

1 TOWN OF JUNO BEACH, FLORIDA

2
3 ORDINANCE NO. 773

4
5 AN ORDINANCE OF THE TOWN COUNCIL OF THE TOWN OF JUNO
6 BEACH, FLORIDA, SUBMITTING TO REFERENDUM AN AMENDMENT
7 TO ARTICLE III, "LEGISLATIVE," SECTION 1, "FORM OF
8 GOVERNMENT; TOWN COUNCIL; POWER AND COMPOSITION;
9 QUALIFICATION; RESIDENCY," OF THE TOWN CHARTER TO
10 REFERENCE THE TOWN COUNCIL'S FIDUCIARY RESPONSIBILITIES
11 AS TRUSTEES OF PUBLIC FUNDS; PROVIDING FOR THE FORM OF
12 THE QUESTION; PROVIDING FOR A BALLOT TITLE AND
13 EXPLANATORY LANGUAGE; PROVIDING FOR ADVERTISING;
14 PROVIDING FOR CODIFICATION, SEVERABILITY, CONFLICTS AND
15 AN EFFECTIVE DATE; PROVIDING FOR A REPEALER; AND FOR
16 OTHER PURPOSES.

17
18 WHEREAS, in accordance with Article VII, Section 3 of the Town Charter, the
19 Town's Charter Review Committee ("Committee") reviewed the provisions of the Charter
20 and recommended certain amendments; and

21
22 WHEREAS, the Committee recommended revising Article III, Section 1 of the
23 Town Charter to reference the Town Council's fiduciary responsibilities as trustees of
24 public funds; and

25
26 WHEREAS, the Town Council determines that it is in the best interests of the
27 residents of the Town of Juno Beach to submit the proposed Town Charter amendment
28 to referendum vote.

29
30 NOW, THEREFORE, BE IT ORDAINED BY THE TOWN COUNCIL OF THE
31 TOWN OF JUNO BEACH, FLORIDA as follows:

32
33 **Section 1.** The foregoing "Whereas" clauses are hereby ratified as true and
34 correct and are incorporated herein.

35
36 **Section 2.** The Town Council hereby amends Article III, "Legislative," Section 1,
37 "Form of government; town council; power and composition; qualification; residency," of
38 the Town Charter to read as follows (additional language is underlined):

39
40 **ARTICLE III. LEGISLATIVE**

41
42 * * *

43
44 **Sec. 1. Form of government; town council; power and composition;**
45 **qualification; residency.**
46

* * *

1
2
3 (c) The town council adopts policies and appropriates town funds
4 through its budgetary responsibilities, and its members have
5 fiduciary responsibilities as trustees of public funds.
6

7 **Section 3.** The amendment to the Town Charter set forth in Section 2 above
8 shall not take effect unless and until it is submitted to the electors of the Town of Juno
9 Beach. The amendment shall be submitted at the Town’s general election to be held on
10 Tuesday, March 19, 2024.
11

12 **Section 4.** The title of the ballot and explanatory statement setting forth the
13 substance of the amendment to the Town Charter shall appear on the ballot and shall
14 read as follows:
15

16 **AN AMENDMENT TO ARTICLE III OF THE TOWN CHARTER**
17 **RELATING TO THE TOWN COUNCIL’S FIDUCIARY RESPONSIBILITIES**
18

19 THIS AMENDMENT ADDS NEW LANGUAGE TO ARTICLE III OF THE
20 TOWN CHARTER TO SPECIFICALLY RECOGNIZE THAT THE TOWN
21 COUNCIL HAS FIDUCIARY RESPONSIBILITIES AS TRUSTEES OF
22 PUBLIC FUNDS APPROPRIATED THROUGH THE ADOPTION OF
23 POLICIES AND THE BUDGETARY PROCESS.
24

25 SHALL THE ABOVE-DESCRIBED AMENDMENT BE ADOPTED?

26 YES _____ NO _____
27
28

29 **Section 5.** The Town Clerk is hereby authorized and directed to advertise the
30 referendum election contemplated herein in accordance with Section 100.342, Florida
31 Statutes, and Section 8-6 of the Town Code of Ordinances.
32

33 **Section 6.** The provisions of this Ordinance shall become and be made part of
34 the Charter of the Town of Juno Beach, Florida.
35

36 **Section 7.** If any section, paragraph, sentence, clause, phrase or word of this
37 Ordinance is for any reason held by a court of competent jurisdiction to be
38 unconstitutional, inoperative or void, such holding shall not affect the remainder of the
39 Ordinance.
40

41 **Section 8.** All ordinances or parts of ordinances of the Town of Juno Beach,
42 Florida, which are in conflict with this Ordinance, are hereby repealed to the extent of
43 such conflict.
44

45 **Section 9.** This Ordinance shall become effective upon approval of a majority
46 of the electors casting their votes at the March 19, 2024 election. If not approved by a

1 majority of the voters voting in the election, this Ordinance shall be automatically
2 repealed.

3
4 FIRST READING this ____ day of _____, 2023.

5
6 SECOND, FINAL READING AND ADOPTION this ____ day of _____, 2023.

7
8
9
10 _____
AYE

NAY

ALEXANDER COOKE, MAYOR

11
12 _____
AYE

NAY

PEGGY WHEELER, VICE MAYOR

13
14 _____
AYE

NAY

MARIANNE HOSTA, VICE MAYOR PRO TEM

15
16 _____
AYE

NAY

ELAINE K. COTRONAKIS, COUNCILMEMBER

17
18 _____
AYE

NAY

DD HALPERN, COUNCILMEMBER

19
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21
22
23
24
25 ATTEST:

APPROVED AS TO FORM AND LEGAL
SUFFICIENCY:

26
27
28
29 _____
CAITLIN COPELAND-RODRIGUEZ
TOWN CLERK

LEONARD G. RUBIN
TOWN ATTORNEY