

TRAILER ESTATES PARK & RECREATION DISTRICT**BOARD OF TRUSTEE WORKSHOP****September 21, 2020****Immediately following the 9:30 a.m. Board of Trustee Meeting****SMALL HALL****1903 69TH AVENUE WEST****BRADENTON, FLORIDA 34207**

1. Attachments to Minutes (Dalton)
2. Workshop Amended Agenda after the Meeting (Sansone)
3. E-Verify Section 448.09 (Sansone)

RESIDENT COMMENTS

Pursuant to Section 286.0105, Florida Statutes, should any person wish to appeal a decision of the Board with respect to any matter considered at this meeting, he or she will need to ensure that a verbatim record of the proceedings is made, including the testimony and evidence upon which the appeal is to be based.

Pursuant to Section 286.26, Florida Statutes, and the Americans With Disabilities Act, any handicapped person desiring to attend this meeting should contact TJ Miller at 756-7177, at least 48 hours in advance of the meeting, to ensure that adequate accommodations are provided for access to the meeting.

TRAILER ESTATES PARK AND RECREATION DISTRICT
BOARD AGENDA ITEM FORM/POLICY

PP 38

DUE IN OFFICE 10:30 A.M. WEDNESDAY PRIOR TO MEETING THAT YOU WISH TO BRING ITEM FORWARD.

Agenda Item Attachments to Minutes

For Upcoming Meeting—Date 09-21-2020

Type of Meeting (check one): **Workshop** Board Meeting *

*It is recommended that Board Meeting Agenda Items be an agenda item on a Workshop prior to the board meeting.

Rationale (for workshops)/ MOTION (for board meetings): Discuss the
precedent for attaching items to minutes. In the past, items submitted to
the board at a meeting are presented to TJ for inclusion in the public
records for the meeting but are not attached to the actual minutes. At our
last meeting, 3 items were requested to be "attached" to the minutes. I
board direction on how to handle future occurrences.

Costs/Estimated Costs: (Required if agenda item includes spending district money.)
None,

Attachments: (Please attach any diagrams or pertinent information concerning this
Agenda Item. Please list the attachments.) None,

Trustee Lori Dalton

Date Submitted 09-09-2020

Chairman/Designee Deane Trotter *(Signature)*

Office Manager/Designee: Date Posted 9/1/2020 Initials *(Signature)*

**TRAILER ESTATES PARK AND RECREATION DISTRICT
BOARD AGENDA ITEM FORM/POLICY PP 38**

DUE IN OFFICE 10:30 A.M. WEDNESDAY PRIOR TO MEETING THAT YOU WISH TO BRING ITEM FORWARD.

Agenda Item: Workshop Amended Agenda after the meeting _____
For Upcoming Meeting—Date Sept. 21, 2020

Type of Meeting (check one): **Workshop Board Meeting ***

***It is recommended that Board Meeting Agenda Items be an agenda item on a Workshop prior to the board meeting.**

Rationale (for workshops)/ MOTION (for board meetings): After the 9/8/20 workshop where it was decided that the Secretary would post an amended agenda of the previous workshop so residents would be aware of what transpired at that workshop. It appears that it is creating additional work for the Secretary. If residents are concern about additional items being added they can attend the workshop or listen to it on You Tube or Channel 732 or Zoom. Any item discussed at workshop result in two action; 1) no action because it was decided not to take any action; 2) we take action and is acted on at the next Board meeting were the residents have the opportunity to express their concern about the issue.

Costs/Estimated Costs: **(Required if agenda item includes spending district money.)**

None

Attachments: **(Please attach any diagrams or pertinent information concerning this Agenda Item. Please list the attachments.)**

Trustee Mike Sansone

Date Submitted September 10, 2020

Chairman/Designee Duane Tratter

Office Manager/Designee: Date Posted 9/11/2020 Initials GA

Form Approved: March 3, 2008, Revised April 7, 2008; January 19, 2009, 2/7/11 Agenda Item Form/Policy (formerly PP34)

Policy Adopted April 7, 2008, Revised August 3, 2009, 2/7/11, Revised 5/2/16; 11/2016

**TRAILER ESTATES PARK AND RECREATION DISTRICT
BOARD AGENDA ITEM FORM/POLICY PP 38**

DUE IN OFFICE 10:30 A.M. WEDNESDAY PRIOR TO MEETING THAT YOU WISH TO BRING ITEM FORWARD.

