

**ORDINANCE 2023-05 - AN ORDINANCE OF THE CITY OF LAKE WORTH BEACH, FLORIDA, ADOPTING A SINGLE-MEMBER ELECTION REDISTRICTING MAP; REPEALING ARTICLE II "TERRITORIAL BOUNDARIES; ELECTION PRECINCTS," SECTION 2 "ELECTION DISTRICTS" OF THE CHARTER AND ADOPTING A NEW ARTICLE II "TERRITORIAL BOUNDARIES; ELECTION PRECINCTS," SECTION 2 "SINGLE-MEMBER ELECTION DISTRICTS" TO REFLECT THE REDISTRICTING MAP AND ITS BOUNDARIES AND FOR OTHER PURPOSES; AND PROVIDING FOR SEVERABILITY, CONFLICTS, CODIFICATION AND 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**, on March 8, 2022, the qualified voters of the City approved, by referendum, an amendment to the City's Charter changing the at-large voting system to a single-member district voting system (Ordinance No. 2021-22); and

**WHEREAS**, to implement the single-member districts and to comply with the Voting Rights Act of 1965 and the Equal Protection Clause of the United States Constitution (14<sup>th</sup> Amendment), the City Commission began the process of evaluating the City's four (4) at-large election districts based on apportionment data from the US Census Bureau; and

**WHEREAS**, the City contracted with Florida Atlantic University (FAU) to conduct an analysis of the current at-large election districts to determine if the City needed to amend the district boundaries due to changes in population; and

**WHEREAS**, the Equal Protection Clause requires "an honest and good faith effort to construct districts...as nearly of equal population as is practicable" *See Reynolds v. Sims*, 377 U.S. 533 (1964); and

**WHEREAS**, based on data from the 2020 US Census, FAU conducted a population analysis and presented a total of five (5) map alternatives for the purposes of redistricting to the City Commission; and

**WHEREAS**, according to FAU's "Final Consultant Report: Redistricting Alternatives for the City of Lake Worth Beach" dated December 19, 2022 ("Final Consultant Report"), "Based on 2020 data, the election districts have a total deviation of 133.31% and a spread between the largest and smallest districts of 72.10%. Based on the 2020 Census Block data, the current districts are well above the 10% deviation (spread) threshold used to evaluate election districts for population equity"; and

**WHEREAS**, the City Commission considered and discussed FAU's initial "District Analysis" that was presented at the September 12, 2022, work session; and

50       **WHEREAS**, alternative maps were considered by the City Commission at the City  
51 Commission meetings on October 6, 2022, November 1, 2022, January 3, 2023, and  
52 February 7, 2023; and the maps were also presented at separate public meetings held  
53 on October 13, 2022, October 15, 2022, and February 4, 2023; and  
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55       **WHEREAS**, to increase public access to the redistricting process, the City also  
56 created a webpage to disseminate the redistricting map alternatives, reports, and public  
57 comments; and  
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59       **WHEREAS**, the City Commission voted to adopt “City of Lake Worth Beach  
60 Alternative Districts: Option 5” at its February 7, 2023, meeting; and  
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62       **WHEREAS**, the City Commission finds and declares that the adoption of this  
63 ordinance is appropriate; the establishment of single-member districts is made necessary  
64 based upon (1) the City’s electors’ approval of single-member district voting in Ordinance  
65 No. 2021-22 (referendum) and (2) FAU’s findings that the current at-large election districts  
66 are well above the 10% deviation allowed under the Voting Rights Act (and the Equal  
67 Protection Clause of the Fourteenth Amendment of the United States Constitution); the  
68 adoption serves a public purpose and is in the best interest of the health, safety and  
69 welfare of the City, its residents and visitors.  
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71       **NOW, THEREFORE, BE IT ORDAINED BY THE CITY COMMISSION OF THE**  
72 **CITY OF LAKE WORTH BEACH, FLORIDA, that:**  
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74       **Section 1:** The foregoing “WHEREAS” clauses are ratified and confirmed as  
75 being true and correct and are made a specific part of this ordinance as if set forth herein.  
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77       **Section 2:** The City Commission hereby adopts the findings, conclusions, and  
78 recommendations prepared by FAU in its Final Consultant Report, and the same is  
79 incorporated herein by this reference and made a part hereof. The City Commission  
80 hereby adopts FAU’s “City of Lake Worth Beach Alternative Districts: Option 5” (“Map 5”),  
81 as recommended, for the establishment of its single-member election districts. Map 5 is  
82 attached hereto as **Exhibit A** and is incorporated herein, and such map is hereby  
83 established as the current single-member election district boundaries within the limits of  
84 the City and shall continue until redistricting occurs. All candidates for the March 2024  
85 municipal election are hereby required to comply with Map 5’s single-member districts.  
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87       **Section 3:** Article II “Territorial Boundaries; Election Precincts,” Section 2  
88 “Election districts” of the City of Lake Worth Beach Charter is hereby repealed in full.  
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90       **Section 4:** Article II “Territorial Boundaries; Election Precincts,” Section 2  
91 “Single-member election districts” of the City of Lake Worth Beach Charter is hereby  
92 adopted to read as follows:  
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94       Sec. 2. – Single-member election districts.  
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To implement single-member district voting set forth in Article III, Section 1 of the Charter, the boundaries for each of the four (4) single-member election districts of the City of Lake Worth Beach are hereby established as follows:

