

EMAIL TO THE MAITLAND CITY COUNCIL DATED MAY 19, 2010

Members of the City Council and Staff –

As you know from the initial public hearing on the proposed revision to your fertilizer ordinance, and from our prior communications with you, that we strongly oppose the proposed revision. Ultimately at its core, it is discriminatory, failing to properly distinguish between experienced, trained and licensed professionals, and those who may act out of ignorance or carelessness. There are numerous other detailed objections included in our prior communications, two of which are attached for your convenience. Disappointingly, we have not received any substantive response.

We have now been recently advised by Ms. Anselmo that the final vote, postponed at the outset of the pandemic, is now scheduled for a public hearing on June 8, 2020, with an effective date of January 1, 2021, and enforceable during June-September of 2021. **We strongly urge you to postpone this vote for the following reasons:**

- ❑ While in-person testimony will be allowed on June 8th, we are unwilling to recommend to our stakeholders to attend during the continuing pandemic. Many who would eagerly testify in person on this serious and adverse regulatory matter, and who were and are prepared to do so, will simply not attend under the current circumstances.
- ❑ While emails, voice mails and letters may be sent, **the vital purpose of a public hearing is for in-person testimony**. It offers both parties the opportunity to face each other in a personal exchange of thoughts and ideas, which is unquestionably diluted when those other means of communication are the only alternatives. This is particularly important given the new composition of the City Council.
- ❑ Postponement until civic normalization further improves presents absolutely no hurdle to the consideration of this matter at a later date, given that the effect of the revision is over a year away. In other words, there is no policy downside to postponement. Insisting on taking the vote now will most certainly be perceived as a rush to judgment.
- ❑ The conversation about the conduct of public hearings and policy making is happening around the entire state as you must certainly know. Many, if not most, local governments are deferring significant regulatory initiatives for the very reasons described – that communications are clearly and adversely impacted by the inability of regulated parties to have their day in front of their elected officials.

Finally, we refer you to a letter also to be sent today from our legal counsel to your City Attorney, which includes important additional information for your consideration.

We hope this appeal will prevail in your thinking. We are prepared to mobilize attendance by our stakeholders at a public hearing when the risk of doing so is reasonably mitigated.

Thank you for your continued consideration.

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Mac Carraway, Executive Director

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