

December 16, 2022

Palm Beach County Legislative Delegation
301 North Olive Avenue, Suite 701.6
West Palm Beach, FL 33401

Attention: Victoria Nowlan, Executive Director

**RE: LOCAL BILL – PROVIDING FOR A REFERENDUM ON THE
CHARTER FOR VILLAGE OF LOXAHATCHEE**

This letter shall serve as a letter of intention to request the Palm Beach County Legislative Delegation, at its meeting on January 12, 2023, approve a local bill providing for a referendum on the Charter for the Village of Loxahatchee.

History

Through substantial input from the community and working through the local bill process last year, we still agree that it is in the best interests of the community to incorporate and that it is not only feasible but viable.

In 2021, the Indian Trail Improvement District commissioned a feasibility study, created a Feasibility and Charter Review Committee (FCR) comprised of residents that were representative of all areas of the District, and the FCR created a proposed Charter through a series of public meetings in accordance with the Indian Trail Improvement District's Charter. The Indian Trail Improvement District upon conclusion of the FCR, did receive and accept the recommendation of the

FCR to move forward with submitting the feasibility study and proposed charter to the clerk's office in accordance with F.S. 165.041. The Indian Trail Improvement District Board of Supervisors took no further action.

In August 2021, the citizens group agreed with the FCR committee and the feasibility study that a municipality is feasible, sustainable and the Charter represents our community desires. We, Bob Morgan, Elizabeth Accomando and myself, the citizens group, pursued a referendum on incorporation through the legislative process in 2021 by submitting the feasibility study and the proposed charter to the clerk's office in accordance with F.S. 165.041 and as recommended by the FCR committee.

Subsequent to the original submittal to Tallahassee on September 3, 2021, as well as the submittal to the local delegation on September 28, 2021, there were meetings and input received from many local delegates and the members of the community regarding the proposal submitted. Further to that input, we concluded that the best resolution was for Indian Trail Improvement District to remain an independent district to address boundary concerns, the on-going lawsuit between Indian Trail Improvement District and Seminole Improvement District/Minto, as well as the continuing debt obligation (road bond) of Unit 18-Madison Green, Town of Royal Palm Beach. The matter was tabled at the local delegation hearing on local bills on October 28, 2021 to the December 8, 2021 meeting in Belle Glade. Therefore, we commissioned an amendment to the existing feasibility

study to reflect Indian Trail Improvement District remaining as an independent district primarily for drainage and transferring certain assets to the municipality (assets not related to any area that would not be included in the municipality). The Charter was modified accordingly.

Although we did not receive the necessary votes from the local delegates in 2021, we continue to believe a referendum on incorporation is in the best interests of our community. Since the FCR Committee was concluded and our citizens group took over the process, we have continued to hold public meetings with our community throughout the year. There is substantial interest in pursuing a referendum. There is also opposition, particularly from outside our community, to prevent our community from having the opportunity to vote on this issue. Having the right to become our own municipality, is a right afforded by our State Constitution. The process is set out by Statute and we have followed that process. Therefore, we decided to pursue a referendum on incorporation through the legislative process again this year by submitting the feasibility study and the proposed charter to the clerk's office in accordance with F.S. 165.041 on September 1, 2022.

A referendum on incorporation can not be accomplished through any other means other than by a special act of the legislature pursuant to Florida Statutes 165.041. That process requires our local delegation to support a local bill being filed and passed in Tallahassee. We believe, as set out in the Charter, the following:

- (a) It is in the best interests of the public health, safety, and welfare of the residents of the “Indian Trail Area” to form a separate municipality for the Loxahatchee/Acreage area with all the powers and authority necessary to provide adequate and efficient municipal services to its residents.
- (b) That the Charter and the incorporation of the Village will serve to preserve and protect the equestrian and agricultural character, natural resources and rural quality of life of the community;
- (c) That the Charter and the incorporation of the Village will secure the benefits of self-determination and affirm the values of representative democracy, citizen participation, strong community leadership, professional management and regional cooperation.
- (d) That the Charter and the incorporation of the Village will maintain a financially secure and sustainable municipal government and responsibly manage the Village’s debt obligations without causing the State to incur any liability.

We note that we do not meet the statutory requirement of being within 2 miles of a boundary of another municipality and that it would be impossible to do so without creating enclaves or breaking the contiguous nature of our community, therefore we respectfully request a waiver for this requirement, as permitted by Statute.

Pursuant to the Local Bill Manual, attached please find the following documents:

1. Summary Fact Sheet
2. Local Bill Draft – Charter of Village of Loxahatchee
3. Economic Impact Statement
4. A map of the proposed boundaries
5. The Addendum and Feasibility Study submitted to Tallahassee on September 1, 2022.

We thank you for your time and the opportunity to present this request on behalf of our community for a referendum on incorporation of the Village of Loxahatchee. Please do not hesitate to contact Lou Colantuoni with any questions or comments, you may have.

Sincerely,

Lou Colantuoni, Jr.
7849 Coconut Blvd.,
West Palm Beach, FL 33412
561-236-5696