



City of Coral Gables

2021 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 changes to the Bert J. Harris Jr. Private Property Rights Protection Act that would disadvantage local governments and limit the ability of cities 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.

COVID-19 RELATED LEGISLATION

- Oppose legislation that would limit a local government's ability to enact and enforce emergency orders, institute curfews, restrict commercial activity, mandate facial coverings, suspend special events, or take other action in furtherance of the health, safety, and welfare of the community during a pandemic or related state of emergency.

BISCAYNE BAY

- Support legislation that prioritizes the health and protection of Biscayne Bay. (pending language from Miami Waterkeeper)

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.

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.

ZONING AUTHORITY AND BUILDING DESIGN ELEMENTS

- Oppose legislation that preempts a local government's authority to enact zoning regulations, including regulating building design elements for structures of any kind, including one-or two-family dwellings.

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, support fully funding the Miami-Dade SMART plan and reject efforts to extend SR-836, known as the “Kendall Parkway”.

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. The City opposes any 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 repealing Section 163.045, Florida Statutes as it is an attempt to preempt 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, the preservation of which is a priority of City residents and the City Commission.

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.

MDCPS- POLICY PRIORITIES

- The City of Coral Gables supports Miami-Dade County Public School Board’s top priorities including:

Funding

Given the bleak budget outlook for the 2021 Legislative Session, the Lobbying Team recommends pursuing 1-2 appropriation requests in an aggregate amount not to exceed \$400,000. As we get closer to the start of session, staff will be able to determine whether one or both of the projects below, or a substantially similar project, should be submitted for funding.

- Roadway project to convert signaled intersection at Granada Boulevard and Coral Way into a roundabout.
- Sanitary sewer project.