

## Memorandum

To: Mark Lauzier, City Manager  
Caryn Gardner-Young, Assistant City Manager

From: Mat Forrest

Date: January 11, 2019

Re: Legislative Update

The election season is officially over. The new State Legislature was sworn into office in November and, as I'm sure you saw, the Inauguration of Governor DeSantis and the rest of the Florida Cabinet was held this week. The start of the 2019 Session is just under 3 months away and this memo contains key dates and other updates as we create the City's legislative agenda for 2019.

Before review bills that have been filed thus far, here are some key dates you'll want to keep in mind.

### Legislative Committee Weeks in Tallahassee & Session Dates

- Tuesday, January 22 – 25, 2019 Committee Week 3
- Monday, February 4 – 8, 2019 Committee Week 4
- Monday, February 11 – 15, 2019 Committee Week 5
- Tuesday, February 19 – 22, 2019 Committee Week 6
- **Regular Session begins**, Tuesday, March 5, 2019
  - Palm Beach County Day, March 5 & 6
- Sine Die of Regular Session, Friday, May 3, 2019

### Palm Beach County Legislative Delegation Public Hearing, Local Bill Hearing, & Workshops:

#### **Joint Meeting with the Palm Beach County Commission**

Thursday, January 17, 2019 12:45 pm (Welcome Remarks)  
Florida Atlantic University 1:00 pm – 2:15 pm  
John D. MacArthur Campus, 5353 Parkside Drive, Jupiter

#### **Joint Meeting with the Palm Beach County School Board**

Thursday, January 17, 2019 2:30pm – 3:45pm  
Florida Atlantic University  
John D. MacArthur Campus, 5353 Parkside Drive, Jupiter

#### TALLAHASSEE

201 East Park Avenue, 5<sup>th</sup> Floor  
Tallahassee, FL 32301  
850.577.0444 FAX 850.577.0022

#### WEST PALM BEACH

1400 Centre Park Boulevard, Suite 1010  
West Palm Beach, FL 33401  
561.253.3232

#### JACKSONVILLE

4400 Marsh Landing Parkway, Suite 2  
Jacksonville Beach, FL 32250  
904.834.2946

#### MIAMI

2 Alhambra Plaza, Suite 102  
Coral Gables, FL 33134  
305.456.8479 FAX 786.542.6997

#### TAMPA

1726 East 7th Avenue, Suites 13-15  
Tampa, FL 33605  
813.374.6007

#### ORLANDO

618 E South Street, Suite 500  
Orlando, FL 32801  
407.803.3878

#### FORT LAUDERDALE

401 E. Las Olas Boulevard, Suite 1400  
Ft. Lauderdale, FL 33301  
954.302.5989

#### WASHINGTON D.C.

601 13<sup>th</sup> Street NW, Suite 200 N  
Washington, DC 20005  
202.800.5620 FAX 202.800.5623

### **Joint Meeting with the Palm Beach County League of Cities**

Thursday, January 17, 2019

4:00 pm – 5:15 pm

Florida Atlantic University

John D. MacArthur Campus, 5353 Parkside Drive, Jupiter

### **Final Palm Beach Delegation Public Hearing**

- Monday, January 28, 2019 2:00 pm – 5:00 pm
  - Lakeside Medical Center, 39200 Hooker Highway, Belle Glade

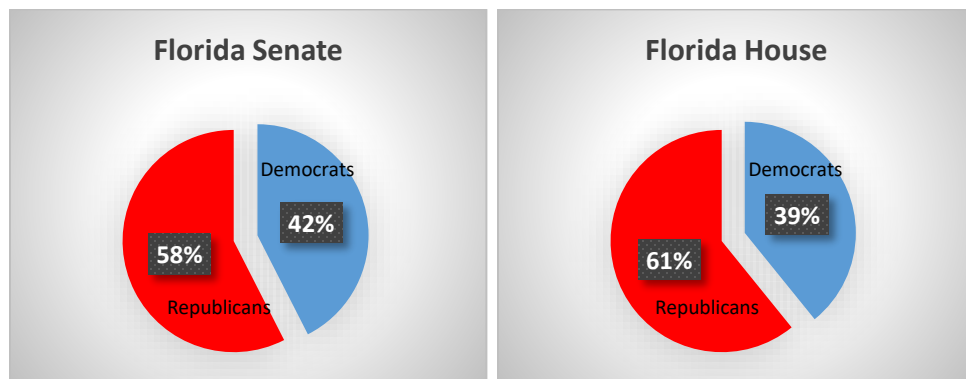
### **Palm Beach County Day**

Palm Beach County and the County Legislative Delegation will once again host & coordinate “Palm Beach County Day” in Tallahassee on March 5 & 6. Registration is now open online at <http://pbcgov.com/pbcdays/>

