

Commented [Atty1]: Re-ordered to be sequential.

ORDINANCE NO. ~~2025~~2026-18xx OF THE CITY OF LAKE WORTH, FLORIDA, REPEALING SECTION 2-9 AND ARTICLES V, IX, XI, XV, XVI, XVII, XX, XXI, AND XXIII OF CHAPTER 2 AND SECTIONS 13-1, 13-2, 13-3, AND 13-4 OF CHAPTER 13, AND ADDING A NEW ARTICLE IV OF CHAPTER 2 OF THE CODE OF ORDINANCES REGARDING AGENCIES, BOARDS AND COMMITTEES OF THE CITY, INCLUDING PROCEDURES FOR THE APPOINTMENT OF MEMBERS AND TERMS OF OFFICE, ATTENDANCE, AND RESIDENCY REQUIREMENTS OF MEMBERS AND THE POWERS AND DUTIES OF ALL AGENCIES, BOARDS AND COMMITTEES OF THE CITY; PROVIDING FOR CODIFICATION; PROVIDING AN EFFECTIVE DATE

WHEREAS, the City of Lake Worth Beach, Florida (the "City") is a duly constituted municipality having such power and authority conferred upon it by the Florida Constitution and Chapter 166, Florida Statutes; and

WHEREAS, in 2022, the City changed the City's Code of Ordinances (the "Code") regarding the appointment process of members of city boards to appointments by the entire Commission and removed the set term of office for board members; and

WHEREAS, the City Commission desires to reinstate all board members' terms of office for three years; and

WHEREAS, the City Commission also desires to consolidate various articles and sections of the Code that deal with agencies, boards and committees of the City into one article of the Code for clarity; and

WHEREAS, the Enterprise Zone Development Agency was not constituted, as the State disapproved the formation of new Enterprise Zones; and

WHEREAS, the City Community Relations Board was sunset in 2012; and

WHEREAS, the City Sister Board was sunset in 2017; and

WHEREAS, the City Recreation Advisory Board was sunset in 2023; and

Commented [Atty2]: This explains why the code sections related to these boards were being repealed. They still need to be in Section 2 to be repealed and taken out of the Code.

WHEREAS, the Electric Utility Advisory Board has not met since February 2024 and the ordinance was updated in 2019 to reconstitute the board to meet when needed regarding policy decisions.

WHEREAS, the Financial Advisory Board has not met since October 2021 due to lack of a quorum and it has been difficult to fill vacancies on the board. Since its creation in 2010, the Finance Department has enhanced financial systems, forecasting tools, and reporting processes that reduce the need for external advisory board.

WHEREAS, the Lake Worth Public Library Board is no longer needed due to the active involvement by the Friends of the Library; and

WHEREAS, the City Commission has reviewed the amendments set forth in this ordinance regarding agencies, boards and committees of the City and has determined that the amendments are in the best interest of the public health, safety and general welfare of the City,

its residents and visitors and serve a valid public purpose.

**NOW, THEREFORE, BE IT ORDAINED BY THE CITY COMMISSION OF THE CITY OF LAKE WORTH BEACH, FLORIDA, that:**

**Section 1:** That the foregoing "WHEREAS" clauses are ratified and confirmed as being true and correct findings of the City Commission and are made a specific part of this ordinance as if set forth herein.

**Section 2:** The following are hereby repealed:

Chapter 2, Article I, Section 2-9, "City board appointment process, terms of office, and residence requirement";

Chapter 2, Article V "Community Redevelopment Agency";

Chapter 2, Article IX "Tree and Landscape Board";

Chapter 2, Article XI. "City Recreation Advisory Board";

Chapter 2, Article XV "City of Lake Worth Sister City Board";

Chapter 2, Article XVI "City Community Relations Board";

Chapter 2, Article XVII "City of Lake Worth Finance Advisory Board";

Chapter 2, Article XX "Electric Utility Advisory Board";

Chapter 2, Article XXI "Enterprise Zone Development Agency";

Chapter 2, Article XXIII "Business Advisory Board"; and

Chapter 13, Sections 13-1, 13-2, 13-3, and 13-4 regarding the Lake Worth Public Library Board.

