

RESOLUTION NO. 22-49

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF FORT LAUDERDALE, FLORIDA, OPPOSING SENATE BILL 620 AND HOUSE BILL 569 IN THE 2022 FLORIDA LEGISLATIVE SESSION, URGING ALL MEMBERS OF THE FLORIDA LEGISLATURE AND GOVERNOR RON DESANTIS TO OPPOSE SENATE BILL 620 AND HOUSE BILL 569 WHICH, IF ENACTED, WOULD ALLOW BUSINESS DAMAGES TO BE ASSESSED AGAINST COUNTIES AND MUNICIPALITIES IN CERTAIN CIRCUMSTANCES, AND PROVIDING FOR DISTRIBUTION, DIRECTION TO THE CITY'S STATE LOBBYISTS, AND AN EFFECTIVE DATE.

WHEREAS, Senate Bill 620 and House Bill 569 in the 2022 Florida Legislative session would allow for business damages to be assessed against counties and municipalities for enactment or amendment of ordinances in cases where the enactment or amendment has or will cause a reduction of at least fifteen percent (15%) of a business's profits; and

WHEREAS, under the Florida Constitution and Section 166.021, Florida Statutes, municipalities are given broad home rule powers; and

WHEREAS, as part of their home rule powers, municipalities should have the ability to enact and amend ordinances which are in the best interests of their communities without a threat of business damages being assessed; and

WHEREAS, municipalities should continue to have the power to decide what is consistent with the needs of their own communities without having their ability to effectively legislate be hindered; and

WHEREAS, if Senate Bill 620 or House Bill 569 were passed, they would violate the home rule powers of municipalities and expose municipalities to potentially large damage awards; and

WHEREAS, the City Commission continues to advocate for the protection of home rule powers and opposes Senate Bill 620 and House Bill 569;

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COMMISSION OF THE CITY OF FORT LAUDERDALE, FLORIDA:

SECTION 1. That the City Commission of the City of Fort Lauderdale, Florida, opposes Senate Bill 620 and House Bill 569 in the 2022 Florida Legislative Session, and urges all members of the Florida Legislature and Governor Ron DeSantis to oppose Senate Bill 620 and House Bill 569 any other similar legislation or amendment that would provide for business damages for the enactment or amendment of ordinances.

SECTION 2. That the City Commission directs the City Clerk to transmit copies of this Resolution to the City's state lobbyists, Governor Ron DeSantis, Senate President Wilton Simpson, Speaker of the House Chris Sprowls, the Broward League of Cities, the Florida League of Cities, the Broward County Legislative Delegation, the Broward County Board of County Commissioners, and any other interested parties.

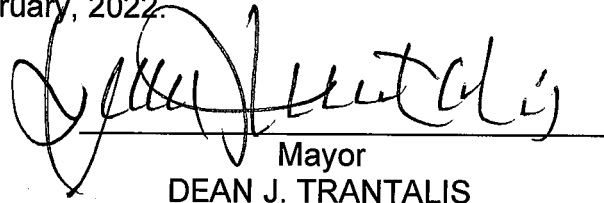
SECTION 3. That the City Commission directs the City's state lobbyists to advocate against Senate Bill 620 and House Bill 569 in the 2022 Florida legislative session.

SECTION 4. That if any clause, section, or other part of this Resolution shall be held invalid or unconstitutional by any court of competent jurisdiction, the remainder of this Resolution shall not be affected thereby, but shall remain in full force and effect.

SECTION 5. That all resolutions or parts of resolutions in conflict herewith, be and the same are hereby rescinded to the extent of such conflict.


SECTION 6. That this resolution shall take effect immediately upon its adoption.

ADOPTED this 15th day of February, 2022.



Mayor
DEAN J. TRANTALIS

ATTEST:



City Clerk
DAVID R. SOLOMAN

APPROVED AS TO FORM:



City Attorney
ALAIN E. BOILEAU

Dean J. Trantalis	<u>Yea</u>
Heather Moraitis	<u>Not Present</u>
Steven Glassman	<u>Yea</u>
Robert L. McKinzie	<u>Not Present</u>
Ben Sorensen	<u>Yea</u>