



**Town of Surfside  
Town Commission Meeting  
AGENDA**

**SUPPLEMENTAL NO. 1**

**June 13, 2017**

**7 p.m.**

Town Hall Commission Chambers - 9293 Harding Ave, 2<sup>nd</sup> Floor  
Surfside, FL 33154

*Rule 7.05 Decorum. Any person making impertinent or slanderous remarks or who becomes boisterous while addressing the commission shall be barred from further appearance before the commission by the presiding officer, unless permission to continue or again address the commission is granted by the majority vote of the commission members present. No clapping, applauding, heckling or verbal outbursts in support or opposition to a speaker or his or her remarks shall be permitted. Signs or placards may be disallowed in the commission chamber by the presiding officer. Persons exiting the commission chambers shall do so quietly.*

*Rule 6.05 Agenda. The good and welfare portion of the agenda set for 8:15 p.m. shall be restricted to discussion on subjects not already specifically scheduled on the agenda for discussion and debate. In no event shall this portion of the agenda be allotted more than 45 minutes with each speaker to be given no more than three minutes, unless by vote of a majority of the members of the commission present, it is agreed to extend the time frames. Likewise, commission members shall be restricted to speaking three minutes each unless an extension is granted in the same manner as set forth in the prior sentence.*

*Any person who received compensation, remuneration or expenses for conducting lobbying activities is required to register as a lobbyist with the Town Clerk prior to engaging in lobbying activities per Town Code Sec. 2-235. "Lobbyist" specifically includes the principal, as defined in this section, as well as any agent, officer or employee of a principal, regardless of whether such lobbying activities fall within the normal scope of employment of such agent, officer or employee. The term "lobbyist" specifically excludes any person who only appears as a representative of a not-for-profit corporation or entity (such as charitable organization, a trade association or trade union), without special compensation or reimbursement for the appearance, whether direct, indirect, or contingent, to express support or opposition to any item.*

*Per Miami Dade County Fire Marshal, the Commission Chambers has a maximum capacity of 99 people. Once reached this capacity, people will be asked to watch the meeting from the first floor.*

*\* Denotes agenda items as "must haves" which means there will be significant impacts if the item is not addressed tonight. If these items have not been heard by 10 p.m., the order of the agenda will be changed to allow them to be heard.*

**1. Opening**

- A. Call to Order**
- B. Roll Call of Members**
- C. Pledge of Allegiance**
- D. Mayor and Commission Remarks** – Mayor Daniel Dietch
- E. Agenda and Order of Business** Additions, deletions and linkages
- F. Community Notes** – Mayor Daniel Dietch
- G. State Representative Joseph Geller** – Guillermo Olmedillo, Town Manager
- H. Town Lobbyist Fausto Gomez Legislative Session Overview**– Guillermo Olmedillo, Town Manager
- I. Proclamation Presentation to Julia Magnani** – Mayor Daniel Dietch
- J. GFOA Budget Award** – Guillermo Olmedillo, Town Manager
- K. Police Department Verbal Update** – David Allen, Chief of Police

**2. Quasi-Judicial Hearings (None)**

**3. Consent Agenda (*Set for approximately 7:30 p.m.*)**

*All items on the consent agenda are considered routine or status reports by the Town Commission and will be approved by one motion. Any Commission member may request that an item be removed from the Consent Agenda and discussed separately.*

**Recommended Motion: To approve all consent agenda items as presented below.**

**A. Minutes** – Sandra Novoa, MMC, Town Clerk  
**May 9, 2017 Regular Town Commission Meeting Minutes**

**\*B. Town Manager’s Report** – Guillermo Olmedillo, Town Manager

- 1. See Click Fix
- 2. Public Information Policy and Plan
- 3. Development Application Status
- 4. Building Department
- 5. Code Compliance
- 6. Finance
- 7. Information Technology
- 8. Police Department

**\*C. Town Attorney’s Report** – Linda Miller, Town Attorney

**D. Committee Reports** – Guillermo Olmedillo, Town Manager

- April 27, 2017 Sustainability Subcommittee Meeting Minutes
- April 27, 2017 Planning and Zoning Board Meeting Minutes