**Section 3.** A new Article IV of Chapter 2 of the Code of Ordinances is hereby added to read as follows:

**ARTICLE IV. AGENCIES, BOARDS, AND COMMITTEES OF THE CITY**

**Division 1. - Generally**

**Sec. 2-48. Appointment of members, terms of office, residency and attendance requirements.**

(a) Appointment. Members of city agencies, boards, and committees (collectively, "boards") created by the city commission shall be appointed as follows:

1. Whenever there is a vacancy or an expiring or expired term on a board, the city clerk will post the open position(s) on the city's website along with an application form. Positions will remain posted until filled.
2. Individuals interested in becoming a member of a board must complete and submit

**Commented [Atty3]:** Re-ordered to be sequential and added back in all the sections that are being repealed, even if previously sunset. Those functions are different.

**Commented [Atty4]:** Revised to read consistent with what is in the Code that is being repealed.

**Commented [Atty5]:** This is insufficient detail for this process. Are interviews held every time there is a vacancy? What is the application and interview process? How is this intended to be different than the current 2-9(a) that allows interviews at least twice per year but as frequently as desired? If interviews are still being conducted, it seems 2-9 does not need to be amended.

**Commented [Atty6R5]:** I added some additional detail to address the comments, above. Please review. What is the timeframe for posting? Within x days of vacancy or expiration of term? Prior to? How long will positions be posted? Until filled?

- 107 an application form to the city clerk.  
108 3. The city commission will hold interviews to fill vacancies and expiring or expired  
109 terms so that each board will have a full roster of members.  
110 4. The board appointments will be effective upon ratification by the city commission  
111 during a public meeting according to term expirations, if applicable.  
112

113 (b) Terms. The terms for members of all boards shall be three years except for the  
114 Community Redevelopment Agency which shall be four year terms; however, all  
115 members shall continue to serve until a successor is appointed. All terms shall be  
116 staggered to accomplish two (2) rounds of appointment that vary by only one (1)  
117 member.

- 118 1. Term limits: There are no limits to the number of terms a member may  
119 serve.  
120  
121 2. Filling vacancies: A vacancy occurring during a term shall be filled by the  
122 city commission for the unexpired term if the term is more than 60 days.  
123

124 (c) Residency. Each person who serves on any board created by the city commission  
125 shall either maintain a bona fide residence in the city, own a business having a  
126 permanent location in the City, or be the principal stockholder of a corporation or other  
127 business entity having a permanent business location in the city. Whenever an  
128 appointment to any such board is to be made and the city commission's ranking results  
129 in a tie, if the choice is between a person who maintains a bona fide residence in the  
130 city and a person who does not maintain a bona fide residence in the city, and the  
131 person who maintains a bona fide residence in the city meets all other requirements  
132 of the position to be filled, he/she/they shall be appointed. All other city commission  
133 rankings that result in a tie shall be decided by majority vote. A bona fide residence,  
134 for the purpose of this section, is a permanent domicile which has been acquired with  
135 the intention of it being the applicant's primary residence. The principal stockholder of  
136 a corporation or other business entity, for the purpose of this section, is any person  
137 whose ownership interest in the corporation or other business entity is not exceeded  
138 by any other person. There is an exception for the Electric Utility Advisory Board which  
139 requires a member who received electric service from the city who does not reside in  
140 the municipal boundaries.

141  
142 (d) Attendance. If any member of a board shall fail to be present at three (3) consecutive  
143 regularly scheduled meetings or at twenty (20) percent of the regularly scheduled  
144 meetings of the board held within any twelve (12) month period for boards that meet  
145 monthly or within any twenty-four (24) month period for boards that meet bimonthly or  
146 less often than monthly, the city clerk shall declare the member's office vacant, and  
147 the city commission shall fill such vacancy in accordance with the procedures for  
148 appointment as set forth in this section. If any member of the Community  
149 Redevelopment Agency (CRA) shall fail to be present as provided in this paragraph,  
150 the city clerk shall not declare the member's office vacant but shall instead schedule  
151 the matter for hearing before the city commission

152  
153 (e) Ethics training. Board members shall complete ethics training within 30 days of their  
154 appointment to a board. They may attend a meeting but may not vote until the ethics  
155 training is completed.

156 **Sec. 2-49. Meetings**  
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Commented [Atty7]: Does this make sense as written?

