



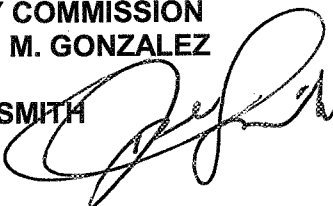
MIAMI BEACH

OFFICE OF THE CITY ATTORNEY

JOSE SMITH, CITY ATTORNEY

## COMMISSION MEMORANDUM

**TO: MAYOR MATTI HERRERA BOWER  
MEMBERS OF THE CITY COMMISSION  
CITY MANAGER JORGE M. GONZALEZ**

**FROM: CITY ATTORNEY JOSE SMITH** 

**DATE: MARCH 10, 2010**

**SUBJECT: A RESOLUTION OF THE MAYOR AND CITY  
COMMISSION OF THE CITY OF MIAMI BEACH,  
FLORIDA, SUPPORTING LEGISLATIVE EFFORTS TO  
EXTEND LIFE SAFETY RETROFIT RELIEF TO  
COMMUNITY ASSOCIATIONS, AND URGING  
GOVERNOR CHARLIE CRIST TO SUPPORT THE  
ADOPTION OF HB 561, SPONSORED BY  
REPRESENTATIVE ELLYN BOGDANOFF, AND  
SB1222, SPONSORED BY SENATOR JEREMY RING.**

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Pursuant to Vice Mayor Jerry Libbin's request, the attached Resolution is submitted for consideration by the Mayor and City Commission.

JS/DT/mem

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Agenda Item R9I  
Date 3-10-10

**RESOLUTION NO. 2010- \_\_\_\_\_**

**A RESOLUTION OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, SUPPORTING LEGISLATIVE EFFORTS TO EXTEND LIFE SAFETY RETROFIT RELIEF TO COMMUNITY ASSOCIATIONS, AND URGING GOVERNOR CHARLIE CRIST TO SUPPORT THE ADOPTION OF HB 561, SPONSORED BY REPRESENTATIVE ELLYN BOGDANOFF, AND SB1222, SPONSORED BY SENATOR JEREMY RING.**

**WHEREAS**, there are approximately 57,000 mandatory community associations in the State of Florida; and

**WHEREAS**, the NFPA-1 and NFPA-101 (also known as the Life Safety Code) have been adopted by the State of Florida; and

**WHEREAS**, the State of Florida has not made sufficient accommodations for existing residential structures to address the financial burdens of certain Life Safety Code requirements; and

**WHEREAS**, the State of Florida currently leads the nation in terms of residential foreclosure filings and devaluation of property values; and

**WHEREAS**, the City of Miami Beach has received valuable input from private residential communities within its borders which are impacted by many of the costly life safety (sprinkler, fire alarm, elevator, etc.) retrofits currently being requested; and

**WHEREAS**, the Florida Legislature has twice unanimously passed legislation to extend retrofit relief to millions of impacted Floridians and twice such legislation has failed due to gubernatorial veto; and

**WHEREAS**, the Mayor and City Commissioners of the City of Miami Beach appreciate and understand the economic tsunami that will ensue should such relief not be forthcoming and finally passed during the 2010 Regular Legislative Session; and

**WHEREAS**, there are two bills currently pending in the Florida Legislature HB 561, sponsored by Representative Ellyn Bogdanoff, and SB 1222, sponsored by Senator Jeremy Ring, that will allow a community's membership the right of self determination with regard to whether or not their premises should be subject to certain retrofit requirements; and

**WHEREAS**, the Mayor and City Commissioners for the City of Miami Beach support the efforts of these legislators to help millions of financially struggling citizens of this State; and

**NOW, THEREFORE, BE IT DULY RESOLVED BY THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA AS FOLLOWS:**

Section 1. That Governor Charlie Crist and the Florida State Legislature are hereby urged to acknowledge the economic hardship created by enforcing Life Safety Code retrofits at a time in history when community associations are least able to afford such projects, and return this issue to the will of the people most vested in its outcome -- the individual members of the impacted communities; and

Section 2. That Governor Charlie Crist is urged to support HB 561 and SB 1222 (as same may be amended or renumbered) to extend life safety retrofit relief to community associations so that the Bills may be passed into law.

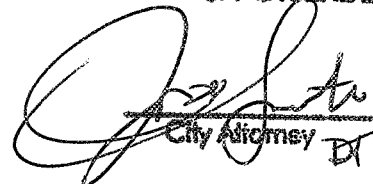
This Resolution shall become effective upon adoption.

**PASSED AND ADOPTED** this \_\_\_\_\_ day of March, 2010

\_\_\_\_\_  
Matti Herrera Bower  
Mayor

\_\_\_\_\_  
Robert Parcher  
City Clerk

APPROVED AS TO  
FORM & LANGUAGE  
& FOR EXECUTION

  
\_\_\_\_\_  
City Attorney *BT*      3/3/10  
Date

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