



**Flagler County
Board of County Commissioners
Workshop
(Special Meeting to Follow)**

Monday, April 16, 2018 at 1:00 p.m.

Emergency Operations Center, Building 3, 1769 E. Moody Blvd., Bunnell, FL 32110

Workshop Agenda

1. Call to Order
2. Pledge to the Flag and Moment of Silence
3. Welcome: Flagler County Board Chair
4. TDC Local Tax Collection Discussion (also Ambulance Billing)
5. Public Beach and Customary Use Ordinance Discussion
6. Legislative and Constitutional Review Committee Update
7. Lobbyist Discussion
8. Public Comment
9. Adjournment

While this is a workshop only and no decisions are expected to be made by any of the governmental bodies, if a person decides to appeal any matter that may be discussed for a future proceeding, a record of the workshop may be needed and, for such purposes, the person may need to ensure that a verbatim record of the workshop is made.



Flagler County Board of County Commissioners Special Meeting

Monday, April 16, 2018 Following Workshop

Emergency Operations Center, Building 3, 1769 E. Moody Blvd., Bunnell, FL 32110

Special Meeting Agenda

1. Call to Order
2. Public Comment
3. Request the Board take actions as deemed necessary regarding issues discussed at the workshop this date.
4. Adjournment

Section 286.0105, Florida Statutes states that if a person decides to appeal any decision made by a board agency, or commission with respect to any matter considered at a meeting or hearing, he or she will need a record of the proceedings, and that, for such purpose, he may need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based.

ORDINANCE NO. 14-57

AN ORDINANCE OF MANATEE COUNTY, FLORIDA, REGARDING PUBLIC FINANCE; PROVIDING FOR PURPOSE AND INTENT; PROVIDING FINDINGS; AMENDING SECTION 2-29-24 OF THE MANATEE COUNTY CODE OF ORDINANCES, LOCAL COLLECTION AND ADMINISTRATION OF TAX, TO PROVIDE ADDITIONAL PROVISIONS RELATING TO TOURIST DEVELOPMENT TAX COLLECTIONS; PROVIDING FOR CODIFICATION; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, Article VII of the Constitution of the State of Florida and Section 125.0104, Florida Statutes (collectively, the “Act”) authorize the County to levy and collect a tourist development tax for the purpose of promoting tourism and paying the cost of construction and/or operation of certain capital facilities, and other public uses related to the promotion of tourism; and

WHEREAS, Article II of Chapter 2-29 of the Manatee County Code of Ordinances (the “Code”), provides for the County to levy and collect a tourist development tax for such purposes; and

WHEREAS, Subsection 125.0104(10) of the Act authorizes the County to adopt provisions for the local collection and administration of the tourist development tax.

BE IT ORDAINED by the Board of County Commissioners of Manatee County, Florida:

Section 1. Purpose and Intent. This Ordinance is enacted to carry out the purpose and intent of, and exercise the authority set forth in, Article VII of the Florida Constitution and Section 125.0104, Florida Statutes, as amended.

Section 2. Findings. The Board of County Commissioners relies upon the following findings in the adoption of this Ordinance:

1. The findings contained in the recitals above are true and correct.
2. The powers conferred by this Ordinance are for public uses and purposes for which public money may be expended, and are hereby declared as a matter of legislative determination to be necessary for the public health, safety and welfare, and specifically for the promotion of tourism within the County.
3. Article II of Chapter 2-29 of the Code sets forth procedures for the levy and collection of the tourist development tax.

4. It is in the interest of the public health, safety and welfare to amend Section 2-29-24 of the Code as set forth in this Ordinance, to clarify and streamline the County's procedures for the local collection and administration of the tourist development tax in accordance with the Act and other applicable laws.

Section 3. Amendment of Section 2-29-24 of the Code. Section 2-29-24 of the Code is hereby amended as set forth in Exhibit "A" to this Ordinance.

Section 4. Codification. The publisher of the County's Code, the Municipal Code Corporation, is directed to incorporate the amendments in Section 3 of this Ordinance into the Code.

Section 5. Severability. If any section, sentence, clause, or other provision of this Ordinance shall be held to be invalid or unconstitutional by a court of competent jurisdiction, such invalidity or unconstitutionality shall not be construed as to render invalid or unconstitutional the remaining sections, sentences, clauses, or provisions of this Ordinance.

Section 6. Effective Date. This Ordinance shall become effective as provided by law.

PASSED AND DULY ADOPTED, with a quorum present and voting, by the Board of County Commissioners of Manatee County, Florida, this the 2nd day of December, 2014.

**BOARD OF COUNTY COMMISSIONERS OF
MANATEE COUNTY, FLORIDA**

By: _____
Chairman

ATTEST: R.B. SHORE
Clerk of the Circuit Court

By: _____
Deputy Clerk

Exhibit "A"
Amendment of Section 2-29-24 of the Code
Local Collection and Administration of Tourist Development Tax
Manatee County Code of Ordinances
(underlined language to be added, strike-through language to be deleted)

Sec. 2-29-24. Local collection and administration of tax.

- (a) Pursuant to Section 125.0104(10) of the Act, the County hereby provides for the local collection and administration of the tax.
- (b) Initial collection of the tax shall be made in the same manner as the tax imposed pursuant to Section 212.03, Florida Statutes.
- (c) The tax collector shall be responsible for the collection and administration of the tax. The person receiving the consideration for any rental or lease within the scope of Section 125.0104(3)(a) of the Act, and acting as a "dealer" within the meaning set forth in Section 212.06(j), Florida Statutes, or its successor provision (hereinafter referred to as a "dealer"), shall receive, account for, and remit the tax to the tax collector. The tax collector shall keep records showing the amount of taxes collected as well as appropriate books and accounts associated therewith. The same duties and privileges imposed by Chapter 212, Florida Statutes, upon dealers in tangible property, respecting the collection and remission of taxes, the making of returns, the keeping of books, records and accounts and the payment of a dealer's credit in compliance with the rules of the tax collector in the administration of Chapter 212, Florida Statutes, shall apply to and be binding upon all persons who are subject to the provisions of this article; provided, however, the tax collector may authorize a quarterly return of payment when the tax remitted for the preceding quarter by the person receiving the consideration for such rental or lease did not exceed twenty-five dollars (\$25.00).
- (d) The tax collector may promulgate rules and prescribe and publish forms necessary to implement this article. Such rules may include guidelines for registration and reporting requirements that are consistent with the provisions of Chapter 212, Florida Statutes.
- (e) In accordance with Section 125.0105, Florida Statutes, the tax collector may adopt a service fee not to exceed the service fees authorized under Section 832.08(5), Florida Statutes, or 5 percent (5%) of the face amount of the check, draft, or order, whichever is greater, for the collection of a dishonored check, draft, or other order for the payment of tax under this Chapter. The service fee shall be in addition to all other penalties imposed by law. Proceeds from this fee, if imposed, shall be retained by the tax collector.
- (f) The tax collector shall perform the enforcement and audit functions associated with the collection and remission of this tax, including, without limitation, the following:

