



City of
Lake Worth
Beach
FLORIDA

The Art of Florida Living.SM



Tree and Landscape Board

- Section 2-54, as adopted by Ordinance No. 2026-07
- Review & recommend
 - City's landscaping work plan – planting & maintenance of trees and landscaping on City property
 - City's landscape requirements based on consistency with Florida-Friendly (as defined in Sec. 373.185, F.S.)
 - Public information & outreach related to promotion of shade trees, Florida-Friendly, & City's adopted regulations
 - May include educational materials and events on proper planting & pruning, insect disease control, native species & tree preservation
 - Expenditures from tree canopy restoration fund
- Advise on public outreach for Arbor Day



Sunshine Law – Section 286.011, F.S.

All **meetings** of any board or commission of any state agency or authority or of any **agency or authority** of any county, **municipal** corporation, or political subdivision, except as otherwise provided in the Constitution, including meetings with or attended by any person elected to such board or commission, but who has not yet taken office, at which **official acts are to be taken** are declared to be public meetings **open to the public at all times**, and **no resolution, rule, or formal action** shall be considered **binding** except as taken or made at such meeting. The board or commission must provide **reasonable notice** of all such meetings.



Sunshine Law

- Staff responsibilities for meeting notice, location, minutes
- Board member responsibilities for communication
- Prohibition on discussion between 2 or more members of same board regarding matters that may foreseeably come before that board
 - What is a discussion?
 - Does it matter where/how the discussion takes place?
- Communications limitations do not apply to staff, unless:
 - Staff made part of decision-making process
 - Staff used as a go-between to relay information between Board members

Notice

Must be reasonable.

Location

Must be open and accessible to the public.

Minutes

Must be written, promptly approved and open to the public for inspection.





What is a public meeting?

- Any gathering, whether formal or casual, of two or more members of the same board or commission to discuss some matter on which foreseeable action will be taken by the public board or commission, including but not limited to the following examples:
 - Both formal and casual meetings of two or more board members
 - Written correspondence (e.g., emails, texts, memos, social media posts, etc.) between board members with comments being provided to other members
 - Telephone conversations between two or more board members
 - Meeting of liaisons of two or more board members



Consequences for Violation

- Criminal penalties;
- Removal from office;
- Non-criminal infractions (AGO);
- Civil actions for injunctive and declaratory relief;
- Attorney's fees; and
- Action taken in violation of law is void *ab initio*.

Consequences for Violation

≡ TCPalm.

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Former Sebastian council members Gilliams, Parris sentenced for Sunshine Law violations

11 PHOTOS

3:53 p.m. EDT Sep. 14, 2021



Former Sebastian City Council members Damien Gilliams and Pamela Parris appeared in Circuit Court on Tuesday, Sept. 14, 2021, for a sentencing hearing before Circuit Court Judge Michael Linn after being convicted of violating the state Sunshine Law and perjury. Gilliams was sentenced to more than 300 days in jail and fined \$1,500 and Parris was sentenced to 210 days in jail and fined \$2,500.

PATRICK DOVE/TCPALM



Public Records Law

- Any document made or received in the transaction of official business
 - Trees and landscaping in the City
- Who the record is from
- How/where the record is sent/received
 - Private accounts and devices
- What the content of the record is
- Records retention
- What to do with public records
- What if it's not a public record



Board Disclosures

- Be thoughtful/aware of Ethics Disclosures – Voting Conflicts of Interest
 - State requirements – Chapter 112, Florida Statutes
 - Palm Beach County requirements – Ch. 2, Article XIII, PBC Code
- Ethics laws apply to members of advisory bodies



Ethics - Conflicts

- Public Officials shall NOT:

Use the public office or position to take or fail to take any action, or influence others to take or fail to take any action, or attempt to do these things in a manner which he or she knows or should know with the exercise of reasonable care will result in a special financial benefit, not shared with similarly situated members of the general public or the listed persons or entities

- Public Officials shall declare voting conflicts of interest, abstain from voting or participating in discussion on such matters, and file Form 8B



Ethics – Conflicting Relationships

- Self
- Spouse, domestic partner, household member, dependents
- Sibling, step-sibling, child, step-child, parent, step-parent, niece or nephew, uncle or aunt, grandparent, or grandchild
 - of self, spouse or domestic partner
 - or the employer or business of any of these people
- Outside employer or business of self, spouse or domestic partner or someone known to public official to work for such employer or business
- Customer or client of the public official or outside employer or business
- Substantial debtor or creditor of public official, spouse or domestic partner
- Civic group, union, social, charitable, or religious organization, or other organization of which the public official, spouse or domestic partner is an officer or director



More Ethics

- Public Officials shall NOT:
 - Use or attempt to use the public office or position, or any property or resource which may be within his or her trust, to corruptly secure or attempt to secure a special privilege, benefit, or exemption for the public official or others
 - Enter into any contract or other transaction for goods or services with the City
 - Includes the public official's outside employer or business and any person, agency or entity acting for the City
 - May be waived for advisory board members – majority plus one of Commission
 - Various exceptions apply (competitive bid, same terms available to general public, & more)
 - Accept, directly or indirectly, travel expenses from a contractor, vendor, service provider, bidder or proposer
 - Agree to pay or give a contingency fee to another person



Lobbying – PBC Ethics Code

- Lobbying:
 - seeking to influence a decision through oral or written communication or an attempt to obtain the goodwill of any county commissioner, any member of a local municipal governing body, any mayor or chief executive officer that is not a member of a local municipal governing body, any advisory board member, or any employee with respect to the passage, defeat or modification of any item which may foreseeably be presented for consideration to the advisory board, the board of county commissioners, or the local municipal governing body lobbied as applicable.
- Lobbyist:
 - any person who is employed and receives payment, or who contracts for economic consideration, or who registers in the county's central lobbyist registration database or with any municipality, for the purpose of lobbying on behalf of a principal, and shall include an employee whose principal responsibility to the employer is overseeing the employer's various relationships with government or representing the employer in its contacts with government



Ethics - Gifts

- Public Officials shall NOT:
 - Knowingly solicit or accept, directly or indirectly, any gift of value greater than \$100 in the aggregate for the calendar year from any person or business entity that the public official knows or should know with the exercise of reasonable care, is a vendor, lobbyist or principal or employer of a lobbyist who lobbies, sells or leases to the Town
 - Knowingly solicit a gift of any value from any person or business entity that the public official knows, or should know with the exercise of reasonable care, is a vendor, lobbyist or principal or employer of a lobbyist who lobbies, sells, or leases to the Town where the gift is for the personal benefit of the public official or any relative or household member
 - Accept or agree to accept a gift from a person or entity, because of:
 - An official public action taken or to be taken or which could be taken
 - A legal duty performed or to be performed or which could be performed
 - A legal duty violated or to be violated or which could be violated
- Public Officials shall report gifts in excess of \$100



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