**E. Mutual Aid Agreement between the City of North Miami Police and the Town of Surfside Police – Guillermo Olmedillo, Town Manager**

**A RESOLUTION OF THE TOWN OF SURFSIDE, FLORIDA ACKNOWLEDGING THE MUTUAL AID AGREEMENT BETWEEN THE CITY OF NORTH MIAMI POLICE DEPARTMENT AND THE TOWN OF SURFSIDE POLICE DEPARTMENT; AUTHORIZING THE TOWN MANAGER AND CHIEF OF POLICE TO EXECUTE AND IMPLEMENT THE TERMS AND CONDITIONS OF THE MUTUAL AID AGREEMENT; PROVIDING FOR AUTHORIZATION AND APPROVAL; PROVIDING FOR IMPLEMENTATION; AND PROVIDING FOR AN EFFECTIVE DATE.**

**F. Nurse Enhancement Initiative – Guillermo Olmedillo, Town Manager**

**A RESOLUTION OF THE TOWN COMMISSION OF THE TOWN OF SURFSIDE, FLORIDA AUTHORIZING THE MAYOR TO ENTER INTO A MEMORANDUM OF UNDERSTANDING BETWEEN THE CITY OF MIAMI BEACH, NORTH BAY VILLAGE, THE TOWN OF BAY HARBOR ISLANDS, THE VILLAGE OF BAL HARBOUR AND THE MIAMI BEACH CHAMBER EDUCATION FOUNDATION TO IMPLEMENT THE NURSE ENHANCEMENT INITIATIVE FOR SCHOOL YEAR 2017/2018; PROVIDING FOR AUTHORIZATION; PROVIDING FOR IMPLEMENTATION; AND PROVIDING FOR AN EFFECTIVE DATE.**

**G. Interlocal Agreement for NPDES Co-Permit No. FLS000003 - Guillermo Olmedillo, Town Manager**

**A RESOLUTION OF THE TOWN COMMISSION OF THE TOWN OF SURFSIDE, FLORIDA APPROVING THE RENEWAL OF THE INTERLOCAL AGREEMENT BETWEEN CO-PERMITTEES NAMED IN NATIONAL POLLUTANT DISCHARGE ELIMINATION SYSTEM PERMIT NO. FLS000003 AND MIAMI-DADE COUNTY; AND ALSO BETWEEN ALL CO-PERMITTEES; PROVIDING FOR IDENTIFICATION AND CONTROL OF POLLUTANT DISCHARGES IN SHARED MUNICIPAL SEPARATE STORM SEWER SYSTEMS; PROVIDING FOR APPROVAL AND AUTHORIZATION; PROVIDING FOR IMPLEMENTATION; AND PROVIDING FOR AN EFFECTIVE DATE.**

**H. Certificate and Coin Request for Jake Rubin – Mayor Daniel Dietch**

**4. Ordinances**

*(Set for approximately 7:45 p.m.) (Note: Good and Welfare must begin at 8:15)*

**A. Second Reading Ordinances**

- 1. Amended Beach Furniture Ordinance – Guillermo Olmedillo, Town Manager**

**AN ORDINANCE OF THE TOWN COMMISSION OF THE TOWN OF SURFSIDE, FLORIDA AMENDING CHAPTER 86 “WATERWAYS”; ARTICLE II, “PUBLIC BEACHES”, SPECIFICALLY AMENDING SECTION 86-26 “DEFINITIONS”; SPECIFICALLY AMENDING SECTION 86-31 “BEACH FURNITURE PERMIT REQUIREMENTS”; SPECIFICALLY AMENDING SECTION 86-33 “VIOLATIONS, CIVIL FINES AND PENALTIES”; PROVIDING FOR INCLUSION IN THE CODE; REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT HEREWITH; AND PROVIDING FOR AN EFFECTIVE DATE.**

