

CITY OF CORAL GABLES, FLORIDA

RESOLUTION NO. 2019-133

A RESOLUTION OF THE CITY COMMISSION OF CORAL GABLES, FLORIDA URGING GOVERNOR RON DESANTIS TO VETO HOUSE BILL 1159, A BILL RELATED TO TREE TRIMMING AND REGULATION.

WHEREAS, House Bill (HB) 1159 would detrimentally affect the City's emblematic tree canopy and its ability to enforce its Tree Protection Ordinances, Zoning Code minimum landscaping requirements, and guard against abusive development practices; and

WHEREAS, HB 1159 prohibits local governments from requiring a notice, application, approval, permit, or fee, for the pruning, trimming, or removal of a tree on residential property if the property owner obtains documentation from a certified arborist or a Florida licensed landscape architect that the tree presents a danger to persons or property; and

WHEREAS, the Bill also prohibits a local government from requiring a property owner to replant or "mitigate" a tree that was pruned, trimmed, or removed in accordance with the bill; and

WHEREAS, the legislation also removes the requirement that a property owner receive approval by the local government before requesting an electric utility to maintain vegetation in the adjacent utility right-of-way; and

WHEREAS, HB 1159 does not contain a carve-out provision for specimen trees, heritage trees or other protected species, as defined by local ordinance; and

WHEREAS, the Bill fails to define what constitutes a "danger to persons or property," imparting a tremendous amount of subjective discretion on individual landscape professionals in making a determination for removal; and

WHEREAS, the Bill's year-round applicability will likely result in mass tree removals immediately preceding hurricanes and other severe storm events, placing a significant strain on municipal resources and a danger to public safety;

NOW, THEREFORE, BE IT RESOLVED BY THE COMMISSION OF THE CITY OF CORAL GABLES:

SECTION 1. The foregoing "Whereas" clauses are hereby ratified and confirmed as being true and correct and are hereby made a specific part of this Resolution upon adoption hereof.

SECTION 2. That the City Commission hereby urges Governor DeSantis to veto HB 1159 and that the Mayor shall transmit a letter to the Governor enclosing this resolution.

SECTION 3. That this Resolution shall become effective upon the date of its passage and adoption herein.

PASSED AND ADOPTED THIS TWENTY-EIGHTH DAY OF MAY, A.D., 2019.

(Moved: Lago / Seconded: Keon)

(Yeas: Mena, Fors, Keon, Lago, Valdes-Fauli)

(Unanimous: (5-0) Vote)

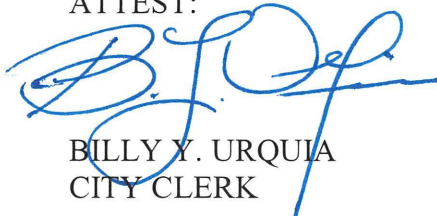
(Agenda Item: G-3)

APPROVED:



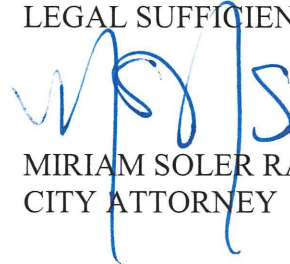
RAÚL VALDÉS-FAULI
MAYOR

ATTEST:



BILLY Y. URQUIA
CITY CLERK

APPROVED AS TO FORM AND
LEGAL SUFFICIENCY:



MIRIAM SOLER RAMOS
CITY ATTORNEY