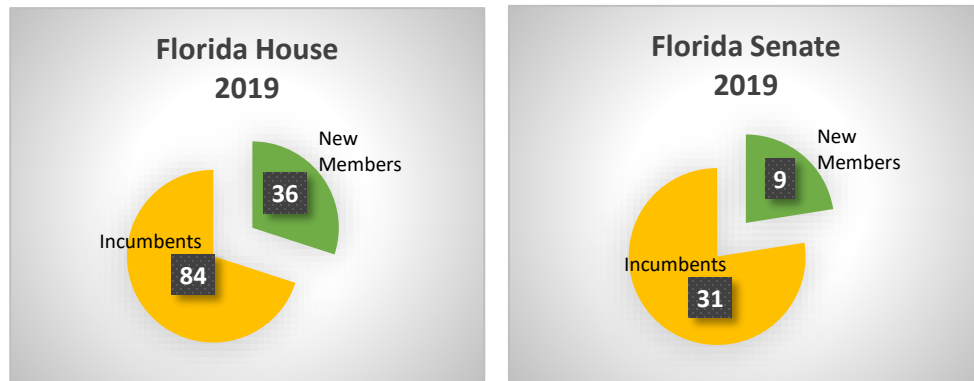
I also set up additional meetings, specific to legislative goals for the City, for any City Staff or Officials that attend. I can coordinate as the date approaches and travel arrangements are made.

### **Election Update**

Even with the numerous recounts, the balance of power was never in doubt in the Legislature. After the election the Florida House consisted of 73 Republicans and 47 Democrats; a net increase of 6 Democrats from the 2018 Session. The Senate consists of 23 Republicans and 17 Democrats; a net increase of 1 Democrat from the 2018 Session.



Along with an entirely new executive branch, there are several new members in both legislative chambers. When the Florida Legislature began work at its Organizational Session on November 20, there were 9 new Senators and 36 new Representatives.



This number will also be changing as there is expected to be at least 3 vacancies in the House in the coming weeks as some Representatives are being appointed to Agencies in the Administration thus requiring Special Elections to fill the seats. Those dates have not been determined yet.

Some of the new members are in the Palm Beach Delegation and also represent parts, or all, of Delray Beach. The names in green below will be serving in that Chamber for the first time.

**New 2019 to 2020 Palm Beach Legislative Delegation:**

**Senate:**

- #25 **Gayle Harrell (R)**
- #29 Kevin Radar (D)
- #30 Bobby Powell (D)
- #31 **Lori Berman (D)**

**House:**

- #81 **Tina Polsky (D)**
- #82 Mary Lynn Magar (R)
- #85 Rick Roth (R)
- #86 Matt Willhite (D)
- #87 David Silvers (D)
- #88 Al Jacquet (D)
- #89 **Michael Caruso (R)**
- #90 **Joe Casello (D)**
- #91 Emily Slosberg (D)

### **Appropriations**

I have met with the City Staff on numerous occasions to discuss your needs and possible areas where we can advocate for State funds to assist the City. To date we are working on a proposal for another phase of work at the Atlantic Dunes Park.

We successfully got State funds for Phase 1 in 2018. In 2019 we are requesting funds for phase 2 which will consist of construction of the improvements to the parking lot and park including the exotic vegetation removal, native plantings, boardwalk / nature trail construction and bathroom rehabilitations.

We will also be advocating for the Legislature to include funds for Historic Preservation Grants. The City currently has three projects on that ranked list:

- Delray Beach Seaboard Air Line Railway Station Rehabilitation - \$500,000
- Delray Beach 5 District Historic Resource Survey - \$50,000
- Education and Outreach: Digitizing Historical Records for Delray Beach - \$50,000

In the next few weeks we will be finalizing the State and House request forms for these projects, as needed, and then securing Legislative sponsors for the projects.

