Resolution No. 141-2026
+ Ordinance No. 5815

CITY OF
Boca Raton

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November 3, 2026

TO: Mayor and City Council

FROM: James L. Zervis
Acting City Manager

SUBJECT: **Save Boca Citizen Petitions – Amendment to Ballot Resolution and Related Charter and Code Amendments to Include CRA-Owned Lands**

On May 12, 2026, the City Council adopted Ordinance No. 5784, creating Section 2-4 of the Code of Ordinances concerning the protection of City-owned lands, and Resolution No. 35-2026, providing for submission to the electors of a corresponding proposed amendment to the City Charter. The proposed Charter amendment, set forth in Ordinance No. 5783, was attached as Exhibit "A" to Resolution No. 35-2026.

The attached materials are presented for the Council's consideration to extend those same voter-approval protections to lands owned by the Boca Raton Community Redevelopment Agency ("CRA"). The materials consist of three coordinated items:

(1) **Resolution No. 141-2026** – amending Resolution No. 35-2026 to revise the proposed Charter amendment and corresponding ballot title and ballot summary to include CRA-owned lands;

(2) **Ordinance No. 5815** – amending Ordinance No. 5783 and the proposed Charter amendment to include CRA-owned lands within proposed Charter Section 7.11, "Protection of City- and CRA-Owned Lands." Ordinance No. 5815 is attached as Exhibit "A" to Resolution No. 141-2026.

(3) **Ordinance No. 5814** – amending Section 2-4 of the Code of Ordinances to extend the existing voter-approval requirements applicable to City-owned lands to CRA-owned lands.

The amendments do not otherwise change the substantive framework presented to the City Council and reflected in the measures approved on May 12, 2026. They retain the existing one-half (0.5) acre threshold and limited exceptions, and simply extend those same protections to property owned by the CRA. Because the CRA is a separate and distinct legal entity from the City, the amendments expressly include CRA-owned lands and, where applicable, actions of the CRA Board of Commissioners. Ordinance No. 5814 would take effect upon adoption. The proposed Charter amendment contained in Ordinance No. 5815 would take effect only if approved by a majority of voters at a referendum.

cc: Joshua P. Koehler, City Attorney
Mary Siddons, City Clerk

City of Boca Raton



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RESOLUTION

141-2026

A RESOLUTION OF THE CITY OF BOCA RATON AMENDING RESOLUTION NO. 35-2026 TO INCLUDE LAND OWNED BY THE BOCA RATON COMMUNITY REDEVELOPMENT AGENCY WITHIN THE PROPOSED CHARTER AMENDMENT REQUIRING VOTER APPROVAL BY REFERENDUM FOR THE LEASE, SALE, OR OTHER ALIENATION OF CITY-OWNED LAND GREATER THAN ONE-HALF (0.5) ACRE, SUBJECT TO LIMITED EXCEPTIONS; REVISING THE BALLOT TITLE AND BALLOT SUMMARY ACCORDINGLY; PROVIDING FOR SEVERABILITY; PROVIDING FOR REPEALER; PROVIDING AN EFFECTIVE DATE.

WHEREAS, on May 12, 2026, the City Council adopted Resolution No. 35-2026, providing for the submission to the electors of a proposed amendment to the City Charter creating a new Section 7.11, entitled "Protection of City-Owned Lands"; and

WHEREAS, the proposed Charter amendment provides that the City Council shall not in any manner alienate from the public, lease or sell land owned by the City of Boca Raton greater

than one-half (0.5) acre without approval of the proposed action at a referendum election, subject to limited exceptions; and

WHEREAS, the City Council desires to revise the proposed Charter amendment (together with the corresponding ballot title and ballot summary) to provide that the same voter-approval requirement applicable to City-owned land also applies to land owned by the Boca Raton Community Redevelopment Agency (CRA); and

WHEREAS, the proposed Charter amendment, as revised by Ordinance No. 5815, is attached hereto as Exhibit "A" and incorporated herein; and

WHEREAS, the City Council finds that the amendments set forth herein further the purpose and intent of the proposed Charter amendment and provide a clear and accurate description of the measure to be presented to the electors; now, therefore,

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF BOCA RATON:

Section 1. Section 1 of Resolution No. 35-2026 is hereby amended in its entirety to read as follows:

The proposed amendment to the City Charter (a copy of which is attached hereto as Exhibit "A," and set forth in Ordinance No. 5815) shall be submitted to the qualified electors of the City for approval or rejection, in accordance with Article VII of the City Charter and Section 166.031(1), Florida Statutes, at a special election to be held at the next available election, as determined and made available to the City by the Palm Beach County Supervisor of Elections, but no later than the March 2027 Uniform Municipal Election, and shall be deemed adopted upon the favorable vote of a majority of the electors voting at that time upon the following question:

VOTER APPROVAL REQUIRED TO ALIENATE, SELL OR LEASE CITY AND CRA LANDS OVER 0.5 ACRES

Amending the City Charter to create "Protection of City- and CRA-Owned Lands." Requiring voter approval before the City or CRA may alienate, sell or lease land owned by the City or CRA greater than 0.5 acres. Providing limited exceptions, including for existing nonprofit leases, utility easements serving residents; use by the City or CRA for public facilities and operations; and temporary recreational or community uses where the City or CRA retains possession and control.

SHALL THE ABOVE DESCRIBED AMENDMENT BE ADOPTED?

YES ___

NO ___

Section 2. Except as expressly amended herein, Resolution No. 35-2026 shall remain unchanged and in full force and effect.

Section 3. If any section, subsection, clause or provision of this resolution is held invalid, the remainder shall not be affected by such invalidity.

Section 4. All resolutions or parts of resolutions in conflict herewith shall be and hereby are repealed.

Section 5. This resolution shall take effect immediately upon adoption.

PASSED AND ADOPTED by the City Council of the City of Boca Raton this _____ day of October, 2026.

CITY OF BOCA RATON, FLORIDA

ATTEST:

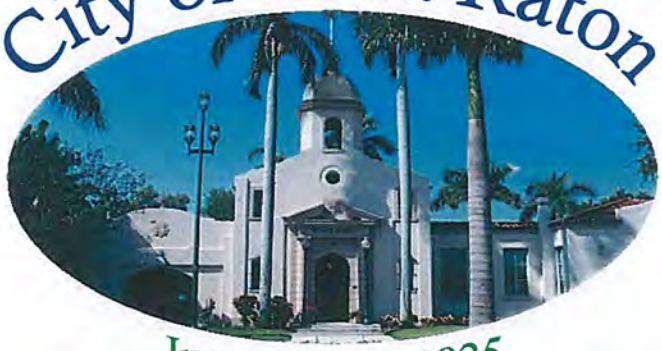
_____
Andy Thomson, Mayor

_____
Mary Siddons, City Clerk

gpk

COUNCIL MEMBER	YES	NO	ABSTAINED
MAYOR ANDY THOMSON			
DEPUTY MAYOR MICHELLE GRAU			
COUNCIL MEMBER JONATHAN PEARLMAN			
COUNCIL MEMBER STACY L. SIPPLE			
VACANT			

City of Boca Raton



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ORDINANCE

5815

AN ORDINANCE OF THE CITY OF BOCA RATON, FLORIDA AMENDING ORDINANCE NO. 5783 AND THE PROPOSED AMENDMENT TO THE CITY CHARTER TO CREATE CITY CHARTER SECTION 7.11, "PROTECTION OF CITY- AND CRA-OWNED LANDS," TO INCLUDE LAND OWNED BY THE BOCA RATON COMMUNITY REDEVELOPMENT AGENCY; PROVIDING THAT THE CITY COUNCIL AND THE CRA BOARD OF COMMISSIONERS SHALL NOT IN ANY MANNER ALIENATE FROM THE PUBLIC, LEASE OR SELL ANY LAND THAT IS OWNED BY THE CITY OF BOCA RATON OR THE BOCA RATON COMMUNITY REDEVELOPMENT AGENCY GREATER THAN 0.5 ACRE, EXCEPT UPON APPROVAL OF THE PROPOSED ACTION AT A REFERENDUM ELECTION; PROVIDING FOR LIMITED EXCEPTIONS; PROVIDING FOR SEVERABILITY; PROVIDING FOR REPEALER; PROVIDING FOR CODIFICATION IN THE CITY CHARTER; PROVIDING AN EFFECTIVE DATE.

