

Agenda Item No.: 3A-1

**PALM BEACH COUNTY
BOARD OF COUNTY COMMISSIONERS**

AGENDA ITEM SUMMARY

Meeting Date: February 6, 2007

**[X] Consent [] Regular
[] Public Hearing**

Department:

Submitted By: ADMINISTRATION

I. EXECUTIVE BRIEF

Motion and Title: Staff recommends motion to receive and file:

A) Resolution No. 2560 from the City Commission of the City of Belle Glade, supporting and endorsing the principals of the Municipal Home Rule Powers Act;

B) Resolution No. 200-2006 from the City Council of the City of Boca Raton, supporting and endorsing the principals of the Municipal Home Rule Powers Act;

C) Resolution No. 06-2 from the Town Council of the Town of Briny Breezes, supporting and endorsing the principals of the Municipal Home Rule Powers Act;

D) Resolution No. 06-334 from the Town Council of the Town of Hypoluxo, supporting and endorsing the principals of the Municipal Home Rule Powers Act;

E) Resolution No. 56-2006 from the City Commission of the City of Lake Worth, supporting and endorsing the principals of the Municipal Home Rule Powers Act;

F) Resolution No. 75-06 from the Town Council of the Town of Palm Beach, supporting and endorsing the principals of the Municipal Home Rule Powers Act;

G) Resolution No. R14-06 from the Town Council of the Town of Palm Beach Shores, supporting and endorsing the principals of the Municipal Home Rule Powers Act; and

H) Resolution No. 06-56 from the Village Council of the Village of Royal Palm Beach, supporting and endorsing the principals of the Municipal Home Rule Powers Act.

Summary: N/A

Background and Justification: N/A

Attachments: Original Documents

Recommended By:

Agenda Coordinator

Date

Approved By:

N/A

Assistant County Administrator

Date

RESOLUTION NO. 2560

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF BELLE GLADE, FLORIDA, SUPPORTING AND ENDORSING THE PRINCIPLES OF HOME RULE AND ADOPTING THE POLICIES SET FORTH BELOW TO SUPPORT THE PREMISE THAT THE CITY OF BELLE GLADE SHOULD HAVE THE AUTHORITY TO GOVERN WITHIN ITS JURISDICTION; FURTHER PROVIDING THAT SUCH AUTHORITY SHOULD NOT BE ERODED; PROVIDING AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

WHEREAS, Chapter 166, *Florida Statutes*, entitled "Municipalities" and known as the "Municipal Home Rule Powers Act" provides a broad grant of authority to all municipalities to enable them to exercise any power for municipal purposes, except when expressly prohibited by law; and

WHEREAS, Section 2(b), Article VIII, State Constitution, protects the rights of municipal government by means of language which reads as follows:

Municipalities shall have the governmental, corporate, and proprietary powers to enable them to conduct municipal government, perform municipal functions and render municipal services, and may exercise any power for municipal purposes, except as otherwise provided by law; and

WHEREAS, the legislature recognizes that, pursuant to the grant of power set forth in Section 2(b), Article VIII, State Constitution, the legislative body of each municipality has the power to enact legislation concerning any subject matter upon which the state legislature may act except for those subjects specifically listed at Section 166.021(3)(a)-(d); and

WHEREAS, municipalities are voluntary forms of government and would not exist if communities had not organized and held special elections in order to create the local form of government; and

WHEREAS, Residents in a community decide to incorporate in order to govern themselves and to gain a greater degree of control over issues that impact their quality of life and property interests directly; and

WHEREAS, municipalities represent the form of government which is closest to the people and therefore many people expressly choose to live within municipalities in order that their ideas may be heard on a more personal basis; and

WHEREAS, a similar resolution was adopted by the Palm Beach County League of Cities, Inc. on November 22, 2006; and

WHEREAS, the City of Belle Glade, Florida desires to preserve this unique responsive form of government, wishes to support the Palm Beach County League of Cities, Inc. and believes it to be in the best interests of its citizens to adopt this Resolution formally stating its position.

NOW, THEREFORE, BE IT RESOLVED by the City Commission of the City of Belle Glade, Florida, as follows:

Section 1: The City of Belle Glade believes that when issues are in conflict between Palm Beach County and a municipality or several municipalities, such conflict should be resolved by the following:

- A. Approval by the governing body of the municipality or municipalities affected;
or
- B. Approval by a majority of the electors within the County and a majority of the electors within the affected municipality or municipalities.

Section 2: The above stated policy is hereby adopted by the City Commission of the City of Belle Glade, Florida.