- 158  
159 (a) Meetings, including workshops, of each board shall be open to the public, properly  
160 noticed and minutes shall be kept. A public record of the board's minutes and  
161 resolutions shall be maintained, made available for inspection by the public and be  
162 posted on the website by the staff liaison.
- 163 (b) All city boards are authorized to convert any publicly noticed meeting into a workshop  
164 session when a quorum is not reached at said meeting. The decision to convert the  
165 meeting into a workshop session shall be determined by the chair, vice-chair or other  
166 member of the board, who is present at and performing the role of chair during the  
167 meeting. No official action shall be taken at any workshop session and the discussion  
168 should be limited to the items on the agenda for the publicly noticed meeting.
- 169 (c) Quorum. A majority of the seats on the board make up a quorum. Up to two (2)  
170 members of an advisory board may participate and vote through electronic means at  
171 a meeting or workshop and vote in a meeting if a quorum of the Board is physically  
172 present at the meeting or workshop location. A member may only participate through  
173 electronic means due to extenuating circumstances with proper notice given to the  
174 staff liaison in advance.
- 175 (d) Board liaisons. Each board shall have a staff/commissioner liaison who attends the  
176 board meetings. The staff liaison shall serve only in an advisory capacity and have a  
177 continuing responsibility to explain the organization, responsibilities and objectives to  
178 the board. The staff liaison shall be the official medium of communication between the  
179 city commission and the board.
- 180  
181 (e) Officers. Each board shall elect, from its members, officers to fill the positions in this  
182 subsection. The term for each officer is one (1) calendar year from the date of  
183 appointment. There is no limit to the number of terms an officer may serve, however  
184 no officer term shall exceed the member's appointed term. If an officer resigns, that  
185 position shall be filled for the remainder of the term and not as a new term. The CRA  
186 is not required to elect a Secretary and the terms for Chair and Vice Chair of the CRA  
187 are for two (2) calendar years from the date of appointment.
- 188 1. Chair. Presides at meetings of the board and makes presentations, written and  
189 oral, on behalf of the board to the city commission and the city manager.
- 190 2. Vice-chair. Performs the duties of the chairperson in his/her/their absence.
- 191 3. Secretary. Records the minutes and attendance at each meeting.
- 192  
193 (f) Public comment. Members of the public are permitted to participate upon opening of  
194 the floor for public comment by the Chair. The time shall be limited to three (3) minutes  
195 per public participant on matters not on the agenda and two (2) minutes per public  
196 participant on all issues on the agenda.
- 197  
198 (g) All boards created by general law, special act of the legislature, or pursuant to other  
199 authority, shall follow the requirements of the enabling legislation when such  
200 legislation is in conflict with this Ordinance.

201 **Division 2. – Advisory Boards.**  
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**Sec. 2-50. Business Advisory Board (BAB)**

- (a) The business advisory board shall act in an advisory capacity to the city manager and city commission. The business advisory board shall be advisory in nature only. The business advisory board shall promote business development and support and sustain existing businesses within the city by identifying business opportunities and acting as a liaison between the owners of businesses within the city and the city commission.
- (b) The board shall consist of seven (7) members comprised of representatives from the following categories: retail business, professional services business, personal services business, industrial business, commercial realtor or business broker, certified property manager, community bank representative, attorney, hospitality (to include restaurants, bars and hotels) and commercial property owner.
- (c) The board's duties shall consist of the following:
  - 1. Advise the city commission as to recommended improvements to, and the establishment of, city policies and procedures impacting the business community.
  - 2. Review and recommend appropriate communication strategies to disseminate city information to the business community.
  - 3. Solicit and facilitate business input in matters of significance in the city.
  - 4. Endeavor to build an expanding community of support through the education of its members, prospective members, community groups and government officials.
  - 5. Advise the city commission and city administration on business development opportunities within the city.
  - 6. Identify, analyze and address legislative issues that may impact the business community.
  - 7. Any additional duties that may be assigned by the city commission.
- (d) The board shall meet every month, or more regularly as necessary to address matters as requested by the commission.
- (e) A sitting commissioner may serve as the liaison to the BAB.

Commented [Atty8]: Formatting issue needs to be fixed.

Commented [Atty9]: Formatting issue.

**~~Sec. 2-50. Electric Utility Advisory Board.~~**

- ~~(a) Electric Utility Advisory Board shall serve as an advisory board to the electric utility director and the city commission on policy-related matters regarding the city's electric utility.~~
- ~~(b) The board shall be comprised of seven (7) members as follows: five (5) at-large appointments, one (1) business owner, and one (1) at-large member representing the utility service areas of or in a portion of the Village of Palm Springs and unincorporated Palm Beach County.~~
- ~~(c) All members of the board must be customers of the electric utility.~~
- ~~(d) Appointments shall be made by the city commission on the basis of professional career experience relevant to the electric utility industry or knowledge of the city's electric utility. Preference for membership shall be to those who are knowledgeable or possess professional expertise in the following areas: engineering, commercial and residential development, accounting and finance, traditional energy generation and distribution, renewable energy generation and/or energy conservation or related fields.~~