WHEREAS, pursuant to Article VII of the Charter of the City of Boca Raton, a petitioners' committee, authorized under the Charter to propose amendments by petition, submitted a petition proposing an amendment to the City Charter to create a new Section 7.11, entitled "Protection of City-Owned Lands"; and

WHEREAS, the petition was certified as sufficient by the City Clerk on October 2, 2025, in accordance with the requirements of the Charter; and

WHEREAS, the City Council is authorized to propose amendments to the City Charter by ordinance pursuant to Article VII; and

WHEREAS, the City Council previously adopted Ordinance No. 5783 proposing the creation of City Charter Section 7.11, "Protection of City-Owned Lands," requiring voter approval before the City Council may alienate from the public, lease or sell City-owned land greater than one-half (0.5) acre, subject to limited exceptions; and

WHEREAS, the proposed Charter amendment set forth in Ordinance No. 5783 reflects the product of coordination and cooperation between the City and the petitioners' committee, through which the shared objectives underlying the initiative petition are being jointly advanced; and

WHEREAS, the City Council desires to revise the proposed Charter amendment to provide that the same voter-approval requirement applicable to City-owned land also applies to land owned by the Boca Raton Community Redevelopment Agency; and

WHEREAS, the City Council further desires to make conforming revisions throughout the proposed Charter amendment so that the provisions applicable to City-owned land also apply, as appropriate, to land owned by the Boca Raton Community Redevelopment Agency; and

WHEREAS, the City Council finds that the proposed Charter amendment, as revised herein, is consistent with and furthers the purpose and intent of the initiative petition; and

WHEREAS, the City Council finds that submission of the proposed Charter amendment to the electors in this manner provides a clear, orderly, and legally compliant process for consideration of the subject matter of the initiative petition; and

WHEREAS, the City Council desires to place the proposed Charter amendment, as revised herein, before the voters; now, therefore

THE CITY OF BOCA RATON HEREBY ORDAINS:

Section 1. Section 1 of Ordinance No. 5783 is hereby amended in its entirety to read as follows:

Section 7.11. – Protection of City- and CRA-owned lands.

(a) The City Council and the CRA Board of Commissioners shall not in any manner alienate from the public, lease or sell any land that is owned by the City of Boca Raton or the Boca Raton Community Redevelopment Agency greater than one-half (0.5) acre, except upon approval of the proposed action at a referendum election.

(b) The requirement for approval at a referendum election set forth in subsection (a) does not apply to the following:

(1) the continuation, renewal, extension, or amendment of leases of City- or CRA-owned land with nonprofit organizations, which leases are in existence on the effective date of this section, provided that such actions do not add new land to the lease that is greater than one-half (0.5) acre;

(2) easements for utilities that serve the residents of the City of Boca Raton or Palm Beach County, including placement of such utilities in rights-of-way;

(3) use of City- or CRA-owned land by the City or the CRA for public facilities or operations;

(4) the temporary use of City- or CRA-owned land by others for recreational or community activities, where the City or the Boca Raton Community Redevelopment Agency, as applicable, keeps possession and control of the land and does not give anyone the right to take over or control the land on an ongoing or long-term basis; and

(c) For purposes of this section, a single parcel or contiguous area of City- or CRA-owned land may not be divided, nor may contiguous parcels be treated separately, to avoid the one-half (0.5) acre threshold set forth in subsection (a).

(d) This section governs the alienation, lease or sale of land owned by the City of Boca Raton or the Boca Raton Community Redevelopment Agency and does not apply to or affect the procedures for amending the City Charter. Nothing in this section shall be construed to limit or restrict the authority of the City Council or the electors to propose amendments to this Charter, or the authority of the electors to approve such amendments, in accordance with applicable law.

Section 2. If any section, subsection, clause or provision of this ordinance is held invalid, the remainder shall not be affected by such invalidity.

Section 3. All ordinances and resolutions or parts of ordinances and resolutions and all sections and parts of sections in conflict herewith shall be and hereby are repealed.

Section 4. Codification of this ordinance in the City Charter is hereby authorized and directed.

Section 5. This ordinance shall take effect upon certification of the election results of the referendum election at which a majority of the qualified electors voting on this measure vote in favor of its adoption, in accordance with Section 166.031(2), Florida Statutes.

[if approved] AUTHENTICATED, pursuant to Section 7.02(a) of the Charter of the City of Boca Raton, this _____ day of _____, to reflect approval of the foregoing Charter amendment by the electorate.

CITY OF BOCA RATON, FLORIDA

ATTEST:

_____
Andy Thomson, Mayor

_____
Mary Siddons, City Clerk

Approved as to form:

_____
Joshua Pariente Koehler
City Attorney