



REVISED AGENDA

1. ***Resolution to Support Craigslist Safe Haven Legislation (Mayor Weisman)****
Future Action Required: Resolution
2. ***NALEO Conference (Commissioner Landman)****
3. ***Discussion - City Communications***
4. ***Art in Public Places (City Manager)****
5. ***Request for Certificate of Appreciation (Commissioner Weinberg)****
6. ***Adjournment***

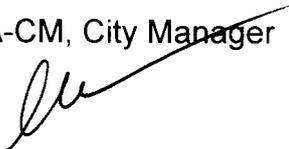
*** Back-up Information Exists**

This meeting is open to the public. In accordance with the Americans with Disabilities Act of 1990, all persons who are disabled and who need special accommodations to participate in this meeting because of that disability should contact the Office of the City Clerk, 305-466-8901, not later than two days prior to such proceeding.

CITY OF AVENTURA
OFFICE OF THE CITY COMMISSION

MEMORANDUM

TO: Eric M. Soroka, ICMA-CM, City Manager

FROM: Mayor Enid Weisman 

DATE: February 26, 2015

SUBJECT: Proposed Resolution to Support Craigslist Safe Haven Legislation

Please place on the April Workshop Meeting a request for a Resolution to Support Craigslist Safe Haven Legislation. See attached CS/SB 286.
Thank you.

EW/elh

The Florida Senate
BILL ANALYSIS AND FISCAL IMPACT STATEMENT

(This document is based on the provisions contained in the legislation as of the latest date listed below.)

Prepared By: The Professional Staff of the Committee on Judiciary

BILL: CS/SB 286

INTRODUCER: Community Affairs Committee and Senator Diaz de la Portilla

SUBJECT: Classified Advertisement Websites

DATE: March 23, 2015

REVISED: _____

	ANALYST	STAFF DIRECTOR	REFERENCE	ACTION
1.	Stearns	Yeatman	CA	Fav/CS
2.	Brown	Cibula	JU	Favorable
3.			AGG	
4.			FP	

Please see Section IX. for Additional Information:

COMMITTEE SUBSTITUTE - Substantial Changes

I. Summary:

CS/SB 286 encourages the Department of Management Services and local governmental bodies to designate safe-haven facilities in each county, which will provide a safe place to conduct sales transactions for items advertised on classified advertisement websites, such as Craigslist.

The bill provides that the state and local governmental entities who provide safe-haven facilities are generally immune from tort claims related to sales transactions at the facility.

II. Present Situation:

Online Transaction Safe-Haven Laws

In response to a continuing trend of crimes stemming from transactions related to online classified advertisement websites, such as Craigslist, a number of police departments have opened their lobbies and parking lots to citizens to complete the sales transactions. Conducting transactions in police lobbies or parking lots deters crime for obvious reasons, including the proximity of police officers and the likelihood of surveillance by security cameras.

In May 2014, after a series of robberies related to Craigslist transactions, the East Chicago Police Department began "Operation Safe Sale." and offered the use of its headquarters parking lot and

lobby to conduct transactions.¹ The police department even offered supervision during certain hours.² If supervision is not requested, the parking lot and police lobby are available for use for transactions any time.³

In January 2015, the Virginia Beach, Virginia, Police Department launched the “Find a Safe Place” initiative, in which it offered the use of the police department’s lobby for transactions arranged through classified advertisement websites.⁴ Police lobbies are available for use daily during certain times.⁵ However, the police department prohibited transactions involving “large, cumbersome household items, appliances and landscape care equipment,” or “the sale of any contraband, stolen property, or other illegal items.”⁶

In February 2015, the Toledo, Ohio, Police Department announced it would be making designated parking spots in front of one of its stations available for anyone to complete an online sales transaction.⁷

Florida police departments have also created safe havens at their facilities. In July 2014, the Boca Raton Police Department, in response to “at least three cases in June where people were ripped off by buyers when trying to sell something off Craigslist,” offered the Department’s lobby and parking lot for transactions.⁸ Police in Delray Beach and Boynton Beach are also considering a similar program.

