised)

TO: Honorable Chairman Jose "Pepe" Diaz
and Members, Board of County Commissioners

DATE: May 18, 2021

FROM: 
Gen Bonzon-Keenan
County Attorney

SUBJECT: Agenda Item No. 11(A)(7)

Please note any items checked.

- ☐ "3-Day Rule" for committees applicable if raised
- ☐ 6 weeks required between first reading and public hearing
- ☐ 4 weeks notification to municipal officials required prior to public hearing
- ☐ Decreases revenues or increases expenditures without balancing budget
- ☐ Budget required
- ☐ Statement of fiscal impact required
- ☐ Statement of social equity required
- ☐ Ordinance creating a new board requires detailed County Mayor's report for public hearing
- ☒ No committee review
- ☐ Applicable legislation requires more than a majority vote (i.e., 2/3's present ____, 2/3 membership ____, 3/5's ____, unanimous ____, CDMP 7 vote requirement per 2-116.1(3)(h) or (4)(c) ____, CDMP 2/3 vote requirement per 2-116.1(3)(h) or (4)(c) ____, or CDMP 9 vote requirement per 2-116.1(4)(c)(2) ____ to approve
- ☐ Current information regarding funding source, index code and available balance, and available capacity (if debt is contemplated) required

Approved _____ Mayor
Veto _____
Override _____

Agenda Item No. 11(A)(7)
5-18-21

RESOLUTION NO. R-516-21

RESOLUTION URGING THE FLORIDA LEGISLATURE TO
ACKNOWLEDGE THE WILL OF THE VOTERS TO DECIDE
WHETHER AND HOW TO ALLOW GAMING AND
GAMBLING IN FLORIDA AND TO PRESERVE THE ABILITY
OF LOCAL GOVERNMENTS TO REGULATE GAMING OR
GAMBLING WITHIN THEIR RESPECTIVE JURISDICTIONS

WHEREAS, a Special Session of the Florida Legislature has been convened from May 17-21, 2021 to consider legislation relating to gaming and gambling; and

WHEREAS, during the Special Session, the Florida Legislature is specifically considering legislation that:

- ratifies the 2021 gaming compact between the Seminole Tribe of Florida and the State, executed on April 23, 2021 (the “Gaming Compact”);
- establishes procedures for, and authorization to, implement certain activities permitted by the Gaming Compact;
- licenses and regulates certain games and operations consistent with certain provisions of the Gaming Compact at locations authorized under current law;
- authorizes taxes and fees for certain games, operations, and licenses, consistent with certain provisions of the Gaming Compact;
- revises requirements for pari-mutuel permit holders to conduct live racing or games;
- prohibits the racing of, and wagering relating to, greyhounds and other dogs in Florida, and imposes associated civil and criminal penalties;
- prohibits issuance of new pari-mutuel permits and eliminates certain inactive permits;

- creates and establishes a gaming commission with regulatory and law enforcement powers related to legal and illegal gaming, and provides for any amendments to statutes or appropriations necessary to effectuate such legislation; and
- provides effective dates contingent upon certain approvals and agreements; and

WHEREAS, in November of 2018, Florida voters overwhelmingly approved the Voter Control of Gambling in Florida initiative, which amended the Florida Constitution to provide voters with the exclusive right to decide whether to authorize casino gambling, and made the citizen initiative process the exclusive method of expanding casino gambling in the state; and

WHEREAS, under this initiative, card games, casino games, and slot machines are considered casino gambling subject to voter control; and

WHEREAS, Florida voters made clear through this constitutional amendment that they wish to be the voice that decides whether and how to allow casino gambling within the state; and

WHEREAS, as the Florida Legislature considers the above-referenced matters during the May 17-21, 2021 Special Session, or considers similar matters during a future session, it should ensure that the will of the voters is respected, consistent with the Voter Control of Gambling in Florida initiative; and

WHEREAS, in addition, the Florida Legislature should ensure that local governments have the ability to regulate gaming and gambling within their respective jurisdictions; and

WHEREAS, without reasonable local regulations, facilities that allow gaming and gambling have the potential to adversely impact the communities in which they are located; and

WHEREAS, for example, such facilities are often incompatible with residential areas because of the intensity of the use and the negative effects associated with gambling, including the threat of increased traffic, noise, and crime; and

WHEREAS, in addition, gaming facilities often employ bright, flashing lights and electronic signs that are inconsistent with the quiet enjoyment of residential environments; and

WHEREAS, decisions that relate to the quiet enjoyment and integrity of local communities are best made at the local, rather than state, level; and

WHEREAS, accordingly, some local governments in Florida, including the City of Miami Beach, have adopted resolutions opposing state legislation that would allow gambling or gaming to occur, or expand, within their local jurisdictions or that would preempt local regulations pertaining to gaming and gambling; and

WHEREAS, this Board wishes to urge the Florida Legislature to ensure that the will of the voters is respected, and that local control is preserved, as it legislates on the subject of gaming and gambling,

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF MIAMI-DADE COUNTY, FLORIDA, that this Board:

Section 1. Urges the Florida Legislature to acknowledge the will of the voters to decide whether and how to allow gaming and gambling in Florida and to preserve the ability of local governments to regulate gaming or gambling within their respective jurisdictions.

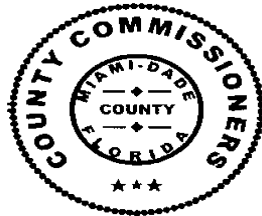
Section 2. Directs the Clerk of the Board to transmit certified copies of this resolution to the Governor, the Senate President, the House Speaker, and the Chair and Members of the Miami-Dade State Legislative Delegation.

Section 3. Directs the County's state lobbyists to advocate for the legislation described in section 1 above and authorizes and directs the Office of Intergovernmental Affairs to amend the 2021 State Legislative Package to include this item and to include this item in the 2022 State Legislative Package when it is presented to the Board.

The Prime Sponsor of the foregoing resolution is Senator René García. It was offered by Commissioner **Sen. Rene Garcia**, who moved its adoption. The motion was seconded by Commissioner **Sally A. Heyman** and upon being put to a vote, the vote was as follows:

Jose “Pepe” Diaz, Chairman	aye		
Oliver G. Gilbert, III, Vice-Chairman	aye		
Sen. René García	aye	Keon Hardemon	aye
Sally A. Heyman	aye	Danielle Cohen Higgins	aye
Eileen Higgins	aye	Joe A. Martinez	aye
Kionne L. McGhee	absent	Jean Monestime	aye
Raquel A. Regalado	aye	Rebeca Sosa	aye
Sen. Javier D. Souto	aye		

The Chairperson thereupon declared this resolution duly passed and adopted this 18th day of May, 2021. This resolution shall become effective upon the earlier of (1) 10 days after the date of its adoption unless vetoed by the County Mayor, and if vetoed, shall become effective only upon an override by this Board, or (2) approval by the County Mayor of this resolution and the filing of this approval with the Clerk of the Board.



MIAMI-DADE COUNTY, FLORIDA
BY ITS BOARD OF
COUNTY COMMISSIONERS

HARVEY RUVIN, CLERK

Melissa Adames

By: _____
Deputy Clerk

Approved by County Attorney as
to form and legal sufficiency.

James Eddie Kirtley