## City of Coral Gables City Commission Meeting Agenda Item H-3 February 25, 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 Manager, Alberto N. Parjus City Attorney, Cristina Suárez City Clerk, Billy Urquia Governmental Affairs Manager, Fernando Weiner

## **Public Speaker(s)**

Agenda Item H-3 [12:27 p.m.]

Legislative Update on Preemptive Bills and other of interest.

Mayor Lago: In regards to the recap for Tallahassee and also the item which is H-3, you want to handle those together or do you want to hand them separately?

Commissioner Castro: H-3.

Vice Mayor Anderson: H-3, legislative update.

Mayor Lago: Want to do it together?

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Governmental Affairs Manager Weiner: Yes, sir.

Mayor Lago: Okay.

Governmental Affairs Manager Weiner: Mayor, Vice Mayor, Commissioner Fernando Weiner, Government Affairs Manager for the City. In terms of the recap, we'll run through that rather quickly. Commissioner Castro and I took a trip up with the Chamber of Commerce to Tallahassee on February 3rd and 4th. There's a -- there's a brochure that I want to pull up here. We took our City priorities and worked with the Chamber to present them to a handful of associations, as well as a list of representatives and senators to speak as to what efforts we are supporting this year and what we want more information on. So, as soon as the -- can we go to the brochure first? And again, this is just the list of City priorities. We've gone over this before. I just want to show you all what the pamphlets are. I got one of these each to your office. It's just the digital file of what this brochure looks like that we handed to each of these associations and representatives. All right, great. And if we could just cycle through it rather slowly. Not very large text, but that's okay. So, I'll just highlight a few of the things that we brought up while we were there. One, again, since we're there with the business community, we covered a lot of insurance matters, whether it's real property dealing with residential or commercial. We just want whatever grant programs, whatever loans can be, you know, granted to individual property owners to see what kind of alleviation process and efforts can be made. Also boating, you know, we met with Senator Garcia and Senator Garcia is a huge proponent of boating regulation and making sure that perpetrators are being properly punished for, you know, their malfeasance on the waterways. Another one was Live Local. Now, obviously, the City has a certain position on the Live Local Act, and the State Legislature almost unanimously is in support of affordable and workforce housing. So, as far as Live Local goes, it was much more of, hey, let us know what is going on up here so we understand what the efforts are going to be.

Mayor Lago: Can you do me a favor?

Governmental Affairs Manager Weiner: Yes, sir.

Mayor Lago: Through the Manager's Office, I'd like to add a tab, if possible, to our website because I received multiple phone calls this week about Live Local. There's a lot of misinformation, a lot, going around here in the City. I know it's politics season, but it's a lot. And people are talking that Live Local has already been adopted in multiple different projects, that certain projects in the City are going to go to 25, you know, 30 stories here in the City. So, you know, I would love to be able to, number one, have like a page where you go there and it says, what is Live Local? Shows the legislation. Who started the Live Local process? Where did it come from? How was it approved? So, it's kind of like a background. And then I'd like to see how we can address it, you know, whether there's been any projects in the City that have applied the Live Local legislation and have come before the City. I think that's good for everybody and we should start keeping tabs on what are the projects and to educate people. Has there been --

even if, say for example, there's an announcement that a project is not going to go via our Zoning Code...

Governmental Affairs Manager Weiner: Yes, sir.

Mayor Lago: And they're going to go Live Local, I'd like to see, you know, that project be placed front and center. This development, this developer is using the Live Local legislation to move forward. This is the plan proposal; this is where we're at. I'd also like to see, if I can, the positions, the positions that this Commission has taken, that I have personally taken, against the Live Local Act. What have we done? Where have we advocating? Where are we in regards to any future litigation, any issues like that, maybe that can be addressed through -- through our city attorney. Because I think it's -- I think it's critical that there be a strong message understanding that what's actually happening through this Commission in regards to the opposition for Live Local. A lot of misinformation and I don't think it bodes well for anybody because it talks a lot about -- about -you know, people were telling me there's 30-story buildings already coming for the Gables, that it was, you know, it was approved. They don't understand that with Live Local the City doesn't collect impact fees, doesn't collect taxes, there's a few things that we miss out on. So, I think it's important, it's important that we show a very clear, robust page for people to understand what is Live Local, who is responsible for it. I know there's a second iteration of Live Local that came before the state and we've been talking about that. And where do we currently stand as a city? What is our exposure, and if any projects have come through Live Local? I have not seen one project come through Live Local yet. So, that's my understanding.

