

TOWN OF FORT MYERS BEACH

RESOLUTION 09-09

A RESOLUTION OF THE TOWN OF FORT MYERS BEACH OPPOSING SENATE BILL 1436 AND HOUSE BILL 987 RELATING TO WATER MANAGEMENT DISTRICTS, WHICH WOULD AMEND SECTION 373.584, FLORIDA STATUTES TO PROHIBIT WATER MANAGEMENT DISTRICTS FROM ISSUING CERTIFICATES OF PARTICIPATION UNLESS APPROVED BY THE ELECTORS OF THE DISTRICT IN A REFERENDUM; URGING FLORIDA LEGISLATIVE REPRESENTATIVES TO REFRAIN FROM ANY FORM OF SUPPORT OF CO-SPONSORSHIP OF SB1436 AND HB987 AND TO VOTE IN OPPOSITION OF SUCH PROPOSED BILLS; REQUESTING GOVERNOR CRIST TO ADVISE THE HOUSE AND SENATE LEADERSHIP DURING THE 2009 REGULAR SESSION THAT HE DOES NOT SUPPORT SB1436 OR HB987; DIRECTING THAT THIS RESOLUTION BE FORWARDED TO FLORIDA GOVERNOR CRIST, THE LEE COUNTY LEGISLATIVE DELEGATION, THE MAYOR OF EACH MUNICIPALITY IN LEE COUNTY, THE LEADERSHIP OF THE FLORIDA LEAGUE OF CITIES AND EACH MEMBER OF THE LEE COUNTY BOARD OF COUNTY COMMISSIONERS; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, Senate Bill 1436 and House Bill 987 have been filed, both bills being identical and relating to water management districts, amending Section 373.584, Florida Statutes, to prohibit water management districts from issuing Certificates of Participation unless approved by the electors of the district in a referendum; and

WHEREAS, Certificates of Participation have been a normal and routine funding mechanism for water management districts in the State of Florida, including the South Florida Water Management District (SFWMD); and

WHEREAS, SFWMD intends to issue Certificates of Participation to finance various critical projects related to the restoration of the Everglades, the most important of which is the purchase of U.S. Sugar lands to establish a southern flow-way for waters flooding into Lake Okeechobee from the entire Kissimmee Basin; and

WHEREAS, it would be a threat to Florida's once-in-a-lifetime opportunity to restore the Everglades to alter the financing capabilities of the SFWMD at this late date in the process; and

WHEREAS, the State of Florida and its legislature should be taking all necessary and appropriate steps to facilitate, and in no way hinder, the financing mechanisms necessary for the purchase of U.S. Sugar lands necessary for the southern flow-way and all other necessary aspects of the Everglades restoration;

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

SECTION 1. For the reasons stated hereinabove, the Town of Fort Myers Beach Council hereby declares its opposition to SB1436 and HB 987 and urges Florida Governor Crist, the Lee County Legislative Delegation, the Mayor of each municipality in Lee County, the leadership of the Florida League of Cities, and each member of Lee County Board of County Commissioners to oppose SB1436 and HB987.

SECTION 2. The Town Council requests Governor Crist to strongly consider advising the leadership of the House and Senate during the 2009 Regular session that he does not support SB1436 and HB987.

SECTION 3. The Town Council hereby directs that this Resolution be forwarded immediately to Florida Governor Crist, the Lee County Legislative Delegation, the Mayor of each municipality in Lee County, the leadership of the Florida League of Cities, and each member of the Lee County Board of County Commissioners.

SECTION 4. Effective Date. This resolution shall take effect immediately upon adoption

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

Larry Kiker, Mayor- Aye
Tom Babcock, Councilmember- Aye
Bob Raymond, Councilmember- Aye

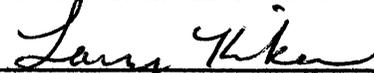
Herb Acken, Vice Mayor- Aye
Jo List, Councilmember- Aye

DULY PASSED AND ADOPTED this 20th day of April, 2009.

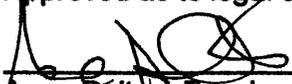
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BY:


Larry Kiker, Mayor

Approved as to legal sufficiency:


Anne Dalton, Esquire
Town Attorney

ATTEST:


Michelle D. Mayher, Town Clerk