

**RESOLUTION NO. 2018-R-155**

**A RESOLUTION OF THE MAYOR AND CITY COUNCIL  
OF THE CITY OF NORTH MIAMI, FLORIDA, OPPOSING  
THE PROPOSED FEDERAL PUBLIC CHARGE RULES  
CHANGES; PROVIDING FOR TRANSMITTAL;  
PROVIDING FOR AN EFFECTIVE DATE AND FOR ALL  
OTHER PURPOSES.**

**WHEREAS**, the federal government is proposing changes to the “public charge” rules;  
and

**WHEREAS**, Public Charge is a test that influences the decisions on admission to the United States in that the federal government can deny an individual entry into the United States or adjustment to legal permanent status if he or she is determined to become a public charge; and

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**WHEREAS**, the current definition of “public charge” is a person who has become or is likely to become primarily dependent on the government for subsistence. Under the current policy, the only benefits considered in the public charge test are cash assistance and government-funded long-term institutional care; and

**WHEREAS**, on October 10, 2018, the federal Department of Homeland Security (“DHS”) published proposed rule changes that expands the programs that the government would consider in a public charge determination and drastically change the definition of public charge to include anyone who is likely to use more than a minimal amount of cash, health, nutrition or housing programs; and

**WHEREAS**, the proposed rules would make it much more difficult for low and moderate income immigrants to get a green card, extend or change their temporary status in the U.S.; and

**WHEREAS**, additionally the proposed rules will impact immigrant families, as they will be afraid to apply for critical health, housing, and nutrition programs like Medicaid, SHIP, and the Supplemental Nutrition Assistance Program (“SNAP”); and

**WHEREAS**, many of the people who leave the federal programs due to their fear of the rule will move to state or local programs, creating a huge burden on state and local government and on private healthcare providers and hospital systems; and

**WHEREAS**, Miami-Dade County will be disproportionately impacted by the new rule as it is not only the most populous county in Florida, but more immigrants reside here than any other part of the state with 60% of residents that are foreign-born and 28% that are noncitizens; and

**WHEREAS**, immigrants make substantial contributions to the local community in diversity, cultural understanding, education, innovation and employment, and the proposed rule ignores these contributions by barring all but the wealthiest from immigrating; and

**WHEREAS**, a value of our nation and the City of North Miami is opportunity; immigrants have come to this country and this city with little, and over time, have contributed to our communities and improved their lives and the lives of their families; and

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**WHEREAS**, the Mayor and City Council of the City of North Miami strongly oppose the proposed rule change or any similar regulation that would change the public charge policy in a way that would disproportionately impact immigrant families.

**NOW THEREFORE, BE IT DULY RESOLVED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF NORTH MIAMI, FLORIDA:**

**Section 1.** **Mayor and City Council Recommendation.** The Mayor and City Council hereby oppose the proposed rule change or any similar regulation that would change the public charge policy in a way that would disproportionately impact immigrant families.

**Section 2.** **Direction to City Clerk.** The City Clerk is directed to transmit certified copies of this resolution to the Members of the Miami-Dade State Legislative Delegation, the Governor of the State of Florida, and state representatives and senators.

**Section 3.** **Effective Date.** This Resolution shall become effective immediately upon adoption.

**PASSED AND ADOPTED** by a 4-0 vote of the Mayor and City Council of the City of North Miami, Florida, this 27th day of November, 2018.

DR. SMITH JOSEPH  
MAYOR



ATTEST:



MICHAEL A. ETIENNE, ESQ.  
CITY CLERK

APPROVED AS TO FORM  
AND LEGAL SUFFICIENCY:



JEFF P. H. CAZEAU, ESQ.  
CITY ATTORNEY

~~SPONSORED BY: COUNCILMAN SCOTT GALVIN & COUNCILMAN ALIX DESULME~~

Moved by: Galvin

Seconded by: Keys

**Vote:**

|                                     |               |       |               |             |
|-------------------------------------|---------------|-------|---------------|-------------|
| Mayor Smith Joseph, D.O., Pharm. D. | <u>  X  </u>  | (Yes) | <u>      </u> | (No)        |
| Vice Mayor Carol Keys, Esq.         | <u>  X  </u>  | (Yes) | <u>      </u> | (No)        |
| Councilman Scott Galvin             | <u>  X  </u>  | (Yes) | <u>      </u> | (No)        |
| Councilman Philippe Bien-Aime       | <u>  X  </u>  | (Yes) | <u>      </u> | (No)        |
| Councilman Alix Desulme             | <u>      </u> | (Yes) | <u>      </u> | (No) Absent |