



City of Boynton Beach Agenda Item Request Form

Meeting Date: 11/ 4/2025

Proposed Ordinance No. 25-039- First Reading, An Ordinance of the City of Boynton Beach, Florida, Submitting to Referendum Amendments to the City Charter; Amending Section 5 to Increase the Term of Elective Offices from Three (3) Years to Four (4) Years; to Clarify What Constitutes a Term for Purposes of Term Limits; to Provide for a Mandatory Sit-Out Period; Providing for a Notice of an Advertisement of the Referendum Election to be Published in Accordance with the State of Florida Election Code; Providing that this Ordinance, when Adopted, Shall be Submitted to the Qualified Electors of the City of Boynton Beach, Florida, on the March 2026 General Municipal Election Ballot and Shall Become Effective as Provided By Law; Providing for Conflicts, Severability, and an Effective Date.

Requested Action: Staff recommends approval of Proposed Ordinance No. 25-039, at first reading.

Explanation of Request:

The Charter Review Committee (the "Committee") was established by Resolution No. R25-195 of the City Commission of the City of Boynton Beach, Florida. This resolution authorized the formation of a five-member advisory committee to review and propose amendments to the City Charter. Members were appointed individually by the Mayor, Vice Mayor, and City Commissioners, representing a cross-section of professional experience and civic engagement.

The Committee was charged with:

1. Reviewing the existing City Charter;
2. Considering proposed amendments prepared by the City Attorney's Office; and
3. Recommending any additional modifications necessary to improve the Charter's clarity, function, and responsiveness to the public interest.

The Committee met regularly from August through October 2025 and received staff assistance from the City Attorney's Office and City Clerk's Office. All meetings were publicly noticed and conducted in accordance with the Florida Sunshine Law.

Based on its review, the Committee recommends adoption of the following proposed charter amendment:

Section 5 -- Terms of Office and Term Limits

The amendment:

- Increases terms of office for the Mayor and City Commissioners from three (3) to four (4) years, beginning with the March 2028 municipal election;
- Clarifies what constitutes a "term" for purposes of enforcing term limits—specifically, that service of more than one-half of a full term counts as a complete term;
- Imposes a one-year "sit-out period" after any person serves two consecutive terms before becoming eligible to run again for any elective City office; and
- Harmonizes all related provisions to align future elections with the new four-year cycle.

Implementation Timeline: Persons elected in the March 2026 election will serve three-year terms to align the election cycle. Beginning with the March 2028 election, all terms will be four years.

Effect: This change provides more continuity in governance, reduces election frequency and cost, and ensures fairness and clarity in applying term-limit rules while maintaining opportunities for new leadership.

The Committee also reviewed the eligibility criteria for service on the City Commission:

Residency Requirements: Based on legal guidance from the City Attorney's September 2, 2025, memorandum, the Committee determined that durational residency rules longer than one year may raise constitutional issues under the Equal Protection and Privileges and Immunities Clauses. The Committee, therefore, recommended clarifying the existing residency provision rather than lengthening it to ensure defensibility and prevent potential litigation.

Age Requirements: As noted in the City Attorney's September 3, 2025, memorandum, the Committee considered whether to raise age qualifications for candidates but concluded that doing so could present constitutional risks. The Committee recognized that modest age requirements rationally related to ensuring maturity and fiscal responsibility are legally permissible but should not unduly restrict voter choice.

After deliberation and consideration of research regarding adolescent brain development and fiscal maturity, the Committee voted 3-1 to maintain the current age requirement of 21 years. One committee member preferred to raise the age to 25 years based on research indicating

that brain development, particularly regarding long-term planning and fiscal decision-making, continues into the mid-twenties. However, the majority concluded that the current 21-year age requirement appropriately balances maturity considerations with voter choice and constitutional principles.

How will this affect city programs or services? None

Budgeted Item: Yes

Account Line Item and Description: None

Fiscal Impact: None

Attachments:

[Ord 25-039 Charter_Section_5_-_Final.docx](#)

[Agenda Item 3919-2025 Business Impact Statement - Charter Section 5.docx](#)

[Agenda Items 3917-3921 Charter Amendment Ordinances - Nov 4 Agenda.pptx](#)