- (1) In addition to applicable statutory criminal sanctions, the tax collector is empowered, and is obligated, when any tax becomes delinquent or is otherwise in jeopardy under this Article, to issue a warrant for the full amount of the tax due or estimated to be due, with the interest, penalties, and cost of collection, directed to all and singular the sheriffs of the state. Upon issuance, the tax collector shall record the warrant in the public records of the county, and thereupon the amount of the warrant shall become a lien of any real or personal property of the taxpayer in the same manner as a recorded judgment. The tax collector may obtain a tax execution to enforce the collection of taxes imposed by this Article and deliver it to the sheriff. The sheriff shall thereupon proceed in the same manner as prescribed by law for executions and shall be entitled to the same fees for his services in executing the warrant to be collected. The tax collector may also obtain a writ of garnishment to subject any indebtedness due to the delinquent dealer in the hands, possession, or control of the third person in the manner provided by law for the payment of the tax due. Upon payment of the execution, warrant, judgment, or garnishment, the department shall satisfy the lien of record within thirty (30) days.
- (2) For enforcement purposes, examining at any reasonable hour the books, records, and other documents of any dealer, or other person charged with the duty to report or pay the tax, in order to determine whether or not that person is collecting the tax or otherwise complying with this article. In the event a person refuses to permit such examination of such books, records, or other documents by the tax collector, that person is subject to the criminal penalties of Section 125.0104(8) of the Act. The tax collector shall have the right to seek a mandatory injunction or other appropriate remedy in circuit court to enforce his right to require an examination of the books and records of that person.
- (3) For enforcement purposes, the tax collector shall require a dealer to report individually on any properties such dealer owns and/or represents. This requirement shall apply equally to individual property owners, realtors, property managers and other persons who hold themselves to represent multiple properties for benefit.
- (24) Each dealer shall keep for three (3) years a complete record of rooms or other lodging, leased or rented by said dealer, together with gross receipts from such sales, and other pertinent records and papers as may be required by the tax collector for the reasonable administration of this article. All such records located or maintained in this state shall be open for inspection by the tax collector at any reasonable hour at the dealer's place of business in the county. Any dealer who maintains such books and records at a point outside the county must make such books and records available for inspection by the tax collector in the county. Violators of this article are subject to the criminal penalties of Section 125.0104(8) of the Act.

(5) Enforcement investigations shall include the examination of documents that are relevant to transient renters and rental activities, from any of the following, including but not limited to:

- a. Any person;
- b. Any community;
- c. Any condominium association;
- d. Any homeowners association; and
- e. Any property management company

Relevant documents include but are not limited to:

- a. Association approval of guests to rent or lease;
- b. Guest gate entry passes;
- c. Guest golf and/or tennis membership records; and
- d. Other guest amenity records such as pool and community center passes.

(36) The tax collector may conduct audits of the records of dealers as follows:

- a. At least thirty (30) days prior to the date an audit is scheduled to begin, the tax collector shall send written notice informing the taxpayer of the audit. The tax collector is not required to give thirty (30) days' prior notice of an audit in any instance in which the taxpayer requests an emergency audit.
- b. Such written notification shall contain:
 - 1. The approximate date on which the audit is scheduled to begin.
 - 2. A statement that all of the records, receipts, invoices and related documentation of the taxpayer must be made available to the auditor.
 - 3. Any other requests or suggestions the tax collector deems necessary.
- c. Only records, receipts, invoices, and related documentation available when an audit begins shall be deemed acceptable for the purposes of conducting such audit.

(47) All taxes collected under this article shall be remitted to the tax collector. In addition to the statutory criminal sanctions, the tax collector is empowered, and is obligated, when any tax becomes delinquent or is otherwise in jeopardy under this article, to issue a warrant for the full amount of the tax due or estimated to be due, with the interest, penalties, and cost of collection, directed to all and singular the sheriffs of the state, and shall record the warrant which shall become a lien of any real or personal property of the tax payer in the same manner as a recorded judgment. The tax collector may obtain a tax execution to enforce the collection of taxes imposed by this article and deliver it to the sheriff. The sheriff shall thereupon proceed in the same

manner as prescribed by law for executions and shall be entitled to the same fees for his services in executing the warrant to be collected. The tax collector may also obtain a writ of garnishment to subject any indebtedness due to the delinquent dealer by a third person in any goods, money, chattels or effects of the delinquent dealer in the hands, possession, or control of the third person in the manner provided by law for the payment of the tax due. Upon payment of the execution, warrant, judgment or garnishment, the tax collector shall satisfy the lien of record within thirty (30) days.

(8) Pursuant to Section 213.24(3), Florida Statute, a fee shall be imposed to offset costs incurred by the tax collector for enforcement, administration and payment agreements incurred due to late payment resulting from a collection event. For purposes of this Article, "collection event" shall mean when a taxpayer fails to:

- a. Timely file a complete return;
- b. Timely pay the full amount of tax reported on a return; or
- c. Timely pay the full amount due resulting from an audit after all appeal rights have expired or the result has been finally determined.

The fee shall be equal to ten percent (10%) of the total amount of tax, penalty, and interest which remains unpaid after ninety (90) days or attorney fees and court costs; whichever is greater. The fee shall be imposed in addition to the taxes, fees, and penalties prescribed by law. The tax collector shall review each assessment of said fee on a case by case situation.

- (fg) ~~Three (3) percent per cent~~ (3%) of the tax collected herein shall be retained by the tax collector for costs of administration. The remainder shall be submitted on the fifteenth day and the last day of each calendar month to the county.
- (gh) The tax collector's books and records relating to collections under this article shall be available for inspection by the county and the county's chief financial officer at reasonable times.
- (i) To the fullest extent permitted by law, any person who violates this Article shall, in addition to being subject to the penalties and liabilities provided in Section 125.0104(8) and/or Section 212.06, Florida Statutes, be guilty of a violation of this Code.

