

**RESOLUTION NO. 2007-004**

**A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF LOXAHATCHEE GROVES, FLORIDA (THE “TOWN”) FINDING THAT THE EXPENDITURE OF MONEY IN SUPPORT OF THE PROPOSED AMENDMENT TO THE PALM BEACH COUNTY CHARTER SERVES A PUBLIC PURPOSE; PROVIDING THAT THE DISSEMINATION OF INFORMATION CONCERNING THE IMPACTS OF THIS AMENDMENT ON THE CITIZENS OF THE COUNTY AND THE TOWN IS ESSENTIAL TO THE HEALTH, SAFETY, PROTECTION AND WELFARE OF THE TOWN AND ITS CITIZENS; PROVIDING AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.**

**WHEREAS**, the Board of County Commissioners has proposed certain amendments to the Palm Beach County Charter (the “Charter”) over the years; and

**WHEREAS**, pursuant to the Charter, the citizens may also propose changes to the Charter; which proposed changes must be placed on the ballot for referendum if all criteria set forth in the Charter have been met; and

**WHEREAS**, such an amendment is being proposed by the citizens by means of a petition drive and will be subject to approval by the voters if sufficient signatures are gathered and if it meets all criteria set forth in the Charter and applicable State Law; and

**WHEREAS**, the Town of Loxahatchee Groves desires that its citizens be fully informed as to the impact of this proposed amendment; and

**WHEREAS**, the Town Council believes that it is a duty of local democratic government to assist its citizens in understanding issues of great importance to them by providing information in order that they may make an informed choice; and

**WHEREAS**, the Town Council believes that such municipal leaders have a duty and a right to offer their opinion as to which course of action they think would be best for the Town and its citizens, and that such use of their offices is clearly for a public purpose; and

**NOW, THEREFORE, BE IT RESOLVED BY THE TOWN COUNCIL OF THE TOWN OF LOXAHATCHEE GROVES, FLORIDA, AS FOLLOWS:**

Section 1: The Town Council finds that it is necessary and in the public interest of the citizens of the Town of Loxahatchee Groves and the Town, and essential to the health, safety, protection and welfare of the citizens of the Town of Loxahatchee Groves and the Town, for the Town to expend public funds and resources, to utilize the time of its employees, and to utilize its

various methods of communication (including but not limited to television, print, and internet communications) in order to educate the public concerning the proposed referendum question which is attached hereto as Exhibit A and the impact it will have on the City and its citizens.

Section 2: This Resolution shall become effective immediately upon its adoption.

**PASSED AND ADOPTED BY THE TOWN COUNCIL OF THE TOWN OF LOXAHATCHEE GROVES, FLORIDA THIS 1<sup>ST</sup> DAY OF MAY, 2007.**

TOWN OF LOXAHATCHEE GROVES,  
FLORIDA

  
MAYOR DAVID BROWNING

ATTEST:

  
TOWN ~~CLERK~~ CLERK or Authorized Representative

APPROVED AS TO LEGAL FORM:

  
DAVID N. TOLCES, Town Attorney

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**PALM BEACH COUNTY CHARTER AMENDMENT PETITION FORM**

Under Florida law, it is a first degree misdemeanor to knowingly sign more than once a petition or petitions for a candidate, a minor political party, or an issue. Such offense is punishable as provided in s. 775.082 or s. 775.083. [Section 104.185, Florida Statutes]

Name \_\_\_\_\_ Date of Birth \_\_\_\_\_  
Please Print Name as it Appears on Voter Information Card

Residential Street Address \_\_\_\_\_

City \_\_\_\_\_ Zip \_\_\_\_\_

I am a registered voter of Palm Beach County and hereby petition the Supervisor of Elections to place the following ballot title, summary and charter amendment on the ballot in the next election available for such purpose pursuant to Section 6.3 of the Palm Beach County Charter after final verification of the full number of signatures necessary by the Supervisor of Elections.

**BALLOT TITLE:** Requires Both County and Municipal Voter Approval for Charter Amendments Affecting Municipal Powers or Functions

**BALLOT SUMMARY:** Shall Article 6, Section 3 of the Palm Beach County Home Rule Charter be amended to require that a majority of Voters of Palm Beach County and a majority of Voters in each municipality voting in a referendum must approve any amendment to the Charter which transfers or limits a function, service, power or authority of any municipality in the county?

**FULL TEXT OF THE PROPOSED AMENDMENT:**

**Section 6.3 Home Rule Charter Amendments**

(1) Amendments to this Home Rule Charter may be proposed by the Board of County Commissioners by an affirmative vote of at least four (4) members, subject to approval by the voters of Palm Beach County in a referendum. The Home Rule Charter amendment may also be initiated by seven (7) percent of the number of voters qualified to vote in the last general election, and the initiated amendment shall be presented and verified in the manner and time set forth in Article V, Section 5.1. The Home Rule Charter amendment so initiated shall be placed on the ballot on the first Tuesday after the first Monday in November of any year or in connection with a presidential preference primary occurring at least thirty (30) days after verification. If approved by a majority of those who voted, the Home Rule Charter amendment shall become effective on the date specified in the amendment, or, if not so specified, on January 1 following the election. Each amendment to this Home Rule Charter shall be limited to a single and independent subject.

(2) Notwithstanding subsection (1), absent the approval of a majority of the voters of Palm Beach County voting in a referendum, and the approval of a majority of the voters of each municipality voting in a referendum, this Charter may not be amended to transfer or limit a function, service, power or authority of any municipality within the County.

[Note: Language underlined is new language that is proposed to add to the charter.]

\_\_\_\_\_  
DATE OF SIGNATURE

X \_\_\_\_\_  
SIGNATURE OF REGISTERED VOTER