

City of Coral Gables City Commission Meeting
Agenda Item H-10
March 11, 2025
Police and Fire Headquarters
2151 Salzedo Street, Coral Gables, FL

City Commission

Mayor Vince Lago
Vice Mayor Rhonda Anderson
Commissioner Melissa Castro
Commissioner Ariel Fernandez
Commissioner Kirk Menendez

City Staff

City Attorney, Cristina Suárez
City Manager, Alberto Parjus
City Clerk, Billy Urquia
Government Affairs Manager, Fernando Weiner

Public Speaker(s)

Jackson Rip Holmes

Agenda Item H-10 [4:41 p.m.]

Legislative Update on Preemptive Bills and other of interest

Mayor Lago: Moving onto H-10. Fernando, good afternoon.

Government Affairs Manager: Good afternoon, Fernando Weiner from the Manager's office, Government Affairs Manager for the City. I have a quick presentation on Bills of interest and focusing on preemptive Bills. We'll dive in. Like always, the objective here is to update the Commission, the community on legislative Bills that affect our city and our residents and provide a brief summary of the Bills as well as the position of the city. Now, as of last night at about 11 p.m. when I last checked, there are 1,833 Bills that have been filed, over 300 that have some sort of impact on the city or its residents. Trying to stay on top of that as much as I can, it's great to have teams like the Florida League of Cities, Miami-Dade County League of Cities that very much assist with this and share updates, so its great to have team-mates like that across the county and the state to help out. The trends that we're seeing very much like last time, a couple of weeks ago

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are a slue of preemptive Bills and that's the overarching category. Many of those Bills deal with land use and zoning, whether its timelines, whether its affordable housing Bills, like the third category says, there are a couple of election Bills mandating when elections must be held. There are several different tax exemption Bills within the Senate and the House raising property tax exemptions from the two \$25,000 amounts that are current law in Florida to \$75,000 to \$100,000, a study as to try to eliminate all property taxes. So, like I said, many of these Bills are coming up, but there are many different tax Bills that fall within this category; and then also, local business support. The business rent tax is focused where a couple of Bills are doing away or trying to do away with that tax, so that's something that's common. But today I only want to cover the preemptive Bills. We've talked about a couple of categories before, but today I really just like to focus on that category so we can focus on one area. So, the first thing that we'll discuss is the most recent amendment to the Live Local Act and that's House Bill 943 by Vicky Lopez. She's the Representative near here in Miami that we all know. This is a pretty comprehensive Bill that expands Live Local to multi-family areas. It's a Bill that also will permit religious institutions to build affordable housing. It will also change the way in which density, maximum lot size, floor area ration and height restrictions are applied, so that if any community on July 1st of 2023, after the Live Local Bill was passed, if they updated their code, now this will consider that and say, you cannot do that. It will control local communities that attempted to circumvent what Live Local did and say, hey, sorry, too late, your prior code is what will apply. There is another comparable Bill, like it says up there by Senator Calatayud, who is our Senator, Senate Bill 1730. It's not as expansive but has some of the similar provisions like no more moratorium where if there is, if you put into place, if the Commission puts something into place that either stalls or prohibits a development that fits within the workforce category that moratorium would be deemed illegal. So, a couple of these Bills coming through the door. Please stop me if you have any questions, but I'll just keep going. The next Bill that I have on here is an election date for municipal office Bill, and this is Senate Bill 1416, by Senator Nick DiCeglie out of Pinellas County. What this Bill does is mandate that elections be held during the General Election dates in November and if you have a Run-off, as we do in the city, then your first election will occur in August, eleven weeks prior to the General Election and then that Run-off will occur in the General Election dates. So, what this also does and says that in terms of vacancies and recalls, that's still left to the municipality to dictate, but then as well as, because we do ours in April what will happen if this is passed is that all those incumbents will carry their terms over from April until August when that first election will occur, so it will extend the terms of all sitting Commissioners. Mayor, do you have any questions, sir?

Mayor Lago: Yes, just one quick question. I see oppose, oppose, support, oppose, those who came from the Manager or those who came from the Commission.

Government Affairs Manager: This came from the Manager, yes sir.

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Commissioner Menendez: And just to make sure, those are preemptions.

Government Affairs Manager: All of these Bills here are preemptions, yes sir. And like I said, this is the position of the city. These are directives based on our legislative priorities that were drafted in the Manager's office and then approved by the Commission. These are things that go against Home Rules and again, it's not necessarily when it forces us to do it, it's that this is coming down from the State and preempting our control over these specific areas of municipal government. Any other questions.

