



# MIAMI BEACH

OFFICE OF THE CITY MANAGER

NO. LTC # 081-2008

LETTER TO COMMISSION

TO: Mayor Matti Herrera Bower and Members of the City Commission

FROM: Jorge M. Gonzalez, City Manager

DATE: March 10, 2008

SUBJECT: **2008 FLORIDA LEGISLATIVE SESSION – WEEK ONE REPORT**

The purpose of this LTC is to provide the Mayor and City Commission with the legislative report for Week 1 of the 2008 Session of the Florida Legislature. If you have any questions or comments, please do not hesitate to contact me.

JMG/HF/kc

Attachment:

c: Executive Staff

RECEIVED  
2008 MAR 11 AM 10:42  
CITY CLERK'S OFFICE

**RUTLEDGE, ECENIA, PURNELL & HOFFMAN**  
PROFESSIONAL ASSOCIATION  
ATTORNEYS AND COUNSELORS AT LAW

STEPHEN A. ECENIA  
RICHARD M. ELLIS  
KENNETH A. HOFFMAN  
JOHN M. LOCKWOOD  
MARTIN P. MCDONNELL  
J. STEPHEN MENTON

POST OFFICE BOX 551, 32302-0551  
215 SOUTH MONROE STREET, SUITE 420  
TALLAHASSEE, FLORIDA 3301-1841

-----  
TELEPHONE (850) 681-6788  
TELECOPIER (850) 681-6515

R. DAVID PRESCOTT  
HAROLD F.X. PURNELL  
MARSHA E. RULE  
GARY R. RUTLEDGE  
MAGGIE M. SCHULTZ

-----  
GOVERNMENTAL CONSULTANTS  
JONATHAN M. COSTELLO  
MARGARET A. MENDUNI

**MEMORANDUM**

**TO:** Mayor Matti Bower  
City Commissioners and City Manager Gonzalez  
City of Miami Beach

**VIA:** E-mail to Kevin Crowder

**FROM:** Gary Rutledge  
Fausto Gomez  
Bob Levy  
Margie Menduni  
Manny Reyes  
Stephen Cline

**DATE:** March 10, 2008

**SUBJECT:** **Legislative Report – Week 1**

---

The following report reflects activity during the first week of the 2008 legislative session impacting the City's legislative priorities.

***Budget***

Both the House and Senate passed out of their Chambers a \$547 million reduction in the 2007-2008 state budget. The majority of the cuts were made to education, health care, and the courts. Education cuts primarily reduced the per student allocation while the health care cuts primarily addressed Medicaid reimbursement to hospitals and nursing homes. Trust fund money was used to make adjustments to the proposed cuts in the court system to temporarily postpone a shutdown of business in certain circuits. The 72-hour review began on Sunday at 9:45 a.m. Final passage is expected on Wednesday, March 12.

### ***Condominium Reform***

We spoke to Representative Robiana who reported that Commissioner Weithorn attended the public hearing he held in Miami Beach and presented the City's recommended changes. Representative Robiana plans to include those changes in his bill which has not come out as yet.

### ***Mandates***

Senate Bill 692 by Jones which requires each organization, association, business and institution which receives state funds at each public airport to collect aluminum beverage cans and recyclable plastic and glass from its place of business. It passed favorably from its first committee, Environment Preservation on March 6. The House companion, HB 301 by Long has not been heard.

The public construction bill, SB 2148 by Haridopolos, which would require the City to competitively bid out maintenance projects was referenced to four committees. The House Bill, 683 by Weatherford, has only one reference at this time but may be further referenced. We have spoken to the League of Cities in regard to this bill. They are working on language to present to Representative Weatherford and are continuing in their efforts to lessen the impact of the bill.

### ***Education***

Senate Bill 2308 by Carlton which would return the state to an elected Commissioner of Education and make changes to the structure of the State Board of Education passed favorably from its first committee on March 5. It has only one committee of reference remaining. This is a priority bill for President Pruitt. It does not have any House companion at this time.

### ***Towing***

House Bill 455 by Macheck passed its first committee. This bill would require counties to establish maximum for towing of vehicles and further stipulates that if the City enacts an ordinance in regards to towing, then the county ordinance does not apply. If any county has not established towing rates by January 1, 2009, then the Florida Highway Patrol will establish it for them. The bill requires rates to be adjusted annually to reflect the consumer price index. The bill further addresses a process for a towing company to process a lien on a vehicle towed. It also sets some guidelines for the sale of vehicles by an operator. In this bill, there are no licensure or registration requirements for towers and there are no preemption provisions. The Senate Bill, 2410, has been filed by Bennett.

### ***Comprehensive Planning***

We have forwarded to you the legislative package released by the Department of Community Affairs. One piece is a proposed Citizens Planning Bill of Rights. At a presentation before Senate Community Affairs Committee on March 6, DCA Secretary Pelham indicated that this

Bill of Rights is an attempt to address a concern of the home town democracy initiative. He prefers to address the issue on the front end rather than fighting it at the polls.