Governmental Affairs Manager Weiner: Yes, sir. And just so you know, we do have such a webpage, we need to do a better job...

Mayor Lago: Yeah.

Governmental Affairs Manager Weiner: Disseminating that information. It has an implementation order that was signed at the end of last year, which just lays out the rights that developers have when it comes to Live Local. The idea is also to list out those projects as well, but as you requested, we'll list what the positions of the Commissioners have been.

Mayor Lago: I'd like it to come through the Manager and to be very clear what we've done and our positions in regards to the advocacy opposing Live Local and be very clear on that because I think we're falling short on that because there's a lot of misinformation in regards to, you know, that the City stands with Live Local, that we're not doing anything to oppose Live Local. So, I want to be very clear on that front.

Governmental Affairs Manager Weiner: Yes, sir.

Commissioner Menendez: Mr. Mayor...

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Vice Mayor Anderson: I just -- dovetailing on that, because there's a lot of confusion also that some of the projects that are surrounding us are actually City projects when it's not City land. So, through the Manager, I'd like you to consider putting a section in there to identify those projects on the perimeter, whether it be on US-1, Douglas Station, Sears property that surround Coral Gables, that this Commission unfortunately doesn't have any input on, and it was not a project that this Commission could control.

Commissioner Menendez: Can I --?

Commissioner Castro: Just to...

Commissioner Menendez: Go ahead, yes.

Commissioner Castro: Just to put on the record, I am working on a town -- Live Local town hall informational. I am waiting for an answer or confirmation of time and date from Senator Calatayud to go ahead and participate in this town hall. Probably also since, oh my gosh, State Representative Vicki Lopez, she is also spearheading it this session and I am talking to her as well to see if she can provide some informational insight in what she's working on and our residents are better informed.

Commissioner Menendez: If I may, I agree with my colleagues completely. It's important to educate and bring folks up to speed. I mean, we've had this discussion 10 years ago. Tallahassee was -- you know, you'd have one preemptive bill, now you have 10 or 20 and they actually pass. Back then they rarely passed. I think it's important to highlight for folks first before we get into Live Local, which is obviously the heart and soul of the issue, is explain to folks in terms that everybody understands what preemption is and how preemption not only impacts the City of Coral Gables but impacts every single city throughout the state of Florida. I don't want them to think that we're the only ones, but this -- these preemptions affect the entire state, including our neighbors to the -- South Miami, Key Biscayne, you name it. The other part is I think we could probably use at a lower scale ENEWS to have a section in ENEWS dedicated to the work that you do, to highlight certain issues, certain topics, just basic terms. And that way folks go to your page and learn a little bit about what the legislative process is and what the challenges are that the Mayor and the Vice Mayor and Commissioner Castro mentioned. The challenges of trying to get that messaging out so folks understand that we are, with our residents, trying to make right what sometimes Tallahassee makes wrong.

Commissioner Castro: I know we've spoken about it before, but we need to commence the interlocal agreements with the surrounding neighboring municipalities, cities. We spoke about it before, but I don't think we've engaged in any action. We need to stay better informed with what's going on in our borders.

Governmental Affairs Manager Weiner: Agreed.

Commissioner Castro: Maybe we could bring that on March 11th and see how we can communicate with them.

Governmental Affairs Manager Weiner: Okay.

Commissioner Castro: Find a mechanism.

Governmental Affairs Manager Weiner: Yeah, and that process has been started. You know, I'm in contact with the City of Miami. I've spoken with officials in West Miami so that we have an understanding. Also, when we met with Representative Omar Blanco, we have a conversation scheduled to discuss whether, again, this is something that we should do at the state level or if it should be something controlled at the local level through interlocal agreements. So, it is underway, but like you said, I can give you an update in the next Commission meeting.

Commissioner Castro: So, I did try to bring this up in the Florida League of Cities and their recommendation was to go -- to come into agreement with our neighboring cities.