Mayor Lago: A statement that I'd like to make is in regard to the issue of the real property of land use and development, the HB 943. That makes the Bill even stronger than last year, correct.

Government Affairs Manager: Yes sir.

Mayor Lago: Not watering down the Bill.

Government Affairs Manager: No sir.

Mayor Lago: Because I had a conversation with some residents in the waterway that I was visiting them and I'm walking door-to-door and we had a long conversation and met with them, and they were under the false impression that that Bill was being watered down, and it actually was not being watered down. It's actually been strengthened.

Government Affairs Manager: Right.

Mayor Lago: It's a Bill that we obviously oppose, but it's only getting stronger.

Government Affairs Manager: And to that point, I'll add another thing, that now that also will require municipalities to not only permit but pass an ordinance that allows accessory dwelling units, efficiencies, and then you cannot raise parking restrictions and that also is part of that moratorium where if you're putting together something that will stall development that is prohibited as well. I'll go into a Bill later on that was just voted on in one of the committees today that passed 15-0 requiring that as well. So that's a common theme that is looking likely to pass in the State. So, I'll keep going. The next one is unlawful demolition of historical buildings and structures. That's Senate Bill 582, and then Thomas Leek is from the Flagler/Putnam and St. John's Counties up in northeastern Florida. This Bill, what it does is that it allows municipalities either through a Special Magistrate or a Code Enforcement Board to issue additional fines for anybody that demolishes a building on the National Historic Registry and then also, it caps those fines, so that its not more than 20 percent of the just value of the property, but it gives us more control as a municipality to prevent demolition of these properties, so this is something that the city supports. There is an identical Bill by one of the House members, his name is Sam Greco, and he is also from the Flagler and St. John's area.

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Vice Mayor Anderson: Quick question. You said designated nationally not locally.

Government Affairs Manager: National is what it says, yes ma'am.

Vice Mayor Anderson: Alright.

Government Affairs Manager: Okay, the next Bill on here is stormwater management systems. Now this doesn't necessarily change the way that we operate our stormwater management systems, it just includes an additional annual reporting requirement that by June 1st of every year we have to report to the State the Division of Emergency Management the way that our stormwater management systems are being operated and then also it gives the Division of Emergency Management the ability to adopt rules as to how they want that reporting to be done and its just another layer of bureaucracy that we have to deal with at the city level. Not a major issue, because like I said, it's just reporting, but just another thing that we're seeing from the state that they need over-reporting from us and almost seems like they don't trust us to manage our own cities. The next thing on here is HB 579, which is by Toby Overdorf, a Representative from St. Lucy and Martin County in the southeast here. This is a decently comprehensive Bill as well. I know Commissioner Castro; you raised concern about this. What this does is a couple of things. So, it requires municipalities to make clear what their application requirements are, so when applications are filed, building permits, when people are applying to build in the city, we have to make it clear what qualifies as complete applications so then certain timetables can come into play, and then also, we have, like I said, certain timetables that come into play, so one of them is receipt of a complete application. The city has five days to tell whoever that applicant is that we have received a complete application, and then within 30 days, we must review it for completeness and notify of any deficiencies, and then it's either 120 days or 180 days based on whether there's a requirement for a public peering for whatever the development is. So, another set of these mandates requiring us to be in a sense more efficient, because the state is seeing that these municipalities are too inefficient with our review process and its heavy-handed control coming down from the state.

Mayor Lago: I haven't read this Bill, but my question to you would be, and you don't have to answer me now, just find out about it and you can talk to the Manager's office, and that is, you have these restrictions that are put on cities where you are requiring 30-day deadlines, 5-day deadlines, are they allowing for us to be able to charge a little more for that kind of requirement or is it just, you have to continue to charge the same amount?

Government Affairs Manager: I don't have the complete answer for you now.

Mayor Lago: Find out about it because again, are they talking about offering an expedited service for review or are they talking about across the board, you have to meet these guidelines and that's it, you can't charge more, because if you are going to be making these requirements of staff to process all these documents in 30 days, you are going to have to need more man power.

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Government Affairs Manager: This is not about expedited review though. This is a standard review.