On February 3, 2015, the Miami-Dade Board of County Commissioners (BOCC) adopted a resolution directing the mayor to research and document the feasibility and advisability of providing locations such as Miami-Dade police stations to serve as safe havens for Craigslist transactions. The commissioners envisioned at least 4 locations in different areas of the county to serve as safe houses. The resolution requires the Mayor to provide a report to the BOCC within 60 after the date of the resolution.⁹

III. Effect of Proposed Changes:

This bill encourages the Department of Management Services (DMS) and local governments to establish state safe-haven facilities to conduct sales transactions related to classified advertisement websites similar to Craigslist.

¹ Juan Perez Jr., *East Chicago Police Offer Up Their Lobby. Parking Lot for Craigslist Transactions*, CHICAGO TRIBUNE, (May 01, 2014) available at http://articles.chicagotribune.com/2014-05-01/news/chi-east-chicago-police-offer-up-their-lobby-parking-lot-for-craigslist-transactions-20140501_1_craigslist-transactions-becker-lobby.

² *Id.*

³ *Id.*

⁴ Becca Mitchell and Todd Corillo, *Virginia Beach Police Offering Precinct Lobbies as a Safe Place for Craigslist Transactions*, WTKR NEWS CHANNEL 3, (January 27, 2015) available at <http://wtkr.com/2015/01/27/virginia-beach-police-offering-precinct-lobby-as-a-safe-place-for-craigslist-transactions/>.

⁵ *Id.*

⁶ *Id.*

⁷ Angi Gonzalez, *Toledo Police to Offer Safe Haven to Craigslist Users*, WNWO NBC 24, (February 24, 2015), available at <http://www.nbc24.com/news/story.aspx?id=1168859#.VQCK-nF91A>.

⁸ Kate Jacobsen, *Boca Raton Police Ask Craigslist Sellers to Use Station Lobby*, THE SUN-SENTINEL, (July 5, 2014), available at http://articles.sun-sentinel.com/2014-07-05/news/fl-boca-raton-craigslist-lobby-20140701_1_boca-raton-police-station-lobby-craigslist-sellers.

⁹ Miami-Dade Board of County Commissioners, Res. No. R-126-15 (February 3, 2015).

The bill refers to a classified advertisement website as a web-based advertisement site that lists items for sale or items wanted for purchase or acquisition. Safe-haven facilities are those designated by state or local government as places where persons can effect sales transactions safely.

The DMS is encouraged to designate at least:

- One state safe-haven facility in each county having a population of less than 250,000.
- Two state safe-haven facilities in each county having a population from 250,000 to less than 800,000.
- Four state safe-haven facilities in each county having a population of 800,000 and greater.

Based on the 2010 census, six counties would require four state safe-haven facilities, 15 counties would require two facilities, and 46 counties would require one safe-haven facility.¹⁰

The suggested options for state safe-haven facilities are a state college or university, a Florida Highway Patrol station, or another kind of public state office building. The bill encourages the DMS to designate at least one indoor and one outdoor area for use during regular hours of operation at each state safe-haven facility.

The suggested options for local safe-haven facilities include sheriff's offices and county courthouses.

State and local governmental entities are not responsible for supervising, intervening in, or facilitating a sales transaction at a safe-haven facility.

This bill makes state and local governments and their officers, employees, and agents immune from tort claims arising from a sales transaction, unless the governmental officer or employee:

- Acts out of the scope of employment; or
- Acts in bad faith; or
- Acts with malicious purpose or in a manner exhibiting wanton and willful disregard for human rights, safety, or property.

The bill takes effect July 1, 2015.

IV. Constitutional Issues:

A. Municipality/County Mandates Restrictions:

As this bill encourages, rather than requires local governments to establish safe-haven facilities. Therefore, the bill is not a mandate.