(1) *District No. 1.* COMMENCING at the centerline intersection of Lake Worth Road and the centerline of I-95; thence run westerly along the centerline of Lake Worth Road to the city's western corporate limits and the POINT OF BEGINNING; thence run easterly along the centerline of Lake Worth Road to the centerline intersection of South A Street; thence run southerly along the centerline of South A Street to the centerline intersection of 4<sup>th</sup> Avenue South; thence run easterly along the centerline of said 4<sup>th</sup> Avenue South to centerline intersection of the FEC Railway; thence run southerly and easterly along the centerline of said FEC Railway to the city's southern corporate limits; thence run westerly and northerly along the city's southern and western corporate limits to the POINT OF BEGINNING.

(2) *District No. 2.* COMMENCING at the centerline intersection of Lake Worth Road and the centerline of I-95; thence run westerly along the centerline of Lake Worth Road to the city's western corporate limits and the POINT OF BEGINNING; thence run easterly along the centerline of Lake Worth Road to the centerline intersection of North A Street; thence run northerly along the centerline of North A Street to the centerline intersection of 10<sup>th</sup> Avenue North; thence run easterly along the centerline of 10<sup>th</sup> Avenue North to the centerline intersection of Dixie Highway; thence run northerly along the centerline of Dixie Highway to the city's northern corporate limits; thence run westerly, southerly and easterly along the city's northern and western corporate limits to the POINT OF BEGINNING.

(3) *District No. 3.* BEGINNING at the centerline intersection of Lake Worth Road and North A Street; thence run northerly along the centerline of North A Street to the centerline intersection of 10<sup>th</sup> Avenue North; thence run easterly along the centerline of 10<sup>th</sup> Avenue North to the centerline intersection of Dixie Highway; thence run northerly along the centerline of Dixie Highway to the city's northern corporate limits; thence run easterly and southerly along the city's northern and eastern corporate limits to the centerline intersection of the city's eastern corporate limits and the easterly extension of 7<sup>th</sup> Avenue North; thence run westerly along the centerline of 7<sup>th</sup> Avenue North to the centerline intersection of North Federal Highway; thence run southerly along the centerline of North Federal Highway to the centerline intersection of Lucerne Avenue; thence run westerly along the centerline of Lucerne Avenue to the POINT OF BEGINNING.

(4) *District No. 4.* BEGINNING at the centerline intersection of Lake Worth Road and South A Street; thence run southerly along the centerline of South A Street to the centerline intersection of 4<sup>th</sup> Avenue South; thence run easterly along the centerline of said 4<sup>th</sup> Avenue South to centerline intersection of the FEC Railway; thence run southerly and easterly along the centerline of said FEC Railway to the city's southern corporate limits; thence run easterly and northerly along the city's southern and eastern corporate limits to the

centerline intersection of the city's eastern corporate limits and the easterly extension of 7<sup>th</sup> Avenue North; thence run westerly along the centerline of 7<sup>th</sup> Avenue North to the centerline intersection of North Federal Highway; thence run southerly along the centerline of North Federal Highway to the centerline intersection of Lucerne Avenue; thence run westerly along the centerline of Lucerne Avenue to the POINT OF BEGINNING.

The City of Lake Worth Beach's single-member election districts, as described above, are depicted in the Alternative Districts Option 5 map adopted in Ordinance No. 2023-05. Said ordinance shall remain on file in the Office of the City Clerk and shall be available for inspection by the public upon request.

**Section 5:** The City Manager or designee, with the assistance of the City Clerk, is hereby authorized and directed to transmit the following to the Palm Beach County Supervisor of Elections (the "Supervisor") upon adoption: (1) a certified copy of this Ordinance along with **Exhibit A**; (2) a paper copy and shapefile of the redistricting map; and (3) and any other document required by the Supervisor.

**Section 6:** 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 7:** Repeal of Laws in Conflict. All ordinances or parts of ordinances in conflict herewith are hereby repealed to the extent of such conflict.

**Section 8:** Codification. The sections of the ordinance may be made a part of the City Code of Laws and 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 9:** Effective Date. This ordinance shall become effective 10 days after passage.

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

Mayor Betty Resch	AYE
Vice Mayor Christopher McVoy	AYE
Commissioner Sarah Malega	AYE
Commissioner Kimberly Stokes	AYE
Commissioner Reinaldo Diaz	AYE

The Mayor thereupon declared this ordinance duly passed on first reading on the 4<sup>th</sup> day of April, 2023.