Mayor Lago: I know. I'm just thinking out loud, because if you're going to tell me you are going to have to address all the things that come into these offices every day, plus do everything else you're doing, I don't understand how they are going to be able to meet those deadlines, especially in large cities. You are going to have to hire more people, it's going to cost you more money. I'm all about efficiency. I think it's great. That's the private sector mentality, but there are also limitations.

Commissioner Castro: I had a meeting with Doug, Fernando, Joe Gomez, and who else was there, Cristina. We addressed all these matters, and we really looked into the things that or the process of how we should be addressing these Bills, if passed, or the ones that have passed. So, I don't know if maybe you can go ahead and have the same meeting, and they'll update you with what we're going to do.

City Manager Parjus: If I may. I think that it would be a healthy exercise that in the future when these Bills come along that we have in this forum, go over the Bills and rather than having a suggestion of opposed or approve by Fernando that we discuss it first and get the additional information and you as a body decide which should we present as opposed or approve.

Commissioner Castro: I would like that idea.

Vice Mayor Anderson: I think its an excellent idea, especially if we can have it, a meeting ahead of time to get the background.

Mayor Lago: Fernando.

Government Affairs Manager: Okay. I'll move onto the next Bill. That has a very similar Bill, the House Bill I just described, the development permits and orders. It's a Senate Bill. Let me back-track for a second. The reason I mentioned whether there are similar or identical Bills to the Bills I'm mentioning is because, as we've seen in years past, if there is a matching Bill from the other House, the other Chamber of the Legislature, it's more likely to succeed. There is group think. There is some collaboration across the board and it's a topic that has greater support rather than individual Bills that were filed individually, like the election Bill that I mentioned earlier. That Bill does not have a matching Bill on the House side, so go ahead sir.

Commissioner Menendez: And there are a series of committees, they have to go through, sometimes they get stalled in committees, if I'm not mistaken.

Government Affairs Manager: Correct. Many Bills die in committees, so they'll be referred to, many of these Bills have been referred to three, four different committees. Obviously, they are not

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heard at the same time, they are scheduled throughout, and many Bills will die prior to even reaching either the Senate or the House floors. Some won't even receive a vote from the seven House floors. They go through their first reading; they get assigned to certain committees and if they survive the committee process then they'll come back and be voted on by the actual Chambers themselves. So, the next one is the building permits for single-family dwellings. This is Senate Bill 1128 by Blaise Ingoglia and he's from Citrus, Sumpter and Hernando County in the golf towards the middle of the state. This Bill is actually on a committee agenda for today, Community Affairs. The meeting is going on right now, so we'll get some feedback on where this is going to go. I discussed this with the attorney's office, with Stephanie, the Deputy City Attorney earlier, and it's an interesting Bill. What it says is that once a single-family residence or a single-family dwelling when a building permit is approved, that permit cannot expire until the next update of the Florida Building Code and the Florida Building Code is updated every single three years, so that's a significant amount of time. There is a second thing that occurs in this Bill as well. That if a permit application for construction of a dwelling is accompanied by a signature of somebody licensed within the state, then if there was an emergency event that occurred within the last 24 months, that is deemed to be per say approved and then the municipality has two days to approve that building permit. Very, very heavy-handed control, municipal control.

Commissioner Menendez: Pure chaos. It's ridiculous.

Government Affairs Manager: Not much more to say to that. This is another Bill from Esposito in the House. It doesn't have as much as the Senate Bill, but it's completely contained within the Senate Bill. So, the next thing on here is the public safety Bill. This is also a very concerning Bill for one main reason is that, it will consolidate all 911 dispatch systems throughout the state. So all 911 calls will be run through counties and this would occur in 2029, that's when this would take effect and there is an opt-out option, but the opt-out option wouldn't have anything to do with us, because its for more rural counties and let them opt out into a regional dispatch center that would then be able to pool resources with other counties. So, for a county like Miami-Dade County, it doesn't make much sense. It completely takes our police control. What would be the point of us having our own police department at that point. Lower Alabama, this is from Shane Abbott, who is up in the Walton, Washington, Jackson counties that has no experience with what Miami-Dade County looks like and works like. So, this is something that we very much need to push against.

Commissioner Menendez: How did that carve-out come into existence for certain. You said that if you are rural there is a carve-out.

