

RECEIVED

2006 MAY 11 AM 10:12

CITY CLERK
ADMINISTRATORS OFFICE

CITY OF CLEARWATER

POST OFFICE BOX 4748, CLEARWATER, FLORIDA 33758-4748

CITY HALL, 112 SOUTH OSCEOLA AVENUE, CLEARWATER, FLORIDA 33756

TELEPHONE (727) 562-4090 FAX (727) 562-4086

OFFICIAL RECORDS AND
LEGISLATIVE SERVICES

May 9, 2006


Pinellas County
Charter Review Commission
Elithia Stanfield
Asst. County Administrator
315 Court Street, 6th Floor
Clearwater, FL 33756

Dear Ms. Stanfield:

Enclosed are copies of Resolution Nos. 06-31, 06-32 and 06-33, which were adopted by the City Council of the City of Clearwater on May 4, 2006.

If you have any questions, please call 727-562-4093.

Sincerely,


Judith LaCosse
Staff Assistant

Enclosures

FRANK HIBBARD, MAYOR

JOHN DORAN, COUNCILMEMBER
BILL JONSON, COUNCILMEMBER

HOYT HAMILTON, COUNCILMEMBER
CARLEN A. PETERSEN, COUNCILMEMBER



"EQUAL EMPLOYMENT AND AFFIRMATIVE ACTION EMPLOYER"

RESOLUTION NO. 06-31

A RESOLUTION OF THE CITY OF CLEARWATER, FLORIDA, URGING MEMBERS OF THE PINELLAS COUNTY CHARTER REVIEW COMMISSION TO OPPOSE THE EXCLUSION OF ELECTED OFFICIALS ON FUTURE CHARTER REVIEW COMMISSIONS; PROVIDING AN EFFECTIVE DATE.

WHEREAS, the Pinellas County Charter Review Commission has discussed the composition of future Charter Review Commissions; and

WHEREAS, the Charter Review Commission has taken an initial vote that would remove all elected officials currently specified to server on the Charter Review Commission; and

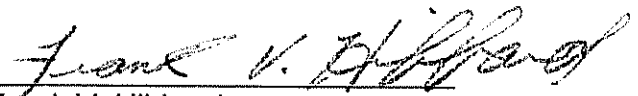
WHEREAS, local elected officials work closely on a daily basis with issues contained within the Pinellas County Charter, and as such bring a knowledge base to the "lay" membership that combines to assist in explaining any need for proposing changes to the Charter; now, therefore,

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF CLEARWATER, FLORIDA:

Section 1. That this Council is opposed to removing the provision from the current Pinellas County Charter that elected members serve on future Pinellas County Charter Review Commissions.

Section 2. This resolution shall take effect immediately upon adoption.

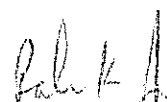
PASSED AND ADOPTED this 4th day of May, 2006.



Frank V. Hibbard
Mayor


Approved as to form:

Attest:



Pamela K. Akin
City Attorney





Cynthia E. Goudeau
City Clerk

RESOLUTION NO. 06-32

A RESOLUTION OF THE CITY OF CLEARWATER, FLORIDA, OPPOSING A PROPOSAL OF THE PINELLAS COUNTY CHARTER REVIEW COMMISSION THAT WOULD ELIMINATE THE DUAL REFERENDUM REQUIREMENT FOR A CHANGE OF ANY FUNCTION, SERVICE, POWER OR REGULATORY AUTHORITY OF A MUNICIPALITY, SPECIAL DISTRICT, OR THE COUNTY; PROVIDING AN EFFECTIVE DATE.

