

A RESOLUTION OF THE CITY OF DEFUNIAK SPRINGS OPPOSING AMENDMENT 4 ON THE 2010 GENERAL ELECTION BALLOT, WHICH PROPOSES AN AMENDMENT TO THE FLORIDA CONSTITUTION REQUIRING THAT EVERY AMENDMENT TO THE CITY'S COMPREHENSIVE PLAN BE SUBJECT TO A VOTE OF THE CITY'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 the City's 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 to 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 Council of the City of DeFuniak Springs finds that the Hometown Democracy amendment will trample minority interests 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 Council of the City of DeFuniak Springs finds that the Hometown Democracy amendment will subject important planning and policy decisions to potentially misleading and inflammatory media campaigns; and

WHEREAS, the City Council of the City of DeFuniak Springs finds that the Hometown Democracy amendment will require the unnecessary expenditure of additional municipal revenues to fund numerous elections on comprehensive plan referenda; and

WHEREAS, the City Council of the City of DeFuniak Springs 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 the city of DeFuniak Springs either through increased taxes or decreased municipal services.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF DEFUNIAK SPRINGS:


Section 1. That the City Council of the city of DeFuniak Springs urges citizens to carefully consider the potential adverse consequences of Amendment 4 before voting in the 2010 general election and recommends voting no.

Section 2. That the City Council of the City of DeFuniak Springs urges citizens and residents to exercise their existing rights to influence the quality of life in the city by participating in the development and amendment of its comprehensive plan.

Section 3. That the City Council of the City of DeFuniak Springs urges its residents to regularly attend public hearings, workshops and meetings and otherwise take an active role in shaping local policies that affect growth within the community.

Section 4. That a copy of this resolution be provided to the membership of the Florida League of Cities, Inc. and other interested parties.

PASSED AND ADOPTED by the City Council of the City of DeFuniak Springs, in regular session, this 25th Day of October, 2010.


C. Harold Carpenter, Mayor

ATTEST: 
Jonathan King, City Clerk