B. Public Records/Open Meetings Issues:

None.

¹⁰ Department of Management Services, *2015 Legislative Bill Analysis* (July 1, 2015).

C. Trust Funds Restrictions:

None.

D. Other Constitutional Issues:

Sovereign immunity originally referred to the English common law concept that the government may not be sued because “the King can do no wrong.” Sovereign immunity bars lawsuits against the state or its political subdivisions for the torts of officers, employees, or agents unless the public entity expressly waives immunity.

Article X, s. 13, of the Florida Constitution recognizes sovereign immunity and authorizes the Legislature to provide a waiver of immunity. Section 768.28(1), F.S., provides a broad waiver of sovereign immunity. But by law, liability to pay a claim or judgment is limited to \$200,000 per plaintiff or \$300,000 per incident.¹¹

This bill appears to provide absolute immunity, but only to the extent that an injury or damages arise out of a sales transaction at a designated safe-haven. Accordingly, this bill creates an exception to the broad waiver of sovereign immunity under s. 768.28, F.S.

V. Fiscal Impact Statement:

A. Tax/Fee Issues:

None.

B. Private Sector Impact:

This bill may encourage more private buyers and sellers to engage in sales transactions through websites such as Craigslist if a safe location exists for the actual exchange of goods for money.

C. Government Sector Impact:

The Department of Management Services (DMS) and state and local government could incur a fiscal impact due to the provisions of this bill relating to the designation and operation of safe-haven facilities for sales transactions from classified advertising websites. However, DMS and local governments are in complete control of the costs because the creation of safe-haven facilities is voluntary.

VI. Technical Deficiencies:

None.

¹¹ Section 768.28(5), F.S.

VII. Related Issues:

An unintended consequence of the bill could be that a seller who advertises extensively on a classified advertising website sets up shop daily in the designated safe-haven facility to conduct business.¹²

The Board of Governors of the State University System indicates that making buildings on campus available to the public for these transactions may prove difficult. Parking on most campuses is extremely limited, and not provided on a free basis.¹³

VIII. Statutes Affected:

This bill creates section 501.181 of the Florida Statutes.

IX. Additional Information:**A. Committee Substitute – Statement of Substantial Changes:**

(Summarizing differences between the Committee Substitute and the prior version of the bill.)

CS by Community Affairs on March 17, 2015:

- Provides definitions for the following terms: “building,” “classified advertisement website,” “department,” “local safe-haven facility,” “sales transaction” or “transaction,” and “state safe-haven facility.”
- Encourages the Department of Management Services to designate a certain number of state safe-haven facilities in each county depending on the population of the county.
- Encourages local governments to designate local safe-haven facilities.
- Provides that government actors are not responsible for facilitating sales transactions and provides governments are not liable for the actions of the parties involved in the transaction.
- Provides that governments and their employees or agents are immune from liability for injuries arising out of sales transactions. Government employees may be liable if they acted in bad faith, outside the scope of employment, or with malicious purpose or in a manner exhibiting wanton and willful disregard for human rights, safety, or property.

B. Amendments:

None.

This Senate Bill Analysis does not reflect the intent or official position of the bill's introducer or the Florida Senate.

¹² Florida Department of Transportation, *2015 Legislative Bill Analysis* (July 1, 2015).

¹³ Board of Governors of the State University System of Florida, *2015 Legislative Bill Analysis*.

CITY OF AVENTURA
OFFICE OF THE CITY COMMISSION

MEMORANDUM

TO: Eric M. Soroka, ICMA-CM, City Manager

FROM: Commissioner Denise Landman 

DATE: February 11, 2015

SUBJECT: **Request to Attend NALEO Annual Conference**

Please place on the April Workshop Meeting Agenda a request to attend the Annual conference of NALEO. See attached Conference Information.

Thank you.

