

RESOLUTION NO. 13-1104

A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF MIAMI LAKES, FLORIDA, URGING THE MIAMI-DADE COUNTY BOARD OF COMMISSIONERS AND COUNTY MAYOR TO OPPOSE CONTRACTING THE "AIRPORT CITY" PROJECT TO A COMPANY THAT VIOLATES THE INTENT OF CS/CS/HB 959 PROHIBITING THE STATE AND LOCAL GOVERNMENTS FROM ENTERING INTO CONTRACTS WITH COMPANIES ENGAGED IN BUSINESS OPERATIONS IN CUBA OR SYRIA

WHEREAS, Cuba is a totalitarian police state which relies on brutally repressive methods to maintain control including torture, prolonged incarceration and murder of its citizens as well as intense physical and electronic surveillance of both Cuban nations and foreign visitors; and

WHEREAS, Syria is a barbaric regime that harasses and imprisons human rights activists and other critics of the government, including savagely slaughtering its own people to maintain power; and

WHEREAS, both Cuba and Syria are considered by the United States Department of State as state sponsors of terrorism; and

WHEREAS, HB 959 as enrolled and signed by Florida Governor Rick Scott in 2012 is an expression of the legislative intent and will of the State of Florida, to not do business with companies that are engaged in business operations and foster economic activities with state sponsors of terrorism such as Cuba and Syria; and

WHEREAS, numerous other states throughout the country have successfully enacted similar legislation to HB 959; supermajority margin of 62.42% in favor to 37.58% against;

WHEREAS, Odebrecht International, a Brazilian company, is currently one of the Cuban military's largest business partners, in gross disregard to the repression and slave labor conditions the Cuban people are condemned to;

WHEREAS, Odebrecht International has been given concessions by Cuba's military dictatorship over the critical Port of Mariel and the nationalized sugar industry;

WHEREAS, Odebrecht International has expressed no desire to end its business relationship with Cuba's brutal military;

WHEREAS, Odebrecht International, through its wholly-owned subsidiary Odebrecht USA, in defiance of the clear public will and intent of the Florida Legislature and supermajority of voters in Miami-Dade County, filed a lawsuit against implementation of HB 959, which said lawsuit is currently pending through the federal appellate court system; and

WHEREAS, notwithstanding the outcome of the aforementioned Odebrecht USA pending lawsuit, the government of Miami-Dade County has no legally binding requirement to enter into contracts with companies engaged in business operations in Cuba or Syria as defined in HB 959 (such as Odebrecht USA), and thus may choose to do business with other companies not in violation with the intent and spirit of HB 959;

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL MEMBERS OF THE TOWN OF MIAMI LAKES, FLORIDA, AS FOLLOWS:

Section 1. Recitals. The above recitals are true and correct and are incorporated herein by this reference.

Section 2. Upholding the Intent of Legislation. That this Council urges the Miami-Dade County Board of Commissioners and the Miami-Dade County Mayor to uphold the intent of HB 959 as signed into law in 2012. Specifically, this Board urges the Miami-Dade County

Commission and the Miami-Dade County Mayor to issue a competitive bid process for companies that do not thwart and undermine the will of a supermajority of voters in Miami-Dade County and a supermajority of the Florida Legislature with respect to Regular Session 2012 HB 959. In particular, the Airport City pending project with the Miami International Airport should not be implemented with any company that is not in accord with HB 959.

Section 3. Transmittal. This Board further directs the Clerk of the Board to transmit a certified copy of this resolution to the President of the United States, the members of the Florida Congressional Delegation, the Governor of the State of Florida, the Board of Miami-Dade County Commissioners, and the Mayor of Miami-Dade County. The Prime Sponsor of the foregoing resolution is Councilman Nelson Hernandez.

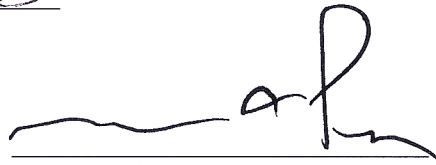
Section 4. Effective Date. This Resolution shall become effective immediately upon adoption hereof.

PASSED AND ADOPTED this 12 day of MARCH 2013.

Motion to adopt by Councilmember N. Hernandez second by Mayor Pizzi.

FINAL VOTE AT ADOPTION

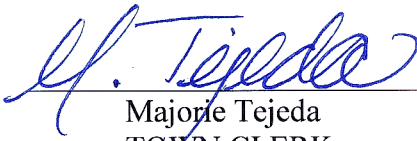
Mayor Michael Pizzi	<u>yes</u>
Vice Mayor Caesar Mestre	<u>yes</u>
Councilmember Manny Cid	<u>yes</u>
Councilmember Tim Daubert	<u>yes</u>
Councilmember Nelson Hernandez	<u>yes</u>
Councilmember Tony Lama	<u>yes</u>
Councilmember Nelson Rodriguez	<u>yes</u>



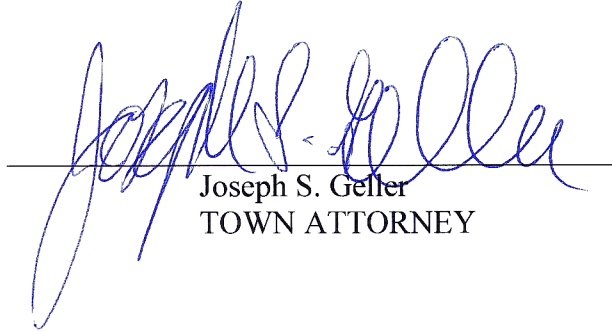
Michael Pizzi
MAYOR

Attest:

Approve as to Form and Legal Sufficiency:

A handwritten signature in blue ink, appearing to read "M. Tejada", written over a horizontal line.

Majorie Tejada
TOWN CLERK

A handwritten signature in blue ink, appearing to read "Joseph S. Geller", written over a horizontal line.

Joseph S. Geller
TOWN ATTORNEY