### **Legislative Tracking Report:**

As of today, 247 bills have been filed but only a handful are directly related to local governments. Of course, for the 2018 Session roughly 3,250 bills were filed so if the trend continues we've also only seen around 7% of all bills that will be filed for consideration in 2019.

Below is a summary of bills that have been filed so far that I felt were the most noteworthy to the City.

### **Vegetable Gardens**

**SB 82 by Rep. Bradley (R, Orange Park) & HB 0145 by Rep. Fetterhoff (R, DeLand) & Co-Sponsored by Rep. Sabatini (R, Clermont).** These bills are identical and prohibit local governments from regulating vegetable gardens on residential properties. They are short bills and simply state:

604.71 Local regulation of vegetable gardens.—

(1) The Legislature intends to encourage the development of sustainable cultivation of vegetables and fruits at all levels of production, including for personal consumption, as an important interest of the state.

(2) Except as otherwise provided by law, a county, municipality, or other political subdivision of this state may not regulate vegetable gardens on residential properties. Any such local ordinance or regulation regulating vegetable gardens on residential properties is void and unenforceable.

(3) This section does not preclude the adoption of a local ordinance or regulation of a general nature that does not specifically regulate vegetable gardens, including, but not limited to, regulations and ordinances relating to water use during drought conditions, fertilizer use, or control of invasive species.

The Senate bill was referred to 2 committees and unanimously passed it's first, Community Affairs, on January 8th. The House has been referenced to 3 committees but not heard yet.

### **Permit Fees**

**HB 127 by Rep. Williamson (R, Pace) & SB 142 by Rep. Perry (R, Gainesville) relates to Permit Fees.** These identical bills requires Counties & Municipalities to post their permit, inspection fee schedules, building permit, & inspection utilization reports on their websites. Both bills have been referred to 3 committees and are waiting to be heard.

### **Fertilizers**

**HB 157 by Rep. Thompson (D, Orlando)** requires county & municipal governments to adopt & enforce model ordinances for Florida-friendly fertilizer use on urban landscapes. The bill also provides additional requirements for counties & municipalities within estuary runoff areas. The bill has been referenced to 3 committees but not yet heard.

### **Firefighters' Bill of Rights**

**HB 161 by Rep. Casello (D, Boynton Beach) & Co-Sponsored by Rep. Grieco (D, North Bay Village) relates to Firefighters' Bill of Rights.** These bills require witnesses to be interviewed & certain information to be provided before a firefighter is interrogated. Certain information can be kept confidential until a specified time and the copy of the interrogation will be provided to the firefighter within a specified time. The firefighter must be notified & provided certain information before certain actions are taken. This bill also authorizes the firefighter to provide a voluntary statement at any time after being informed of certain rights, the opportunity to address certain findings and prohibits the firefighter from being threatened. The firefighter may not be retaliated against for exercising his or her rights.

The bill has been referred to 3 committees and is still waiting to be heard.

### **Local Government Public Construction Works**

**HB 167 by Rep. Andrade (R, Pensacola) & Co-Sponsored by Rep. Grieco (D, North Bay Village) & Rep. Sabatini (R, Clermont)** requires the governing board of a local government to consider estimated costs of certain projects using generally accepted cost-accounting principles that account for specified costs when making a specified determination.

The bill was filed on January 3<sup>rd</sup> and has not been assigned to any committees.

### **Smoking**

**SB 218 by Rep. Gruters (R, Sarasota)** prohibits the smoking of tobacco on public beaches.

The bill was filed on January 2<sup>nd</sup> and has not been assigned to any committees.

As I said we have barely scratched the surface on legislation that will be considered during the 2019 Session. While few things have been officially filed for 2019 yet, here are some issues that died in 2018 which will very likely be re-introduced in 2019:

- Sober Homes
- Firefighter Cancer Coverage
- Vacation Rental Regulations
- Medical Marijuana Regulations

I will continue to update you periodically as we get closer to Session on Legislation of note.

We look forward to further meetings and communication as we prepare for another successful season in Tallahassee for the City of Delray Beach.

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