Section 3: This Resolution shall be forwarded to the Board of County Commissioners, the Palm Beach County Administrator, the Palm Beach County League of Cities, Inc. and the State Senators and Representatives elected from the jurisdiction of the City of Belle Glade.

Section 4: This Resolution shall take effect immediately upon passage.

DONE AND RESOLVED at Regular session of the City Commission of the City of Belle Glade, Florida, held on the 18th day of December, 2006.

CITY OF BELLE GLADE, FLORIDA

Mayor Sanchez
Vice Mayor Garrett
Commissioner Asia-Williams
Commissioner Kendall
Commissioner Miller

AYE NAY

✓
✓
✓
✓
✓

[Signatures of City Commissioners]

[MUNICIPAL SEAL]

ATTEST

[Signature of Debra R. Buff]
Debra R. Buff, CMC, City Clerk

APPROVED AS TO FORM and
LEGAL SUFFICIENCY

[Signature of Glen J. Torcivia]
Glen J. Torcivia, City Attorney

City of Boca Raton



DEC 27 2006

Incorporated 1925

RESOLUTION

200-2006

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2 A RESOLUTION OF THE CITY OF BOCA RATON
3 SUPPORTING AND ENDORSING THE PRINCIPLES OF
4 HOME RULE AND ADOPTING THE POLICY SET FORTH
5 BELOW TO SUPPORT THE PREMISE THAT THE CITY
6 SHOULD HAVE THE AUTHORITY TO GOVERN WITHIN
7 ITS JURISDICTION; PROVIDING FOR SEVERABILITY;
8 PROVIDING FOR REPEALER; PROVIDING AN
9 EFFECTIVE DATE

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11
12 WHEREAS, Chapter 166, Florida Statutes, entitled "Municipalities" and known as the
13 "Municipal Home Rule Powers Act", provides a broad grant of authority to all municipalities to
14 enable them to exercise any power for municipal purposes, except when expressly prohibited by
15 law; and

16 WHEREAS, Section 2(b), Article VIII, State Constitution, protects the rights of municipal
17 government by means of language which reads as follows:

18 "Municipalities shall have the governmental, corporate, and
19 proprietary powers to enable them to conduct municipal
20 government, perform municipal functions and render municipal

1 services, and may exercise any power for municipal purposes,
2 except as otherwise provided by law;" and

3 WHEREAS, Section 166.021(3), Florida Statutes states, "[t]he Legislature recognizes
4 that pursuant to the grant of power set forth in Section 2(b), Article VIII of the State Constitution,
5 the legislative body of each municipality has the power to enact legislation concerning any
6 subject matter upon which the state Legislature may act, except:" for those subjects specifically
7 listed in subsections (a)-(d); and

8 WHEREAS, municipalities are voluntary forms of government and would not exist if
9 communities had not organized and held special elections in order to create the local form of
10 government; and

11 WHEREAS, residents in a community decide to incorporate in order to govern
12 themselves and to gain a greater degree of control over issues that impact their quality of life
13 and property interests directly; and

14 WHEREAS, municipalities represent the form of government which is closest to the
15 people and therefore many people expressly choose to live within municipalities in order that
16 their ideas may be heard on a more personal basis; and

17 WHEREAS, a resolution similar to this one was adopted by the Palm Beach County
18 League of Cities, Inc., on November 22, 2006; and

19 WHEREAS, the City of Boca Raton desires to preserve this unique responsive form of
20 government, wishes to support the Palm Beach County League of Cities, Inc., and believes it to
21 be in the best interests of its citizens to adopt this Resolution formally stating its position; now
22 therefore

23
24 BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF BOCA
25 RATON:

1 Section 1. The City of Boca Raton believes that when issues are in conflict between
2 Palm Beach County and a municipality, or several municipalities, such conflict should be
3 resolved in one of the following ways:

4 A. Approval by the governing body of the municipality or municipalities affected; or

5 B. Approval by a majority of the electors within the County and a majority of the
6 electors within the affected municipality or municipalities.

7 Section 2. The above stated policy is hereby adopted by the City Council of the City
8 of Boca Raton.

9 Section 3. This resolution shall be forwarded to the Board of County Commissioners,
10 the Palm Beach County Administrator, the Palm Beach County League of Cities, Inc., and the
11 State Senators and Representatives who represent the citizens of the City of Boca Raton.

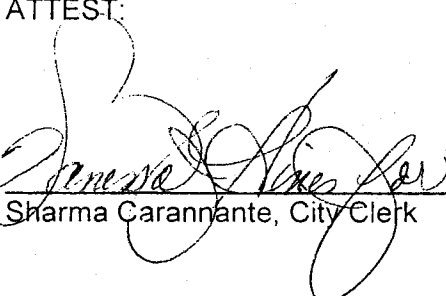
12 Section 4. If any section, subsection, clause or provision of this resolution is held invalid,
13 the remainder shall not be affected by such invalidity.

