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**EXHIBIT 1
RESOLUTION NO. 2023-**

A RESOLUTION OF THE MAYOR AND CITY COMMISSION OF THE CITY OF HALLANDALE BEACH, FLORIDA, ENTREATING THE FLORIDA LEGISLATURE TO EXPLORE THE FEASIBILITY OF CREATING A SPECIAL ASSESSMENT LOW INTEREST LOAN PROGRAM IN COLLABORATION WITH LENDING AND FINANCIAL INSTITUTIONS TO PROVIDE FINANCIAL ASSISTANCE TO CONDOMINIUM ASSOCIATIONS AND CONDOMINIUM OWNERS LIVING IN THEIR CONDOS FULL-TIME THAT ARE IN NEED OF SUCH ASSISTANCE AND FOUND TO BE IN NEED OF EMERGENCY STRUCTURAL REPAIRS AT THE TIME OF THEIR 30-YEAR RECERTIFICATION INSPECTION OR AN EQUIVALENT RECERTIFICATION PROCESS AND/OR IN ACCORDANCE WITH FLORIDA SENATE BILL 154 AND HOUSE BILL 1395, AND SUBSEQUENT RECERTIFICATION PROCESSES, AND TO IDENTIFY ADDITIONAL FUNDING SOURCES; AND PROVIDING AN EFFECTIVE DATE.

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WHEREAS, the City of Hallandale Beach, Florida, is densely populated with several hundred condominium and homeowner associations; and

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WHEREAS, the City of Hallandale Beach Commission believes that it has an obligation to protect the health, safety, and welfare of its residents; and

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WHEREAS, the City of Hallandale Beach Commission supports Counties and State efforts to help find alternative funding sources for condo owners who cannot afford significant assessments; and

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WHEREAS, working in unison, Senate Bill 154 and House Bill 1395 seek to clarify and expand the condominium-related legislation the Florida Legislature adopted during the 2022 Special Session as Senate Bill 4-D; and

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WHEREAS, the Florida Senate and House bills have each already passed through two committee stops with the unanimous support of Republicans and Democrats alike;

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WHEREAS, the Florida House of Representatives' staff analysis for HB 1395 also addresses the origins of SB 4-D: "On June 24, 2021, Champlain Towers South, a 12-story beachfront condominium building in the town of Surfside, partially collapsed resulting in the tragic death of 98 people. In response, during Special Session, 2022, SB 4-D was enacted

43 to provide building safety inspection requirements (milestone inspections) and reserve
44 requirements (structural integrity reserve study) for condominium and cooperative
45 association buildings; and
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47 **WHEREAS**, as of April 24, 2023, SB 154 and HB 1395 proposed mandatory
48 inspection timelines for condo buildings that are at least three stories tall and 30 years old
49 or older, with additional inspections required every 10 years after that. According to the
50 Florida House staff analysis of HB 1395, there are currently more than 2 million Floridians
51 occupying condo buildings that are 30 years old or older; and
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53 **WHEREAS**, according to SB 154, “If a building reaches 30 years of age before
54 December 31, 2024, the building’s initial milestone inspection must be performed before
55 December 31, 2024;” and
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57 **WHEREAS**, the new legislation would delete from the 2022 legislation the 25-year
58 milestone inspection requirement for buildings located within three miles of the coastline.
59 Regardless of coastline proximity, all qualifying condo buildings would be subjected to the
60 30-year inspection requirements; and
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62 **WHEREAS**, the term “milestone inspection” refers to a structural inspection of a
63 condo building and its load-bearing elements, walls and primary structural systems. To be
64 conducted by a licensed architect or engineer, the milestone inspection is to determine the
65 general structural condition of the building as it pertains to safety and to identify any
66 maintenance, repair or replacement needed for those structural components; and
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68 **WHEREAS**, as of April 24, 2023, SB 154 and HB 1395 would also require impacted
69 condo associations and condo owners to create and set aside reserve funds for structural
70 inspection studies and for any needed structural repairs or maintenance activities which
71 would include roof replacements and exterior painting. Condominium owners are currently
72 allowed to waive state-imposed reserve requirements; and
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74 **WHEREAS**, after Dec. 31, 2024, condominium owners can no longer vote to waive
75 the reserves on structural integrity items; and
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77 **WHEREAS**, relief for condominium owners, especially those living on fixed incomes,
78 is needed to ensure economically vulnerable seniors and those earning less than the
79 median income level, do not experience housing insecurity;
80

81 **WHEREAS**, as of 2022 and in accordance with Miami-Dade County Code and
82 certain municipal codes, with certain exceptions, buildings in unincorporated and
83 incorporated areas in Miami-Dade County that are at least 40 years old must be recertified

84 to ensure their structural and electrical safety, and after the initial 40-year recertification,
85 such buildings must be recertified every ten years thereafter; and

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87 **WHEREAS**, Miami-Dade County launched a program that will issue loans of up to
88 \$50,000 to residents who live in their condos full-time. The loans are specifically for
89 assessments levied to pay for building repairs and rehabilitation; and