ORDINANCE 2018 - _____

AN ORDINANCE OF THE FLAGLER COUNTY BOARD OF COUNTY COMMISSIONERS RECOGNIZING THE RIGHT OF CUSTOMARY USE OF THE BEACH BY THE PUBLIC; PROVIDING FOR FINDINGS; PROVIDING FOR CODIFICATION AND SCRIVENER ERRORS; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, Art. X, §11 of the Florida Constitution declares that the State holds title to land under navigable waters, including beaches of the Atlantic Ocean below the mean high water lines, in trust for all the people; and

WHEREAS, the Florida Supreme Court has long recognized the right of the public to access and enjoy Florida's oceans and beaches as a natural adjunct to use of the foreshore area—most notably in the 1939 case of *White v. Hughes* and the 1974 case of *City of Daytona Beach v. Tona-Rama, Inc.*; and

WHEREAS, the State Comprehensive Plan, as codified at Section 187.201(8)(b)2, *Florida Statutes*, expresses the Legislature's intent to preserve the public's right to reasonable access to beaches; and

WHEREAS, the United States District Court, Eleventh Circuit, recently held, in the 2017 case of *Alford v. Walton County*, that the public's right to utilize the dry sand area of Florida beaches does not arise by judicial recognition but is acquired by custom, which emanates from long-term, open, obvious and widely accepted and widely-exercised practice; and

WHEREAS, in the 2007 case of *Trepanier v. County Of Volusia*, the Fifth District Court of Appeal explained that evidence of the long-term, customary use of a beach by the public can be demonstrated by reference to a general area of the beach and need not be proven on a parcel by parcel basis; and

WHEREAS, in Flagler County the public has utilized every part of the dry sandy (and in some cases rocky) areas of the approximately eighteen miles of the Atlantic Ocean beach of Flagler County landward of the mean high water line to the easternmost seaward side of any sea wall, dune bluff, dune crest, rock revetment crest, or line of permanent dune vegetation, (the "Beach") for fishing, bathing, navigation, surfing and other recreational activities since time immemorial (collectively, "Customary Use"); and

WHEREAS, there is extensive documentation of historical Customary Use of the Beach in Flagler County, and County staff has documented some of the historical Customary Use activities in the twentieth and twenty-first centuries; and

WHEREAS, the County will continue to further document the public's historic and more recent Customary Use of the Beach and will enter such documentation into the record through adoption of this Ordinance by the Board of County Commissioners (the "Board") at its public meeting; and

WHEREAS, the Board finds that the public access to the Beach has never been hindered, that the Beach has never been segmented by fencing, barriers or other obstructions, and that the Customary Use of the Beach has been reasonable, without dispute, and uninterrupted since ancient times; and

WHEREAS, there has been no specific or general dispute in Flagler County about the Customary Use of the Beach by the public or by beach front property owners; and

WHEREAS, the Beach is a treasured asset of Flagler County, vital to quality of life for residents and visitors, the primary attraction of tourists to the County, and a critical component of the County's economic development; and

WHEREAS, the annual Independence Day celebration and fireworks display from the Flagler Beach Pier attracts thousands of observers to the Beach; and

WHEREAS, the Coastal Management Element of the Flagler County Comprehensive Plan includes objectives to ensure Beach access and the overall quality of the Beach environment; and

WHEREAS, for decades, the Board has demonstrated a commitment to ensuring public access to the Beach by purchasing or dedicating beach front for public parks, and by building parking lots, dune crossovers, restrooms and other amenities strategically spaced to accommodate public access and recreational use of the entire Beach; and

WHEREAS, since the mid-1980's, with one inadvertent exception, the County has not permitted any new platting of the Beach to be parceled for development, instead requiring the platting of conservation parcels which do not permit any construction or development except for limited dune crossovers; and

WHEREAS, Flagler County with the municipalities of Flagler Beach, Beverly Beach and Marineland sought National Scenic Byway designation for State Road A1A based on its open beaches and their rural ambiance; and

WHEREAS, the National Scenic Byway designation was further based on the amount and ease of public's accessibility to the County's beaches; and

WHEREAS, the Board's contributes funding to ocean rescue services on the Beach including for rescues conducted using ATV's in unincorporated Flagler County and for lifeguard services in the City of Flagler Beach; and

WHEREAS, the Board is currently engaged in a dune restoration project along approximately twelve miles of the Beach north of the City of Flagler Beach at a cost of over \$20 million with funding from County, State, and Federal governments and private sources in order to protect the Beach from erosion and protect public infrastructure and residential neighborhoods from flooding; and

WHEREAS, the Board has begun planning the additional restoration of over six miles of the dune system along the Beach within the Town of Beverly Beach and the City of Flagler Beach, a project to commence in 2019 and also be estimated at over \$20 million; and

WHEREAS, formally declaring the Customary Use of the Beach will aid Flagler County in securing and applying outside agency funding for protection and preservation of the Beach, including those areas of the Beach under private ownership; and

WHEREAS, the Board has enacted regulatory ordinances to enhance the safety and enjoyment of visitors to the Beach including the prohibition of driving on the Beach, the prohibition of the removal of coquina from the Beach, and the requirement that dogs be leashed on the Beach and that sea turtle nesting on the Beach is protected; and

WHEREAS, the Board has undertaken measures when necessary to improve the safety, environment, and aesthetics of the Beach, including the removal of abandoned vessels, contraband, and deceased marine animals and the preservation of historical artifacts found on the Beach; and

WHEREAS, the City of Flagler Beach and the Towns of Beverly Beach and Marineland have also enacted regulatory codes and/or implemented management plans to ensure the safety and enjoyment of the Beach for visitors; and

WHEREAS, the governing boards of the City of Flagler Beach and the Towns of Beverly Beach and Marineland acknowledge the public's right to Customary Use of the Beach within their respective jurisdictions and support the application of this Ordinance within their municipal boundaries; and

WHEREAS, the Board has a significant and legitimate government interest in ensuring public access to, and Customary Use of, the Beach, and the provisions in this Ordinance are narrowly tailored to achieve that goal; and

WHEREAS, at the same time, the Board acknowledges the fee simple interest of Beach landowners and the right of those landowners to make any use of their property subject to reasonable regulation and consistent with the Customary Use of the Beach by the public; and

WHEREAS, the Board desires to balance all reasonable competing uses of the Beach; and