14 Section 5. All resolutions or parts of resolutions in conflict herewith shall be and hereby
15 are repealed.

16 Section 6. This resolution shall take effect immediately upon adoption.

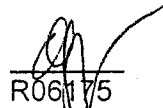
17 PASSED AND ADOPTED by the City Council of the City of Boca Raton this 12th day
18 of December, 2006.

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22 ATTEST:

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28 Sharma Carannante, City Clerk
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CITY OF BOCA RATON, FLORIDA


Steven L. Abrams, Mayor


R06175

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COUNCIL VOTE			
	YES	NO	ABSTAINED
MAYOR STEVEN L. ABRAMS	✓		
DEPUTY MAYOR SUSAN WHELCHER	✓		
COUNCIL MEMBER M.J. MIKE ARTS	Absent		
COUNCIL MEMBER PETER R. BARONOFF	✓		
COUNCIL MEMBER BILL HAGER	✓		

3

City of Boca Raton

201 WEST PALMETTO PARK ROAD • BOCA RATON, FLORIDA 33432-3795 • (561) 393-7708 • FAX (561) 367-7014



MAYOR
STEVEN L. ABRAMS
DEPUTY MAYOR
SUSAN WHELCHER

COUNCIL MEMBERS
M. J. MIKE ARTS
PETER R. BARONOFF
BILL HAGER

DEC 27 2006

December 19, 2006

Mr. Robert Weisman
Palm Beach County Administrator
12th Floor Governmental Center
301 N Olive Avenue
West Palm Beach, FL 33401

Dear Mr. Weisman:

The Boca Raton City Council recently adopted Resolution 200-2006 (copy attached) supporting and endorsing the principles of Home Rule and adopting the policy as set forth in the resolution to support the premise that the City of Boca Raton and all municipalities should have the authority to govern within their jurisdictions. The City of Boca Raton has identified the preservation of home rule powers as a priority.

Please contact my office if you have any questions or need clarification.

As always, we appreciate your collaborative efforts with our City and ask you to support us further on this important issue.

Sincerely yours,

A handwritten signature in black ink, appearing to read "Steven L. Abrams", with a long horizontal flourish extending to the right.

Steven L. Abrams
Mayor

Attachment

c: City Council
Leif J. Ahnell, C.P.A., C.G.F.O., City Manager

SLA/bhb

RESOLUTION NO. 06-2

A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF BRINY BREEZES, SUPPORTING AND ENDORSING THE PRINCIPLES OF HOME RULE AND ADOPTING THE POLICIES SET FORTH BELOW TO SUPPORT THE PREMISE THAT THE TOWN SHOULD HAVE THE AUTHORITY TO GOVERN WITHIN ITS JURISDICTION; FURTHER PROVIDING THAT SUCH AUTHORITY SHOULD NOT BE ERODED, PROVIDING AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

WHEREAS, Chapter 166, *Florida Statutes*, entitled "Municipalities" and known as the "Municipal Home Rule Powers Act" provides a broad grant of authority to all municipalities to enable them to exercise any power for municipal purposes, except when expressly prohibited by law; and

WHEREAS, Section 2(b), Article VIII, State Constitution, protects the rights of municipal government by means of language which reads as follows:

Municipalities shall have the governmental, corporate, and proprietary powers to enable them to conduct municipal government, perform municipal functions and render municipal services, and may exercise any power for municipal purposes, except as otherwise provided by law; and

WHEREAS, the legislature recognizes that, pursuant to the grant of power set forth in Section 2(b), Article VIII, State Constitution, the legislative body of each municipality has the power to enact legislation concerning any subject matter upon which the state legislature may act except for those subjects specifically listed at Section 166.021(3)(a)-(d); and

WHEREAS, municipalities are voluntary forms of government and would not exist if communities had not organized and held special elections in order to create the local form of government; and

WHEREAS, Residents in a community decide to incorporate in order to govern themselves and to gain a greater degree of control over issues that impact their quality of life and property interests directly; and

WHEREAS, municipalities represent the form of government which is closest to the people and therefore many people expressly choose to live within municipalities in order that their ideas may be heard on a more personal basis; and

WHEREAS, a similar resolution was adopted by the Palm Beach County League of Cities, Inc. on November 22, 2006; and

WHEREAS, the Town of Briny Breezes desires to preserve this unique responsive form of government, wishes to support the Palm Beach County League of Cities, Inc. and believes it to be in the best interest of its citizens to adopt this Resolution formally stating its position.