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91 **WHEREAS**, the Miami-Dade County Special Assessments program targets condo
92 owners who earn no more than 140 percent of the area median income. This means a
93 maximum annual income of \$95,610 for a one-person household, \$109,200 for a two-
94 person household, and \$122,920 for a three-person household. These loans will have 40-
95 year terms, during which economically vulnerable families will be responsible to make \$50
96 monthly payments and the remaining balance at the loan's maturity; and

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98 **WHEREAS**, Miami-Dade County recertification inspections must be performed by
99 licensed architects or engineers, who look at many aspects of each building's structure and
100 electrical systems, including foundation, roofing systems, masonry bearing walls, steel
101 frames, flooring, concrete framing systems, windows, wood framing, loading, electrical
102 service, branch circuits, conduit raceways, and emergency lighting; and

103
104 **WHEREAS**, on November 16, 2021, the Miami-Dade County Office of the
105 Commission Auditor completed a report entitled, "Research on Condominium Emergency
106 Repair Funding" (the "report") that provides an overview of jurisdictions across the United
107 States that have provided funding for condominium associations for emergency structural
108 repairs. The report found that the State of Minnesota has a program specifically designed to
109 provide direct financial assistance to condominium associations for emergency repairs; and

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111 **WHEREAS**, the Minnesota program has provided funding to several condominium
112 associations that have undertaken structural repairs including the replacement or repair of
113 windows, doors, balconies, stairways, electrical systems, parking garages, ventilation, water
114 lines, roofs, and emergency generators; and

115
116 **WHEREAS**, this Commission desires that the Florida State Legislature identify an
117 eligible funding source or funding sources, including those that are specifically for housing,
118 that can be utilized to create a low interest loan program for condominium associations
119 and/or economically vulnerable condominium owners living in their condos full-time that are
120 found to be in need of emergency structural repairs at the time of their 30-year
121 recertification inspection and which do not have the funds necessary to make such repairs;
122 and

123
124 **WHEREAS**, Florida TaxWatch reported the largest projected General Revenue (GR)
125 budget surplus ever with a forecast of \$13.5 billion for the budget of FY 2023-24. The

126 surplus grows to \$14.6 billion FY 2024-25 and \$15.5 billion in FY 2025-26. This
127 Commission supports a portion of this surplus as a possible funding resource to be used to
128 assist condominium associations and/or economically vulnerable condominium owners
129 living in their condos full-time; and

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131 **WHEREAS**, this Commission believes that the State should collaborate with lending
132 and financial institutions to provide financial assistance to condominium associations that
133 would not otherwise qualify for County assistance; and

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135 **WHEREAS**, these and other lending and financial institutions have demonstrated
136 their commitment to improving many communities through their community benefits
137 programs; and

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139 **WHEREAS**, these and other lending and financial institutions have an important role
140 to play in our communities, and partnerships with Counties throughout Florida and the State
141 to help ensure they fulfill that role for everyone.

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143 **NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND COMMISSION OF THE**
144 **CITY OF HALLANDALE BEACH, FLORIDA:**

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146 **Section 1.** The foregoing “Whereas” clauses are incorporated herein.

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148 **Section 2.** The Mayor and Commission of the City of Hallandale Beach strongly implore the
149 State of Florida Legislature to create a low interest loan Special Assessments Program
150 and/or explore the feasibility of providing loans directly to condominium unit owners living in
151 their condos full-time for the purpose set forth herein: (1) located in coastal cities; (2) found
152 to be in need of emergency structural repairs at the time of their 30-year recertification
153 inspection or an equivalent recertification process, and subsequent recertification
154 processes; and (3) do not have the funds necessary to make such repairs. This
155 Commission further encourages the Florida State Legislature to collaborate with lending
156 and financial institutions in creating funding relief to condominium associations and/or at-
157 risk condominium owners.

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159 **Section 3.** The City Clerk is hereby instructed to distribute this resolution to associations
160 known to the City and to other individuals and representatives, as appropriate, including
161 City Clerks of other municipalities, Florida Office of Senate President Renner, Florida House
162 of Representatives Speaker-designate Daniel Perez, Florida House Representative Vicki
163 Lopez, Florida Senator Jennifer Bradley, the Florida Office of Senate President, the Florida
164 Legislature, the Florida League of Cities and the Broward League of Cities.

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166 **SECTION 4. Effective Date.** This Resolution shall take effect immediately upon its passage
167 and adoption.

168 APPROVED AND ADOPTED this _____ day of _____ 2023.

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JOY F. COOPER
MAYOR

175 SPONSORED BY: VICE MAYOR ANABELLE LIMA-TAUB

176 ATTEST:

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JENORGEN GUILLEN
CITY CLERK

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184 APPROVED AS TO LEGAL SUFFICIENCY
185 AND FORM

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189 JENNIFER MERINO
190 CITY ATTORNEY

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