

## 10. **OLD BUSINESS**

- a. Water Quality Issues
  - iii. Letter to Mayor Frank Ortis, Florida League of Cities President (Mayor Pembroke Pines) from Representative Bryan Nelson regarding fertilizer



# Representative Bryan Nelson

Florida House of Representatives, District 38

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January 14, 2008

The Honorable Frank C. Ortis  
Mayor, City of Pembroke Pines  
10100 Pines Boulevard  
Pembroke Pines, Florida 33026

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Dear Mayor Ortis:

As you know, the Florida Consumer Fertilizer Task Force held its final meeting last Friday, January 11, 2008 and will soon issue its final recommendations to the Legislature on actions to mitigate water quality issues stemming from the use of residential consumer fertilizer. As the sponsor of the bill that established the task force, I am very appreciative of the Florida League of Cities' involvement with this issue since very early in the process.

I wish to draw your attention, however, to my sincere concern regarding action taken by the Florida League of Cities during the task force consensus process which reflected a lack of good faith in negotiating recommendations for legislative action.

When the Consumer Fertilizer Task Force membership was established, the Florida League of Cities appointed Bonita Springs Mayor Jay Arend as its representative to the group, citing his wealth of professional and policy experience in the area of consumer fertilizer. When task force members began to meet, they were often reminded that their charge was to make decisions based on the best available science, on which they were briefed regularly.

At many times during this process, science from the University of Florida's Institute of Food and Agricultural Sciences and other research organizations conflicted with preconceived positions held by the constituent groups of the task force members. Balancing these two responsibilities became a challenge for all task force members, and each member worked in good faith to do what they considered best for their constituent group as well as for water quality conditions in the state of Florida. This was especially true of Mayor Arend.

Board members spent many hours of study and deliberation to fully grasp the issues and decisions required of them. Given the complexity of issues and responsibilities facing the task

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force, I and other members were very surprised and disappointed after learning that the Florida League of Cities decided to replace (fire) its representative before the closing meeting, during which a final vote was taken on the recommendations to the Legislature.

The decision by the members of the League of Cities to remove Mayor Arend from his position on the task force was irresponsible, as task force members had spent many previous hours evaluating data so that they were positioned to make the best possible decision on behalf of the millions of Floridians that will be affected by new policies. Moreover, many previous hours had been spent building consensus on controversial components of a model ordinance. The League of Cities' final vote was in no way a product of this process.

The concerns of the Florida League of Cities were a primary factor in establishing a task force to further investigate this issue, and it was to my great disappointment that your organization did not fulfill its commitment to building consensus around this very important issue. The intent of the Consumer Fertilizer Task Force was to forge an agreement on complex water quality issues facing Floridians based upon sound science. Rather, it was my experience that the League of Cities ignored this charge, believing that home rule alone, and not agronomic and horticultural science, was of greatest importance.

Furthermore, it is my estimation that League of Cities appointees will be hesitant to contribute to similar boards in the future as a result of the fear of being removed for failing to toe the line.

Water quality issues will be the subject of many discussions during the upcoming legislative session. I look forward to working with the Florida League of Cities and hope for its cooperation in building consensus around this very difficult and complex set of issues.

If you would like to continue this discussion in greater detail, please do not hesitate to contact me in the district or in Tallahassee. Thank you.

Best regards,



Bryan Nelson  
State Representative, District 38

cc: Florida League of Cities Board of Directors  
Ms. Linda Bridge, Director of Board Relations