Governmental Affairs Manager Weiner: Okay, Okay, great. So, the next thing that I was going to get to is the Chamber's priorities that they discussed. Main thing from them is economic development, making sure that legislators aren't coming down and touching the local business tax. Another topic that was recurring throughout all the meetings were the business rent taxes, which are going down from 4.5 percent to 2 percent on June 1st, and that's any kind of commercial rental, whether it's the space, the entire building itself. The state of Florida is one of the few states -- I think they mentioned that we may be the only state that still applies this tax and they're bringing it down year by year. Who knows if they'll do -- completely excise it, but it is being brought down to 2 percent in June. So, if we could move to the PowerPoint. Not this one yet, the other PowerPoint, the one that has the picture of Tallahassee. I just want to show you the list of the organizations and the representatives that we met with. And I'll just discuss each day what the major topics of discussion were. But I can begin with that. So, when we met with the associations, many of the associate -- here we go. So, the associations that we met with were the Retail Federation, Associated Industries of Florida, Florida Bankers Association, Restaurant and Lodging, and then the Florida Chamber of Commerce. The recurring topics throughout those discussions were, like I mentioned, the business rent tax. We also discussed property insurance, both residential and commercial. That was typically initiated by the Chamber. And as I said, it was one of our priorities, so we were happy to hear what they had to say. And many of them are in support of this. And then also water quality. The Restaurant and Lodging Association, obviously, they have so many establishments and structures on the beaches near freshwater bodies, so they themselves are very concerned with the quality of those bodies to attract visitors and obviously something that we care about because a lot of those grant programs lead into our septic to sewer conversions that we're attempting to do, whether it's fixing our septic lines now. It's a

lot of interest for us and a lot of money is being poured into those areas by the State. And then the last thing would be workforce and affordable housing. Everybody is concerned with it. When we met with the Florida Chamber of Commerce, they showed us something with their scorecard that they have, which is a list of statistics where they discuss that Florida in general is experiencing a significant migration into the state, but you know, worth noting is that in terms of the 25 to 35 age group, they're leaving the state. And that's the basis of the workforce. And a lot of what people are attributing that exodus to is lack of affordable housing. So, it's just a fact that they would bring up during the conversations that we had with them. That was the first day. So, we were just running around going to all the associations. And then the next day we had a packed day meeting with every representative you can imagine from the Dade Delegation, and thankfully, we got to meet with all three of our -- our two senators and our one representative Alexis Calatayud, Ileana Garcia and Demi Busatta. And on the second day we got to discuss much more so our priorities and to hear what these representatives had to say about Live Local. I want to mention this because I think it's an important thing to discuss. Representative Vicki Lopez, as Commissioner Castro mentioned, is spearheading the Live Local efforts. Made it a point to state that communities that are resisting Live Local, which we want to make sure, as the Mayor said, we want to make sure people understand what our stance is on Live Local, which we'll make clear through the web page. But Representative Vicki Lopez said that people in cities that resist Live Local will be punished. And we didn't -- we don't take that lightly. We want to understand exactly what she means by resist and put ourselves in a situation where we're not being looked at unfavorably by the State. And then the second most, well probably the most important discussion that we had with our representatives were our projects, where we now know that Demi Busatta is supporting all five of our projects, the original three that we had submitted for our water project, traffic, and also our ADA improvements, and then the additional projects that we submitted, one for our emergency evacuation vehicle, and then also for a patrol boat for the police department to use on the coastline. So, that's being supported through the House, and then also Senator Garcia is going to support it to the Senate. That is all I have. Do we have any questions about the trip?

Commissioner Castro: I want to thank you so much. Besides that, we did a couple more things there. We were non-stop and I want to be very, very thankful for you to withhold all that pressure and walking. I did a little certificate of appreciation for you. In recognition of outstanding dedication and service to the City of Coral Gables, this certificate is presented to Fernando Weiner on behalf of Commissioner Castro. In the City of Coral Gables, we extend our sincere gratitude, your dedication and leadership in advocating for our community during legislative session in Tallahassee. Your professionalism and commitment to public service play a vital role in advancing initiatives that benefit our residents and truly appreciate your efforts in representing the City's interest.

Governmental Affairs Manager Weiner: Thank you so much.

Applause.

Commissioner Menendez: And you'll get it after the Governor vetoes or doesn't veto things.

