



Legislation Text

File #: RES 2017-290, Version: 1

AGENDA ITEM REPORT

TITLE:

A RESOLUTION OF THE CITY COMMISSION EXPRESSING OPPOSITION TO THE PROPOSED BROWARD COUNTY CHARTER AMENDMENT TO SECTION 8.05(E) OF THE BROWARD COUNTY CHARTER LIMITING A LOCAL GOVERNMENTAL ENTITY'S ABILITY TO DENY COUNTY'S SITE APPLICATION FOR A PUBLIC PURPOSE.

BACKGROUND:

The Broward County Charter Review Committee has proposed amending Section 8.05(E) of the Broward County Charter (attached) related to limiting a Local Government's ability to deny a County site application for a public purpose. Article VIII, Section 2 of the Florida Constitution provides that municipalities shall have governmental, corporate, and property powers to enable municipalities to conduct municipal government, perform municipal functions, and render municipal services and Chapter 166, Florida Statutes, the "Municipal Home Rule Powers Act," reinforces the authority granted under the Florida Constitution and authorizes municipalities to exercise any power for municipal purposes, except when expressly prohibited by law.

DISCUSSION:

The City of Coconut Creek believes that the Broward County Charter Amendment language, as proposed, would interfere with the City's Municipal Home Rule Powers if passed, and that there are ample alternative methods to ensure site applications that are consistent with Municipal Comprehensive Plans and Land Development Regulations are approved without requiring a County Charter Amendment. The City desires to transmit a copy of this resolution opposing the Broward County Charter Amendment as proposed to the Broward County League of Cities to advise them of same.

RECOMMENDATION:

Staff recommends approval.

FISCAL IMPACT: N/A