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~~(e) The meetings of the board shall be called by the electric utility director or as directed by the city commission at a public meeting.~~

**Sec. 2-5151. Education Advisory Board.**

- (a) ~~The education advisory board shall serve in an advisory capacity to the city commission regarding the needs of the schools in the city.~~
- (b) ~~The board shall be comprised of seven (7) members, each member serving as liaison to one of the following Lake Worth Beach schools: Barton Elementary, Highland Elementary, North Grade Elementary, South Grade Elementary, Lake Worth Middle, Lake Worth High and Sacred Heart.~~
- (c) ~~The meetings of the board shall called by the city manager or as directed by the city commission at a public meeting.~~

**Sec. 2-52. Finance Advisory Board.**

- ~~(a) The finance advisory board shall serve in an advisory capacity to the city commission and the city manager. The board shall serve to promote transparency in the city's budget process and allow for additional citizen input on major financial decisions. The board shall consult with and advise the city manager and the city commission in matters affecting the annual operating budget, capital improvement program and all financial policies.~~
- ~~(b) The board shall be comprised of five (5) members. Whenever possible, the city commission shall appoint members who have demonstrated expertise, training, education or experience in finance, accounting, business or related fields and are broadly representative of the social, racial, religious, linguistic, cultural and economic groups comprising the population of the city.~~
- ~~(c) It shall be the duty of the board to review and make recommendations to the city commissioners regarding the city's annual budget and capital improvement program and perform such other duties and assignments as requested by the city commissioners or the city manager, including but not limited to the following:
  - 1. ~~Review and recommend action relating to the city's Comprehensive Annual Financial Report (CAFR), audits, investments, bonds, or other debt related instruments to be issued by the city.~~
  - 2. ~~Review and make recommendations on the rates and fees charged for city services.~~
  - 3. ~~Review and make recommendations on the city manager's proposed annual budget.~~
  - 4. ~~Review and make recommendations on the city's proposed annual capital improvement program.~~~~
- ~~(d) The meetings of the board shall called by the finance director or as directed by the city commission at a public meeting; there shall be more meetings during the budget season.~~
- ~~(e) Board members shall be required to file Financial Disclosure forms.~~

**Sec. 2-532. Tree and Landscape Advisory Board**

- (a) The tree and landscape advisory board shall serve in a planning and advisory capacity to the city commission on tree and landscaping related issues.

- 302 (b) The board shall be comprised of five (5) members. The membership of the tree and  
303 landscape board shall include two (2) members to the extent available who have  
304 certifications, licenses and/or education as a landscape architect, arborist,  
305 horticulturist, master gardener or have education/training/degree in one of the  
306 following areas: landscape architecture, botany, ecology, horticulture, agriculture,  
307 sustainability or a related field. The remaining three (3) members shall be members at  
308 large, who have demonstrated an interest, appreciation, understanding and/or  
309 knowledge of South Florida friendly landscapes.  
310 (c) It shall be the duty of the board to perform as follows:  
311 1. Review and provide a recommendation on the city's landscaping work plan  
312 addressing the planting and maintenance of trees and landscaping on city  
313 property;  
314 2. Review and provide a recommendation on amendments to the city's landscape  
315 requirements based on consistency with the University of Florida's Florida-Friendly  
316 Landscaping Program and industry best practices;  
317 3. Review and provide recommendations on public information and outreach related  
318 to the promotion of shade trees and the University of Florida's Florida-Friendly  
319 Landscaping Program. Public outreach may include educational materials and  
320 events on proper planting, pruning techniques, insect and disease control; planting  
321 of native species and tree preservation;  
322 4. Advise on public outreach events related to Arbor Day observances including  
323 festivals and tree giveaways or sales in support of maintaining the city's Tree City  
324 USA designation; and  
325 5. Provide recommendations to the city commission on expenditures from the tree  
326 canopy restoration fund.  
327 (d) The meetings of the board shall be called by the community sustainability director or  
328 as directed by the city commission at a public meeting.  
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330 **Division 3. – Agencies.**

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332 **Sec. 2-60. Community Redevelopment Agency.**

- 333 (a) The community redevelopment agency shall be organized and shall operate as  
334 provided in Section 163.356, Florida Statutes, as amended from time to time.  
335 (b) The agency shall be comprised of seven (7) members. Members must reside or be  
336 engaged in business, which means owning a business, practicing a profession, or  
337 performing a service for compensation, or serving as an officer or director of a  
338 corporation or other business entity so engaged, within the area of operation of the  
339 agency, which shall be coterminous with the area of operation of the county or  
340 municipality, and otherwise be eligible to serve as a member under Section  
341 163.356(3)(b), Florida Statutes.  
342 (c) The duty of the agency is to formulate and implement projects that are consistent with  
343 the City of Lake Worth Redevelopment Plan to assist in revitalization and  
344 redevelopment within the Redevelopment District.  
345 (d) Members of the agency shall be required to file Financial Disclosure forms.

