

BAL HARBOUR

- V I L L A G E -

OFFICE OF THE VILLAGE MANAGER

LETTER TO COUNCIL

NO. 051-2018

To: Mayor Gabriel Groisman and Members of the Village Council

From: Jorge M. Gonzalez, Village Manager



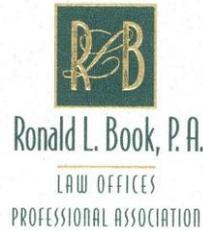
Date: March 16, 2018

Subject: **Legislative Session Final Report - 2018**

The purpose of this Letter to Council (LTC) is to transmit the attached Legislative Session Final Report provided by Ron L. Book.

If you have any questions or need any additional information, please feel free to contact me.

JMG/AC



2018 Session Final Report

On behalf of Ronald L. Book, P.A., we would like to first and foremost extend our appreciation for the opportunity to represent Bal Harbour Village.

After a two-day extension to complete the budget, budget related bills, and the tax cut package, the Legislature adjourned, Sine Die, March 11, 2018 at 4:16 pm. Included in this report is a summary of legislation that affects local governments that was considered during the 2018 Regular Session. Should you have any questions regarding budget information, legislation, or legislative action, please do not hesitate to call or email us.

BUDGET UPDATE:

The Governor officially received the budget on 3/14, and is required to act within 15 days, however, he is expected to act quickly. Below is the final update on the Village funding requests.

- Bakers Haulover Inlet Bypassing Project - Funded: \$750,000
- Roadway Infrastructure Improvements and Rehabilitation - Funded: \$500,000

LEGISLATIVE ISSUES

Vacation Rentals: CS/SB 1400 by Senator Steube and HB 773 by Representative La Rosa

As last amended in committee, the bill would have authorized local governments to only regulate activities that arise when a property is used as a vacation rental, as long as such regulations apply uniformly to all residential properties. Also, the bill kept the current preemption that local governments cannot prohibit vacation rentals or regulate the duration or frequency of vacation rentals, and keeps the current grandfathering provision which allows for any local government's regulation of vacation rentals on or before June 1, 2011. Lastly, the bill states that the local government can change duration or frequency regulations, as long as the changes are less restrictive. Additionally, there were provisions regulating sexual predators and offenders staying at a vacation rental.

SB 1400/HB 773 did not pass.

County and Municipal Public Officers and Employees: SB 1180 by Senator Steube and HB 815 by Representative Avila

In its final version, both the House and Senate bills would have only applied to travel outside of the state and international travel. Both bills were amended to require county and municipal public officers to request authorization at a public meeting for travel out of state or internationally, prior to travel, (unless good cause can be shown as to why it could not be presented prior to travel).

SB 1180/HB 815 did not pass.

Public Meetings and Records/ Imminent Litigation: SB 560 by Senator Steube and HB 439 by Representative Donalds

SB 560 would have expanded the current public meeting exemption that allows a governmental entity and its attorney to meet privately to discuss pending litigation. Under this bill, the governmental entity and its attorney would also be able to meet to discuss “imminent litigation.” Litigation is defined to be imminent when the entity has received notice of a claim or demand by a party threatening litigation before a court of administrative agency.

For the meeting to be legal, the attorney must identify the name of the potential claimant or litigant at a public meeting, in addition to meeting other existing requirements. If the imminent litigation does not begin, the transcript of the private meeting must be made part of the public record after a reasonable time or when the underlying statute of limitations expires.

SB 560/HB 439 did not pass.

Public Records: This bill, SB 750 by Senator Perry and HB 273 by Representative Rodrigues

This bill would have prohibited an agency, including state and local government entities, from responding to a public records request (to inspect or copy a public record) by filing a civil action against the individual or entity making the request. However, there is some difficulty in its interpretation in that it could apply to any litigation, and therefore the bill has stalled. It is unclear that this bill will have the votes to move forward, but we did want to include this in our report.

HB 273/SB 750 did not pass.

Beach Re-Nourishment: SB 174 by Senator Hukill, and HB 131 by Representative Peters

The bill would have required a \$50 million funding threshold from the Land Acquisition Trust Fund, was removed. The bill restructured the way the state prioritizes beach and inlet-management projects, and included a detailed scoring system that would be used in determining which projects should be priorities for funding.

SB 174/HB 131 did not pass.