NOW, THEREFORE BE IT RESOLVED by the TOWN COUNCIL OF THE TOWN OF BRINY BREEZES as follows:

Section 1: The Town of Briny Breezes believes that when issues are in conflict between Palm Beach County and a municipality or several municipalities, such conflict should be resolved by the following:

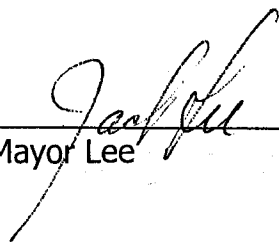
- A. Approval by the governing body of the municipality or municipalities affected; or
- B. Approval of the majority of the electors within the County and a majority of the electors within the affected municipality or municipalities.

Section 2: The above stated policy is hereby adopted by the Town Council of the Town of Briny Breezes.

Section 3: This Resolution shall be forwarded to the Board of County Commissioners, the Palm Beach County Administrator, the Palm Beach County League of Cities, Inc. and the State Senators and Representatives elected from the jurisdiction of the Town of Briny Breezes,

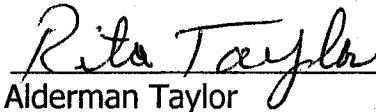
Section 4: This Resolution shall take effect immediately upon passage.

PASSED AND ADOPTED this 18th day of December, 2006.

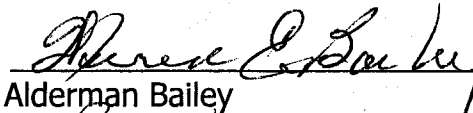


Mayor Lee

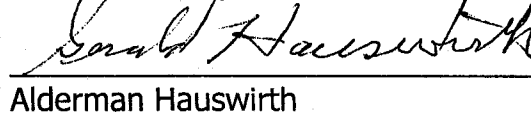
President Duncan



Alderman Taylor

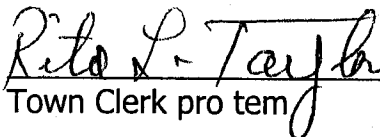


Alderman Bailey

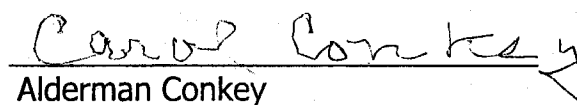


Alderman Hauswirth

ATTEST:



Town Clerk pro tem



Alderman Conkey

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TOWN OF HYPOLUXO

RESOLUTION 06-334

DEC 27 2006

A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF HYPOLUXO, FLORIDA, CONFIRMING AND ENDORSING THE PRINCIPLES OF MUNICIPAL HOME RULE AND ADOPTING A POLICY SUPPORTING THE AUTHORITY OF MUNICIPALITIES TO GOVERN WITHIN THEIR JURISDICTIONAL BOUNDARIES; PROVIDING FOR AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

WHEREAS, Chapter 166, Florida Statutes, entitled "Municipalities" and known as the "Municipal Home Rule Powers Act" provides a broad grant of authority to all municipalities to enable them to exercise any power for municipal purposes, except when expressly prohibited by law; and

WHEREAS, Section 2(b), Article VIII, State Constitution, protects the rights of municipal government by providing as follows:

Municipalities shall have the governmental, corporate, and proprietary powers to enable them to conduct municipal government, perform municipal functions and render municipal services, and may exercise any power for municipal purposes, except as otherwise provided by law; and

WHEREAS, the Florida Legislature recognizes that, pursuant to the grant of power set forth in Section 2(b), Article VIII, State Constitution, the legislative body of each municipality has the power to enact legislation concerning any subject matter upon which the Legislature may act except for those subjects specifically listed in Section 166.021(3)(a)-(d), Florida Statutes; and

WHEREAS, municipalities are voluntary forms of government and would not exist if communities had not organized and held special elections in order to create them; and

WHEREAS, residents in a community decide to incorporate in order to govern themselves and to gain a greater degree of control over issues that impact their quality of life and property interests; and

WHEREAS, municipalities represent the form of government which is closest to the people and therefore many people expressly choose to live within municipalities in order that their ideas may be heard on a more personal basis; and

WHEREAS, a similar resolution was adopted by the Palm Beach County League of Cities, Inc. on November 22, 2006; and

1 **WHEREAS**, the Town Council of the Town of Hypoluxo, Florida, desires to preserve
2 this unique responsive form of government, wishes to support the Palm Beach County
3 League of Cities, Inc. and believes it to be in the best interests of its citizens to adopt this
4 Resolution formally stating its position.

