



**City of Coral Gables**  
**CITY COMMISSION MEETING**  
**November 14, 2017**

**ITEM TITLE:**

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF CORAL GABLES, FLORIDA, DIRECTING THE CITY'S ADMINISTRATION TO MAKE SUPPORT OF HOUSE BILL 439 AND SENATE BILL 560 PART OF THE CITY'S 2018 LEGISLATIVE AGENDA AND URGING THE FLORIDA HOUSE OF REPRESENTATIVES AND SENATE TO ADOPT HOUSE BILL 43 AND SENATE BILL 560 OR SIMILAR LEGISLATION

(CITY ATTORNEY ITEM)

**BRIEF HISTORY:**

On October 19, 2017 Senator Greg Steube introduced Senate Bill 560- the full title of which is " An act relating to public meetings and records; amending s. 286.011, F.S.; expanding an exemption from public meetings requirements to allow specified entities to meet in private with an attorney to discuss imminent litigation if certain conditions are met; requiring the entity's attorney to identify the name of the potential claimant or litigant at a public meeting; requiring the transcript of a private meeting concerning imminent litigation to be made public upon the occurrence of a certain circumstance; specifying when litigation is considered imminent; providing for future legislative review and repeal of the exemption; providing a statement of public necessity; providing an effective date".

On October 25, 2017 Representative Byron Donalds introduced a similar bill in the Florida House of Representatives, House Bill 439, the full title of which is identical to that of Senate Bill 560. Currently F.S. 286.011 allows for any board or commission of a state agency or authority or an agency or authority of any county, municipal corporation or political subdivision to meet in private with the entity's attorney to discuss pending litigation to which the entity is presently a party. Both Senate Bill 560 and House Bill 439 propose that F.S. 286.011 be amended to allow for the same entities to meet in private to discuss imminent litigation as defined in the proposed bills and both bills would also conform the public meeting statute, F.S. 286.011 with the public record exemption which exempts written communications prepared for imminent litigation from public disclosure for a period of time.

The City of Coral Gables directs that support of House Bill 439 and Senate Bill 560 be made part of the City's legislative agenda and urges the State Legislature to adopt House Bill 439 and Senate Bill 560 or similar legislation.

**1. Proposed Resolution**