

**City of Coral Gables City Commission Meeting**  
**Agenda Item F-3**  
**October 14, 2025**  
**City Commission Chambers**  
**405 Biltmore Way, Coral Gables, FL**

**City Commission**

**Mayor Vince Lago**  
**Vice Mayor Rhonda Anderson**  
**Commissioner Melissa Castro**  
**Commissioner Ariel Fernandez**  
**Commissioner Richard D. Lara**

**City Staff**

**City Attorney, Cristina Suárez**  
**City Manager, Peter Iglesias**  
**City Clerk, Billy Urquia**

**Public Speaker(s)**

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Agenda Item F-3 [Start: 12:59 p.m.]

A Resolution of the City Commission authorizing participation in a lawsuit seeking, among other things, to declare that Senate Bill 180's imposition of a blanket statewide prohibition on the exercise of Home Rule Authority over land use and zoning regulations, is unconstitutional and should be enjoined, and retaining Weiss Serota Helfman Cole + Bierman, Pl to prosecute the lawsuit; and providing for an effective date. (Sponsored by Vice Mayor Anderson)

Mayor Lago: All right, Mr. Clerk, moving on to the next item, F-3.

City Attorney Suarez: F-3 is a resolution of the City Commission authorizing participation in a lawsuit seeking among other things to declare that Senate Bill 180 is in position of a blanket statewide prohibition on the exercise of Home Rule authority over land use and zoning regulations is unconstitutional and should be enjoined in retaining Weiss, Sirota, Huffman, Cole and Bierman to prosecute the lawsuit; and providing for an effective date.

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[Date]

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Vice Mayor Anderson: So I brought this forward after receiving the email from our City Attorney about multiple cities having joined in a lawsuit to address SB 180 as it is much broader and preemptive over our Home Rule than prior legislation from the State of Florida and that there are a number of issues with SB 180 that I'm going to allow the City Attorney to address with us directly here, but I think it's time for us to join in. We have an opportunity to do so with a fee cap that, in my opinion, is quite reasonable and allows us to be able to have a voice on this critical issue. So, with that, City Attorney, I'll ask you to speak on this.

City Attorney Suarez: Thank you, Vice Mayor. And so, Mayor, with your permission, I'll just give a little bit of an overview because we talk a lot about Home Rule authority, and we talk a lot about a preemption. I think sometimes people listening, we talk this talk, but it's maybe not that clear to people who are listening. So, Home Rule authority is a broad grant of power that's given to cities and counties in Florida pursuant to the Florida Constitution and statutory authority. It allows cities to enact ordinances and other regulations without having the approval of the state. And it covers a broad range of topics that serve a municipal purpose, and that is really how we're able to govern day to day. The principle of Home Rule authority is rooted in the notion that the government that's closest to the people knows what specific regulations are appropriate for their community. So, for example, what may be an appropriate regulation in a rural community in North Florida, it's probably not the most appropriate regulation for a community like Coral Gables. So, then we have SB 180, which was enacted this past legislative session, and it purports to relate to emergencies, but really it goes well beyond that. It is a massive intrusion into our Home Rule authority. Most significantly, it restricts the ability of cities and counties to enact land use regulations. So, land use and planning are one of the areas that are one of the most fundamental areas that cities can regulate. And this SB 180, it restricts our ability to enact land use regulations that are deemed to be, and this is the language, more restrictive or burdensome. So, this lawsuit that has already been filed, there's a number of counties and cities that are already plaintiffs in that lawsuit. It challenges the state's enactment of that as unconstitutional. On various grounds, the most significant ones are that it's a preemption, meaning that the state is taking away our ability to legislate here. That's why we're being preempted. One ground is it looks back to August 2024. So, any legislation that we've already enacted, any ordinance or regulation going back to August of 2024 is deemed void ab initio. So, we could have enacted something that was absolutely appropriate at the time. It was not preempted, but the state has said, we're going to go back and say that you cannot do that. It's void ab initio. Moreover, going forward, and it's in place through August of, I'm sorry, through 2027, we cannot, once again, enact a regulation that is deemed more restrictive or burdensome. That is very vague language. What does that mean? Who would say that it's more restrictive on whom? There are many questions here, and it's simply a preemption that when you have an express preemption, it has to be more specific than that. And so those are the main grounds. Additionally, SB 180 creates a private cause of action for someone to sue a municipality and be able to basically be entitled to attorney's fees if they're successful. So again, there is a flat fee for joining this lawsuit.

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It's been provided in the materials to you, and it would be to challenge basically this, to challenge SB 180 as unconstitutional.

Vice Mayor Anderson: So, I'm just going to follow up in saying that a number of our residents have been many times urging us to do something on preemptions that the state has done. This one, in my humble opinion, was an overreach in SB 180, overbroad, and it restricts this body from doing what it needs to do best, and that is listen to the people and make sure that our municipalities comply with what is compatible for our cities going forward. So, with that, I'd urge you to support this. Make the motion, and I'd love to hear your comments.

Commissioner Castro: I'll move it.

Vice Mayor Anderson: I made the motion.

Commissioner Castro: Yeah.

Vice Mayor Anderson: Okay.

Commissioner Castro: I'm sorry, I second.

Vice Mayor Anderson: Okay.

Mayor Lago: Okay.

Commissioner Fernandez: I think, when I was up there in Tallahassee last year, this was something that the Florida League of Cities and the Miami-Dade League of Cities were both up there advocating against. We've definitely seen this continued growth on Home Rule intrusion, but this definitely was an overreach. I generally don't believe that we should be suing, but in this case, we need to take a stand, and I'm supportive of that measure for that reason.

Mayor Lago: Mr. Clerk, do you have any public comment?

City Clerk Urquia: No, Mr. Mayor.

Mayor Lago: All right, we have a motion and a second.

City Clerk Urquia: Commissioner Fernandez: Yes.

Commissioner Lara: Yes. So, this does seem to me echoing Vice Mayor's thoughts, and the beginning of what looks to me has been a trend of incursion on Home Rule, and this one, it passed. It looks like it's just going to swallow up under the guise of some other type of description, but when you look at it, it is going to be a decidedly difficult battle should the Commission approve the Vice Mayor's resolution, but it's one that I think is worth pursuing, so yes.

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Vice Mayor Anderson: Yes.

Commissioner Castro: Yes.

Mayor Lago: Yes. Thank you.