Agenda Item__ E-VERIFY. Section 448.09, _____

For Upcoming Meeting—Date _____ Sept. 21, 2020 _____

Type of Meeting (check one): **Workshop Board Meeting ***

***It is recommended that Board Meeting Agenda Items be an agenda item on a Workshop prior to the board meeting.**

Rationale (for workshops)/ MOTION (for board meetings): Add to Employee Handbook the E-verify. _____

Costs/Estimated Costs: **(Required if agenda item includes spending district money.)**

Attachments: **(Please attach any diagrams or pertinent information concerning this Agenda Item. Please list the attachments.)** _____

Trustee _____ Mike Sansone _____

Date Submitted _____ September 10, 2020 _____

Chairman/Designee _____ *Deane Tratta* _____

Office Manager/Designee: Date Posted *9/11/2020* Initials *(JM)*

Form Approved: March 3, 2008, Revised April 7, 2008; January 19, 2009, 2/7/11 Agenda Item Form/Policy (formerly PP34)

Policy Adopted April 7, 2008, Revised August 3, 2009, 2/7/11, Revised 5/2/16; 11/2016

All - During the 2020 Legislative Session, the Florida legislation passed SB 664, Verification of Employment Eligibility, which requires all public employers and their contractors and subcontractors to register and use the E-Verify system to verify the work authorization status of all newly hired employees beginning January 1, 2021. E-Verify is a free, online system through which an employer may confirm that a new hire is authorized to work in the United States.

Section 448.09, Florida Statutes, makes it unlawful for any person to knowingly employ, hire, recruit, or refer, either for herself or himself, or on behalf of another, for private or public employment with the state, an alien who is not duly authorized to work by the immigration laws or the Attorney General of the United States. The District should already be doing this on all hires.

The legislation passed this year added Section 448.095, Florida Statutes, to specifically prohibit a public employer, contractor, and subcontractor from entering into a contract unless each party to the contract registers and uses E-Verify. The relevant provisions of Section 448.095 are as follows:

- If a public employer, contractor, or subcontractor has a good faith belief that a person or entity with which it is contracting has knowingly violated Section 448.09, Florida Statutes, it has a duty to terminate the contract with the person or entity.
- A public employer who has a good faith belief that a subcontractor knowingly violated Section 448.095, Florida Statutes, has a duty to promptly notify the contractor and order the contractor to immediately terminate the contract with the subcontractor.
- Any termination of a contract by a public employer, contractor, or subcontractor based upon a good faith belief that a contracting party has knowingly violated Section 448.09, Florida Statutes, shall not be considered a breach of contract.
- If a public employer terminates a contract with a contractor for violating Section 448.09, Florida Statutes, such contractor shall not be awarded a public contract for at least a year after the date on which the contract was terminated.
- A contractor who is terminated for violating Section 448.09, Florida Statutes, is liable for any additional costs incurred by the public employer.

In preparation for the effective date of the law, the District should register with the E-Verify System, to the extent it has not done so already. In addition, the District should include in contracts it enters beginning now, the following provision:

E-VERIFY. Section 448.09, Florida Statutes, makes it unlawful for any person to knowingly employ, hire, recruit, or refer, for private or public employment, an alien who is not duly authorized to work in the United States. Section 448.095, Florida Statutes, prohibits public employers, contractors, and subcontractors from entering into a contract unless each party to the contract registers and uses E-Verify. The Contractor hereby represents that it is in compliance with the requirements of Sections 448.09 and 448.095, Florida Statutes. The Contractor further represents that it will remain in compliance with the requirements of Sections 448.09 and 448.095, Florida Statutes, during the term of this contract. The Contractor hereby warrants that it has not been terminated by a public employer for violating Section 448.095, Florida Statutes, within the year preceding the effective date of this contract. If the contractor has a contract terminated by a public employer for any such violation during the term of this contract, it shall provide immediate notice thereof to the District.

For competitive proposals, we would recommend a provision being included in the request for proposals or invitation to bid indicating the contract will be include the following provision:

E-VERIFY. Section 448.09, Florida Statutes, makes it unlawful for any person to knowingly employ, hire, recruit, or refer, for private or public employment, an alien who is not duly authorized to work in the United States. Section 448.095, Florida Statutes, prohibits public employers, contractors, and subcontractors from entering into a contract unless each party to the contract registers and uses E-Verify. The Contractor hereby represents that it is in compliance with the requirements of Sections 448.09 and 448.095, Florida Statutes. The Contractor further represents that it will remain in compliance with the requirements of Sections 448.09 and 448.095, Florida Statutes, during the term of this contract. The Contractor hereby warrants that it has not been terminated by a public employer for violating Section 448.095, Florida Statutes, within the year preceding the effective date of this contract. If the contractor has a contract terminated by a public employer for any such violation during the term of this contract, it shall provide immediate notice thereof to the District.