**Presidents Council Members,**

**This Update includes:**

* Upcoming Meeting Schedule
* Reminder - Beach Funding Letter to SLC
* Highlights from March 16th Member Meeting with Jane Cornett – Annual Legal Review
* PC Board letter to State Legislature regarding “home rule” pending bills
* NHI Organization meeting with Rep Brian Mast

**Upcoming Meeting Schedule**

**April 20th** at 2:00pm via Zoom. **Guest Speaker – SLC Commissioner Chris Dzadovsky, District 1.**

The April meeting is also the PC Annual meeting. Three positions (Charles Grande, Susan McIntyre and Len Amato) will be open this year and all 3 incumbents have submitted their names to remain on the board.

**May 18th** at 2:00pm via Zoom. **Guest Speaker – SLC Commissioner Cathy Townsend, District 5** (includes North Hutchinson Island - NHI).

**Reminder - Beach Funding Letter to SLC**

As Harvey Alligood, B&D Committee Chair, explained at the meeting this week, a mailing went out on Wednesday asking Associations and individual members to send letters to the Commissioners in support of County-wide funding for the Federal Beach Project. Currently the State and Federal governments provide 2/3 of the project funding. The remaining amount, “local share”, will be funded by the County and local owners. To date the County has not indicated that there will be any “County-wide” funding provided and will rely only on the SHI MSTU, with the local property owners paying the total “local share” portion. We need to voice our view to the SLC Commissioners, that county-wide funding is warranted. If you have not already done so, please ensure that your letter is sent to the County by the end of March.

**Highlights from March 16th Member Meeting**

**Guest Speaker: Jane Cornett, Annual Legal Review**

Jane offered the Becker & Poliakoff website as an excellent resource of information on State legislation. The “Bill Tracker” in particular provides descriptions and status of the bills in both the House and Senate (<https://www.callbp.com/bill-tracker/>).

All bills must have a sponsor in both the House and the Senate. The legislature is in session, although, no bills have yet been signed.

Jane described some of the 2021 pending bills currently being discussed and may have impact on condo associations.

* State preempting “Home Rule”. There are several bills that can impact Associations (i.e. short term rentals, zoning regulations, etc.) and we should express our opinions to our representatives.
* HB7 and SB72 is meant to protect Associations from liability in COVID-19 related claims.
* Bill to limit insurance claims following hurricanes. Goal is to reduce the increases in insurance premiums; however, there are limits in the bill on insurance coverage, without any defined reductions in insurance premium costs.
* Many of the bills are being written by lobbyists. Speak out to local representatives, including Senator Gayle Harrell, Rep John Snyder, Representative Toby Overdorf. Always be courteous in correspondence, and emphasize the importance to the community.

Rule Enforcement

* Rule enforcement by different boards may not always be handled the same. Rules can be changed by the board. Declaration changes must have owner vote.
* Enforcement of rules that have been ignored must follow the normal notification process, before action is taken.
* If a rule is changed by the board, current owners may need to be “grandfathered” and the new rule apply to new owners only.
* Check Becker & Poliakoff website for webinars on addressing rule enforcement and other varied issues impacting Associations.
* Enforcement is not easy and recommend not having rules that cannot be enforced.
* Fines committees are composed of 3 volunteers who are not on the board or associated with board members. Talk to your attorney before setting up the process. The courts expect that the volunteers on boards and committees are familiar with the law.

Service & Emotional Support Animals

* Service animals must be a dog and provide a service for a disability. Emotional support animals must demonstrate through a medical professional that there is a need for the animal to live there (regulated by Fair Housing Act).
* Recent changes in the law added that it is “illegal (criminal violation) to lie” about the need for the animal.

Fire Related Legislation

* There have been no extensions to ELSS in proposed legislation pending this year.
* There is considerable discretion by local Fire officials on enforcement of the Fire Communication system regulations. Follow your local Fire dept guidance.

Website Requirements

* There is a bill being considered to reduce the threshold on the number of units required to maintain a website.
* There is a bill to authorize Zoom for official meetings.
* The arrears list should only be provided on the owner page of the website. Safest way to display the list is with unit # only.
* Fines can be assessed for non-compliance of any of the web requirements.

Other Topics

* If water intrusion is ruled a “casualty” then it must be repaired by the Association, as provided for in Fl Statute 718: Association must fix what it insures (i.e. drywall, pipes, etc). There is currently no legislation to change this requirement. With aging buildings, Associations will need to budget for this work (i.e. reserve for drywall repairs).
* If damage is due to a negligent owner, the Association can charge the owner for the repair.
* Zoning restrictions on the island can be viewed on the SLC website, Zoning Maps.

**PC Board letter to State Legislature re “home rule” pending bills**

As you may be aware, there are several bills in the State Legislature that would preempt County home rule ability to act in the best interest of the local residents. St Lucie County Commissioners recently enacted a Resolution (21-026) urging members of the Legislature to oppose these bills. In support of this Resolution, the PC Board sent a letter to the Legislature (copy attached to this email). We encourage interested Associations and individuals to also forward similar letters to Tallahassee to help ensure that state standardization of regulation does not supersede controls based on local needs.

**NHI Organization meeting with Rep Brian Mast**

North Beach Association – NBA (Organization of owners on North Hutchinson Island) sponsored a meeting with Rep. Brian Mast on Monday evening and invited PC members to attend. The meeting was very informative and well attended. We hope to establish an ongoing relationship with NBA to collaborate on areas of common interest.

Rep. Mast discussed his efforts to change the Lake O discharge guidelines to improve the water quality in the Indian River. He requested that those interested in eliminating the algae issue and sending no Lake O discharges to SLC, contact the Army Corp in support of 4C1 models in the Lake O System Operating Manual. USACE contact information:

Email: [LakeOcomments@USACE.Army.mil](mailto:LakeOcomments@USACE.Army.mil)

Mail: PO Box 4970, Jacksonville, 32232-0019

Phone: 561-340-1527

Rep Mast further encouraged everyone to contact his office with any issues that need his help or support. The phone number for his office is 202-225-3026.

Have a safe weekend. See you in April.

**Presidents Council Board of Directors**