WHEREAS, the Board conducted a Workshop on April 16, 2018 to hear, discuss, and consider the issues raised by this Ordinance; and

WHEREAS, the Board wishes to preserve the status quo of the open beaches of Flagler County and maintain the rural character of its beaches; and

WHEREAS, the Board held duly noticed public hearings on May 7, 2018 and May 21, 2018 and approved this Ordinance; and

WHEREAS, numerous members of the public submitted testimony, photographs, records, and statements demonstrating longstanding, continuous Customary Use of the Beach, which statements have been made part of the record of this Ordinance's adoption; and

WHEREAS, Art. VIII, §1(f) of the Florida Constitution grants non-charter counties the power of self-government and authorizes the Board to enact ordinances not inconsistent with general or special law; and

WHEREAS, Section 125.01(1), *Florida Statutes*, provides the Board with the power to carry on county government consistent with law, and Section 125.01(3)(b), *Florida Statutes*, states that the provisions of that section shall be liberally construed in order to secure for counties the broad exercise of home rule powers; and

WHEREAS, the Florida Legislature overwhelmingly passed and the Governor signed into law House Bill 631, 2018 Fla. Laws, to be codified as Section 163.035, *Florida Statutes*, which provides a difficult, impractical and expensive legal process to ensure public access to beaches for local jurisdictions who fail to enact a customary use ordinance prior to July 1, 2018; and

WHEREAS, House Bill 631, 2018 Fla. Laws, also enables the Board to raise Customary Use of the Beach as an affirmative defense in any proceeding challenging this Ordinance.

NOW THEREFORE, be it ordained by the Flagler County Board of County Commissioners, as follows:

Section 1. Findings.

A. The above recitals are incorporated herein as findings of fact.

B. The Board finds as a legislative fact binding on the County government that since time immemorial, the public has enjoyed access to the Beach and has made recreational use of the Beach; that such use has been ancient, reasonable, without interruption, and free from dispute; and that because of this customary access and use, the public has the right of access to the Beach and a right to use the Beach for recreation and other customary purposes. The Board further finds that the Beach is and should be managed as a linear public park open to all the people.

Section 2. Code of Ordinances Amendment. Section 7-1 of the Flagler County Code of Ordinances is amended as follows (additions shown in underline, deletions shown as strikethrough):

Sec. 7-1. – Penalty. ~~Violations of this chapter are punishable as provided in section 4-6.~~ **Customary Use of the Beach.**

(a) For purposes of this Section, the term, “Beach,” shall mean the entirety of the dry sandy (in some cases rocky) areas of the Atlantic Ocean beaches in Flagler County extending landward of the mean high water line to the easternmost seaward side of any sea wall, dune bluff, dune crest, rock revetment crest or to any permanent dune vegetation.

(b) Public Access and Use.

(1) The public’s longstanding customary use of the dry sand areas of all of the Beach for recreational purposes is hereby recognized and protected. The public, individually and collectively, subject to the provisions herein, shall have the right of personal ingress and egress to and from the Beach from public approaches or public dune crossovers and the right to make customary recreational use of the Beach.

(2) It is prohibited for any person to obstruct or hinder the right of the public, individually and collectively, to enter or leave the beach by way of any public approach or public dune crossover or to use

lawfully any part of the Beach for customary recreational purposes. It is further prohibited for any person to display any warning, in whatever form, in an attempt to prohibit or hinder public access to, or use of, the Beach.

(c) Exceptions.

(1) This Section shall not apply to individuals authorized by Federal, State, or local law to engage in activities otherwise prohibited herein, including, but not limited to, Sea Turtle Patrol, emergency responders, and those engaged in permitted dune restoration and flood control.

(2) Notwithstanding anything in this Section to the contrary, the County Administrator, the Emergency Management Chief, the Sheriff, or their designees shall have the authority to temporarily close the entire beach or any portion thereof for use by the public during storms or other emergency situations.

(d) Violations of the provisions herein shall be punishable as provided for in Chapter 9 of this Code, provided however, that imposition of a penalty does not prevent the pursuit and issuance of injunctive relief.

Section 3. Codification and Scrivener Errors. Section 2 of this Ordinance shall be included and incorporated into the Code of Ordinances of Flagler County, Florida, as additions and amendments thereto, and shall be appropriately renumbered or re-lettered to conform to the uniform numbering system of the code. Scrivener's errors may be corrected as deemed necessary.

Section 4. Severability. If any section, sentence, clause, or phrase of this Ordinance is held to be invalid or unconstitutional by any court of competent jurisdiction, then said holding shall in no way affect the validity of the remaining portions of this Ordinance.

Section 5. Effective Date. Pursuant to Section 125.66, Florida Statutes, this Ordinance shall take effect upon filing with the Secretary of State.

PASSED AND ADOPTED by the Flagler County Board of County Commissioners this 21st day of May 2018.

**FLAGLER COUNTY BOARD OF
COUNTY COMMISSIONERS**

Gregory L. Hansen, Chair

ATTEST:

APPROVED AS TO FORM:

Tom Bexley, Clerk of the Circuit
Court and Comptroller

Al Hadeed, County Attorney

DRAFT

ENROLLED

CS/HB 631, Engrossed 2

2018 Legislature

1
2 An act relating to the possession of real property;
3 amending s. 66.021, F.S.; authorizing a person with a
4 superior right to possession of real property to
5 recover possession by ejectment; declaring that
6 circuit courts have exclusive jurisdiction; providing
7 that a plaintiff is not required to provide any
8 presuit notice or demand to a defendant; requiring
9 that copies of instruments be attached to a complaint
10 or answer under certain circumstances; requiring a
11 statement to list certain details; providing for
12 construction; amending s. 82.01, F.S.; redefining the
13 terms "unlawful entry" and "forcible entry"; defining
14 the terms "real property," "record titleholder," and
15 "unlawful detention"; amending s. 82.02, F.S.;
16 exempting possession of real property under part II of
17 ch. 83, F.S., and under chs. 513 and 723, F.S.;
18 amending s. 82.03, F.S.; providing that a person
19 entitled to possession of real property has a cause of
20 action to regain possession from another person who
21 obtained possession of real property by forcible
22 entry, unlawful entry, or unlawful detainer; providing
23 that a person entitled to possession is not required
24 to give a defendant presuit notice; requiring the
25 court to award the plaintiff extra damages if a

