



City of Coral Gables

2022 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 2000 (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, the declaratory judgement provision, civil fine provision, limitation on the use of public funds, termination of employment provision and personal cause of action provision.
- Amend Section 790.33, Florida Statutes to allow municipalities to enact common-sense zoning regulations that encompass firearms businesses.

PRINCIPLES OF INCLUSION

- Support legislation that promotes principles of inclusion, including but not limited to, respect for the inherent dignity of individuals, non-discrimination, equality of opportunity, accessibility, equality between men and women, respect for the evolving capacities of children with disabilities and respect for the right of children with disabilities to preserve their identities.

POLYSTYRENE AND SINGLE-USE PLASTIC BAGS

- Support the amendment of Section 403.7033, Florida Statutes and Section 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's Nikki Fried's plan for reduction of the use of polystyrene materials by grocery stores, markets, and convenience stores.

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 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 to home-based businesses.

VIRTUAL MEETINGS

- Support legislation that would allow for the automatic suspension of in-person quorum requirements for local government bodies, boards, and committees to meet in order to conduct official business during a declared public health emergency, provided the public is afforded access to such meetings.
- 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 and supports the city's ability to exercise authority over city-owned poles in the rights-of-way.
- Oppose legislation that would expand the preemption of city 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.

PROTECTION OF CITY'S TREE CANOPY

- Support repeal of Section 163.045, Florida Statutes as it preempts the city's efforts to preserve its lauded and historic tree canopy and prevents the city from mitigating losses to the City's tree canopy.
- In the alternative, amend current law to apply only to developed single-family residential property, identify industry-appropriate standards for assessing tree risk and clearly define "danger to persons or property", and identify necessary documentation, to reduced fraudulent reporting and inappropriate removal of trees and better serve the Legislature's intent of facilitating the removal of trees that are truly hazardous.

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.

FLORIDA BUILDING CODE

- Support the creation of a statewide 30-year recertification process similar to Miami-Dade County's process that additionally requires structural engineers and electrical engineers to complete reports for threshold buildings.

- Eliminate a Homeowner's Association's (HOA) ability to waive statutory cash reserve requirements.
- Support the imposition of an affirmative notification requirement on private engineers to report life safety issues to local building officials within a defined amount of time.

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.

MDCPS- POLICY PRIORITIES

- (PLACE HOLDER) The City of Coral Gables supports Miami-Dade County Public School Board's top priorities including:

Funding

MOBILITY HUB

The City is seeking \$975,000 in matching funds for the electric vehicle charging stations (EVC) and photovoltaic panels (PVP) on the new state-of-the-art Mobility Hub. These components are a critical part of the project and will drastically reduce vehicular carbon emissions in the City, power lighting within the hub, and energize the activated rooftop. The Hub will be a one-of-a-kind mobility facility for public use.

REMEDIATION OF INCINERATOR SITE

The City is seeking \$925,000 in matching funds for environmental remediation of a City facility where an incinerator building, combustion chambers, and an incinerator stack were once located. The structures were demolished in 2005, however, the site was never remediated environmentally. Among existing contaminants found in groundwater analysis are lead, dioxin, and dibenzofurans. By providing an environmentally safe facility, workers will be exercising duties in a clean air environment and groundwater contamination will be halted.

SEPTIC TO SEWER MASTER PLAN

The City is seeking \$375,000 in matching funds to complete a comprehensive citywide septic to sewer conversion assessment. The City estimates that over 7,400 properties are currently on septic tanks. The City recognizes that due to the potential future conditions/impacts associated with sea level rise and storm surge that a plan must be put into place to alleviate potential septic tank failures and the release of nutrients into the environment and local water bodies, including Biscayne Bay.

STORMWATER MANAGEMENT MASTER PLAN

The City is seeking \$500,000 in matching funds for a Stormwater Management Masterplan. The goal of the masterplan is to assess the City's current stormwater system, parts of which have been in existence for nearly 100 years and address current flooding problems and/or areas where future challenges may occur. The plan will recommend design standards for new developments, transportation, water quality, floodplain mitigation, swales, inadequate structures, etc.

VENETIAN POOL PUMP REPAIRS

The City is seeking \$500,000 in matching funds to replace the pump system at the historic Venetian Pool. This project consists of replacing existing supply and injection pumps including all associated conduits, valves and electrical work. The north supply well will be abandoned and a new supply well will be constructed. The pump control room will be retrofitted to service new equipment as well as to provide an efficient and safe operation.

FRDAP GRANTS: Toledo & Alhava Park \$200k; Blue Road Park \$200k