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

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Mayor Betty Resch  
Vice Mayor Christopher McVoy  
Commissioner Sarah Malega  
Commissioner Kimberly Stokes  
Commissioner Reinaldo Diaz

The Mayor thereupon declared this ordinance duly passed on the \_\_\_\_\_ day of \_\_\_\_\_, 2023.

LAKE WORTH BEACH CITY COMMISSION

By: \_\_\_\_\_  
Betty Resch, Mayor

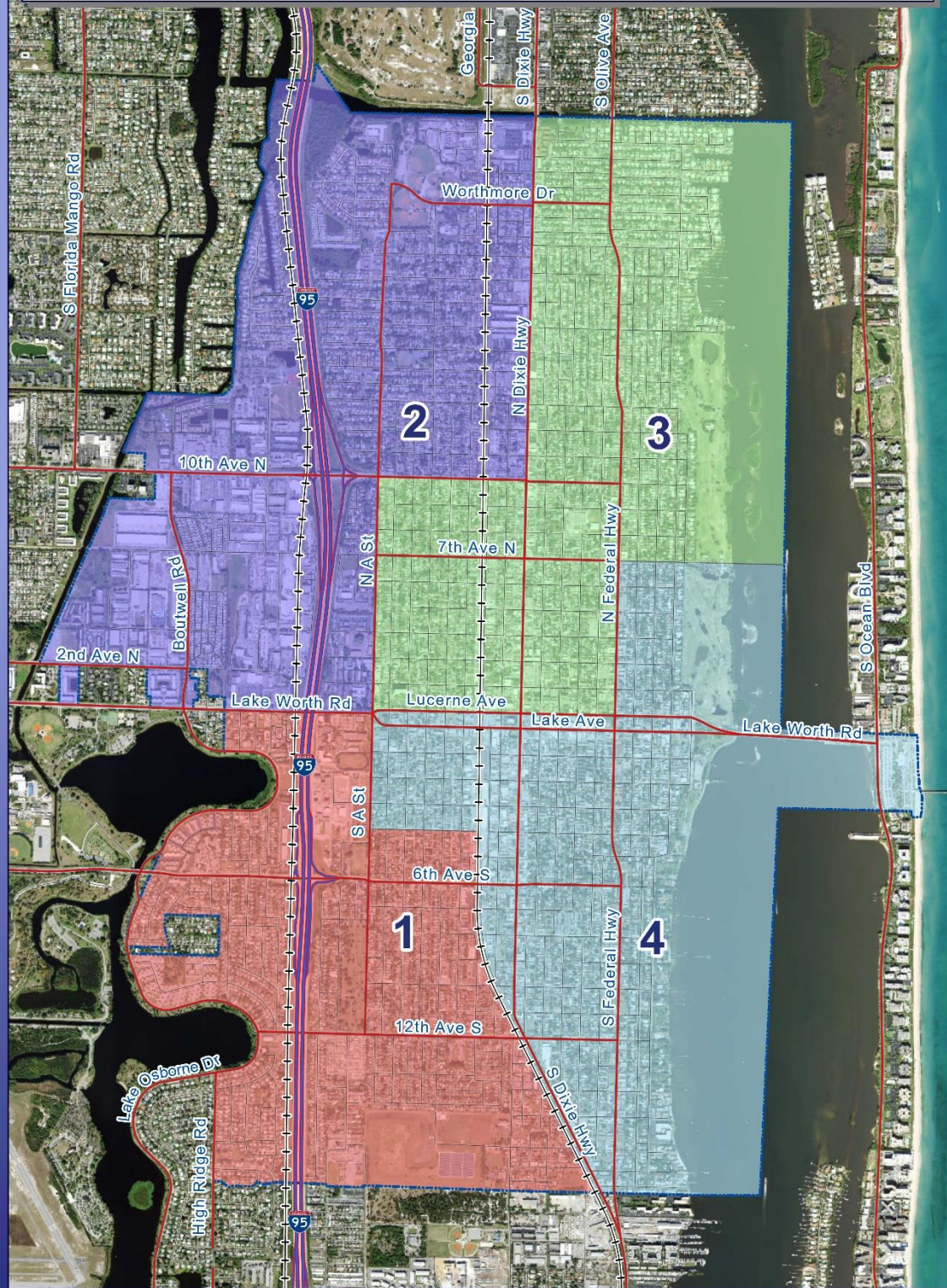
ATTEST:

Melissa Ann Coyne, City Clerk



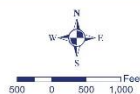
# City of Lake Worth Beach

## Alternative Districts: Option 5



Revision Date: 10/19/2022  
 Contact: James Gammack-Clark  
 Filename: Lake\_Worth\_Beach.aprx  
 Sources: U.S. Census Bureau  
 City of Lake Worth Beach  
 Florida Atlantic University

- District 1
- District 3
- District 2
- District 4



**City of Lake Worth Beach**  
 7 North Dixie Highway  
 Lake Worth Beach, FL 33460  
 Phone (561) 586-1600