5
6 **NOW, THEREFORE, BE IT RESOLVED BY THE TOWN COUNCIL OF THE TOWN**
7 **OF HYPOLUXO, FLORIDA as follows:**

8
9 **Section 1.** The foregoing recitals are hereby ratified and incorporated herein.

10
11 **Section 2.** Based on the principles of municipal home rule set forth above, the
12 Town of Hypoluxo formally adopts the following policy:

13
14 When issues are in conflict between Palm Beach County and a municipality
15 or several municipalities, such conflict should be resolved by the following:

- 16
17 A. Approval by the governing body of the municipality or municipalities
18 affected; or
19
20 B. Approval by a majority of the electors within the County and a majority
21 of the electors within the affected municipality or municipalities.
22

23 **Section 3.** This Resolution shall be forwarded to the Board of County
24 Commissioners, the Palm Beach County Administrator, the Palm Beach County League of
25 Cities, Inc. and the State Senators and Representatives elected from the jurisdiction of the
26 Town of Hypoluxo.
27

28 **Section 4.** This Resolution shall become effective immediately upon adoption.

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30 **RESOLVED AND ADOPTED this** 20th **day of** December, 2006.

31
32 **TOWN OF HYPOLUXO, FLORIDA**

33
34 BY: Kenneth M. Schultz
35 Kenneth M. Schultz, Mayor

36 **ATTEST:**

37
38 Barbara Searls Ross
39 Barbara Searls Ross, Town Clerk

40
41 **APPROVED AS TO FORM AND LEGAL**
42 **SUFFICIENCY:**

43
44 Leonard G. Rubin
45 Leonard G. Rubin, Town Attorney

	VOTE:	AYE:	NAY:	ABSENT:
1				
2				
3	VICE MAYOR RONALD E. YOUNG	<u>✓</u>	<u> </u>	<u> </u>
4				
5	COUNCILMEMBER KAREN C. MILLER	<u>✓</u>	<u> </u>	<u> </u>
6				
7	COUNCILMEMBER MICHAEL C. BROWN	<u>✓</u>	<u> </u>	<u> </u>
8				
9	COUNCILMEMBER HERBERT F. KAHLERT	<u>✓</u>	<u> </u>	<u> </u>
10				
11	COUNCILMEMBER JAMES H. BURNS	<u>✓</u>	<u> </u>	<u> </u>

56-2006

RESOLUTION NO.56-2006 OF THE CITY OF LAKE WORTH, FLORIDA, SUPPORTING AND ENDORSING THE PRINCIPLES OF HOME RULE AND ADOPTING THE POLICIES SET FORTH BELOW TO SUPPURT THE PREMISE THAT THE CITY COMMISSION SHOULD HAVE THE AUTHORITY TO GOVERN WITHIN ITS JURISDICTION; FURTHER PROVIDING THAT SUCH AUTHORITY SHOULD NOT BE ERODED; PROVIDING FOR DISTRIBUTION; PROVIDING AN EFFECTIVE DATE.

WHEREAS, Chapter 166, Florida Statutes, entitled "Municipalities" and known as the "Municipal Home Rule Powers Act" provides a broad grant of authority to all municipalities to enable them to exercise any power for municipal purposes, except when expressly prohibited by law; and

WHEREAS, Section 2(b), Article VIII, State Constitution, protects the rights of municipal government by means of language which reads as follows:

Municipalities shall have the governmental, corporate, and proprietary powers to enable them to conduct municipal government, perform municipal functions and render municipal services, and may exercise any power for municipal purposes, except as otherwise provided by law; and

WHEREAS, the legislature recognizes that, pursuant to the grant of power set forth in Section 2(b), Article VIII, State Constitution, the legislative body of each municipality has the power to enact legislation concerning any subject matter upon which the state legislature may act except for those subjects specifically listed at Section 166.021(3)(a)-(d); and

WHEREAS, municipalities are voluntary forms of government and would not exist if communities had not organized and held special elections in order to create the local form of government; and

WHEREAS, Residents in a community decide to incorporate in order to govern themselves and to gain a greater degree of control over issues that impact their quality of life and property interests directly; and

WHEREAS, municipalities represent the form of government which is closest to the people and therefore many people expressly choose to live within municipalities in order that their ideas may be heard on a more personal basis; and

WHEREAS, a similar resolution was adopted by the Palm Beach County League of Cities, Inc. on November 22, 2006; and

WHEREAS, the City of Lake Worth, Florida, desires to preserve this unique, responsive form of government, wishes to support the Palm Beach County League of Cities, Inc., and believes it to be in the best interests of its citizens to adopt this Resolution formally stating its position.

