



City of Coral Gables

2023 **DRAFT** Legislative Priorities

Policy

PRESERVATION OF HOME RULE & PREEMPTION OF LOCAL REGULATIONS

- Oppose legislation that would preempt local governments from legislating, regulating, or acting on matters of local concern in the interest of the health, safety, and welfare of their communities.

BERT HARRIS ACT

- Oppose further changes to the Bert J. Harris Jr. Private Property Rights Protection Act that would disadvantage local governments and limit the city's ability to quickly resolve claims.

SOVEREIGN IMMUNITY

- Oppose legislation that would increase the \$300,000 per-occurrence limit on the collectability of judgments against government entities and/or eliminate the \$200,000-per-claimant limit contained in Section 768.28, F.S.

EMERGENCY POWERS

- Support repeal of SB 2006 (2021) which amended Section 252.38, Florida Statutes, to limit the city's ability to enact and enforce local emergency orders and provides for the automatic expiration of local emergency orders.

BISCAYNE BAY

- Support legislation that prioritizes the health and protection of Biscayne Bay and allocates needed funding for the Bay's conservation.

COMMUNICATIONS SERVICES TAX AND LOCAL BUSINESS TAX PROTECTION

- Support legislation that protects general revenues collected from the communications services tax and the local business tax.

VACATION RENTALS

- Oppose legislation that would further preempt local governments from regulating vacation rentals.
- Preserve the grandfather clause in Section 509.032(7)(b), Florida Statutes, which allows local regulations adopted on or before June 1, 2011 to remain in effect.

ASSAULT WEAPON AND HIGH CAPACITY MAGAZINES

- Support legislation that would ban the sale of semi-automatic assault weapons in the State of Florida.
- Roll back the arduous penalty provisions in Section 790.33, Florida Statutes, including but not limited to provisions related to declaratory judgments, civil fines, termination of employment, personal cause of action and the limitation on the use of public funds.
- Amend Section 790.33, Florida Statutes to allow municipalities to enact common-sense zoning regulations that encompass firearms businesses.

POLYSTYRENE AND SINGLE-USE PLASTIC BAGS

- Support the amendment of Sections 403.7033 and 500.90, Florida Statutes to eliminate preemptions of local law relating to the regulation of auxiliary containers, wrappings, disposable plastic bags, and polystyrene.
- Support legislation that would prohibit the use of single-use plastic bags and polystyrene containers statewide.
- Support Agricultural Commissioner Nikki Fried's plan for reduction of the use of polystyrene materials by grocery stores, markets, and convenience stores etc.

ZONING AUTHORITY AND BUILDING DESIGN ELEMENTS

- Oppose legislation that would preempt a local government's authority to enact zoning regulations, including regulating building design elements for one-and two-family dwellings
- Preserve the carve out in Section 163.3202, Florida Statutes for cities with architectural review boards.

HOME-BASED BUSINESSES

- Support repeal of HB 403 (2021), which enacted broad state preemptions on the regulation of home-based businesses via Section 559.955, Florida Statutes.

- Preserve the City's ability to enforce the Americans with Disabilities Act (ADA), Florida Building Code, and Florida Fire Code as applied to home-based businesses.

VIRTUAL MEETINGS

- Support legislation that would allow for the automatic suspension of in-person quorum requirements so local government bodies, boards, and committees can safely conduct official business during a declared public health emergency.
- Support legislation that would allow a member of a local government body, board, or committee, to participate in a meeting via virtual or teleconferencing technology absent an extraordinary circumstance, when a physical quorum of the board is otherwise present.

TRANSPORTATION

- Support legislation that preserves local control of transportation planning and provides for a more equitable transportation funding formula between municipalities and counties, including additional dedicated revenue options for municipal transportation infrastructure and transit projects. Support legislation that allows municipalities to receive transportation infrastructure grants and moneys directly from the State, bypassing distribution on a County level.
- Support legislation and appropriations to fully fund the Underline Project, and the Miami-Dade SMART plan.

SMALL CELL WIRELESS

- Support legislation that preserves the City's ability to exercise its home rule authority to control use of its rights-of-way for communications facilities, including small cell facilities.
- Support the City's ability to exercise authority over City-owned poles in its rights-of-way.
- Oppose legislation that would expand the preemption of home rule authority already within the Advanced Wireless Infrastructure Deployment Act.

RISK PROTECTION ORDERS

- Support legislation that preserves the city's ability to enhance public safety by restricting firearm and ammunition possession by a person who poses a significant danger to himself or herself or others, and support legislation that requires persons under Risk Protection Orders to demonstrate there is no further significant danger to himself, herself, or others before a Risk Protection Order is terminated.

- Support legislation that broadens the categories of individuals who can seek Risk Protection Orders based on biological or legal relationships.

CLARIFICATION OF “BEST EFFORTS” TO SUPPORT THE ENFORCEMENT OF FEDERAL IMMIGRATION LAW

- Support the repeal of Section 908. 104, Florida Statutes or in the alternative support legislation that clarifies the term “best efforts” of a local law enforcement agency.

EXPANSION OF PACE PROGRAMS TO FINANCE SEPTIC TO SEWER CONVERSION

- Amend Section 163.08, Florida Statutes to expand the list of qualifying improvements that may be financed through Property Assessed Clean Energy (PACE) programs to include conversion from septic tanks to sewer systems and other sewage treatment improvements.

REAL ESTATE

- Support legislation that would create a mandatory septic tank inspection for real estate transactions.

LOCAL OPTION FUEL TAX

- Support legislation that adds to the allowable uses for local option fuel tax proceeds.

CULTURAL ARTS

- Support legislation that promotes and funds arts & culture programs and facilities to preserve access to the cultural, educational, and economic benefits of the arts.

REDUNDANT POLES

- Amend Section 366.97, Florida Statutes to require attaching entities to remove their pole attachments from redundant poles within 180 days after receipt of notice that pole is to be removed and eliminate the pole owner’s ability to transfer ownership of the pole to the attaching entity for failure to remove attachments.

HOURLY RENTALS

- Amend Section, Florida Statutes that clarify that public lodging establishments may not charge hourly rates or fractional rates for room rentals and specific penalties for establishments that violate this prohibition.

DEMOLITION OF HISTORIC HOMES

- Support the repeal of recent amendments to Section 553.79, Florida Statutes that preempt the City's ability to meaningfully review, restrict, or deny demolition permits for historic homes in certain flood zones that are at or below base flood elevation.

CARBON BORDER ADJUSTMENT

- Urge the Florida Legislature to support the adoption of a national carbon border adjustment mechanism to address climate change and level the playing field for American producers and manufacturers of high carbon goods.

Funding

\$600k for a citywide bridge repair program (match \$200k)

\$1.5 million for Fire Station 4 (match \$7 million)

\$500k for citywide roadway milling and resurfacing (match \$500k)

\$500k for ADA improvements to trolley stops (match 500k)

\$700k for force main replacement program (match \$700k)

\$500k Venetian Pool Repairs (match 500k)

\$500k hurricane hardening of Coral Gables "disaster recovery center" (match \$100k)

\$500k for the City Hall Annex (match \$500k)

FRDAP GRANT: \$200k for Phillips Park