

City of Coral Gables City Commission Meeting
Agenda Item G-3
May 28, 2019
City Commission Chambers
405 Biltmore Way, Coral Gables, FL

City Commission

Mayor Raul Valdes-Fauli
Vice Mayor Vince Lago
Commissioner Jorge Fors, Jr.
Commissioner Pat Keon
Commissioner Michael Mena

City Staff

City Manager, Peter Iglesias
City Attorney, Miriam Ramos
City Clerk, Billy Urquia
Governmental Affairs Manager, Naomi Levi Garcia

Public Speaker(s)

Agenda Item G-3 [12: p.m.]

A Resolution of the City Commission of Coral Gables, Florida, urging Governor DeSantis to veto House Bill 1159, a bill related to tree trimming and regulation.

City Attorney Ramos: G-3 is a Resolution of the City Commission of Coral Gables, Florida, urging Governor DeSantis to veto House Bill 1159, a bill related to tree trimming and regulation.

Vice Mayor Lago: I just wanted to briefly make a statement before Commissioner Keon takes over, we are co-sponsoring this. I wrote a letter and I sent it to you, because I wanted to get before the League of Cities as your representative and I appreciate that you appointed me to the League of Cities. I wrote a letter including this legislation because there is a meeting this week, so I wanted to make sure before the long weekend that it got in the hands of the League of Cities and they can send it out to all the other cities in Miami-Dade County. That was the only reason why I sent it on Friday and didn't wait till today.

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Commissioner Keon: Thank you Commissioner Lago in joining me in this. I asked the City Attorney's Office in looking at House Bill 1159. It opens the door to truly affect the tree-city that we are in all of the measures that we have put into place to protect specimen trees and to maintain our canopy and everything else. And one of the things that we worked so hard against is having a lot purchased and then the tree stripped, so they can build whatever they want on that lot, instead of requiring that they begin to work with us. Now we know, we can't if there is a big tree sitting in the middle of the lot, we can't require them to never build on that lot, but we do work with them. So, I'm asking that we ask the Governor to please veto this Bill. I also asked the Attorney's Office if the Mayor will write a letter please to accompany this, explaining that, on your stationary of the City of Coral Gables, to make it very official in going forward.

Mayor Valdes-Fauli: We will.

Ms. Levi Garcia: So, Commissioner Keon and Vice Mayor Lago are absolutely right. This Bill would really threaten the way the City operates in terms of tree protection, requiring permits, and documentation from arborists when there is a tree that is either non-viable or significantly dangerous. So, what this Bill would do and its passed both the House and Senate, its waiting for the Governor's action. If a private property owner has a tree and gets an arborist to say that the tree is a danger to their property, that private property owner can remove the tree without getting a permit and they don't have to mitigate for the tree removal. So those are the major impacts of the Bill. It doesn't mesh with what's going on now and Brook can get into kind of how we operate, which is quick and a \$30 permit to get that determination.

Landscape Director Dannemiller: \$35.00.

Commissioner Keon: But I think the big issue is that these are the types of issues that should be made, the decision should be made at a municipal level. This is not the decision of state government, so maybe that's what needs to be...

Mayor Valdes-Fauli: Will you draft the letter?

Ms. Levi Garcia: Yes. I will help you write the letter Mayor; and the goal also, to your point Commissioner Keon, is very vague. It does not define what a danger to persons or property would be. It does not define what kind of documentation would be required from a certified arborist. It also allows the documentation to be provided by a landscape architect who's not necessarily qualified to make the determination on whether a tree is a danger to persons or property. The other thing that the Bill would do is, it would allow individuals to contact a utility company to come and trim or maintain a tree in the utility right-of-way without getting any kind of City approvals prior to doing so. So, it's also inconsistent with our current practices.

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Commissioner Keon: But I think its important that we point out that this is really a municipal decision and there are other items that the Governor has vetoed when he believes that they are...

Vice Mayor Lago: That they are infringing on Home Rule.

Commissioner Keon: On Home Rule when there are issues that really should be dealt with on a municipal level and not a state government, so I thank you for that.

Vice Mayor Lago: Naomi, I also had a conversation on Thursday with our outside lobbying firm, with Ron Book, and he basically told me to make sure that the League of Cities gets involved, write a letter, try to push as many people to notify the Governor to sign this veto. This is critical.

Ms. Levi Garcia: And I saw that your letter already went out to the League, so I think that's fantastic. Getting that support is very important. I understand that this was an issue, a priority coming out of the House, which will make it an uphill battle for the City, but we'll do everything in our power to urge the veto and to get those.

Vice Mayor Lago: This is also more important than anything besides the canopy which is in accordance everything that we value so much here in the City. This is a safety issue, because if you have somebody – again, who is not under the oospecies of the City of Coral Gables has to pull a permit. The City is very meticulous in looking out in regard to safety issues. Somebody goes there and cuts a tree, what happens if that tree falls into a neighbor's yard. There are a bunch of different reasons why that extra layer where the City gets involved is critical before a tree can be cut down.

Commissioner Keon: You can reach out to our lobbyists also; and I know that there was a member of the House that this was much their legislation, if they could have, maybe our lobbyist could have a conversation with them as to why.

Ms. Levi Garcia: I've been in daily communication with our lobbyist on this issue and you're right, there is a public safety component. So prior iterations of the Bill only allow the trees to be removed within certain months of the year, which would avoid people having every tree on your block is removed right before hurricane season, because you have a storm watch and that places a huge burden on our City resources and our sanitation workers. So that's another consideration. And in terms of working with the lobbyist, we are doing that, and we'll get the letter out as soon as possible.

Commissioner Keon: Thank you. We'll send this to the League also.
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Mayor Valdes-Fauli: Thank you. Will you do it so that I can send it in the early afternoon?

Vice Mayor Lago: So moved.

Commissioner Keon: Seconded.

Mayor Valdes-Fauli: Will you call the roll please?

Commissioner Mena: Yes

Commissioner Fors: Yes

Commissioner Keon: Yes

Vice Mayor Lago: Yes

Mayor Valdes-Fauli: Yes

(Vote: 5-0)

[End: 12:11:17 p.m.]