346 **Sec. 2-61. Local Planning Agency.**

- 347 (a) The local planning agency shall review rezoning and comprehensive plan  
348 amendments prior to such amendments being presented to the city commission, as  
349 provided in Section 163.3174, Florida Statutes, as amended from time to time. The

agency shall also serve as the land development regulation commission and shall review proposed land development regulations, land development codes, or amendments thereto and make recommendations to the city commission as to the consistency of the proposal with the adopted comprehensive plan, or element or portion thereof, as provided in Section 163.3174, Florida Statutes.

(b) The agency shall be comprised of the following:

1. Historic Resources Preservation Board: The board shall be organized and shall operate in accordance with Sec. 23.2-7 of the Code.
2. Planning & Zoning Board: The board shall be organized and shall operate in accordance with Sec. 23.2-8 of the Code.

(c) Members of the agency shall be required to file Financial Disclosure forms.

**Commented [Atty10]:** To avoid errors, I recommend leaving just the references below for now and bringing back another ordinance that amends this section and the 2 sections of the LDRs regarding these boards. Those sections require additional steps, as they are in the LDRs and we should do them together so it is clean and clear.

**Division 4. - Decision-making Boards**

**Sec. 2-70. Construction Board of Adjustment & Appeals.**

- (a) The board shall be organized and shall operate in accordance with Section 113 of the city's local amendments to the Florida Building Code which have been adopted pursuant to Sec. 9-2.1 of this code.
- (b) The board shall serve as the local construction regulation board, as provided in Section 113 of the city's local amendments to the Florida Building Code and Section 489.113, Florida Statutes.
- (c) Members of the board shall be required to file financial disclosure forms.
- (d) The meetings of the board shall be called by the building official, as needed.
- (e) In the alternative, the city may enter into an interlocal agreement with another jurisdiction for the functions provided for in this section.

**Section 4:** Severability. If any section, subsection, sentence, clause, phrase or portion of this ordinance is for any reason held invalid or unconstitutional by any court of competent jurisdiction, such portion shall be deemed a separate, distinct, and independent provision, and such holding shall not affect the validity of the remaining portions thereof.

**Section 5:** Repeal of Laws in Conflict. All ordinances or parts of ordinances in conflict herewith are hereby repealed to the extent of such conflict.

**Section 6:** Codification. The sections of the ordinance shall be made a part of the City Code of Ordinances and may be re-numbered or re-lettered to accomplish such, and the word "ordinance" may be changed to "section", "division", or any other appropriate word.

**Section 7:** Effective Date. This ordinance shall become effective 10 days after passage.

The passage of this ordinance on first reading was moved by Commissioner \_\_\_\_\_, seconded by Commissioner \_\_\_\_\_ and upon being put to a vote, the vote was as follows:

393 Mayor Betty Resch  
394 Vice Mayor Sarah Malega  
395 Commissioner Christopher McVoy  
396 Commissioner Mimi May  
397 Commissioner Anthony Segrich  
398

399 The Mayor thereupon declared this ordinance duly passed on first reading on the \_\_\_\_  
400 day of \_\_\_\_\_ 20252026. |

401  
402  
403 The passage of this ordinance on second reading was moved by Commissioner  
404 \_\_\_\_\_, seconded by Commissioner \_\_\_\_\_ and upon being put to a vote, the vote  
405 was as follows:

406 Mayor Betty Resch  
407 Vice Mayor Sarah Malega  
408 Commissioner Christopher McVoy  
409 Commissioner Mimi May  
410 Commissioner Anthony Segrich  
411  
412

413 The Mayor thereupon declared this ordinance duly passed on the \_\_\_\_ day of  
414 \_\_\_\_\_ 20252026. |

415  
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418 LAKE WORTH BEACH CITY COMMISSION

419  
420  
421 By: \_\_\_\_\_  
422 Betty Resch, Mayor

423  
424 ATTEST:

425  
426  
427 \_\_\_\_\_  
428 Melissa Ann Coyne, MMC, City Clerk