

RESOLUTION 09-20

CITY OF PORT ST. JOE

A RESOLUTION OF THE CITY OF PORT ST JOE OPPOSING AMENDMENT 4 ON THE 2010 GENERAL ELECTION BALLOT, WHICH PROPOSES AN AMENDMENT TO THE FLORIDA CONSTITUTION REQUIRING THAT EVERY AMENDMENT TO A CITY'S OR COUNTY'S COMPREHENSIVE PLAN BE SUBJECT TO A VOTE OF THE RESPECTIVE CITY'S OR COUNTY'S ELECTORATE.

WHEREAS, a proposed constitutional amendment sponsored by Florida Hometown Democracy, Inc. will be placed on the 2010 general election ballot as "Amendment 4"; and

WHEREAS, this proposed constitutional change would subject every amendment to a local government comprehensive plan to a vote of the local government's electors; and

WHEREAS, planning and growth management decisions in Florida's municipalities are presently made through a representative form of democracy in which elected governing bodies are entrusted to make policy decisions on behalf of their constituents; and

WHEREAS, in 1985, the Florida legislature enacted Chapter 163, Part II, Florida Statutes, the "Local Government Comprehensive Planning and Land Development Regulation Act" mandating that each municipality adopt a comprehensive plan to manage and guide the use and development of property within the municipality; and

WHEREAS, the intent of the Act is empower local governments, including municipalities, to preserve, promote, protect and improve the public health, safety, comfort, good order, appearance, convenience, law enforcement, fire prevention and general welfare; to prevent the overcrowding of land and avoid undue concentration of population; to facilitate the adequate and efficient provision of transportation, water supply, sewer treatment, schools, parks, recreational facilities, housing and other services; and to conserve, develop and protect natural resources within their jurisdictions; and

WHEREAS, the Act requires extraordinary public notice, review, comment and hearings before a comprehensive plan may be adopted or amended by a municipality; and

WHEREAS, municipal comprehensive plans are adopted and amended by a municipal governing body only after significant review and input from the public, professional planners and municipal staff; and

WHEREAS, the elected body's decision to amend, or the manner in which to amend a comprehensive plan is based upon legal requirements as well as policy issues that require a balancing of the needs and desires of the overall community; and

WHEREAS, the City of Port St. Joe finds that the Hometown Democracy amendment will trample minority interest and ignore the community's long-term planning needs and goals, including affordable housing measures, urban infill measures, redevelopment initiatives and the development of essential infrastructure; and

WHEREAS, the City of Port St. Joe finds the Hometown Democracy amendment will subject important planning and policy decisions to potentially misleading and inflammatory media campaigns; and

WHEREAS, the City of Port St. Joe finds that the Hometown Democracy amendment will require the necessary expenditure of additional municipal revenues to fund numerous elections on comprehensive plan referenda; and

WHEREAS, the City of Port St. Joe finds that the Hometown Democracy amendment will require the unnecessary expenditure of additional municipal revenue to fund the defense of lawsuits filed by persons aggrieved by the outcome of comprehensive plan amendment elections; and

WHEREAS, these unnecessary costs will be borne by the citizens of Florida's cities and counties either through increased taxes or decreased municipal services.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY OF PORT ST. JOE

Section 1. That the City of Port St. Joe urges Floridians to carefully consider the potential adverse consequences of Amendment 4 before voting in the 2010 general election.

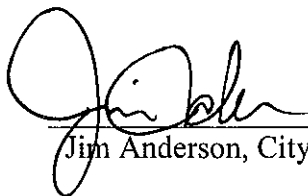
Section 2. That the City of Port St. Joe urges Florida's municipal residents to exercise their rights to influence the quality of life in their city by participating in the development and amendment of its comprehensive plan.

Section 3. That the City of Port St. Joe urges Florida's residents to regularly attend public hearings, workshops and meetings and otherwise take an active role in shaping local policies that affect growth within their communities.

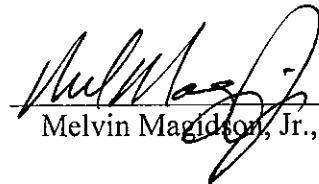
Section 4. That a copy of this resolution be provided to the citizens of Port St. Joe and other interested parties.

PASSED AND ADOPTED by the City of Port St. Joe this 20th October, 2009.

ATTEST:



Jim Anderson, City Clerk



Melvin Magidson, Jr., Mayor