Commissioner Castro: You wanted to take it (INAUDIBLE).

Governmental Affairs Manager Weiner: All right, we'll move to the next item now. So, yeah, this is the bills, preemptive bills and other bills of interest to the City. Would you please pull up the next slideshow? Okay, so as last time, the idea behind this update, this regular update that we'll have is to discuss the bills that affect our city and provide a brief summary of the City's position on a select few of the bills that we have. And why does this matter? It affects our local policy, ensures alignment with State mandates, and makes sure that we're making decisions that are in favor of the community's well-being. Now we are in the meat of when bills are being introduced. As of yesterday, at noon, there were 1,027 bills that had been introduced, and based on my understanding, we have about 150 that have some impact on the City, whether it's their home rule issues, whether they're affecting fire and police, whether they have effects on our residents. We're getting to the point where all of these bills -- there's, you know, a bunch of bills being introduced and many of them are affecting us and I will keep updating this as we get going. Typically, the State will introduce anywhere between 2,500 and 3,000 bills prior to the beginning of a regular session, so we're really not even halfway there. So, as the new bills are being introduced, I'll keep updating the tracker that I share with other members of the City staff, and we'll keep tracking what affects the City. So, trends that we're seeing in many of these bills, specifically with the ones that affect our city, home rule and preemptions, many of them having to do with workforce housing. So, those two top points really being roped in with one another. Tax exemptions, this has mostly to do with homestead tax exemptions. And then environmental resiliency funding, whether we're talking about My Safe Home Florida Program or the condominium program that is now being stretched out past its pilot phase. And then local business support. There's a bill that's been introduced to support businesses being affected by construction and creating a grant and low-interest loan program for them. So, we're going to discuss preemptions and home rule, taxes, some of those grant programs, and then a couple of more categories that would fit under a miscellaneous category. So, number one, the affordable housing bills that are being passed, preemptive, but a lot of them having to do with affordable housing. So, we've discussed Senate Bill 184, that is the bill that requires, doesn't permit, but requires local governments to allow adjacent dwelling units within the single-family residential areas of their municipalities. And the reason I bring it back up today is because it recently passed the Community Affairs Committee 7-0 and is being very much supported in the Senate. So, this bill has a decent likelihood of passing not just the Senate but the House. And I'll loop in with our -with our lobbyists to see what efforts we can make to tweak this so it's not just an outright requirement but just so you know and just so we understand how this is looking; it's looking to pass. The next one is local government, which is Senate Bill 42, which is the public arts bill that does away with a requirement -- you know, an issuance of development requirement that there be a fee or public art installed by a city. Again, we're working with the Florida League of Cities. They have this on their radar. Other cities within Florida also have these types of programs that require private developers to pay into a program or to create public art. And we're going to see

what we can do to tweak that so that it's amended. Maybe it's something that looks like our program, that it's only a percentage or a percentage of a percentage. So, again, that's moving forward and we're working with teams to try to amend that bill. The next one is unlawful demolition of historic homes, which we are in support of because it permits some architectural boards to increase fines if there is a knowing and willing demolition of a historic place that is known to be on a national register. So, we want to protect our historical structures. We're in support of this bill. The next, this SB 634, permits local governments to designate areas and redefine single-family owner use, meaning that this is where you have an individual owner that lives in his property and doesn't own more than three parcels of land within that specific zoning area. So, it's a proponent of land ownership rather than hybrid use where you can have someone that owns an unlimited amount of properties and renting them out so that this is an area that you control where people own that property. Next is construction regulations, SB 712. This has to do with control of artificial turf. So, what this statute says is that you can no longer, as a municipality, regulate where somebody places artificial turf on their property. We're in opposition to this. This goes against the standing policy of the City. I don't know if you guys have questions about this topic.

Commissioner Menendez: That is what it is.

Vice Mayor Anderson: Well, just one question. Do they address permeability issues in this? Because I know that the artificial turf of the (INAUDIBLE) is less permeable and then you have the drainage issues that are exacerbated by that.

Governmental Affairs Manager Weiner: No, ma'am, not expressly, but they leave it to DEP to come up with some kinds of rules to implement this. So, hopefully when there is an opportunity for public comment with DEP prior to them issuing a rule, there'll be a chance for us to state something for other municipalities to bring this up. It's a discussion we've had in the Manager's Office that it obviously we have to address, but in the bill itself it does not. It just gives that power to DEP.