*(Set for approximately N/A p.m.) (Note: Good and Welfare must begin at 8:15)*

**B. First Reading Ordinances**

**5. Resolutions and Proclamations**

*(Set for approximately 9:00 p.m.) (Note: Depends upon length of Good and Welfare)*

- A. Regional Hybrid Skatepark and Pumptrack Initiative – Guillermo Olmedillo, Town Manager**

**A RESOLUTION OF THE TOWN COMMISSION OF THE TOWN OF SURFSIDE, FLORIDA AUTHORIZING THE TOWN MANAGER TO ENTER INTO A MEMORANDUM OF UNDERSTANDING (“MOU”) WITH THE CITY OF SUNNY ISLES BEACH TO SUPPORT A REGIONAL HYBRID SKATEPARK AND PUMPTRACK INITIATIVE IN HAULOVER PARK, MIAMI-DADE COUNTY WITH COORDINATION FROM MIAMI-DADE COUNTY, THE CITY OF SUNNY ISLES BEACH, CITY OF MIAMI BEACH, BAL HARBOUR VILLAGE AND THE TOWN OF BAY HARBOR ISLANDS; AMENDING THE FISCAL YEAR 2016-2017 ANNUAL BUDGET AUTHORIZING THE APPROPRIATION OF UP TO \$50,000 FROM THE CAPITAL IMPROVEMENT FUND, SKATEPARK CONTRIBUTION, ACCOUNT NO. 301-4400-572-8110 TO THE CITY OF SUNNY ISLES BEACH TO BE DISBURSED UPON**

**EXECUTION OF THE MOU; PROVIDING FOR APPROVAL AND AUTHORIZATION; PROVIDING FOR IMPLEMENTATION; AND PROVIDING FOR AN EFFECTIVE DATE.**

**B. Approval to proceed with A & B Pipe for the purchase of checkmate valves for water outfalls – Guillermo Olmedillo, Town Manager**

**A RESOLUTION OF THE TOWN COMMISSION OF THE TOWN OF SURFSIDE, FLORIDA, AMENDING THE FISCAL YEAR 2016-2017 ANNUAL BUDGET; APPROPRIATING FUNDS NOT TO EXCEED THE AMOUNT OF \$45,280.00 FROM THE STORM WATER FUND RESERVES ACCOUNT NO. 404-0000-391-1000 TO THE EQUIPMENT MAINTENANCE ACCOUNT NO. 404-5500-538-4603; AUTHORIZATION TO WAIVE COMPETITIVE BIDDING; AUTHORIZATION OF THE EXPENDITURE OF FUNDS FOR THE PURCHASE OF TIDEFLEX CHECKMATE VALVES FROM A&B PIPE & SUPPLY; PROVIDING FOR APPROVAL AND AUTHORIZATION; PROVIDING FOR IMPLEMENTATION; AND PROVIDING FOR AN EFFECTIVE DATE.**

**6. Good and Welfare (Set for approximately 8:15 p.m.)**

*Public comments for subjects or items not on the agenda. Public comment on agenda items will be allowed when agenda item is discussed by the Commission.*

**7. Town Manager and Town Attorney Reports**

Town Manager and Town Attorney Reports have been moved to the Consent Agenda – Item 3.

*All items on the Consent Agenda are considered routine or status reports by the Town Commission and will be approved by one motion. Any Commission member may request that an item be removed from the consent agenda and discussed separately.*

**8. Unfinished Business and New Business**

**9. Mayor, Commission and Staff Communications**

- A. Policy for Funding for Non-For-Profit Organization** – Guillermo Olmedillo, Town Manager
- B. Sustainability Incentives** – Guillermo Olmedillo, Town Manager
- C. Agenda Deadline Dates** – Guillermo Olmedillo, Town Manager *{Linked to Item 9F}*
- D. Walkability and Pedestrian Improvements Trial** - Guillermo Olmedillo, Town Manager
- E. Miami Gardens Site** – Guillermo Olmedillo, Town Manager