DL/elh



NALEO 32nd Annual Conference

JUNE 17-19, 2015 ★ ARIA RESORT & CASINO ★ LAS VEGAS, NEVADA

TUESDAY, JUNE 16	WEDNESDAY, JUNE 17	THURSDAY, JUNE 18	FRIDAY, JUNE 19
	Hoover Dam Tour Water, Energy and Infrastructure 7:00 - 9:00 AM <small>* Offsite Event. Advance registration required.</small>		
	Education Track: School Testing 9:30 - 11:00 AM	Education Track: Charter Schools & School Choice 9:30 - 11:00 AM	Education Track: Teacher Quality 9:30 - 11:00 AM
Conference Registration 2:00 - 5:00 PM	Youth Homelessness & Human Trafficking 9:30 - 11:00 AM Health Issues: ACA Update & Long Term Care 9:30 - 11:00 AM Ethics 9:30 - 11:00 AM Plenary Session: Public Safety and Community Engagement 11:30 AM - 1:00 PM	Emerging Public Health & Safety Policy Challenges 9:30 - 11:00 AM Immigrant Student Integration (DACA & DAPA) 9:30 - 11:00 AM Effective Governance and Leadership 9:30 - 11:00 AM Democratic Presidential Forum 11:30 AM - 1:00 PM	Domestic Terrorism & Emerging Local Threats 9:30 - 11:00 AM Boys and Men of Color 9:30 - 11:00 AM Strategic Planning for Elected Officials 9:30 - 11:00 AM Republican Presidential Candidate Forum 11:30 AM - 1:00 PM
	National Leadership Luncheon: Nevada Political Leadership and Role of Latino Electorate 1:30 - 3:30 PM	National Leadership Luncheon: Commemoration of VRA Anniversary 1:30 - 3:00PM	National Leadership Luncheon: CIR/Executive Action Update 1:30 - 3:00 PM
	Opening Reception 6:00 - 8:00 PM	Evening Event: Cirque du Soleil Zarkana 6:00 - 10:00 PM	Evening Event: Las Vegas Night Life Experience 7:00 - 10:00 PM



FOR UPDATES, VISIT NALEO ONLINE:
WWW.NALEO.ORG/ANNUALCONFERENCE

PRELIMINARY DRAFT SUMMARY AGENDA. SUBJECT TO CHANGE.



NALEO 32ND ANNUAL CONFERENCE REGISTRATION

JUNE 17-19, 2015 ★ ARIA RESORT & CASINO ★ LAS VEGAS, NEVADA

TO REGISTER ONLINE VISIT: www.naleo.org/annualconference

FULL CONFERENCE PACKAGE

Access to all Conference Sessions, Meals, and NALEO Evening events

	EARLY BIRD	AFTER JUNE 5, 2015
Member	\$600	\$700
New Member*	\$700	\$800
Non-Member	\$800	\$900
Spouse	\$500	\$600
EO Staff	\$500	\$600

**(Includes one-year membership)*

HOTEL INFORMATION

Aria Resort & Casino
3730 South Las Vegas Boulevard | Las Vegas, NV 89109

HOTEL CONFERENCE RATE

Wednesday, June 17: \$169.00 (++) per night

Thursday, June 18: \$169.00 (++) per night

Friday, June 19: \$199.00 (++) per night

A daily Resort Fee of \$25.00 (++) will be charged in addition to the room rates.

This fee includes the following:

- Internet Access (in-suite and campus wide at City Center)
- Local and toll-free number phone calls
- Access to The Spa at ARIA Fitness Center
- Daily Newspaper
- Airline Boarding Pass Printing

RESERVING A ROOM FOR THE NALEO 32ND ANNUAL CONFERENCE

NALEO Conference participants must register for the Conference before being able to reserve a room. Once your registration is processed online, you will receive a confirmation e-mail with the link to the hotel for reservations under the NALEO Conference room block. Please note that the hotel will not accept telephone reservations and the deadline to make reservations at the NALEO group rate is **Friday May 22, 2015.**

