



City of Coral Gables  
CITY COMMISSION MEETING  
August 26, 2025

**ITEM TITLE:**

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF CORAL GABLES, FLORIDA, REAFFIRMING THE CITY'S AUTHORITY AND INTENT TO FULLY ENFORCE ORDINANCE NO. 2022-69 REQUIRING THE UNDERGROUNDING OF COMMUNICATIONS INFRASTRUCTURE; DECLARING THE ORDINANCE CONSISTENT WITH FLORIDA LAW, INCLUDING SECTION 366.97, FLORIDA STATUTES; DIRECTING THE CITY MANAGER AND CITY ATTORNEY TO TAKE ALL NECESSARY ACTIONS TO PURSUE ENFORCEMENT; URGING THE FLORIDA LEGISLATURE TO AMEND SECTION 366.97 TO REQUIRE CO-LOCATING ENTITIES TO UNDERGROUND FACILITIES CONTEMPORANEOUSLY WITH ELECTRIC UNDERGROUNDING PROJECTS; AND DIRECTING THAT SUCH LEGISLATIVE AMENDMENT BE INCLUDED AMONG THE CITY'S LEGISLATIVE PRIORITIES FOR THE UPCOMING SESSION. (Sponsored by Mayor Lago)

**BRIEF HISTORY:**

On December 13, 2022, the City Commission of the City of Coral Gables adopted Ordinance No. 2022-69, which requires the undergrounding of utility and communications infrastructure, including the removal of aerial facilities, under specified conditions, including but not limited to those instances where Florida Power & Light Company ("FPL") converts overhead laterals to underground facilities pursuant to its Storm Secure Undergrounding Program ("SSUP"), reviewed and approved annually by the Florida Public Service Commission. The Florida Legislature, through Section 366.97, Florida Statutes, has mandated the timely removal of redundant pole attachments and created a statutory framework consistent with the public interest in storm resilience, infrastructure modernization, and the protection of health, safety, and welfare. Ordinance No. 2022-69 is fully consistent with Florida law and represents a valid exercise of the City's constitutional and statutory home rule and police powers, including the authority to regulate local infrastructure and to protect residents and businesses from the risks and adverse impacts of outdated and above-ground utility and communications facilities.

The proposed ordinance:

- reaffirms the City's legal authority and intent to fully enforce Ordinance No. 2022-69, as consistent with and complementary to Section 366.97, Florida Statutes, and other applicable state law;
- declares the City's policy to pursue enforcement aggressively against any entity that fails or refuses to underground its facilities in accordance with Ordinance No. 2022-69;
- urges the Florida Legislature to amend Section 366.97, Florida Statutes, to require that all pole-attaching and co-locating entities underground their facilities in those instances where electric infrastructure is being converted from above-ground to underground, whether under the Storm Secure Undergrounding Program, a successor program, or a

<p>City-sponsored undergrounding project;</p> <ul style="list-style-type: none"> <li>• directs and authorizes the City Manager to include such proposed amendment to Section 366.97, Florida Statutes, among the City’s legislative priorities for the upcoming session of the Florida Legislature and to actively advocate for its adoption; and</li> <li>• directs and authorizes the City Manager and City Attorney to take all measures necessary, including administrative enforcement and judicial proceedings, to ensure compliance with Ordinance No. 2022-69 and to protect the City’s residents, businesses, and infrastructure.</li> </ul>
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**ATTACHMENT(S): Proposed Resolution**

**FINANCIAL INFORMATION:**

No.	Amount	Account No.	Source of Funds
1.			
Total:			
<b>Fiscal Impact: TBD</b>			

**BUSINESS IMPACT:**

N/A
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