

City of Boca Raton



Incorporated 1925

ORDINANCE

5784

1
2 AN ORDINANCE OF THE CITY OF BOCA RATON, FLORIDA
3 PROVIDING FOR AMENDMENTS TO THE CITY CODE OF
4 ORDINANCES TO CREATE A NEW SECTION 2-4,
5 "PROTECTION OF CITY-OWNED LANDS," CODE OF
6 ORDINANCES, PROVIDING THAT THE CITY COUNCIL
7 SHALL NOT IN ANY MANNER ALIENATE FROM THE
8 PUBLIC, LEASE OR SELL ANY LAND THAT IS OWNED BY
9 THE CITY OF BOCA RATON GREATER THAN 0.5 ACRE,
10 EXCEPT UPON APPROVAL OF THE PROPOSED ACTION
11 AT A REFERENDUM ELECTION; PROVIDING FOR LIMITED
12 EXCEPTIONS; PROVIDING FOR SEVERABILITY;
13 PROVIDING FOR REPEALER; PROVIDING FOR
14 CODIFICATION IN THE CODE OF ORDINANCES;
15 PROVIDING AN EFFECTIVE DATE
16

17 WHEREAS, pursuant to Article VI of the Charter of the City of Boca Raton, a petitioners'
18 committee, authorized under the Charter to propose amendments by petition, submitted a petition
19 proposing an amendment to create a new Section 2-4, entitled "Protection of City-Owned Lands";
20 and

1 WHEREAS, the petitioners' committee has expressed its agreement that, upon the
2 adoption of Ordinance No. 5784 by the City Council, the initiative petition certified as sufficient by
3 the City Clerk on September 23, 2025, shall be deemed withdrawn; and

4 WHEREAS, the City Council finds that the provisions set forth herein are in the best
5 interests of the citizens of the City of Boca Raton; now, therefore

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7 THE CITY OF BOCA RATON HEREBY ORDAINS:
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9 Section 1. Chapter 2, "Administration," Article 1, "In General," Section 2-4, "Protection
10 of City-owned lands," Code of Ordinances, is hereby created:

11 Section 2-4. – Protection of City-owned lands.

12 (1) The city council shall not in any manner alienate from the public, lease or sell any
13 land that is owned by the City of Boca Raton greater than one-half (0.5) acre, except upon
14 approval of the proposed action at a referendum election.

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

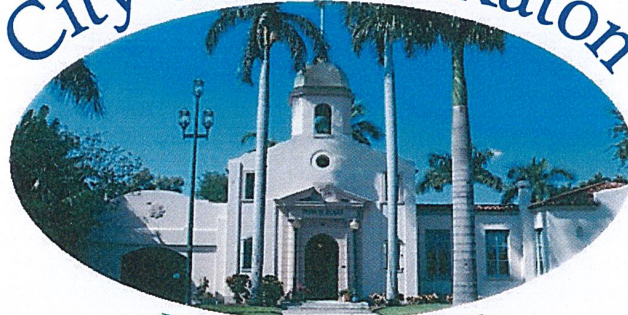
17 (a) the continuation, renewal, extension, or amendment of current, existing leases of
18 City-owned land with nonprofit organizations;

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

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

22 (d) the temporary use of City-owned land by others for recreational or community
23 activities, where the City keeps possession and control of the land and does not give anyone the
24 right to take over or control the land on an ongoing or long-term basis; and

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RESOLUTION

35-2026

1
2 A RESOLUTION OF THE CITY OF BOCA RATON
3 PROVIDING FOR SUBMISSION TO THE ELECTORS OF A
4 PROPOSED CHARTER AMENDMENT PROHIBITING THE
5 LEASE, SALE, OR OTHER ALIENATION OF CITY-OWNED
6 LAND GREATER THAN ONE-HALF (0.5) ACRE WITHOUT
7 VOTER APPROVAL BY REFERENDUM, SUBJECT TO
8 LIMITED EXCEPTIONS; PROVIDING FOR A SPECIAL
9 ELECTION TO BE HELD AT THE NEXT AVAILABLE
10 ELECTION, BUT NO LATER THAN THE MARCH 2027
11 UNIFORM MUNICIPAL ELECTION; PROVIDING FOR
12 SEVERABILITY; PROVIDING FOR REPEALER; PROVIDING
13 AN EFFECTIVE DATE

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

19 WHEREAS, the City Council is authorized to propose amendments to the City Charter

1 by ordinance pursuant to Article VII of the Charter; and

2 WHEREAS, a proposed Charter amendment, set forth in Ordinance No. 5783 and
3 attached hereto as Exhibit "A," has been prepared for submission to the electors; and

4 WHEREAS, pursuant to Article VII of the Charter and Section 166.031(1), Florida
5 Statutes, the City Council desires to submit the proposed Charter amendment to the electors of
6 the City at the next available election, as determined and made available to the City by the Palm
7 Beach County Supervisor of Elections, but no later than the March 2027 Uniform Municipal
8 Election; and

9 WHEREAS, the petitioners' committee has expressed its agreement that, upon the
10 proposed Charter amendment set forth in Ordinance No. 5783 being placed on the ballot for
11 consideration by the electors, the initiative petition certified as sufficient by the City Clerk on
12 October 2, 2025, shall be deemed withdrawn; now, therefore

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

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17 Section 1. The proposed amendment to the City Charter (a copy of which is attached
18 hereto as Exhibit "A," and set forth in Ordinance No. 5783) shall be submitted to the qualified
19 electors of the City for approval or rejection, in accordance with Article VII of the City Charter and
20 Section 166.031(1), Florida Statutes, at a special election to be held at the next available election,
21 as determined and made available to the City by the Palm Beach County Supervisor of Elections,
22 but no later than the March 2027 Uniform Municipal Election, and shall be deemed adopted upon
23 the favorable vote of a majority of the electors voting at that time upon the following question:

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25 **PROPOSED CHARTER AMENDMENT: VOTER APPROVAL REQUIRED TO**
26 **ALIENATE, SELL OR LEASE CERTAIN CITY-OWNED LANDS**

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Requiring voter approval before the City may alienate, sell or lease City-owned land greater than one-half (0.5) acre. Providing exceptions for continuation and modification of existing nonprofit leases; utility easements serving residents; use of City-owned land by the City for public facilities and operations; and temporary recreational or community uses where the City retains possession and control.

SHALL THE ABOVE DESCRIBED AMENDMENT BE ADOPTED?

YES ___

NO ___

Section 2. A special election shall 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, to present the proposed Charter amendment to the electors. The City Clerk shall publish this Resolution once during the fifth week and once during the third week immediately preceding such special election, and shall make copies of the proposed Charter amendment available at the polls.

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.

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PASSED AND ADOPTED by the City Council of the City of Boca Raton this ____ day
of May, 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 YVETTE DRUCKER			
COUNCIL MEMBER JONATHAN PEARLMAN			
COUNCIL MEMBER STACY STIPPLE			