

RESOLUTION No. 13-43

A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF DORAL, FLORIDA, URGING THE FLORIDA SENATE AND THE FLORIDA HOUSE OF REPRESENTATIVES TO PASS SB 580 AND HB 7119; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the City of Doral (the “City”) recognizes that there are numerous Homeowners Associations (“HOA’s”) governed by Chapter 720, Florida Statutes, located within the City limits; and

WHEREAS the City Council routinely hears complaints from members of HOA’s regarding inadequate laws that currently serve their members; and

WHEREAS, SB 580 is currently pending before the Florida Senate; and

WHEREAS, HB 7119 is currently pending in the Florida House of Representatives; and

WHEREAS each of the foregoing bills proposes the following:

1. Unit owners would be allowed to utilize their cell phones or cameras to photocopy the official records of the homeowner association at no cost.
2. Management companies would only be allowed to charge a maximum of \$20.00 per hour to assist members of a Homeowners Association in obtaining access to association official records.
3. Homeowner Association’s would be required to register with the Department of Business and Professional Regulation in order for the state of Florida to understand just how many Homeowner Association’s are located within the state.
4. Homeowner Association directors would be required to get certified or have the option to obtain said certification by way of attending an educational course.

5. Homeowner Association's would be required to obtain a 2/3 vote of the non interested members of the Board of Directors before deciding to do business with an association director.
6. In addition the contract would need to be disclosed and the owners would have the right to cancel said contract.
7. Board members would be prohibited from receiving kickbacks from awarding association contracts to vendors.
8. Directors and officers who are arrested for stealing association funds would be immediately removed from the board of directors pending a determination of their charges.
9. The association would be required to purchase insurance or fidelity bonding for everyone who handles association funds.
10. Provide for faster turnover of control by the developer to the unit owners of the homeowner association; and

WHEREAS, the City Council supports these proposed bills currently pending before the Florida Senate and the House of Representatives and urges each body of the legislature to pass them expeditiously.

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF DORAL, FLORIDA, AS FOLLOWS:

Section 1. **Recitals.** The above recitals are true and correct and are incorporated herein by reference.

Section 2. **Support.** The City hereby urges the Florida Senate and the Florida House of Representatives to respectively pass SB 580 and HB 7119.

Section 3. **Transmittal.** That the City Clerk is hereby directed to transmit copies of this Resolution to the Governor of the State of Florida, the President of the Florida Senate, the Speaker of the Florida House of Representatives, any Members of

the Florida House of Representatives or Florida Senate introducing legislation in accordance with the terms of this Resolution.

Section 4. **Effective Date.** This resolution shall take effect immediately upon adoption.

The foregoing resolution was offered by Councilmember Fraga who moved its adoption. The motion was seconded by Councilmember Ruiz and upon being put to a vote, the vote was as follows:

Mayor Luigi Boria	Yes
Vice Mayor Bettina Rodríguez-Aguilera	Yes
Councilwoman Ana Maria Rodriguez	Yes
Councilwoman Christi Fraga	Yes
Councilwoman Sandra Ruiz	Yes

PASSED and ADOPTED this 10 day of April, 2013.



LUIGI BORIA, MAYOR

ATTEST:



BARBARA HERRERA, CITY CLERK

APPROVED AS TO FORM AND
LEGAL SUFFICIENCY:



JOE JIMENEZ, ESQ., CITY ATTORNEY