WHEREAS, the Pinellas County Charter Review Commission has tentatively approved a proposal to amend section 6.04 of the County Charter to remove the requirement that the voters of the county and the voters of an affected municipality or special district must approve by dual referendum any amendment to the charter that would change any function, service, power, or regulatory authority of a municipality, special district, or the county; and

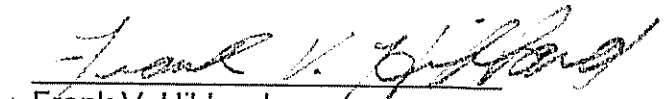
WHEREAS, the proposed amendment, if adopted and if interpreted liberally, would erode the authority of the municipalities and special districts of Pinellas County by permitting the usurpation of their functions and regulatory authority; now, therefore,

BE IT RESOLVED BY THE CITY COUNCIL OF THE
CITY OF CLEARWATER, FLORIDA:

Section 1. That this Council is opposed to the proposed amendment to the County Charter that would remove the requirement that the voters of the county and the voters of an affected municipality or special district must approve any amendment to the charter that would change any function, service or regulatory authority of a municipality, special district, or the county.


Section 2. This resolution shall take effect immediately upon adoption.

PASSED AND ADOPTED this 4th day of May, 2006.



Frank V. Hibbard
Mayor


Approved as to form:



Pamela K. Akin
City Attorney

Attest:





Cynthia E. Goudeau
City Clerk

RESOLUTION NO. 06-33

A RESOLUTION OF THE CITY OF CLEARWATER, FLORIDA, REQUESTING THAT THE PINELLAS COUNTY CHARTER REVIEW COMMISSION REJECT ALL OF THE PROPOSED CHARTER PROVISIONS RELATED TO ANNEXATION POLICY; PROVIDING AN EFFECTIVE DATE.

WHEREAS, the proposed charter provisions make annexation more difficult and help to preserve the status quo of inefficient city/county jurisdictional boundaries; and

WHEREAS, the proposed changes would conflict with statewide annexation law creating a precedent for a hodgepodge of inconsistent and conflicting annexation laws across the state; and

WHEREAS, the 50% coterminous rule for referendum annexations, hereafter referred to as "property owner referendums" annexations, is overly simplistic and arbitrary and further restricts a city's ability to annex; and

WHEREAS, the requirement that parcel and acreage consent exceeds 67% for property owner referendums is overly burdensome and arbitrary and completely without justification; and

WHEREAS, property owner referendums are a vote of the property owners and should have no greater requirement for a majority than an annexation referendum of registered voters (simple majority); and

WHEREAS, the 60/30 day revocable written consent proposal for property owner referendums will create an opportunity for consenting property owners to be harassed and threatened by opposing property owners up to and including at the annexation public hearing(s); and

WHEREAS, the 60/30 day revocable written consent proposal would essentially allow property owners to change their "vote" after the election; and

WHEREAS, the 60/30 day revocable written consent proposal will introduce a tremendous amount of chaos and conflict in a system that is currently sound and effective; and

WHEREAS, limiting repeat annexations to seven years is overly long and unnecessarily restricts the rights of residents to have a choice regarding annexation; and

WHEREAS, the proposed notice requirements for all referendum types are unprecedented and far exceed any notice requirement for any other type of election or referendum regardless of the subject; and

WHEREAS, the proposed notice requirements are overly burdensome, add unnecessary cost to the process and are no more than an additional step that complicates the process and increases opportunities for conflict and litigation in order to prevent annexation in general; and

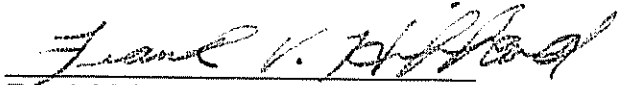
WHEREAS, the proposed incentive limitation language creates confusion and is already addressed by existing laws; now, therefore,

BE IT RESOLVED BY THE CITY COUNCIL OF THE
CITY OF CLEARWATER, FLORIDA:


Section 1. That this Council is opposed to the proposed amendment to the County Charter regarding annexations, and requests that the Pinellas County Charter Review Commission reject all of the proposed annexation policy related charter and legislative proposals.

Section 2. This resolution shall take effect immediately upon adoption.

PASSED AND ADOPTED this 4th day of May, 2006.



Frank V. Hibbard
Mayor

Approved as to form:



Pamela K. Akin
City Attorney

Attest:



Cynthia E. Goudeau
City Clerk

