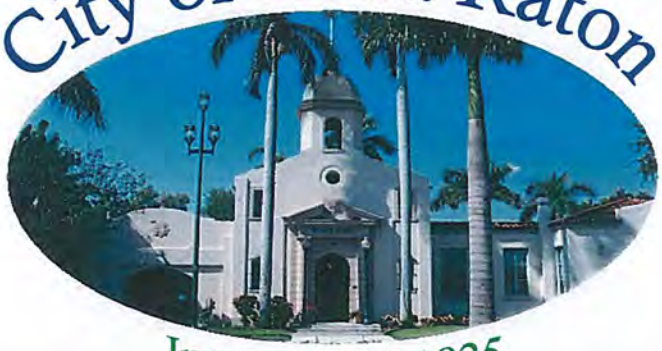
City of Boca Raton



Incorporated 1925

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