Mayor Lago: I'll reserve to the end.

Governmental Affairs Manager Weiner: Yes, sir.

City Manager Parjus: Fernando, what is the other item hidden within that particular...?

Governmental Affairs Manager Weiner: The prompt processing of the change orders? Yeah, that requires, I think it's a 30-day window that if a developer has a change to their -- if they submit a change order, local government has a limited window to process those change orders, which is another item that we oppose. Mr. Manager, do you want to expand on that or...?

City Manager Parjus: Well, basically, the process will be truncated to a specific amount of time. So, if the municipality does not approve the change, it automatically gets approved. If you don't do it within a certain period of time, you don't deal with it, you don't approve or disapprove, then it automatically becomes approved.

Governmental Affairs Manager Weiner: Correct. We'll move on to this next category, which is taxes. And so many of these taxes have to do, like I mentioned previously, with Homestead exemptions. What we're seeing is that both on the House and Senate side, there are some proposals to increase the exemption that currently sits, you know, that \$25,000 and \$25,000. They want to increase that first \$25,000 exemption to \$75,000. That's in the Senate. That's Senate Bill 1018 and then Senate -- or House Bill 359 would increase that to \$100,000 and these are the exemptions to every single tax levy. So, there's a second one in there that permits school district taxes to still apply. These would apply to everything. So, even the school district wouldn't be able to pull from that. Also, there are deferral of tax payments for properties worth less than \$1 million. So, a lot of alleviation to taxpayers, whether it's an actual monetary value or the time frame in which they have to pay their taxes. There's another bill that's been introduced to alter the way that millage rates are calculated. That would include new construction and additions. So, a couple of fiscal changes that we still have to assess at the City prior to us even saying whether we're going to support or oppose these bills. The last bill on here that's worth mentioning is the study on the elimination of property taxes and what this charges is that the Office of Economic Development needs to do an impact study that is due by October 1st, that's what this bill proposes, to see what would happen if getting rid of property taxes would be taken over by budget cuts and sales-based consumption taxes and local consumption taxes. So, it has just been filed. I haven't seen any movement of the bill but as soon as I see it, I'll issue you all an update. But again, like I said that report would be due by October. So, if it does pass, we would have very clear information by fall of this year how we're heading in terms of what that removal of property tax would look like. The next category are grant programs.

Commissioner Fernandez: And this was discussed at the Florida League of Cities. The last time that the study was conducted, I think it was about 15 years ago, we were looking at a potential 28 percent sales tax to make up the difference. The conversation that was had there is that now it could potentially be as high as 33, 34 percent sales tax to offset the difference. So, it would be interesting to follow this.

Governmental Affairs Manager Weiner: Yes, sir. The next category here are the grant programs. This first one, My Safe Home Florida Condominium Program, the pilot program was begun last year so now the state is clearly seeing that there's a necessity for additional funding for condominiums so they're expanding the program and doing away with the pilot denomination. And I'm not sure about the value. It's typically every dollar that you put into the program, you get two dollars back from the State. And if it matches the My Safe Home Florida Program, it will be \$10,000 maximum grant payments. This next bill, SB 696, is for low-income senior residents, where you get a grant of \$2,500 to deal with special assessments. That's the objective of this. So,