ORDINANCE NO. 2012-16

AN ORDINANCE OF THE CITY OF AVENTURA, FLORIDA CREATING DIVISION 6 “ART IN PUBLIC PLACES ADVISORY BOARD” OF ARTICLE III “ADVISORY BOARDS” OF CHAPTER 2 “ADMINISTRATION” OF THE CITY CODE OF THE CITY OF AVENTURA, FLORIDA ; ESTABLISHING ADVISORY BOARD AND PROVIDING FOR ITS DUTIES AND RESPONSIBILITIES; PROVIDING FOR SEVERABILITY; PROVIDING FOR INCLUSION IN CODE; PROVIDING FOR AN EFFECTIVE DATE

WHEREAS, the City Commission desires to create an advisory board to assist the City in facilitating the placement of works of art at City owned and/ or operated parks, buildings and facilities.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COMMISSION OF THE CITY OF AVENTURA, FLORIDA , AS FOLLOWS:

Section 1. City Code Amended . That Division 6 “Art in Public Places Advisory Board” of Article 3 “ Advisory Boards” of Chapter 2 “ Administration” of the City Code, is hereby created , to read, as follows:

DIVISION 6. - ARTS IN PUBLIC PLACES ADVISORY BOARD

Sec. 2-201. - Creation, composition and qualifications.

A. There is hereby created and established the City of Aventura Art in Public Places Advisory Board (the "Board") consisting of five (5) members, including the Mayor, City Manager, who shall both serve by virtue of their office, and three (3) residents of the City who shall be appointed by the Mayor, subject to the approval of the City Commission. The resident members of the Board shall be appointed in accordance with procedures established herein and shall hold office at the pleasure of the City Commission. Members of the Board shall serve on the Board without compensation and shall not be reimbursed for travel, mileage, or per diem expenses as to Board service. The resident members shall serve for a two-year term and may be reappointed in accordance with the process outlined herein.

B. In the event of the resignation or removal of any member of the Board, the Mayor shall appoint a person to fill the vacancy on such Board for the unexpired portion of the term of the member vacating such office, subject to approval of the City Commission in accordance with procedures established herein.

C. In the event that a member of the Board shall be absent and unexcused from a duly-called meeting of the Board for three consecutive meetings, then, in that event, such member shall automatically be removed as a member of the Board by the City Manager. An excused absence shall be requested in writing via email, fax or letter prior to the Board meeting.

D. The City Manager or his designee shall provide or designate necessary staff support for the Board.

Sec. 2-202. – Process of Appointment of Board Members.

A. Individuals wishing to be a member of the Board shall make application to the City Manager on the forms provided by the City. The City Manager shall interview all applicants and make recommendation to the Mayor. The Mayor shall appoint to the Board members from the list of applicants recommended by the City Manager, subject to the approval of the City Commission.

B. In recommending members of the Board, the following guidelines shall be considered:

(i) The resident membership of the Board should consist of persons who have demonstrated a strong commitment to arts, including painting, photography, sculpture and other art forms.

(ii) Reasonable efforts should be made for the membership of the Board to be representative of a range of comprehensive adult age groups.

Sec. 2-203. - Advisory capacity.

The powers and duties of the Board shall be solely of an advisory nature to the City Manager and Mayor and City Commission. The City Manager, by virtue of his office as City Manager, shall be responsible for communicating to the City Commission the actions of the Board.

Sec. 2-204. - Rules of procedure; quorum.

A. The Board shall adopt rules of procedure not inconsistent with the ordinances of the City and the laws of the State of Florida and shall utilize Robert's Rules of Order recently revised 1990 Edition for the rules of procedure for the conduct of meetings of the Board. The Board may create additional rules for the conduct of its internal proceedings.

B. The Mayor shall serve as the Chairperson and the City Manager shall serve as the Vice-Chairperson.

C. Three (3) members shall constitute a quorum for the transaction of business of the Board. Official action shall be taken by the Board only upon the concurring vote of a majority of the members present at an official meeting of the Board, except that at least three (3) affirmative votes shall be required for official action.