NOW, THEREFORE, BE IT RESOLVED by the City Commission of the City of Lake Worth, Florida, as follows:

Section 1: The City of Lake Worth believes that when issues are in conflict between Palm Beach County and a municipality or several municipalities, such conflict should be resolved by the following:

- A. Approval by the governing body of the municipality or municipalities affected; or
- B. Approval by a majority of the electors within the County and a majority of the electors within the affected municipality or municipalities.

Section 2: The above stated policy is hereby adopted by the City Commission of the City of Lake Worth, Florida.

Section 3: This Resolution shall be forwarded to the Board of County Commissioners, the Palm Beach County Administrator, the Palm Beach County League of Cities, Inc. and the State Senators and Representatives elected from the jurisdiction of the City of Lake Worth, Florida.


Section 4: This Resolution shall take effect immediately upon its passage.

The passage of this Resolution was moved by Commissioner Burns, seconded by Commissioner Jennings, and upon being put to a vote, the vote was as follows:


Mayor Marc J. Drautz	AYE
Vice Mayor Retha Lowe	AYE
Commissioner Cara Jennings	AYE
Commissioner Nadine Burns	AYE
Commissioner Dave Vespo	AYE

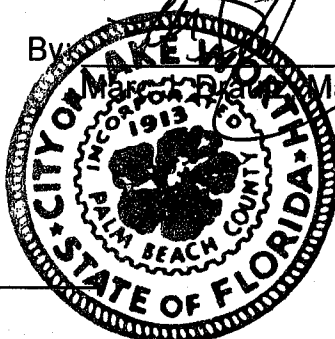
The Mayor thereupon declared this Resolution duly passed and adopted on this 19th day of December 2006.

LAKE WORTH CITY COMMISSION

By  Mayor

ATTEST:


Pamela J. Lopez, City Clerk



RESOLUTION NO. 75-06

A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF PALM BEACH, PALM BEACH COUNTY, FLORIDA, SUPPORTING AND ENDORSING THE PRINCIPLES OF HOME RULE AND ADOPTING THE POLICIES SET FORTH BELOW TO SUPPORT THE PREMISE THAT ALL MUNICIPALITIES SHOULD HAVE THE AUTHORITY TO GOVERN WITHIN THEIR JURISDICTION; FURTHER PROVIDING THAT SUCH AUTHORITY SHOULD NOT BE ERODED; PROVIDING AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

WHEREAS, Chapter 166, *Florida Statutes*, entitled "Municipalities" and known as the "Municipal Home Rule Powers Act" provides a broad grant of authority to all municipalities to enable them to exercise any power for municipal purposes, except when expressly prohibited by law; and

WHEREAS, Section 2(b), Article VIII, State Constitution, protects the rights of municipal government by means of language which reads as follows:

Municipalities shall have the governmental, corporate, and proprietary powers to enable them to conduct municipal government, perform municipal functions and render municipal services, and may exercise any power for municipal purposes, except as otherwise provided by law; and

WHEREAS, the legislature recognizes that, pursuant to the grant of power set forth in Section 2(b), Article VIII, State Constitution, the legislative body of each municipality has the power to enact legislation concerning any subject matter upon which the state legislature may act except for those subjects specifically listed at Section 166.021(3)(a)-(d); and

WHEREAS, municipalities are voluntary forms of government and would not exist if communities had not organized and held special elections in order to create the local form of government; and

WHEREAS, Residents in a community decide to incorporate in order to govern themselves and to gain a greater degree of control over issues that impact their quality of life and property interests directly; and

WHEREAS, municipalities represent the form of government which is closest to the people and therefore many people expressly choose to live within municipalities in order that their ideas may be heard on a more personal basis; and

WHEREAS, the Town of Palm Beach hereby supports the preservation of this unique responsive form of government and believes it to be in the best interests of its members to adopt this Resolution formally stating its position.

NOW, THEREFORE, BE IT RESOLVED BY THE TOWN COUNCIL OF THE TOWN OF PALM BEACH, PALM BEACH COUNTY, FLORIDA as follows:

Section 1: The Town of Palm Beach believes that when issues are in conflict between Palm Beach County and a municipality or several municipalities, such conflict should be resolved by the following:


- A. Approval by the governing body of the municipality or municipalities affected;
- or
- B. Approval by a majority of the electors within the County and a majority of the electors within the affected municipality or municipalities.

Section 2: The above stated policy is hereby adopted by the Town of Palm Beach.

Section 3: This Resolution shall be forwarded to the Board of County Commissioners, the Palm Beach County Administrator and the State Senators and Representatives elected from the jurisdiction of Palm Beach County, and to any other interested parties.