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CS/HB 631, Engrossed 2

2018 Legislature

26 | defendant acted in a willful and knowingly wrongful
27 | manner; authorizing bifurcation of actions for
28 | possession and damages; requiring that an action be
29 | brought by summary procedure; requiring the court to
30 | advance the cause on the calendar; transferring,
31 | renumbering, and amending s. 82.045, F.S.; conforming
32 | provisions to changes made by the act; amending s.
33 | 82.04, F.S.; requiring that the court determine the
34 | right of possession and damages; prohibiting the court
35 | from determining question of title unless necessary;
36 | amending s. 82.05, F.S.; requiring that the summons
37 | and complaint be attached to the real property after
38 | two unsuccessful attempts to serve a defendant;
39 | requiring a plaintiff to provide the clerk of the
40 | court with prestamped envelopes and additional copies
41 | of the summons and complaint if the defendant is
42 | served by attaching the summons and complaint to the
43 | real property; requiring the clerk to immediately mail
44 | copies of the summons and complaint and note the fact
45 | of mailing in the docket; specifying that service is
46 | effective on the date of posting or mailing; requiring
47 | that 5 days elapse after the date of service before
48 | the entry of a judgment; amending s. 82.091, F.S.;
49 | providing requirements after a judgment is entered for
50 | the plaintiff or the defendant; amending s. 82.101,

ENROLLED

CS/HB 631, Engrossed 2

2018 Legislature

51 F.S.; adding quiet title to the types of future
52 actions for which a judgment is not conclusive as to
53 certain facts; providing that the judgment may be
54 superseded by a subsequent judgment; creating s.
55 163.035, F.S.; defining the term "governmental
56 entity"; prohibiting a governmental entity from
57 adopting or keeping in effect certain ordinances and
58 rules based upon customary use; providing an
59 exception; requiring a governmental entity seeking to
60 affirm the existence of a recreational customary use
61 on private property to follow certain procedures;
62 providing notice requirements for a governmental
63 entity seeking to affirm such recreational customary
64 use; requiring the governmental entity to file a
65 specified complaint with a certain circuit court
66 within a certain time; providing notice requirements
67 for the filing of such complaint; specifying that
68 proceedings resulting from such complaint are de novo;
69 requiring the court to consider specific factors when
70 determining whether a recreational customary use
71 exists; specifying that the governmental entity has
72 the burden of proof; specifying that an owner of a
73 parcel of property subject to the complaint has the
74 right to intervene in the proceeding; providing
75 applicability; repealing s. 82.061, F.S., relating to

ENROLLED

CS/HB 631, Engrossed 2

2018 Legislature

76 service of process; repealing s. 82.071, F.S.,
 77 relating to evidence at trial as to damages; repealing
 78 s. 82.081, F.S., relating to trial verdict forms;
 79 providing an effective date.

80

81 Be It Enacted by the Legislature of the State of Florida:

82

83 Section 1. Section 66.021, Florida Statutes, is amended to
 84 read:

85 66.021 Ejectment Procedure.—

86 (1) RIGHT OF ACTION.—A person with a superior right to
 87 possession of real property may maintain an action of ejectment
 88 to recover possession of the property.

89 (2) JURISDICTION.—Circuit courts have exclusive
 90 jurisdiction in an action of ejectment.

91 (3) NOTICE.—A plaintiff may not be required to provide any
 92 presuit notice or presuit demand to a defendant as a condition
 93 to maintaining an action under this section.

94 (4)~~(1)~~ LANDLORD NOT A DEFENDANT.—When it appears before
 95 trial that a defendant in an action of ejectment is in
 96 possession as a tenant and that his or her landlord is not a
 97 party, the landlord must ~~shall~~ be made a party before further
 98 proceeding unless otherwise ordered by the court.

99 (5)~~(2)~~ DEFENSE MAY BE LIMITED.—A defendant in an action of
 100 ejectment may limit his or her defense to a part of the property

ENROLLED

CS/HB 631, Engrossed 2

2018 Legislature

101 mentioned in the complaint, describing such part with reasonable
 102 certainty.

103 (6)~~(3)~~ WRIT OF POSSESSION; EXECUTION TO BE JOINT OR
 104 SEVERAL.—When plaintiff recovers in an action of ejectment, he
 105 or she may have one writ for possession and for damages and
 106 costs or, at his or her election ~~if the plaintiff elects~~, may
 107 have separate writs for possession and for damages and costs.

108 (7)~~(4)~~ CHAIN OF TITLE.—~~The~~ Plaintiff ~~with his or her~~
 109 complaint and the defendant with his or her answer must include
 110 ~~shall serve~~ a statement setting forth, chronologically, the
 111 chain of title upon which the party on which he or she will rely
 112 at trial. Copies of each instrument identified in the statement
 113 must be attached to the complaint or answer. If any part of the
 114 ~~chain of title is recorded,~~ The statement must include shall set
 115 ~~forth~~ the names of the grantors and the grantees, the date that
 116 each instrument was recorded, and the book and page or the
 117 instrument number for each recorded instrument of the record
 118 ~~thereof; if an unrecorded instrument is relied on, a copy shall~~
 119 ~~be attached. The court may require the original to be submitted~~
 120 ~~to the opposite party for inspection. If a~~ the party relies on a
 121 claim or right without color of title, the statement must shall
 122 specify how and when the claim originated and the facts on which
 123 the claim is based. If defendant and plaintiff claim under a
 124 common source, the statement need not deraign title before the
 125 common source.

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126 ~~(8)(5)~~ TESTING SUFFICIENCY.—If either party seeks ~~wants~~ to
 127 test the legal sufficiency of any instrument or court proceeding
 128 in the chain of title of the opposite party, the party must
 129 ~~shall~~ do so before trial by motion setting up his or her
 130 objections with a copy of the instrument or court proceedings
 131 attached. The motion must ~~shall~~ be disposed of before trial. If
 132 either party determines that he or she will be unable to
 133 maintain his or her claim by reason of the order, that party may
 134 so state in the record and final judgment shall be entered for
 135 the opposing ~~opposite~~ party.

136 (9) OPERATION.—This section is cumulative to other
 137 existing remedies and may not be construed to limit other
 138 remedies that are available under the laws of this state.

139 Section 2. Section 82.01, Florida Statutes, is amended to
 140 read:

141 82.01 Definitions ~~"Unlawful entry and forcible entry"~~
 142 ~~defined.~~ As used in this chapter, the term:

143 (1) "Forcible entry" means entering into and taking
 144 possession of real property with force, in a manner that is not
 145 peaceable, easy, or open, even if such entry is authorized by a
 146 person entitled to possession of the real property and the
 147 possession is only temporary or applies only to a portion of the
 148 real property.