Government Affairs Manager: So, the carve-out is if you are lacking the resources even within your county, Commissioner, I think that's the point, that even within your county you have insufficient resources to respond to all the issues within your own county, then you can opt out which really is not much of an opt-out. It let me get in a, basically a collective bargaining

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agreement here, a joint operating agreement with other counties and figure out how we can address the issues in our counties, but this totally takes control out of municipalities like ours and much more populous counties.

Commissioner Menendez: I would imagine that there is a lot of support from our position throughout at least South Florida, I'd imagine.

Government Affairs Manager: I'm hoping so. So, next week I will be in Tallahassee, and I know that Chief Hudak will also be in Tallahassee. He was here a minute ago and this is definitely an issue that we'll be bringing up to each of the legislators that we see.

Mayor Lago: I may see you there.

Government Affairs Manager: Okay. Great sir. The next one is an affordable housing Bill, and this is the housing Bill that I just mentioned having to do with accessory dwelling units. This housing Bill went through the committee on Transportation Tourism and Economic Development in the Senate and was just approved 15 to 0 and what this Bill does is that it requires all counties and municipalities to adopt ordinances permitting accessory dwelling units in single-family residential zones. Of course, the goal of this Bill is to increase the amount of affordable housing in communities and what it also does is that it disallows communities from imposing additional parking requirements beyond the existing standards. Like you see, it has a comparable Bill in the House. It passed with flying colors through the Senate's committee. Let's see what happens when it gets to the general body, unless there's another committee assignment. Another Bill that will be going in and voicing our opinion on in Tallahassee next week. The last Bill that I have on here is a House-joint resolution between the House and the Senate, which just means that it would be an amendment to the State's Constitution and what that would require is a three-fifths vote from each of the Houses and then would go to voters to a vote on whether they agree that this should be Constitutional change. And so, what this would do is that it would change up the succession of the Office of the Governor and what it's doing is getting rid of the Luitenant Governor's office. It's going to get rid of it and then there will be a Government Efficiency Officer within the Governor's Cabinet and that person's role would be to report on fraud, waste and abuse, and aiming to improve governmental operations in counties and municipalities. So, we would have a DOGE member come down to counties and municipalities and double-check our efficiencies. That's all I have.

City Manager Parjus: Just a question. Why are we opposing that one.

Government Affairs Manager: Its just another layer of bureaucracy that we have to respond to.

Mayor Lago: I wasn't asked whether I oppose that or not. I wasn't asked if I oppose all of these or any of these. At the end of the day, I leave it up to you guys.

City Manager Parjus: The issue with that is in the spirit of transparency and no fear, I will welcome anybody to comment on it.

Mayor Lago: I don't have an issue with it.

City Manager Parjus: Used as an example that we are...

Vice Mayor Anderson: I do have a question because there was a lot of talk. At least when I met with the Insurance Commissioner and other representatives from our delegation down south about having the Florida Building Code strengthened throughout the state. Has there been any traction on this being that the west coast was slammed with so many hurricanes and extreme damage due to really insufficient building code standards on the west coast.

Government Affairs Manager: In terms of the building code, I haven't seen any, Vice Mayor. I've seen a lot of tax credits to resiliency efforts from property owners that seems to be the theme, trying to get the fixes on that side, but the building code itself, no ma'am. I haven't seen anything having to do with the language in the code.

Vice Mayor Anderson: No additional strapping, no better trusses. Alright.

Mayor Lago: We have a public comment.

City Clerk Urquia: Yes, Mr. Mayor. I have a member of the public requesting to speak on this item, Jackson Holmes.

Mr. Holmes: Greetings. Thank you for letting me speak. I see we have a great employee here in Fernando Weiner. He is helping us see where the alarm buttons are in the state legislature. For me, the alarm button is the idea of forcing our – keeping us from having a standalone election as we've had for as long as I can remember and trying to force that into the General Elections. One of the signs of your excellence is that you've shown us that it's not in both Houses, if you will, it's not in both the House and the Senate, which means its probability is less, but its certainly is of great concern to me. So, I hope you'll be able to keep us informed. Thank you.

Mayor Lago: Thank you.

City Clerk Urquia: That's it, Mr. Mayor.

Mayor Lago: Thank you, Fernando. I appreciate your efforts. Thank you. Moving onto item...

Commissioner Fernandez: If I may, Mr. Mayor. Just wanted to piggyback on your comments and the Manager's comments. I don't think the city should take a stance on that last Bill. I don't think it affects us directly and I think we should be an open book when it comes to our city's finances. So, I don't think that we should have any official stance on that Bill.

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