

ORDINANCE NO. 2023-14 OF THE CITY OF LAKE WORTH BEACH, FLORIDA, AMENDING CHAPTER 2, ARTICLE IX OF THE CITY'S CODE OF ORDINANCES BY AMENDING SECTION 2-82 AND SECTION 2-83 TO RENAME THE "CITY TREE BOARD" TO THE "TREE & LANDSCAPE BOARD," TO REVISE THE BOARD'S ADVISORY DUTIES FOR CLARITY AND SPECIFICITY, TO REDUCE THE MEMBERS FROM SEVEN TO FIVE, AND TO MODIFY THE BOARD'S MEMBERS, TERMS AND VACANCY REQUIREMENTS FOR CONSISTENCY WITH ORDINANCE 2022-02; AND PROVIDING FOR SEVERABILITY, THE REPEALS OF LAWS IN CONFLICT, CODIFICATION AND AN EFFECTIVE DATE

WHEREAS, the City Commission of the City of Lake Worth Beach wishes to encourage citizen participation in the beautification of our community through education and outreach on the importance of shade trees and the recommendations by the University of Florida's Florida-Friendly Landscaping Program; and

WHEREAS, the City Commission wishes to reapply and maintain the National Arbor Foundation designation as a "Tree City USA" in an effort to promote understanding of the importance of trees in Lake Worth Beach; and

WHEREAS, the City Commission wishes to update and clarify the renamed Tree & Landscape Board's advisory functions.

WHEREAS, the City Commission wishes to modify the Board's members, terms and vacancy requirements for consistency with Ordinance 2022-02.

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

Section 1. Chapter 2, Article IX, of the Code of Ordinances is hereby amended to read as follows:

Chapter 2

ADMINISTRATION

. . .

ARTICLE IX. CITY TREE & LANDSCAPE BOARD

. . .

Sec. 2-82. Creation; Advisory function.

There is hereby created and established an official city tree & landscape board to serve in a planning and advisory capacity to the city commission on tree and landscaping related issues as follows: ~~The purpose of the board is to establish policy and provide standards within the city landscape ordinance for tree preservation and protection, both public and private. This policy will include, but not be limited to: providing educational materials on proper planting, pruning techniques, insect and disease control; planting of native species; inventory of existing trees; permit guidelines including rules for tree removal; opportunities for citizen involvement; and city tree sales. The board will also recommend the planting of trees which will provide a continuing shade canopy into the future.~~

- (a) Review and provide a recommendation on the City's landscaping work plan addressing the planting and maintenance of trees and landscaping on City property;
- (b) Review and provide a recommendation on amendments to the City's landscape requirements based on consistency with the University of Florida's Florida-Friendly Landscaping Program and industry best practices;
- (c) Review and provide recommendations on public information and outreach related to the promotion of shade trees and the University of Florida's Florida-Friendly Landscaping Program. Public outreach may include educational materials and events on proper planting, pruning techniques, insect and disease control; planting of native species and tree preservation;

- (d) Advise on public outreach events related to Arbor Day observances including festivals and tree giveaways or sales in support of maintaining the City's Tree City USA designation; and
- (e) Provide recommendations to the city commission on expenditures from the Tree Canopy Restoration Fund.

Sec. 2-83. Members, terms and vacancies.

- (a) The official city tree board of the City of Lake Worth shall be comprised of the following members: seven (7) resident members. Effective July 31, 2013, two (2) resident members shall be appointed for one-year terms, two (2) resident members shall be appointed for two-year terms, and three (3) resident members shall be appointed for three-year terms. Thereafter, all succeeding resident members would serve three-year terms. The city horticulturist shall be the advisor to the board. The official tree & landscape board shall be composed of five (5) volunteer members, appointed by the city commission, to serve in that capacity unless and until he/she/they is removed from office pursuant to law or a vacancy that otherwise occurs as consistent with the Section 2-9 – City board appointment process, terms of office and residence. The provisions in Section 2-9 shall serve as the members, terms and vacancies requirements for the tree & landscape board unless otherwise stated in this section.
- (b) The membership of the tree & landscape board shall include two (2) members to the extent available who have certifications, licenses and/or education as a landscape architect, arborist, horticulturist, master gardener or have education/training/degree in one of the following areas: landscape architecture, botany, ecology, horticulture, agriculture, sustainability or a related field. The remaining three (3) members shall be members at large, who have demonstrated an interest, appreciation, understanding and/or knowledge of South Florida friendly landscapes.
- (c) The tree & landscape board shall elect its own chairperson and vice chairperson annually at the first meeting in January. The board shall vote to approve written minutes of each meeting taken by the secretary, which shall also include the meeting attendance. The City Horticulturalist or designee shall serve as the secretary and staff liaison in a non-voting capacity.

~~-(b) The board shall elect its officers annually for a term of one (1) calendar year at the first meeting in January:~~

- ~~(1) Chairperson. Presides at meetings of the board and makes presentations, written and oral, on behalf of the board to the city commission and the city manager.~~
- ~~(2) Vice-chairperson. Performs the duties of the chairperson in his/her absence.~~
- ~~(3) Secretary. Records the minutes and attendance at each meeting.~~

Section 2. If any provision of this Ordinance or the application thereof to any person or circumstance is held invalid, the invalidity shall not affect other provisions or applications of the Ordinance which can be given effect without the invalid provision or application, and to this end the provisions or this Ordinance are declared severable.

Section 3. All ordinances or parts of ordinances in conflict herewith are hereby repealed.

Section 4. This Ordinance shall become effective ten (10) days after passage.

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

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 first reading on the _____ day of _____, 2023.

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

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