149 (2) "Real property" means land or any existing permanent
 150 or temporary building or structure thereon, and any attachments

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151 generally held out for the use of persons in possession of the
152 real property.

153 (3) "Record titleholder" means a person who holds title to
154 real property as evidenced by an instrument recorded in the
155 public records of the county in which the real property is
156 located.

157 (4) "Unlawful detention" means possessing real property,
158 even if the possession is temporary or applies only to a portion
159 of the real property, without the consent of a person entitled
160 to possession of the real property or after the withdrawal of
161 consent by such person.

162 (5) "Unlawful entry" means the entry into and possessing
163 of real property, even if the possession is temporary or for a
164 portion of the real property, when such entry is not authorized
165 by law or consented to by a person entitled to possession of the
166 real property ~~No person shall enter into any lands or tenements~~
167 ~~except when entry is given by law, nor shall any person, when~~
168 ~~entry is given by law, enter with strong hand or with multitude~~
169 ~~of people, but only in a peaceable, easy and open manner.~~

170 Section 3. Section 82.02, Florida Statutes, is amended to
171 read:

172 82.02 Applicability ~~"Unlawful entry and unlawful~~
173 ~~detention" defined.—~~

174 (1) This chapter does not apply to residential tenancies
175 under part II of chapter 83 ~~No person who enters without consent~~

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176 ~~in a peaceable, easy and open manner into any lands or tenements~~
 177 ~~shall hold them afterwards against the consent of the party~~
 178 ~~entitled to possession.~~

179 (2) This chapter does not apply to the possession of real
 180 property under chapter 513 or chapter 723 ~~This section shall not~~
 181 ~~apply with regard to residential tenancies.~~

182 Section 4. Section 82.03, Florida Statutes, is amended to
 183 read:

184 82.03 Remedies ~~Remedy for unlawful entry and forcible~~
 185 ~~entry.—~~

186 (1) A person entitled to possession of real property,
 187 including constructive possession by a record titleholder, has a
 188 cause of action against a person who obtained possession of that
 189 real property by forcible entry, unlawful entry, or unlawful
 190 detention and may recover possession and damages. The person
 191 entitled to possession is not required to notify the prospective
 192 defendant before filing the action.

193 (2) If the court finds that the entry or detention by the
 194 defendant is willful and knowingly wrongful, the court must
 195 award the plaintiff damages equal to double the reasonable
 196 rental value of the real property from the beginning of the
 197 forcible entry, unlawful entry, or unlawful detention until
 198 possession is delivered to the plaintiff. The plaintiff may also
 199 recover other damages, including, but not limited to, damages
 200 for waste.

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201 (3) Actions for possession and damages may be bifurcated.

202 (4) All actions under this chapter must be brought by
 203 summary procedure as provided in s. 51.011, and the court shall
 204 advance the cause on the calendar ~~If any person enters or has~~
 205 ~~entered into lands or tenements when entry is not given by law,~~
 206 ~~or if any person enters or has entered into any lands or~~
 207 ~~tenements with strong hand or with multitude of people, even~~
 208 ~~when entry is given by law, the party turned out or deprived of~~
 209 ~~possession by the unlawful or forcible entry, by whatever right~~
 210 ~~or title the party held possession, or whatever estate the party~~
 211 ~~held or claimed in the lands or tenements of which he or she was~~
 212 ~~so dispossessed, is entitled to the summary procedure under s.~~
 213 ~~51.011 within 3 years thereafter.~~

214 Section 5. Section 82.045, Florida Statutes, is
 215 transferred, renumbered as section 82.035, Florida Statutes, and
 216 amended to read:

217 82.035 ~~82.045~~ Remedy for unlawful detention by a transient
 218 occupant of residential property.—

219 (1) As used in this section, the term "transient occupant"
 220 means a person whose residency in real property ~~a dwelling~~
 221 intended for residential use has occurred for a brief length of
 222 time, is not pursuant to a lease, and whose occupancy was
 223 intended as transient in nature.

224 (a) Factors that establish that a person is a transient
 225 occupant include, but are not limited to:

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- 226 1. The person does not have an ownership interest,
 227 financial interest, or leasehold interest in the property
 228 entitling him or her to occupancy of the property.
- 229 2. The person does not have any property utility
 230 subscriptions.
- 231 3. The person does not use the property address as an
 232 address of record with any governmental agency, including, but
 233 not limited to, the Department of Highway Safety and Motor
 234 Vehicles or the supervisor of elections.
- 235 4. The person does not receive mail at the property.
- 236 5. The person pays minimal or no rent for his or her stay
 237 at the property.
- 238 6. The person does not have a designated space of his or
 239 her own, such as a room, at the property.
- 240 7. The person has minimal, if any, personal belongings at
 241 the property.
- 242 8. The person has an apparent permanent residence
 243 elsewhere.
- 244 (b) Minor contributions made for the purchase of household
 245 goods, or minor contributions towards other household expenses,
 246 do not establish residency.
- 247 (2) A transient occupant unlawfully detains a residential
 248 property if the transient occupant remains in occupancy of the
 249 residential property after the party entitled to possession of
 250 the property has directed the transient occupant to leave.

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251 (3) Any law enforcement officer may, upon receipt of a
252 sworn affidavit of the party entitled to possession that a
253 person who is a transient occupant is unlawfully detaining
254 residential property, direct a transient occupant to surrender
255 possession of residential property. The sworn affidavit must set
256 forth the facts, including the applicable factors listed in
257 paragraph (1)(a), which establish that a transient occupant is
258 unlawfully detaining residential property.

259 (a) A person who fails to comply with the direction of the
260 law enforcement officer to surrender possession or occupancy
261 violates s. 810.08. In any prosecution of a violation of s.
262 810.08 related to this section, whether the defendant was
263 properly classified as a transient occupant is not an element of
264 the offense, the state is not required to prove that the
265 defendant was in fact a transient occupant, and the defendant's
266 status as a permanent resident is not an affirmative defense.

267 (b) A person wrongfully removed pursuant to this
268 subsection has a cause of action for wrongful removal against
269 the person who requested the removal, and may recover injunctive
270 relief and compensatory damages. However, a wrongfully removed
271 person does not have a cause of action against the law
272 enforcement officer or the agency employing the law enforcement
273 officer absent a showing of bad faith by the law enforcement
274 officer.

