

RESOLUTION NO. 13-2150

A RESOLUTION OF THE TOWN COMMISSION OF THE TOWN OF SURFSIDE, FLORIDA, URGING THE HONORABLE GOVERNOR AND THE STATE OF FLORIDA LEGISLATURE TO OPPOSE THE PROPOSED HOUSE BILL 999 “ENVIRONMENTAL REGULATION” LIMITING A MUNICIPALITY’S ABILITY TO REQUEST ADDITIONAL INFORMATION FROM A DEVELOPMENT APPLICANT AFTER A PRE-APPLICATION MEETING; PROVIDING FOR AUTHORIZATION; PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the Florida House of Agriculture and Natural Resources Subcommittee has referred House Bill 999 “Environmental Regulation” (hereinafter “Bill”); and

WHEREAS, the proposed Bill would limit a municipality’s ability to request additional information from a development applicant after a pre-application meeting to not more than three times; and

WHEREAS, a number of development permits are quasi-judicial in nature and staff does not have the authority to approve or deny the application, limiting requests to no more than three times is not basing the review of the applications on substantial competent evidence but rather on the belief of the applicant; and

WHEREAS, the proposed legislation erodes a municipality’s home rule authority and can result in extreme hardship for the applicants; and

WHEREAS, it is in the best interest of the Town of Surfside to urge the Honorable Governor and The State of Florida Legislature to oppose the passing of the Bill.

NOW THEREFORE, BE IT RESOLVED BY THE TOWN COMMISSION OF THE TOWN OF SURFSIDE, FLORIDA, AS FOLLOWS:

Section 1. Recitals. The above-stated recitals are hereby adopted and confirmed.

Section 2. Implementation. The Mayor and the Town Manager are hereby authorized to take any and all action necessary to implement this Resolution.

Section 3. Direction to Town Clerk. The Town Clerk is hereby directed to send a certified copy of this resolution to The Honorable Governor and The State of Florida Legislature.

Section 4. Effective Date. This Resolution shall be effective immediately from adoption hereof.

PASSED and ADOPTED on this 9th day of April, 2013.

Motion by Commissioner Graubart, second by Commissioner Olchyk.


FINAL VOTE ON ADOPTION

Commissioner Joseph Graubart	<u>yes</u>
Commissioner Michelle Kligman	<u>yes</u>
Commissioner Marta Olchyk	<u>yes</u>
Vice Mayor Michael Karukin	<u>yes</u>
Mayor Daniel Dietch	<u>yes</u>



Daniel Dietch, Mayor

ATTEST:



Sandra Novoa
Town Clerk

**APPROVED AS TO FORM AND
LEGAL SUFFICIENCY FOR THE TOWN OF SURFSIDE ONLY:**



Linda Miller, Interim Town Attorney