Ordinance No. 5814

CITY OF
Boca Raton

CITY HALL
201 WEST PALMETTO PARK ROAD • BOCA RATON, FL 33432
PHONE (561) 393-7700
(FOR HEARING IMPAIRED) TDD (561) 367-7043
www.myboca.us

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



ORDINANCE

5814

AN ORDINANCE OF THE CITY OF BOCA RATON, FLORIDA AMENDING SECTION 2-4, "PROTECTION OF CITY-OWNED LANDS," CODE OF ORDINANCES, 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 CODE OF ORDINANCES; PROVIDING AN EFFECTIVE DATE

WHEREAS, on May 12, 2026, the City Council adopted Ordinance No. 5784, creating Section 2-4, "Protection of City-Owned Lands," Code of Ordinances; and

WHEREAS, Section 2-4 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 amend Section 2-4 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; now, therefore

THE CITY OF BOCA RATON HEREBY ORDAINS:

Section 1. Chapter 2, "Administration," Article I, "In General," Section 2-4, "Protection of City-owned lands," Code of Ordinances, is hereby amended to read as follows:

Section 2-4. – Protection of City- and CRA-owned lands.

(1) 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.

(2) The requirement for approval at a referendum election set forth in subsection (1) does not apply to the following:

(a) 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;

(b) 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;

(c) use of City- or CRA-owned land by the City or Boca Raton Community Redevelopment Agency for public facilities or operations;

(d) the temporary use of City- or CRA-owned land by others for recreational or community activities, where the City or 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

(3) 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 (1).

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 Code of Ordinances is hereby authorized and directed.

Section 5. This ordinance 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

Approved as to form:

_____
Joshua Pariente Koehler
City Attorney

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