as long as you qualify as a senior citizen and you're low income, you may qualify for the \$2,500 to pay for those special assessments. And then the last one on the list is House Bill 851, which states that in the case of a hurricane, 5 percent of the state's sale taxes for the next two months after that hurricane makes landfall will be taken and put into this trust fund. And that trust fund is not to exceed \$300 million, but a significant amount of funding for the My Safe Home Florida Program in the case of needed resiliency reconstruction after a storm. Lastly, I'll go through some of these miscellaneous ones. I mentioned this program at the top, the Construction Disruption Assistance. This is a program that now creates grant funding for small businesses that are affected, that have demonstrable damages from construction near their business, whether it's ingress, egress, you know, noise, whatever is arguable that it's affecting their business. They could qualify up to \$25,000 in grant money or \$100,000 in low-interest loans to keep their business going, and you know, survive whatever the effects of the disruption are. This third-party restaurant reservation platforms makes it -- it prohibits platforms that are unaffiliated and have no relationship with restaurants to issue reservations for these restaurants so that they're not buying up -- you know, they're not taking up all the reservations and then disrupting the flow of the business. They require that any platform that's going to allow reservations be in some way associated with that restaurant. And in the remainder of these you have these, you have these law enforcement bills that expand the sort of insurance coverage that applies to law enforcement. House Bill 751 makes it so that now whether officers or their family are seeking to claim insurance that it's in the line of duty and training not necessarily that they were in hot pursuit and actively injured during a very dangerous event, but so it expands it to all requirements of their professional capacity. And then the last bill right here House Bill 516 deals with officers under investigation makes it so that it's a requirement that they be issued the complaint against them and that they know who the complainants are that have filed a complaint against them. And that is all I have. Mr. Mayor?

Mayor Lago: Anyone in the Commission have any comments?

Vice Mayor Anderson: I had a quick question. When you were talking about the special assessments, Senate Bill 696 I think it is, did it specify what type of special assessment? In other words, are we just talking about condominium special assessments, or are we also talking about septic to sewer?

Governmental Affairs Manager Weiner: I think it's specifically condominiums, Vice Mayor, but I can get you an answer on that.

Vice Mayor Anderson: All right, thank you.

Mayor Lago: Anyone else?

Commissioner Menendez: No.

Commissioner Castro: If nobody else has any questions, can we take a picture?

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Mayor Lago: I'd like to...

Commissioner Castro: Oh, absolutely.

Mayor Lago: Anybody else? All right, so I had a -- I wish you would have been there, but I had a meeting for my pre-agenda, I think it was Monday, yesterday at 8 o'clock, and the City Attorney brought to my attention just two of the preemptions. We didn't talk about everything else, if not I would have mentioned it. The two that she mentioned were art in public places, a preemption for art in public places, and the second one was, obviously, the artificial grass. I called the Speaker of the House, I'll be meeting with him this week, I actually did it in front of the City Attorney and the City Manager. And I had a conversation in regards to how important those two items were to the City in regards to preemption. Explained some of the details in regards to art upon the places, the economic impact, how it's, you know, a signature part of the City Beautiful, and how it's, you know, something that's really worked well here in the City. And I think that they need to learn a little bit more about the importance of it. So, we're going to be meeting this week to talk about those two issues. If you'd like for me to talk about other issues with the Speaker of the House, I'd be more than willing to take that time to sit down and review those items. But I think that he felt that it was a good opportunity to potentially, you know, side with the City in regards to addressing those issues and allowing us to have, you know, the autonomy that we deserve to make sure that we continue to set the City apart from who we are and from others. So, I just wanted to give you a recap because I haven't seen you in regards to that issue.

Governmental Affairs Manager Weiner: Thank you, sir.

Mayor Lago: So, if you want to catch up with me tomorrow or you can just drop it by my office just to listen to a breakdown of some of the things that you view as critical, I'll have a conversation with them. I'm having a meeting with them this weekend.

Governmental Affairs Manager Weiner: Okay. Yes, sir.

Commissioner Menendez: Do you have who's sponsoring that preemption of the art in public places? Do we know where it's coming from?

Governmental Affairs Manager Weiner: Yeah, it's Senator Nick DiCeglie from Pinellas County. He's a chair of appropriations committee, so whether he's from Pinellas doesn't necessarily affect us, but the fact that he's a chair of the Transportation Economic Development Committee is a rather powerful position within the Senate.

Commissioner Menendez: Okay. No, I'm always curious the origins of all the preemptions because I know sometimes they come from other parts of the state. Obviously, a lot of times they do, but I was just curious to see what the origin is. Thank you.

Governmental Affairs Manager Weiner: Yes, sir.

Mayor Lago: Thank you, sir.

Governmental Affairs Manager Weiner: Thank you.

City Manager Parjus: So, if I may, Mayor, so in order that we get more information, we will, you know, provide information to you either by way of an email if we don't have a Commission any time soon. But like Fernando is saying, it's thousands of preemptions that come in. So, our purpose is to keep you informed all the time.

Mayor Lago: Thank you.

Vice Mayor Anderson: Thank you.