

CITY OF POMPANO BEACH
Broward County, Florida

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, URGING THE FLORIDA LEGISLATURE AND GOVERNOR TO FUND, DEVELOP AND PROVIDE A NO OR LOW INTEREST LONG-TERM LOAN PROGRAM FOR QUALIFYING FLORIDA CONDOMINIUM OR COOPERATIVE OWNERS BURDENED WITH HIGH SPECIAL ASSESSMENTS FOR STRUCTURAL REPAIRS MANDATED BY THE 2022 LEGISLATURE THROUGH THE PASSAGE OF SENATE BILL 4-D; AND IN ADDITION TO OR IN LIEU THEREOF, TO AMEND THE REQUIREMENTS TO PROVIDE ADDITIONAL TIME FOR COMPLIANCE WITH FUNDING REQUIREMENTS; PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, in an effort to safeguard the lives of Florida Condominium and Cooperative owners and residents, in May of 2022 the Florida Legislature enacted Senate Bill 4-D to provide requirements aimed at protecting the long-term structural safety and integrity of multi-story buildings in Florida to prevent similar tragedies such as the collapse of the Champlain Towers South Condominium in Surfside, Florida.

WHEREAS, in addition to requiring “milestone inspections” of various years, the legislation requires that associations complete a Structural Integrity Reserve Study (“SIRS”) at least once every ten years for each building in the condominium three stories or taller, to calculate and fund reserves for long-term maintenance and replacement of certain structural components of their buildings; and

WHEREAS, also, under the new law associations must maintain enough money in their reserves before 2025 to maintain the structural integrity of all buildings three stories or higher, and effective December 31, 2024, associations will be prohibited from waiving or reducing funding

for many of the reserve items in their annual budgets, and reserve funds collected for the structural items listed in a SIRS may not be utilized for any other purpose, even if a majority of unit owners vote to do so; and

WHEREAS, the mandatory reserve requirements imposed by the enacted legislation will require new and extensive special assessments of unit owners to adequately fund the new requirements within the required time period; and

WHEREAS, many unit owners are on fixed incomes, and others as well may not be able to afford to pay the necessitated special assessments; now, therefore,

BE IT RESOLVED BY THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA:

SECTION 1. The foregoing “whereas” clauses are adopted and incorporated in this Resolution.

SECTION 2. The Mayor and City Commission of the City of Pompano Beach support and urge the Florida Legislature and the Governor to fund, develop and provide a no-interest or low-interest loan program for qualifying Florida condominiums or cooperative owners burdened with high special assessments for structural repairs mandated by the passage of legislation in 2022, specifically, Senate Bill 4-D, and in addition to providing for such loans or in lieu thereof, amend the currently enacted requirements to extend the time period for fully funding the required reserves to fund repairs to reduce the potentially severe impacts of required special assessments.

SECTION 3. That the Clerk of the City of Pompano Beach is directed to send a copy of this resolution to the leaders of the Florida House and Senate, to State Representatives and Senate members representing the City of Pompano Beach, and to the Office of Governor Ron DeSantis.

SECTION 4. This Resolution shall become effective upon passage.

PASSED AND ADOPTED this _____ day of _____, 2023.

REX HARDIN, MAYOR

ATTEST:

KERVIN ALFRED, CITY CLERK

MEB/jrm
3/21/23
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