Sec. 2-205. - Mission; jurisdiction and duties.

A. The mission of the Board is to assist the City in identifying, selecting and obtaining works of art for display in City owned and/ or operated parks, buildings and facilities, in order to further enhance the diverse array of cultural and educational opportunities which are available within the City. The Board shall develop proposed protocols and guidelines for achieving that mission, subject to approval by the City Commission. Further, the final decision on the acceptance, placement and display of specific works of art at City owned and/ or operated parks, buildings and facilities shall be subject to the approval of the City Commission.

B. Action of the Board shall be in the form of a written recommendation of advice to the City Manager and Mayor, who shall confer as to the presentation of the recommendation of the Board to the City Commission.

C. The Board shall meet monthly as needed as determined by the City Manager.

Sec. 2-206. - Standards of conduct for members.

All members of the Board shall be subject to the Standards of Conduct for Public Officers and Employees, as set by Federal, State, County, City or other applicable law pursuant to City Charter Section 7.03 and must file the appropriate financial disclosure forms.

Section 2. Severability. That the provisions of this Ordinance are declared to be severable and if any section, sentence, clause or phrase of this Ordinance shall for any reason be held to be invalid or unconstitutional such decision shall not affect the validity of the remaining sections, sentences, clauses and phrases of this Ordinance, but they shall remain in effect it being the legislative intent that this Ordinance shall stand notwithstanding the invalidity of any part.

Section 3. Inclusion in the Code. That it is the intention of the City Commission and it is hereby ordained that the provisions of this Ordinance shall become and be made a part of the Code of the City of Aventura, that the sections of this Ordinance may be renumbered or relettered to accomplish such intentions, and that the word Ordinance shall be changed to Section or other appropriate word.

Section 4. Effective Date. That this Ordinance shall be effective immediately upon adoption on second reading.

The foregoing Ordinance was offered by Commissioner Diamond, who moved its adoption on first reading. This motion was seconded by Commissioner Weinberg. and upon being put to a vote, the vote was as follows:

Commissioner Zev Auerbach	yes
Commissioner Bob Diamond	yes
Commissioner Billy Joel	yes
Commissioner Michael Stern	yes
Commissioner Luz Urbáez Weinberg	yes
Vice Mayor Teri Holzberg	absent
Mayor Susan Gottlieb	yes

The foregoing Ordinance was offered by Commissioner Diamond who moved its adoption on second reading. This motion was seconded by Commissioner Joel and upon being put to a vote, the vote was as follows:

Commissioner Zev Auerbach	yes
Commissioner Bob Diamond	yes
Commissioner Billy Joel	yes
Commissioner Michael Stern	yes
Commissioner Luz Urbáez Weinberg	yes
Vice Mayor Teri Holzberg	yes
Mayor Susan Gottlieb	yes

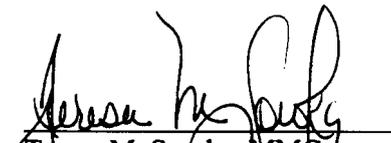
PASSED AND ADOPTED on first reading this 4th day of September, 2012.

PASSED AND ADOPTED on second reading this 2nd day of October, 2012.



Susan Gottlieb, Mayor

ATTEST:



Teresa M. Soroka, MMC
City Clerk

Approved as to Form and Legal Sufficiency:



City Attorney

CITY OF AVENTURA
OFFICE OF THE CITY COMMISSION

MEMORANDUM

TO: Eric M. Soroka, ICMA-CM, City Manager

FROM: Commissioner Howard Weinberg

DATE: April 13, 2015

SUBJECT: **Request for Certificate of Appreciation**

Please place on the Workshop agenda my request to recognize the APMA (Aventura Property Managers Association) for their scholarship program wherein they award scholarships to deserving employees (all of whom work in Aventura). The funding for the scholarships is derived from the APMA membership.

Thank you.

HW/elh