275 (4) A party entitled to possession of real property a

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276 ~~dwelling~~ has a cause of action for unlawful detainer against a
277 transient occupant pursuant to s. 82.03 ~~s. 82.04~~. The party
278 entitled to possession is not required to notify the transient
279 occupant before filing the action. If the court finds that the
280 defendant is not a transient occupant but is instead a tenant of
281 residential property governed by part II of chapter 83, the
282 court may not dismiss the action without first allowing the
283 plaintiff to give the transient occupant the notice required by
284 that part and to thereafter amend the complaint to pursue
285 eviction under that part.

286 Section 6. Section 82.04, Florida Statutes, is amended to
287 read:

288 82.04 Questions involved in this proceeding ~~Remedy for~~
289 ~~unlawful detention.~~ The court shall determine only the right of
290 possession and any damages. Unless it is necessary to determine
291 the right of possession or the record titleholder, the court may
292 not determine the question of title.

293 ~~(1) If any person enters or has entered in a peaceable~~
294 ~~manner into any lands or tenements when the entry is lawful and~~
295 ~~after the expiration of the person's right continues to hold~~
296 ~~them against the consent of the party entitled to possession,~~
297 ~~the party so entitled to possession is entitled to the summary~~
298 ~~procedure under s. 51.011, at any time within 3 years after the~~
299 ~~possession has been withheld from the party against his or her~~
300 ~~consent.~~

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301 ~~(2) This section shall not apply with regard to~~
302 ~~residential tenancies.~~

303 Section 7. Section 82.05, Florida Statutes, is amended to
304 read:

305 82.05 Service of process ~~Questions involved in this~~
306 ~~proceeding.~~—

307 (1) After at least two attempts to obtain service as
308 provided by law, if the defendant cannot be found in the county
309 in which the action is pending and either the defendant does not
310 have a usual place of abode in the county or there is no person
311 15 years of age or older residing at the defendant's usual place
312 of abode in the county, the sheriff must serve the summons and
313 complaint by attaching them to some conspicuous part of the real
314 property involved in the proceeding. The minimum amount of time
315 allowed between the two attempts to obtain service is 6 hours.

316 (2) If a plaintiff causes, or anticipates causing, a
317 defendant to be served with a summons and complaint solely by
318 attaching them to some conspicuous part of real property
319 involved in the proceeding, the plaintiff must provide the clerk
320 of the court with two additional copies of the summons and the
321 complaint and two prestamped envelopes addressed to the
322 defendant. One envelope must be addressed to the defendant's
323 residence, if known. The second envelope must be addressed to
324 the defendant's last known business address, if known. The clerk
325 of the court shall immediately mail the copies of the summons

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326 and complaint by first-class mail, note the fact of mailing in
 327 the docket, and file a certificate in the court file of the fact
 328 and date of mailing. Service is effective on the date of posting
 329 or mailing, whichever occurs later, and at least 5 days must
 330 have elapsed after the date of service before a final judgment
 331 for removal of the defendant may be entered ~~No question of~~
 332 ~~title, but only right of possession and damages, is involved in~~
 333 ~~the action.~~

334 Section 8. Section 82.091, Florida Statutes, is amended to
 335 read:

336 82.091 Judgment and execution.—

337 (1) If the court enters a judgment for the plaintiff, the
 338 ~~verdict is in favor of plaintiff, the court shall enter judgment~~
 339 ~~that~~ plaintiff shall recover possession of the real property
 340 that he or she is entitled to and described in the complaint
 341 ~~with his or her damages and costs. The court, and~~ shall award a
 342 writ of possession to be executed without delay and execution
 343 for the plaintiff's damages and costs.

344 (2) If the court enters a judgment for the defendant, the
 345 court shall ~~verdict is for defendant, the court shall enter~~
 346 ~~judgment against plaintiff dismissing the complaint and order~~
 347 that the defendant recover costs.

348 Section 9. Section 82.101, Florida Statutes, is amended to
 349 read:

350 82.101 Effect of judgment.—~~No judgment rendered either for~~

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351 the plaintiff or the defendant bars any action of trespass for
 352 injury to the real property or ejectment between the same
 353 parties respecting the same real property. A judgment is not
 354 conclusive as to ~~No verdict is conclusive of~~ the facts therein
 355 ~~found~~ in any future action for of trespass, ejectment, or quiet
 356 title. A judgment rendered either for the plaintiff or the
 357 defendant pursuant to this chapter may be superseded, in whole
 358 or in part, by a subsequent judgment in an action for trespass
 359 for injury to the real property, ejectment, or quiet title
 360 involving the same parties with respect to the same real
 361 property or ejectment.

362 Section 10. Section 163.035, Florida Statutes, is created
 363 to read:

364 **163.035 Establishment of recreational customary use.—**

365 **(1) DEFINITION.—**The term "governmental entity" includes an
 366 agency of the state, a regional or a local government created by
 367 the State Constitution or by general or special act, any county
 368 or municipality, or any other entity that independently
 369 exercises governmental authority.

370 **(2) ORDINANCES AND RULES RELATING TO CUSTOMARY USE.—**A
 371 governmental entity may not adopt or keep in effect an ordinance
 372 or rule that finds, determines, relies on, or is based upon
 373 customary use of any portion of a beach above the mean high-
 374 water line, as defined in s. 177.27, unless such ordinance or
 375 rule is based on a judicial declaration affirming recreational

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376 customary use on such beach.

377 (3) NOTICE OF INTENT TO AFFIRM RECREATION PUBLIC USE ON
378 PRIVATE PROPERTY; JUDICIAL DETERMINATION.—A governmental entity
379 that seeks to affirm the existence of a recreational customary
380 use on private property must follow the procedures set forth in
381 this subsection.

382 (a) Notice.—The governing board of a governmental entity
383 must, at a public hearing, adopt a formal notice of intent to
384 affirm the existence of a recreational customary use on private
385 property. The notice of intent must specifically identify the
386 following:

387 1. The specific parcels of property, or the specific
388 portions thereof, upon which a customary use affirmation is
389 sought;

390 2. The detailed, specific, and individual use or uses of
391 the parcels of property to which a customary use affirmation is
392 sought; and

393 3. Each source of evidence that the governmental entity
394 would rely upon to prove a recreational customary use has been
395 ancient, reasonable, without interruption, and free from
396 dispute.

