

Town of Fort Myers Beach
Agenda Item Summary

Blue Sheet Number: 2014-020

1. Requested Motion:

Meeting Date: Feb 18, 2014

Motion to adopt resolution 14-02, Opposing House Bill 703: Environmental Regulation

Why the action is necessary:

What the action accomplishes:

2. Agenda:

Consent
 Administrative

3. Requirement/Purpose:

Resolution
 Ordinance
 Other

4. Submitter of Information:

Council
 Town Staff
 Town Attorney

5. Background:

House Bill (HB) 703: Environmental Regulation, was filed in Tallahassee last week by Representative Jimmy Patronis of Panama City. This proposed bill would pre-empt home rule for local governments; it specifies authority of counties to enforce certain wetlands, springs protection & stormwater ordinances, regulations and rules; provides vote requirements for adoption of certain elements of local government comprehensive plans and plan amendments; prohibits local governments from rescinding certain comprehensive plan amendments; authorizes durations and multiple commencement dates for certain consumptive use permits; requires delegated local governments to follow certain criteria and standards for well construction.

6. Alternative Action:

7. Management Recommendations:

8. Recommended Approval:

Town Manager	Town Attorney	Finance Director	Public Works Director	Community Development Director	Parks & Recreation Director	Town Clerk
						

9. Council Action:

Approved Denied Deferred Other

RESOLUTION OF THE TOWN COUNCIL OF THE
THE TOWN OF FORT MYERS BEACH, FLORIDA
RESOLUTION NUMBER 14-02

A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF FORT MYERS BEACH,
FLORIDA, STRONGLY OPPOSING PROPOSED HOUSE BILL 703 WHICH PROPOSES TO
SIGNIFICANTLY AND ADVERSELY PREEMPT ALL LOCAL GOVERNMENTS' AUTHORITY
TO PROTECT ITS CITIZENS HEALTH, SAFETY, ECONOMIC WELL-BEING AND
ENVIRONMENTAL RESOURCES; PROVIDING AN EFFECTIVE DATE.

WHEREAS, House Bill 703, which has been proposed for the 2014 State
Legislative Session, poses an immediate and significant threat to the legal authority of
cities and counties to protect the health, safety, welfare, economic well-being and
environmental resources of its citizens and visitors; and

WHEREAS, the Fort Myers Beach Town Council strongly opposes the proposed
legislation, both with respect to its objectives and with respect to its unjustified attempt
at local government preemption.

NOW, THEREFORE, BE IT RESOLVED, by the Town Council of the Town of
Fort Myers Beach, Florida:

SECTION ONE. The Town Council of the Town of Fort Myers Beach, on behalf
of the Town of Fort Myers Beach and its citizens, hereby registers its strong opposition
to House Bill 703. The Town Clerk is hereby directed to provide a copy of this
Resolution to the members of the local legislative delegation, the President of the
Florida Senate, the Speaker of the Florida House of Representatives, the State
Association of Counties, the Florida League of Cities, the Florida League of Mayors,
and the Mayors of each city within Lee County, Florida.

SECTION TWO. Effective Date. This resolution is effective immediately upon
adoption.

The foregoing Resolution was adopted by the Town Council upon a motion by Council
Member _____ and seconded by Council Member _____ and upon
being put to a vote, the result was as follows:

Alan Mandel, Mayor	_____
Joe Kosinski, Vice Mayor	_____
Jo List, Councilmember	_____
Dan Andre, Councilmember	_____
Bob Raymond, Councilmember	_____

DULY PASSED AND ADOPTED THIS ____ DAY OF _____, 2014, BY THE
TOWN COUNCIL OF THE TOWN OF FORT MYERS BEACH

ATTEST:

By: _____
Alan Mandel, Mayor

By: _____
Michelle D. Mayher, Town Clerk

Approved as to legal sufficiency:

By: _____
Fowler White Boggs, PA