**F. August Town Commission Meeting Discussion {Verbal} - Guillermo Olmedillo, Town Manager {Linked to Item 9C}**

**10. Adjournment**

Respectfully submitted,

Guillermo Olmedillo  
Town Manager

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THIS MEETING IS OPEN TO THE PUBLIC. IN ACCORDANCE WITH THE AMERICANS WITH DISABILITIES ACT OF 1990, ALL PERSONS THAT ARE DISABLED; WHO NEED SPECIAL ACCOMMODATIONS TO PARTICIPATE IN THIS MEETING BECAUSE OF THAT DISABILITY SHOULD CONTACT THE OFFICE OF THE TOWN CLERK AT 305-861-4863 EXT. 226 NO LATER THAN FOUR DAYS PRIOR TO SUCH PROCEEDING.

IN ACCORDANCE WITH THE PROVISIONS OF SECTION 286.0105, FLORIDA STATUTES, ANYONE WISHING TO APPEAL ANY DECISION MADE BY THE TOWN OF SURFSIDE COMMISSION, WITH RESPECT TO ANY MATTER CONSIDERED AT THIS MEETING OR HEARING, WILL NEED A RECORD OF THE PROCEEDINGS AND FOR SUCH PURPOSE, MAY NEED TO ENSURE THAT A VERBATIM RECORD OF THE PROCEEDINGS IS MADE WHICH RECORD SHALL INCLUDE THE TESTIMONY AND EVIDENCE UPON WHICH THE APPEAL IS TO BE BASED.

AGENDA ITEMS MAY BE VIEWED AT THE OFFICE OF THE TOWN CLERK, TOWN OF SURFSIDE TOWN HALL, 9293 HARDING AVENUE. ANYONE WISHING TO OBTAIN A COPY OF ANY AGENDA ITEM SHOULD CONTACT THE TOWN CLERK AT 305-861-4863. A COMPLETE AGENDA PACKET IS ALSO AVAILABLE ON THE TOWN WEBSITE AT.

TWO OR MORE MEMBERS OF OTHER TOWN BOARDS MAY ATTEND THIS MEETING.

THESE MEETINGS MAY BE CONDUCTED BY MEANS OF OR IN CONJUNCTION WITH COMMUNICATIONS MEDIA TECHNOLOGY, SPECIFICALLY, A TELEPHONE CONFERENCE CALL. THE LOCATION 9293 HARDING AVENUE, SURFSIDE, FL 33154, WHICH IS OPEN TO THE PUBLIC, SHALL SERVE AS AN ACCESS POINT FOR SUCH COMMUNICATION.

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Gomez Barker  
Associates, Inc.

# Memorandum

Hon. Daniel Dietch, Mayor  
Hon. Barry Cohen, Vice Mayor  
Hon. Daniel Gielchinsky, Commissioner  
Hon. Michael Karukin, Commissioner  
Hon. Tina Paul, Commissioner

From: Fausto B. Gomez  
cc: Guillermo Olmedillo  
Date: June 12, 2017  
Re: End-of-Session Legislative Reports (2017)

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We are pleased to present this report detailing the accomplishments of the Town of Surfside during the 2017 legislative session. This was a difficult year as the House of Representatives, in particular, challenged the governing authority of local governments; dismissed the Governor's economic development, taxation, and education priorities; and presided over one of the most opaque legislative processes in memory. These factors as well as general political chaffing between the Chambers have led the statewide press to question whether the "legislature is broken" and to the Governor calling a Special Legislative Session on the budget.

Florida legislators passed an \$82.4 billion state budget along with a number of policy bills labeled "budget confirming." Some of those bills, negotiated in secret by legislative leadership, included items that had not passed a Chamber and the rank-and-file were faced with a simple "up or down" vote on them. The Chair of the Senate Appropriations Committee took the unprecedented step of publicly apologizing to his fellow Senators

and pledging that what had just occurred would not happen again. Because of legislative dysfunction and his priorities not being considered, it was anticipated that the Governor would issue a record number of budget vetoes. And he did. Governor Scott vetoed about 14% of the state budget and a review appears to show that he targeted members of the House of Representatives. The Governor vetoed 208 individual House member projects; erasing the efforts of 81 different legislators totaling \$199 million. By comparison, Senators saw 44 projects worth just over \$25 million axed from the spending plan. The \$410 million recouped from the vetoes is what is being used to fund the Governor's main concerns during the upcoming Special Session.

