

TOWN OF LOXAHATCHEE GROVES

RESOLUTION NO. 2016-47

A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF LOXAHATCHEE GROVES, FLORIDA, TO PROVIDE THE PALM BEACH COUNTY SUPERVISOR OF ELECTIONS WITH THE BALLOT LANGUAGE FOR QUESTIONS TO BE PLACED ON THE BALLOT FOR THE AUGUST 30, 2016 STATEWIDE PRIMARY ELECTION; PROVIDING FOR CONFLICT, SEVERABILITY, AND AN EFFECTIVE DATE.

WHEREAS, the Town Council of the Town of Loxahatchee Groves has adopted Ordinances No. 2016-02, No. 2016-03, and No. 2016-04, authorizing the placement of three charter amendment questions on the ballot for the August 30, 2016 Statewide Primary Election; and,

WHEREAS, paragraph 4(A)(1) of the SOE Agreement states that the Town shall provide ballot language for any ballot questions within a resolution; and,

WHEREAS, the Town Council hereby wishes to adopt Resolution No. 2016-47, in order to provide the ballot language for the three (3) approved ballot questions for the August 30, 2016 Statewide Primary Election, and forward to the Palm Beach County Supervisor of Elections pursuant to the SOE Agreement.

NOW, THEREFORE, BE IT RESOLVED BY THE TOWN COUNCIL OF THE TOWN OF LOXAHATCHEE GROVES, FLORIDA, THAT:

Section 1. The foregoing "WHEREAS" clauses are hereby ratified and confirmed as being true and correct and are hereby made a specific part of this Resolution.

Section 2. The Town Council has authorized three (3) referenda questions be placed on the ballot for the August 30, 2016 Statewide Primary Elections.

- a. The ballot language for ballot question #1 is as follows:

AMEND TOWN CHARTER TO AMEND TOWN CANVASSING BOARD MEMBERS AND DUTIES

Should the Town Charter be amended to remove town council members from the canvassing board; designate the members of the town canvassing board as the town clerk and two members to be appointed by the Town Council by resolution; to provide for the filling of vacancies on the canvassing board; and to amend the duties of the canvassing board consistent with the canvassing of elections pursuant to state law?

YES NO

- b. The ballot language for ballot question #2 is as follows:

AMEND TOWN CHARTER RELATING TO TOWN MANAGER CONTRACT, QUALIFICATIONS AND DUTIES

Should the Town Charter be amended to clarify that the town manager may be engaged through an agreement with the town manager or a management firm; to amend the qualifications for the town manager to provide that the qualifications for the town manager may be established by ordinance; and to amend certain duties of the town manager?

YES NO

- c. The ballot language for ballot question #3 is as follows:

AMEND TOWN CHARTER TO DELETE REFERENDUM REQUIREMENT FOR CERTAIN DEBT

The Town Charter currently requires approval by referendum of revenue bonds, lease purchase contracts, or any other unfunded multiyear contracts to purchase real property or construct capital improvements where the repayment term exceeds thirty-six (36) months. Deleting this provision would permit the Town to borrow funds for any lawful government purpose without a referendum unless a referendum is required by state law. Should the Town charter be amended to delete this provision?

YES NO

Section 3. All resolutions or parts of resolutions in conflict herewith are hereby repealed to the extent of such conflict.

Section 4. If any clause, section, other part or application of this Resolution is held by any court of competent jurisdiction to be unconstitutional or invalid, in part or application, it shall not affect the validity of the remaining portions or applications of this Resolution.

Section 5. This Resolution shall become effective immediately upon its passage and adoption.

Council Member McLENDON offered the foregoing resolution. Council Member GOLTZENÉ seconded the motion, and upon being put to a vote, the vote was as follows:

	<u>Aye</u>	<u>Nay</u>	<u>Absent</u>
DAVID BROWNING, MAYOR	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
TOM GOLTZENÉ, VICE MAYOR	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
RONALD JARRIEL, COUNCIL MEMBER	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
RYAN LIANG, COUNCIL MEMBER	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
TODD MCLENDON, COUNCIL MEMBER	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

RESOLVED AND ADOPTED BY THE TOWN COUNCIL OF THE TOWN OF LOXAHATCHEE GROVES, FLORIDA THIS 21ST DAY OF JUNE 2016.

TOWN OF LOXAHATCHEE GROVES,
FLORIDA

ATTEST:

Virginia M. Walton
Virginia Walton, Town Clerk

David Browning
Mayor David Browning

Tom Goltzené
Vice-Mayor Tom Goltzené

Ronald Jarriel
Council Member Ron Jarriel

APPROVED AS TO LEGAL FORM

[Signature]

Office of the Town Attorney

ABSENT
Council Member Ryan Liang

[Signature]

Council Member Todd McLendon