Section 4: This Resolution shall take effect immediately upon passage.

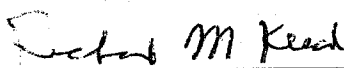
**PASSED AND ADOPTED IN REGULAR, ADJOURNED SESSION OF THE TOWN
COUNCIL OF THE TOWN OF PALM BEACH ASSEMBLED THIS 12th DAY OF
DECEMBER 2006.**



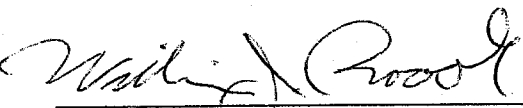
Jack McDonald, Mayor



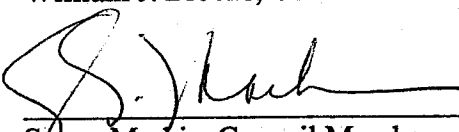
Dennis P. Coleman, Council President



Richard M. Kleid, President, Pro Tem




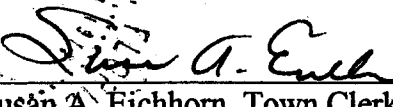
William J. Brooks, Council Member



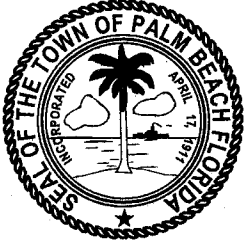
Susan Markin, Council Member



Allen S. Wyett, Council Member


ATTEST:


Susan A. Eichhorn, Town Clerk



DEC 18 2006

TOWN OF PALM BEACH

Office of The Town Clerk

December 13, 2006

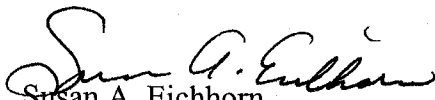
Commissioner Jess R. Santamaria
Palm Beach County
Board of County Commissioners
Governmental Center 12th Floor
301 N. Olive Avenue
West Palm Beach, FL 33401

Dear Commissioner Santamaria:

Enclosed please find Resolution No. 75-06, adopted by the Palm Beach Town Council on December 12, 2006. Pursuant to Section 3, I am forwarding a copy of this Resolution to you.

Please feel free to contact me should you need further information.

Sincerely,


Susan A. Eichhorn
Town Clerk

SAE/dk

Enc. (1): Resolution No. 75-06

RESOLUTION NO. R-14-06

A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF PALM BEACH SHORES, SUPPORTING AND ENDORSING THE PRINCIPLES OF HOME RULE AND ADOPTING THE POLICIES SET FORTH BELOW TO SUPPORT THE PREMISE THAT THE TOWN SHOULD HAVE THE AUTHORITY TO GOVERN WITHIN ITS JURISDICTION; FURTHER PROVIDING THAT SUCH AUTHORITY SHOULD NOT BE ERODED; PROVIDING AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

WHEREAS, Chapter 166, *Florida Statutes*, entitled "Municipalities" and known as the "Municipal Home Rule Powers Act" provides a broad grant of authority to all municipalities to enable them to exercise any power for municipal purposes, except when expressly prohibited by law; and

WHEREAS, Section 2(b), Article VIII, State Constitution, protects the rights of municipal government by means of language which reads as follows:

Municipalities shall have the governmental, corporate, and proprietary powers to enable them to conduct municipal government, perform municipal functions and render municipal services, and may exercise any power for municipal purposes, except as otherwise provided by law; and

WHEREAS, the legislature recognizes that, pursuant to the grant of power set forth in Section 2(b), Article VIII, State Constitution, the legislative body of each municipality has the power to enact legislation concerning any subject matter upon which the state legislature may act except for those subjects specifically listed at Section 166.021(3)(a)-(d); and

WHEREAS, municipalities are voluntary forms of government and would not exist if communities had not organized and held special elections in order to create the local form of government; and

WHEREAS, Residents in a community decide to incorporate in order to govern themselves and to gain a greater degree of control over issues that impact their quality of life and property interests directly; and

WHEREAS, municipalities represent the form of government which is closest to the people and therefore many people expressly choose to live within municipalities in order that their ideas may be heard on a more personal basis; and

WHEREAS, a similar resolution was adopted by the Palm Beach County League of Cities, Inc. on November 22, 2006; and

WHEREAS, the Town of Palm Beach Shores desires to preserve this unique responsive form of government, wishes to support the Palm Beach County League of Cities, Inc. and believes it to be in the best interests of its citizens to adopt this Resolution formally stating its position.