In the midst of this Surfside fared well. Along with Representative Joe Geller and Senator Daphne Campbell, this firm successfully worked to secure the Town's appropriation needs. But this Session should not be judged on the budget alone. Equally critical, we dedicated an inordinate amount to time and political capital to fighting bills which challenged the fiscal, policy, and governing ability of Surfside. Ranging from the "super preemption" bill to protecting the timing of municipal elections and from preserving Local Business Tax revenues to maintaining the Communications Services Tax base, on a daily basis we engaged in defeating many proposals that would have adversely impacted Home Rule or imposed additional mandates. Those are detailed under a subsequent section of this memorandum.

Following is a listing of the funding received for Surfside's priorities:

**APPROPRIATIONS:**

- Helped secure \$124,000 for the Biscaya Island Water Main Crossing. The legislature included this project at the requested amount but unfortunately the Governor vetoed it. The project was filed as a bill by Rep. Joe Geller (HB3411) and it was funded on the "sprinkle" list by both the House and Senate. Each Chamber provided \$62,000.
- Helped secure \$1,500,000 for transportation improvements to the 91<sup>st</sup> Street Surfside/Indian Creek Bridge. The funding is for preliminary engineering but most important to Surfside is that it will include upgrading the arterial street leading to the bridge. The Florida Department of Transportation (FDOT) will contract the work as well as construction and will meet with Surfside's leadership on the form that the project will take as well as soliciting resident input.
- Helped preserve \$66,950 in current funding to Surfside from Local Business Taxes. SB330 and HB487 would have limited the amount charged to any entity to a maximum of \$25.00. Currently, Surfside generates \$73,000 from this source corresponding to 242 licenses. If this bill had passed the Town would have received \$6,050 (multiply 242 by \$25.00).



- Helped preserve the Communications Services Tax (CST) base. SB1636 and HB1377 would have defined “internet video service” and excluded this type of service from the CST. The bill would have prevented any future interpretation of the CST statute that would treat this technology as equivalent to other video communications subject to the tax. As technology shifts from obtaining video services from providers subject to the CST to those that are not, local governments would lose tax revenues. This is important to Surfside as the Town currently receives \$211,965 from this source.

Following is a detailed list of key issues that my team and I lobbied and/or monitored on your behalf. We were actively engaged both in helping pass legislation that facilitated local governance as well as assuring that bills that would have negatively impacted Surfside did not become law. We know you will be surprised at the lack of appreciation of local government that many of these bills evidence.

**LEGISLATION:**

- *Preemption of Municipal Home Rule Powers - CS/HB 17* by Rep. Fine and SB1158 by Sen. Passidomo would have eliminated municipal home rule powers as applied to businesses, professions and occupations. Commonly known as the “super preemption” bills, these proposals would have required any local regulation or ordinance to be approved by the legislature prior to its being enacted. These bills died in Committee.
- *Local Governmental Fiscal Responsibility - HB 7063* by the House Ways and Means Committee would have significantly intruded on local government authority. The bill would have restricted cities' ability to issue new, tax-supported debt and increase taxes, including property taxes. For example, local governments could not have adopted millage over the rolled-back rate unless they spent down certain reserves. In effect, this would have prohibited property tax increases unless excess fund balances were spent down. The bill also required voter approval for certain new, tax-supported debt. This voter approval, as well as local-option taxes, would have been required to be held at a general election with a 60% approval threshold. Additionally, the bill prohibited cities and counties from enacting, extending or increasing local option taxes other than property taxes, if they had adopted a millage rate in excess of the rolled-back rate in any of the three previous years.
- *Local Government Fiscal Transparency – HB7065* by the House Ways and Means Committee would have expanded public notice and hearing requirements for local option tax increases and new tax-supported debt issuance. The bill also would have required each local government to post on its website the voting records on any action taken by the governing board relating to tax increases and tax supported debt. Additionally, the bill would have required for each county property appraiser to list each parcel of property and a four year history of the millage rate and the amount of tax

levied by local government authorities. Each local government would have also been required to do the same for every parcel in its jurisdiction.

