



SPACE COAST LEAGUE OF CITIES

CAPE CANAVERAL
COCOA
COCOA BEACH
GRANT-VALKARIA

INDIALANTIC
INDIAN HARBOUR BEACH
MALABAR
MELBOURNE

MELBOURNE BEACH
MELBOURNE VILLAGE
PALM BAY
PALM SHORES

ROCKLEDGE
SATELLITE BEACH
TITUSVILLE
WEST MELBOURNE

“CITIES OF BREVARD WORKING TOGETHER”

May 13, 2010

Mr. Kendall Moore, Chairman
and Members of the Charter Review Commission
Brevard County Charter Review Commission
2725 Judge Fran Jamieson Way
Viera, FL 32940

RE: Proposed Charter Amendment Regarding
Charter Amendments Affecting Municipalities

Dear Chairman Moore and Members of the Charter Review Commission:

Enclosed please find two items, including a legal opinion letter from Judge Monterey Campbell and Attorney Tom Cloud and a one page copy of the proposed charter amendment sponsored by the Space Coast League of Cities, Inc. (the "League").

The League's proposed charter amendment will be on your May 20th agenda. Since you have last considered the proposal, an interesting development has occurred. Alachua County's Charter Review Commission is considering a proposed charter amendment that is conceptually similar to the League's Brevard County charter proposal. An opinion by the attorney for the Alachua County Charter Review Commission recently called into question the Alachua County proposal.

As a postscript to the debate in Alachua County, it is also interesting to note that the Alachua County Charter Review Commission considered their attorney's opinion letter. Notwithstanding the opinion, the Alachua County Charter Review Commission decided to place their pending proposal on the ballot.

While there is obvious disagreement about the Alachua County Charter Review Commission attorney's opinion, the Space Coast League of Cities has decided to retain Judge Monterey Campbell and attorney Tom Cloud to review the League's proposal currently pending before the Brevard County Charter Review Commission ("CRC") to test the legality of the League's proposal.

The League selected Judge Campbell and Mr. Cloud for two reasons. First, they are both attorneys from outside of Brevard

Mr. Kendall Moore, Chairman
and Members of the Charter Review Commission
May 13, 2010
Page 2

County, and as a result they have no interest or bias in this matter. Second, both are highly respect attorneys with an in depth understanding of Florida constitutional law and charter government.

Judge Campbell is now retired from judicial service, having served as an appellate court judge on the Second District Court of Appeal for twenty years. During his tenure on the court, he was honored to be selected by his fellow appellate court judges from around the state to serve as President of the Florida Conference of District Court of Appeal Judges.

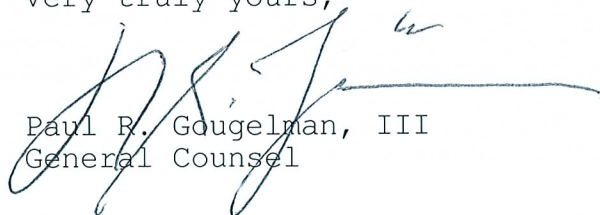
Tom Cloud has over thirty years of experience as a special counsel to local governments dealing with complex legal issues and is well familiar with charter issues. Both Judge Campbell and Mr. Cloud practice with Gray Robinson, a well known and respected statewide law firm.

As you can see from the opinion letter, these gentlemen have concluded that the League's proposal is constitutional and consistent with the Florida Constitution, and the proposal also meets the single subject requirement, all as required by Section 7.4A of the Brevard County Charter.

As part of their review of the League's proposal, Judge Campbell and Mr. Cloud have also suggested some very minor wording changes to the League's proposal, which we believe improve the proposal. Submitted with this letter is a one page sheet that by use of underlined and ~~stricken through~~ language depicts the proposed changes to the League's proposal.

We look forward to seeing you on May 20th.

Very truly yours,



Paul R. Gougelman, III
General Counsel

PRG/

pc: David Tolces, Esq.
League of Cities/Charter Commission.Lt1