NOW, THEREFORE, BE IT RESOLVED by the TOWN COUNCIL OF THE TOWN OF PALM BEACH SHORES as follows:

Section 1: The Town of Palm Beach Shores believes that when issues are in conflict between Palm Beach County and a municipality or several municipalities, such conflict should be resolved by the following:

- A. Approval by the governing body of the municipality or municipalities affected;
or
- B. Approval by a majority of the electors within the County and a majority of the electors within the affected municipality or municipalities.


Section 2: The above stated policy is hereby adopted by the Town Commission of the Town of Palm Beach Shores.

Section 3: This Resolution shall be forwarded to the Board of County Commissioners, the Palm Beach County Administrator, the Palm Beach County League of Cities, Inc. and the State Senators and Representatives elected from the jurisdiction of the Town of Palm Beach Shores.

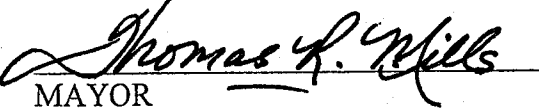
Section 4: This Resolution shall take effect immediately upon passage.

PASSED AND ADOPTED this 18th day of December, 2006.

ATTEST:


TOWN CLERK

TOWN OF PALM BEACH SHORES


MAYOR
(SEAL)

Y:\docs\PBC League of Cities\Resolutions\HomeRule-06.doc

RECEIVED JAN 08 2007

RESOLUTION NO. 06-56

A RESOLUTION OF THE VILLAGE COUNCIL OF THE VILLAGE OF ROYAL PALM BEACH, SUPPORTING AND ENDORSING THE PRINCIPLES OF HOME RULE AND ADOPTING THE POLICIES SET FORTH BELOW TO SUPPORT THE PREMISE THAT THE VILLAGE SHOULD HAVE THE AUTHORITY TO GOVERN WITHIN ITS JURISDICTION; FURTHER PROVIDING THAT SUCH AUTHORITY SHOULD NOT BE ERODED; PROVIDING AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

WHEREAS, Chapter 166, *Florida Statutes*, entitled "Municipalities" and known as the "Municipal Home Rule Powers Act" provides a broad grant of authority to all municipalities to enable them to exercise any power for municipal purposes, except when expressly prohibited by law; and

WHEREAS, Section 2(b), Article VIII, State Constitution, protects the rights of municipal government by means of language which reads as follows:

Municipalities shall have the governmental, corporate, and proprietary powers to enable them to conduct municipal government, perform municipal functions and render municipal services, and may exercise any power for municipal purposes, except as otherwise provided by law; and

WHEREAS, the legislature recognizes that, pursuant to the grant of power set forth in Section 2(b), Article VIII, State Constitution, the legislative body of each municipality has the power to enact legislation concerning any subject matter upon which the state legislature may act except for those subjects specifically listed at Section 166.021(3)(a)-(d); and

WHEREAS, municipalities are voluntary forms of government and would not exist if communities had not organized and held special elections in order to create the local form of government; and

WHEREAS, Residents in a community decide to incorporate in order to govern themselves and to gain a greater degree of control over issues that impact their quality of life and property interests directly; and

WHEREAS, municipalities represent the form of government which is closest to the people and therefore many people expressly choose to live within municipalities in order that their ideas may be heard on a more personal basis; and

WHEREAS, a similar resolution was adopted by the Palm Beach County League of Cities, Inc. on November 22, 2006; and

WHEREAS, the Village of Royal Palm Beach desires to preserve this unique responsive form of government, wishes to support the Palm Beach County League of Cities, Inc. and believes it to be in the best interests of its citizens to adopt this Resolution formally stating its position.

NOW, THEREFORE, BE IT RESOLVED by the VILLAGE COUNCIL OF THE VILLAGE OF ROYAL PALM BEACH as follows:

Section 1: The Village of Royal Palm Beach believes that when issues are in conflict between Palm Beach County and a municipality or several municipalities, such conflict should be resolved by the following:

- A. Approval by the governing body of the municipality or municipalities affected;
- or
- B. Approval by a majority of the electors within the County and a majority of the electors within the affected municipality or municipalities.

Section 2: The above stated policy is hereby adopted by the Village Council of the Village of Royal Palm Beach.

Section 3: This Resolution shall be forwarded to the Board of County Commissioners, the Palm Beach County Administrator, the Palm Beach County League of Cities, Inc. and the State Senators and Representatives elected from the jurisdiction of the Village of Royal Palm Beach.

Section 4: This Resolution shall take effect immediately upon passage.


PASSED AND ADOPTED this 4th day of January, 2007.

ATTEST:



Diane DiSanto, Village Clerk

(SEAL)

Village of Royal Palm Beach

Mayor David A. Lodwick