If this bill had passed, local governments would have been mandated to use a debt affordability matrix and produce a debt affordability report prior to approving any new, long-term tax supported debt. The annual local government audit report would have had to include information regarding compliance with these requirements and the Florida Department of Revenue (DOR) would be directed to withhold all state funds, including revenue sharing, until the local government is meeting these obligations to the satisfaction of DOR. The bill died in the Senate.

- *Local Government Ethics* – CS/HB7021 by the House Public Integrity and Ethics Committee would have required elected municipal mayors and commissioners of municipalities with \$10 million or more in revenues to file the full public disclosure of financial interests (Form 6) rather than the current requirement to file the lesser detailed financial disclosure (Form 1). The bill would have modified the current law restriction on conflicting employment or contractual relationships by providing that if a public officer or employee of an agency held a material interest in a business entity other than a publicly traded entity, or was an officer, a director or a member who managed such entity, the contractual relationships held by the business entity was deemed to be held by the public officer or employee. The bill would have prohibited a municipal, county or other local public officer from “participating” in a measure inuring to the officer’s benefit. The bill also would have established a statewide registration and reporting process for lobbyists of local governmental entities. The bill died in the Senate.
- *Municipal Elections* – HB7103 by the House Government Accountability Committee would have preempted to the state the authority of establish the dates of municipal elections.

CS/CS/HB 1325 by Rep. Renner, also an elections bill, was amended in the House Government Accountability Committee on April 19<sup>th</sup> to include the municipal election preemption language found in HB 7103. The bill died in the Senate.

SB 990 by Sen. Passidomo would have preempted a city’s ability to set its own election dates unless certain conditions are met. The bill would have required that municipal elections be held on the same date as the general election, if in an even-numbered year, or on the first Tuesday after the first Monday in an odd-numbered year, unless all of the cities in a county agreed on a different date. The bill died in the Senate.

- *Traffic Infraction Detectors* - SB 178 by Sen. Artiles and HB 6007 by Rep. Avila would have repealed existing law and preempted local government authority relating to the installation and use of traffic infraction detectors to enforce red light infractions. SB 178 was reported unfavorable by the

Senate Transportation Committee. HB 6007 passed the House and died in Senate messages. The defeat of these bills was a Coral Gables priority.

- *Vacation Rentals* - CS/HB 425 by Rep. La Rosa would have amended current law to prohibit local governments from adopting ordinances specific to vacation rentals. The preemption language in CS/CS/CS/SB 188 by Sen. Steube was removed and, instead, would have allowed “grandfathered” cities to amend their ordinances if they were amended to be less restrictive or to reduce regulatory burdens for certain active duty service members or disabled veterans. Local government ordinances adopted since 2014 remain in effect. Both bills died in the Senate.
- *Concealed Weapons and Firearms/Government and Other Facilities* - SB 908 by Sen. Baxley and HB803 by Rep. Hahnfeldt would have deleted a number of current restrictions on where a person with a license to carry concealed weapons could not take the weapon or firearm. Under the bill, a person a person licensed to carry concealed weapons could have taken the weapon into any police, sheriff or highway patrol station; any detention facility, prison, or jail; any polling place; any meeting of the governing body of a county, public school district, municipality or special district; any elementary or secondary school facility or administration building; and meetings of the state legislature. The bills died in committee.
- *Charter Schools* - Several fast-moving education bills filed late in session included language that would have entirely preempted all local government review and approval (zoning, site plan approval) when facilities such as churches, theaters or community centers are converted for use as a charter school. Under current law, a local government may not require a rezoning or land use change under these circumstances. The newly proposed language would have also prohibited the use of “special exceptions” or “any other form of approval.” In the end, the legislature abandoned these bills and stuck major education policy changes into CS/HB 7069, a 278-page “budget conforming bill” that was made publicly available in draft form on the last day of Session and released in final form much later that night. The final version of the bill modifies the preemption language yet again. As modified, the bill will now preempt local governments from requiring a special exception, rezoning or land use change when certain facilities convert to a charter school. The language prohibiting “any other form of approval” by local government was eliminated. This bill is a priority of the Speaker of the House and is the focus of contention in Tallahassee between the Chambers as well as the Governor and Speaker.
- *Utilities* – CS/CS/687 by Rep. La Rosa allows wireless providers to place “small wireless facilities” on, under, within, or adjacent to certain utility poles or wireless support structures within public right-of-way under the jurisdiction of a county or municipality. The local jurisdictions may not

