



## TOWN OF HIGHLAND BEACH

### RESOLUTION NO. 2024-034

**A RESOLUTION OF THE TOWN COMMISSION OF THE TOWN OF HIGHLAND BEACH, FLORIDA, CALLING FOR A REFERENDUM OF THE QUALIFIED ELECTORS OF THE TOWN TO BE HELD ON MARCH 11, 2025, SEEKING AUTHORIZATION PURSUANT TO SECTION 2.01(30) OF THE TOWN CHARTER TO EXPEND UP TO \$3,000,000 FOR THE PURPOSE OF UNDERTAKING TWO PUBLIC SAFETY PROJECTS; PROVIDING FOR NOTICE AND ADVERTISING OF THE REFERENDUM; PROVIDING FOR REFERENDUM CANVASSING; PROVIDING FOR SEVERABILITY, THE REPEAL OF LAWS IN CONFLICT, AND AN EFFECTIVE DATE.**

**WHEREAS**, the Town of Highland Beach, Florida (“Town”), is a duly constituted municipality having such power and authority conferred upon it by the Florida Constitution and Chapter 166, Florida Statutes; and

**WHEREAS**, a Charter for the Town was created and adopted pursuant to the Constitution and applicable laws of the State of Florida; and

**WHEREAS**, Section 2.01(30) of the Town Charter provides that any single project or cumulation of projects requiring an allocation of more than \$900,000 (as adjusted in accordance with the regional Consumer Price Index) in any given fiscal year shall not be funded until the purposes and amounts of such allocations are approved by a majority of the votes cast in an election of qualified voters residing in the Town;

**WHEREAS**, the Town wishes undertake two public safety projects to improve operations, increase efficiency, preserve critical public safety infrastructure and enhance response services, the cost of which may exceed the Charter limitation in a single fiscal year; and

**WHEREAS**, these projects include: (1) the rehabilitation of the old Fire Station and apparatus bays and (2) the construction of a Public Safety Marine Facility for marine unit docking and water rescue services; and

**WHEREAS**, the Town Commission deems it to be in the best interests of the Town and its residents to conduct a referendum election pursuant to Section 101.161, Florida Statutes, to obtain voter approval of both the expenditure and the scope of the proposed public safety projects.

**NOW, THEREFORE, BE IT RESOLVED BY THE TOWN COMMISSION OF THE TOWN OF HIGHLAND BEACH, FLORIDA, AS FOLLOWS:**

**Section 1. Findings adopted.** The findings of the Commission set forth in the foregoing recitals are hereby adopted as true and correct statements and specifically made a part of this Resolution.

**Section 2. Referendum declared.** A Referendum is hereby called for and shall be held in the Town on March 11, 2025 to obtain approval from the qualified voters residing in the Town to expend up to \$3,000,000 for two public safety projects, as fully described in this Resolution.

**Section 3. Ballot title.** The ballot title which is the subject of this Referendum, and by which the proposed Charter Amendment is to be commonly referred to or spoken of, shall be captioned as “**Approval of Public Safety Projects.**”

**Section 4. Conduct of Referendum.** The Town shall determine the polling locations or places in coordination with the Palm Beach County Supervisor of Elections, and all qualified electors of the Town of Highland Beach, Florida who vote in the Referendum shall vote at those designated polling places. The polls shall be opened on the date of the Referendum on the proposed Town of Highland Beach, Florida Charter Amendment from 7:00 a.m. until 7:00 p.m. on the same day. Only the duly qualified electors of the Town of Highland Beach, Florida shall be permitted to vote on this Referendum question.

**Section 5. Notice and advertising of the Referendum.** The Town Clerk shall prepare and give notice of the proposed Charter Amendment by causing appropriate notice to be published in accordance with the provisions of Section 100.342, Florida Statutes, which provides for at least one publication each week during the third and fifth weeks preceding the week in which the Referendum to consider the proposed Charter Amendment is to be held. The publications shall be placed in a newspaper of general circulation within the Town, or publication on the county’s website as provided in s. 50.0311 as applicable. The Town Clerk shall secure the appropriate affidavit of proof that the statutorily required Referendum notices have been duly published, as herein set forth and these two affidavits shall be part of the record of the Town Commission.

**Section 6. Ballot summary.** The ballot summary of the proposed Charter amendment shall be:

**SHALL THE TOWN BE AUTHORIZED TO EXPEND UP TO \$3,000,000 FOR TWO PUBLIC SAFETY PROJECTS TO IMPROVE OPERATIONS, INCREASE EFFICIENCY, PRESERVE CRITICAL PUBLIC SAFETY INFRASTRUCTURE AND ENHANCE RESPONSE SERVICES, INCLUDING: (1) REHABILITATION OF THE OLD FIRE STATION/APPARATUS BAYS AND (2) CONSTRUCTION OF A PUBLIC SAFETY MARINE FACILITY FOR MARINE UNIT DOCKING AND WATER RESCUE SERVICES.**

\_\_\_\_\_ **YES (FOR APPROVAL)**

\_\_\_\_\_ **NO (AGAINST APPROVAL)**

**Section 7. Canvassing.** The election returns of the Referendum shall be canvassed in the manner provided by law, and the returns shall be certified to the Town Commission, which shall declare the result thereof. Upon canvassing the returns of the Referendum, the result of the Referendum shall be recorded in the minutes of the Town Commission in the manner prescribed by law.

**Section 8. Severability.** The provisions of this Resolution are declared to be severable and

if any section, sentence, clause, or phrase of this Resolution shall for any reason be held to be invalid or unconstitutional, such decision shall not affect the validity of the remaining sections, sentences, clauses, and phrases of this Resolution but they shall remain in effect, it being the legislative intent that this Resolution shall stand notwithstanding the invalidity of any part.

**Section 9. Repeal of Laws in Conflict.** All resolutions or parts of resolutions in conflict herewith are hereby repealed to the extent of such conflict.

**Section 10. Effective Date.** This Resolution shall be effective immediately upon adoption at second reading.

**DONE AND ADOPTED** by the Town Commission of the Town of Highland Beach, Florida, this \_\_\_\_ day of \_\_\_\_\_, 2024.

\_\_\_\_\_  
Natasha Moore, Mayor

**ATTEST:**

**REVIEWED FOR LEGAL  
SUFFICIENCY:**

\_\_\_\_\_  
Lanelda Gaskins, MMC  
Town Clerk

\_\_\_\_\_  
Leonard G. Rubin, Town Attorney

**VOTES:**

**YES    NO**

Mayor Natasha Moore

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Vice Mayor David Stern

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Commissioner Evalyn David

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Commissioner Donald Peters

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Commissioner Judith Goldberg

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