



## Legislation Text

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**File #:** 17-6931, **Version:** 1

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A Resolution accepting the recommendation of the City Manager approving the 2018 City of Coral Gables Legislative Priorities.

### Policy

#### **PREEMPTION OF LOCAL REGULATIONS**

- Oppose legislation that would preempt local governments from adopting regulations on businesses, professions, and occupations.
- Oppose legislation that limits or preempts the City's home rule authority to regulate zoning, parking, public rights of way, tree trimming/removal etc.
  - Oppose SB 378 (Preempts cities from prohibiting back-in parking in garages)
  - Oppose SB 574 (Preempts to the state the regulation of the trimming, removal, or harvesting of trees on private property)
  - Oppose SB 494 and HB 405 (Revises statutory provisions regarding transmission lines and power plant siting and preempts cities from regulating work by utilities on established rights of way and rights of way and corridors yet to be established)

#### **ASSISTED LIVING FACILITIES**

- Support legislation that prioritizes Assisted Living Facilities (ALFs) in emergency situations and requires ALFs to maintain a back-up generator with adequate fuel supply.
  - Support SB 284 (Requires ALFs to have a working backup power source and 5 days' worth of fuel)
  - Support SB 372 (Requires public utilities to effectively prioritize the restoration of services to ALFs in emergency situations)

#### **RED LIGHT CAMERAS**

- Oppose legislation that would repeal local governmental authority to use red light cameras.
  - Oppose HB 6001, SB 548 and SB 176 (Preempts the Florida Department of Highway Safety and

Motor Vehicles, counties and municipalities from installing and maintaining red light cameras)

### **TEXTING WHILE DRIVING**

- Support legislation that authorizes law enforcement officers to stop motor vehicles and issue citations to persons who are texting while driving as a primary offense.
  - Support HB 33 and SB 90 (Amends Florida Statute to make texting while driving a primary offense and requires law enforcement officers to inform drivers of their right to decline a search of their wireless communications device)

### **POLYSTYRENE**

- Support legislation that would grandfather the City's polystyrene ordinance into Florida Statute 500.90.

### **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.

### **DISPOSABLE PLASTIC BAGS**

- Support legislation that recognizes the City's ability to regulate or ban the use of single use disposable plastic bags.
  - Support SB 348 (Authorizes coastal municipalities with a population less than 100,000 to establish a pilot program to regulate or ban disposal plastic bags)

### **SOVEREIGN IMMUNITY**

- Support the amendment of Florida Statute 768.28 to clarify recent court decisions and expressly state that the State and its agencies and subdivisions shall be entitled to sovereign immunity, constituting immunity from suit as well as from liability.

### **MEDICAL MARIJUANA**

- Support greater local control over the zoning of medical marijuana dispensaries and treatment centers.

### **PUBLIC MEETINGS**

- Support legislation that achieves consistency among Florida sunshine laws.

- Support SB 560 and HB 439 (Brings the public meeting statute into conformity with public records statute to allow elected officials to meet and discuss imminent and pending litigation)

## CONSTITUTION REVISION COMMISSION

- **Support Proposal 61** which would amend the State Constitution to provide that any law enacted by the Legislature that restricts the home rule powers granted to municipalities must meet certain criteria, including requiring a 2/3 vote of approval by each house, single-subject requirement and advance public notice.
- **Support Proposal 15** which would remove a constitutional provision authorizing laws that regulate or prohibit the ownership, inheritance, disposition, and possession of real property by aliens ineligible for citizenship and provide that a person may not be deprived of any right because of a cognitive disability.
- **Support Proposal 92** which would prohibit the Legislature from binding counties or municipalities by any general law that is an unfunded state mandate, unless the law is approved following a specified process, including a single subject requirement, public hearing and  $\frac{3}{4}$  vote of the Legislature. Laws creating unfunded state mandates expire eight years after enactment, unless reenacted by the Legislature.
- **Oppose Proposal 95** which would limit the power of a county, municipality, or special district from regulating commerce, trade, or labor unless the regulation applies exclusively within the respective entity's own boundaries, such regulation may not intrude upon or impede commerce, trade, or labor across the respective entity's boundaries.

## Appropriation Requests

### WATER PROJECTS

- Support funding of Coral Gables Storm Water Improvements (HB3215) - \$720,000
- Support funding of Coral Gables Water Quality Study (HB2825) - \$86,141

### INFRASTRUCTURE

- Support funding of Regional Emergency Operations Center & Public Safety Building (HB3249) - \$1,500,000

### PARK FUNDING

- Support Funding for the Florida Recreation Development Assistance Program (FRDAP)
  - BETSY ADAMS - \$50,000
  - MAGGIORE PARK - \$50,000
- Support funding of Fire Station at Cartagena Park (HB2967) - \$1,500,000

## **BUDGET LANGUAGE**

- Maintain legislative language in the Implementing Bill to the Florida Budget to allow the City to reimburse its general fund from moneys it advanced to its own special law enforcement trust fund.
  - Amend Florida Statute 932.7055 (4)(d) to extend reimbursement authority for an additional fiscal year.

## **CLERK OF COURTS**

- Support funding for statewide Clerk of Courts system especially as it relates to the operation of satellite offices.