

Submitted
9/11/2000
by K. Cantrell

**Resolution of the City of Gainesville
in support of proposed County Charter amendments**

Whereas, the Alachua County Charter Review Commission has proposed two substantive changes to the County Charter that would affect the governance of municipalities; and,

Whereas, the City of Gainesville could be affected by these charter amendments should the voters pass them in the 2000 General Election; and,

Whereas, the City of Gainesville, whenever it is confronted with a potential erosion of home-rule authority by other governmental units, opposes such legislation; and,

Whereas, water and air pollution do not respect political boundaries; and,

Whereas, the City recognizes that Alachua County has developed expertise and experience in matters of environmental protection; and,

Whereas, the City has discussed and participated in cooperative planning exercises with Alachua County for many years, and currently has plans to improve joint planning. Yet some joint planning efforts (such as the submittal of common elements of Comprehensive Plans to the State of Florida) are not permitted; and,

Whereas, the Gainesville City Commission does hereby find that:

1) As proposed, Alachua County Charter Amendment 1 will protect the public health, safety, and welfare by ensuring that if the County's environmental rules are found to not meet City standards for the protection of water and air quality, the City could enact its own more stringent environmental protection regulations. The text of the proposed amendment reads:

Sec. 1.04. Relation to municipal ordinances. -

Municipal ordinances shall prevail over county ordinances to the extent of any conflict. Notwithstanding the foregoing, if the county and a municipality enact ordinances establishing different standards for the purpose of protecting the environment by prohibiting or regulating air or water pollution, the ordinances imposing more stringent standards shall prevail to the extent of the difference and be fully enforceable within the boundaries of such municipality; however, the ordinances imposing less stringent standards shall not be deemed to conflict with ordinances imposing more stringent standards and shall also be fully enforceable within the boundaries of such municipality.

2) As proposed, Alachua County Charter Amendment 2 will permit, but not require joint planning between the City of Gainesville and the County through voluntary inter-local agreement.

Sec. 1.5. Land Use Planning

Each municipality shall be responsible for land use planning within its perspective boundaries and the county shall be responsible for land use planning in the unincorporated area. Notwithstanding the foregoing, the county and any municipality may enter into an interlocal agreement to provide for joint planning in portions of the unincorporated area adjacent to such municipality not located within the urban reserve area of another municipality or in portions of the area within such municipality.

3) The proposed County Charter amendments protect and enhance home-rule authority.

Now, therefore, the City Commission of Gainesville does hereby resolve to endorse the proposed amendments to the Alachua County Charter, and encourages all voters to research these proposed changes.