prohibit or regulate the placement and caps the rate charged for collocation to \$150 annually per placement.

- Linear Facilities – SB1048 by Sen. Lee and HB1055 by Rep. Ingram revises the definition of term development to exclude work by utility providers on utility infrastructure on certain rights-of-way corridors. In essence, the bills sought to unravel the Third District Court of Appeal's decision in Case No. 3D14-1467. The bill died in the House.
- *Construction* - CS/CS/HB 1021 by Rep. Avila is a comprehensive bill that revises building codes and standards, building official qualifications, fire prevention and control requirements and other construction industry issues. Of particular concern, is language prohibiting a political subdivision from adopting or enforcing any ordinances, or imposing building permits or other development order requirements that contain any building, construction, or aesthetic requirement or condition that conflicts with or impairs activities related to carrying out business activities defined as a franchise by Federal Trade Commission regulations. The bill also preempts local government regulation relating to the design, construction or location of signage advertising the retail price of gasoline. In addition, the bill prohibits a local jurisdiction from requiring an owner of a residence to obtain a permit to paint their residence.
- *Homestead Exemption* - HJR 7105 by the House Ways and Means Committee proposes a new, expanded \$25,000 homestead exemption. The bill applies the new homestead exemption to \$100,000-\$125,000 of assessed value. If approved by 60 percent of voters is this will be an estimated negative \$644 million impact on cities, counties and special districts. HJR 7105 will be on the November 2018 general election ballot.
- *Public Records* - CS/CS/SB 80 by Sen. Steube requires the court to award reasonable costs of enforcement and attorney fees in a public record lawsuit if the city unlawfully refuses to allow a record to be inspected or copied and the complainant provided written notice to the city's custodian of records five business days before filing the civil action. The notice provision applies only if the city has posted the contact information for the agency's custodian of records in its primary administrative building where public records are usually created, maintained and requested, and on the city's website. The bills require the court to assess and award reasonable costs of enforcement and attorney fees against the complainant if the request or lawsuit was filed for an improper purpose. Finally, the bills clarify that Chapter 119 does not create a private right of action authorizing the award of monetary damages for a person who brings an action to enforce the provisions of the public record law. Payments by the responsible agency may only include the reasonable cost of enforcement, including reasonable attorney fees, directly attributable to a civil action brought to enforce the public record law.

- *Plastic Bags* - SB306 by Sen. Rodriguez and HB143 by Rep. Richardson would have authorized coastal municipalities to establish pilot programs to regulate or ban disposable plastic bags. The bills died in committee. There is an understanding that most are waiting for the Coral Gables decision to be rendered.
- *SOBER Homes* – CS/CS/SB788 by Sen. Clemens addresses the problem of patient brokering and deceptive marketing practices in the substance abuse addiction services industry. The bill create new criminal penalties relating to both patient brokering and marketing practices and extend the jurisdiction of of the Office of the Statewide Prosecutor to investigate these offenses.

In closing, let me state that my team are proud to represent Surfside and of our unparalleled record of success on your behalf. We trust that as you review this document you will not hesitate to ask questions or request additional information.