397
398 The governmental entity must provide notice of the public
399 hearing to the owner of each parcel of property subject to the
400 notice of intent at the address reflected in the county property

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401 appraiser's records no later than 30 days before the public
402 meeting. Such notice must be provided by certified mail with
403 return receipt requested, publication in a newspaper of general
404 circulation in the area where the parcels of property are
405 located, and posting on the governmental entity's website.

406 (b) Judicial determination.—

407 1. Within 60 days after the adoption of the notice of
408 intent at the public hearing, the governmental entity must file
409 a Complaint for Declaration of Recreational Customary Use with
410 the circuit court in the county in which the properties subject
411 to the notice of intent are located. The governmental entity
412 must provide notice of the filing of the complaint to the owner
413 of each parcel of property subject to the complaint in the same
414 manner as is required for the notice of intent in paragraph (a).
415 The notice must allow the owner receiving the notice to
416 intervene in the proceeding within 45 days after receiving the
417 notice. The governmental entity must provide verification of the
418 service of the notice to the property owners required in this
419 paragraph to the court so that the court may establish a
420 schedule for the judicial proceedings.

421 2. All proceedings under this paragraph shall be de novo.
422 The court must determine whether the evidence presented
423 demonstrates that the recreational customary use for the use or
424 uses identified in the notice of intent have been ancient,
425 reasonable, without interruption, and free from dispute. There

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426 is no presumption regarding the existence of a recreational
 427 customary use with respect to any parcel of property, and the
 428 governmental entity has the burden of proof to show that a
 429 recreational customary use exists. An owner of a parcel of
 430 property that is subject to the complaint has the right to
 431 intervene as a party defendant in such proceeding.

432 (4) APPLICABILITY.—This section does not apply to a
 433 governmental entity with an ordinance or rule that was adopted
 434 and in effect on or before January 1, 2016, and does not deprive
 435 a governmental entity from raising customary use as an
 436 affirmative defense in any proceeding challenging an ordinance
 437 or rule adopted before July 1, 2018.

438 Section 11. Section 82.061, Florida Statutes, is repealed.

439 Section 12. Section 82.071, Florida Statutes, is repealed.

440 Section 13. Section 82.081, Florida Statutes, is repealed.

441 Section 14. This act shall take effect July 1, 2018.

2018 Florida Legislative Session Review and Constitutional Review Commission Status

FLAGLER COUNTY BOARD OF COUNTY COMMISSIONERS
APRIL 16, 2018 WORKSHOP









Legislative Session

- State legislators filed 3,200 bills (2017: 3,100)
- Only 195 bills (6 %) were passed by both the House and Senate (249 - 13%)
- Governor Rick Scott has signed 193 bills (2017: 36)
- Tracked - 404 bills relating to Local Gov't (48 passed)

STATUS OF BILLS		
		TOTAL
BILLS PASSED BY BOTH CHAMBERS		195
APPROVED BY GOVERNOR		193
VETOED BY GOVERNOR		2
BECAME LAW WITHOUT GOVERNOR'S SIGNATURE		0

Legislative Session

RESULTS

- Beach Customary Use
- City of Marco Island COPCN
-  Prearrest Diversion Programs
-  Nursing Home Power Backup
- “Marjory Stoneman Douglas High School Public Safety Act”
- Workers' Compensation Benefits for First Responders
- Daylight Savings Time
-  Vacation Rentals
-  Additional Flagler Judge
-  Fireworks Provisions Repeal
-  Texting while Driving
- Aviation Fuel Tax Reduction
- Economic & Tourism Oversight
 - Tree Trimming
 - Building Renaming
- Garbage Services Refunds
- Emergency Shelter EM Mgmt.

Constitutional Review Commission

The Style and Drafting Committee finalized a list of 12 Ballot proposals from the original 103

- Each incorporate **24** potential changes to the Florida Constitution
- Full Commission could adjust the proposals
 - Today starts the Full Commission Review
 - Each require **22** votes from the **37** member commission to place on the **Nov. 6** ballot
- Proposals Makeup: **18** combined into **6** proposals
6 separate proposals

Constitutional Review Commission

The Following is an example of a Bundled Proposal:

6005 - Combines Proposals 103, 26, 9 & 13:

- **103** - Sets Schedule for Convening Legislative Session
- **26** - Establishes Office of Domestic Security and Specifies Authority of Sheriff
- **9** - Establishes in Constitution Existence of Department of Veterans Affairs
- **13** - Removes Charter County Authority to Appoint Constitutional Officers

**FLAGLER COUNTY BOARD OF COUNTY COMMISSIONERS
WORKSHOP ITEM # 7**

SUBJECT: County Lobbyist Services

DATE OF MEETING: April 16, 2018

OVERVIEW/SUMMARY: Staff is bring forward for discussion the County's lobbying services as requested by the County Commission. If a change is desired the County staff would have enough time to go out in advance of the next legislative session.

As creative legislation continues to be introduced, counties need to rely on lobbyist to assist them by working proactively to monitor and investigate proposed legislation that would impact the organization. Lobbyists play a critical role in obtaining real time information and interpretation of the issues facing state and local government. This information helps the County Commission make decisions using the best information available. Lobbyists also provide fresh perspectives and approaches to problems as well as utilize relationships and contacts to advocate on specific issues on behalf of the County.

Since 2006, Lester Abberger of Florida Lobby Associates, Inc. has provided lobbying services for Flagler County. As our current lobbyist, Mr. Abberger's contract is set to expire on September 30, 2018, but has the ability to automatically renew for two (2) additional one-year terms through September 30, 2020. Mr. Abberger's yearly allocation is \$50,000.

During the recent legislative session with Mr. Abberger, Flagler County has been successful in presenting opportunities for staff and commissioners to meet with legislators and top state officials and again defeating the vacation rental bills. Additionally, the County was able to obtain funding for the library and a retired senior judge. .

In the past, the County has also utilized supplementary lobbying services for targeted issues. Previously the County utilized Mr. Richard Gentry of Gentry and Associates for several years. The County has utilized Ms. Lisa Hurley, Smith Bryan & Meyer the last two sessions. These additional lobbying costs have been between \$15,000 and \$20,000 per year.

FUNDING INFORMATION: The current budget includes funds in the FY 2017-18 budget for public policy consulting services.

DEPT/CONTACT/PHONE: Administration, Craig Coffey (386) 313-4001



Craig M. Coffey, County Administrator



Date