

ORDINANCE NO. 2023-09 OF THE CITY OF LAKE WORTH BEACH, FLORIDA, REVISING CHAPTER 2, ARTICLE XVII, SECTION 2-130 THROUGH 2-135 OF THE CODE OF ORDINANCES REGARDING THE CITY OF LAKE WORTH BEACH FINANCE ADVISORY BOARD; INCLUDING THE PURPOSE, DUTIES, MEMBERSHIP AND MEETINGS OF THE BOARD; PROVIDING FOR CODIFICATION; PROVIDING FOR REPEAL OF CONFLICTS, SEVERABILITY AND AN EFFECTIVE DATE

**WHEREAS**, it is the desire of the City Commission to solicit the recommendations of a group of citizens regarding the City's budget; and

**WHEREAS**, the City created a new Article XVII and Sections 2-130 through 2-135 of Chapter 2 of the Code of Ordinances by Ordinance 2010-03; and

**WHEREAS**, the City Commission desires to revise the previous ordinance as follows:

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

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

## **Chapter 2**

### **ADMINISTRATION**

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#### **ARTICLE XVII. CITY OF LAKE WORTH BEACH FINANCE ADVISORY BOARD**

##### **Sec. 2-130. Creation of Finance Advisory Board; advisory function.**

There is hereby created and established the City of Lake Worth Beach Finance Advisory Board to serve in an advisory capacity to the City Commission and the City Manager. The Board shall serve to promote transparency in the City of Lake Worth Beach'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.

##### **Sec. 2-131. Duties.**

It shall be the duty of the Finance Advisory 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 Annual Comprehensive ~~Annual~~ Financial Report (ACFR) (~~CAFR~~), audits, investments and bond 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.

**Sec. 2-132. Membership.**

- (a) Number and composition of Board. The Finance Advisory Board shall consist of ~~seven (7)~~ five (5) members. Board members shall serve without compensation.
- (b) Appointment and terms of members.
  1. The City Commission shall appoint ~~seven (7)~~ five (5) resident members. ~~Initially the Commission shall appoint two (2) members to each serve a one year term, two (2) members to each serve a two year term and three (3) members to each serve a three year term. Following the initial appointment of members to the Board, t~~The City Commission shall annually appoint persons to fill the positions of members whose terms have expired vacancies on the board. ~~Members of the Board so appointed shall serve three year terms.~~
  2. Members of the Board serve at the pleasure of the City Commission and may be removed from the Board for any reason.
  3. If any member of the Board shall fail to be present at three (3) consecutive regularly scheduled meetings or at twenty (20) percent of the regularly scheduled meetings of the Board held within any 12-month period, the city clerk shall declare the member's office vacant, and the City Commission shall promptly fill such vacancy.
  4. If the position of a member becomes vacant for any reason, the City Commission shall appoint another person to serve the unexpired term of the vacated position.
- (c) Qualification of members. Whenever possible, the City Commission shall appoint members to the Board 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.

- (d) Disclosure of financial interests. Members of the Board shall be considered local officers and subject to disclosure of financial interests pursuant to Section 112.3145, Fla. Stat.

**Sec. 2-133. Election of Board officers.**

The Board shall elect its officers for a term of one calendar year, ~~not to exceed the member's appointed term.~~

- (a) 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.
- (b) Vice-Chairperson – Performs the duties of the Chairperson in his/her absence.
- (c) Secretary – Records the minutes and attendance at each meeting.

**Sec. 2-134. Meetings.**

- (a) The Board shall meet as necessary or as requested by the City Commission or the City Manager; there shall be more meetings during the budget season.
- (b) A quorum for the conduct of business by the Board shall be not less than ~~four~~ three (3) members of the Board.
- (c) A majority of the members of the Board present at a meeting shall be necessary to make a determination required by the Board.
- ~~(e)~~ (d) The agenda shall be determined by the Board Chair and Staff liaison.
- ~~(e)~~ (e) Meetings of the Board shall be open to the public, and minutes shall be kept. A public record of the Board's minutes and resolutions shall be maintained and made available for inspection by the public.

**Sec. 2-135. Duties of the City Manager.**

It is the desire of the City Commission that the Board be empowered and enabled to provide meaningful advice and recommendations to the City regarding budgetary matters. To that end, the City Manager or designee is directed to provide guidance and assistance to the budget review as is necessary for the Board to accomplish its duties. The City Manager or designee shall act as liaison with the Board.

**Section 2.** Section 1 of this Ordinance shall be codified.

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

**Section 4.** 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 of this Ordinance are declared severable.

**Section 5.** This Ordinance shall become effective ten (10) days after passage.

The passage of this Ordinance on first reading was moved by Commissioner Malega, seconded by Commissioner Diaz, 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 16<sup>th</sup> day of May, 2023.

The passage of this Ordinance on second 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 the \_\_\_\_\_ day of \_\_\_\_\_, 2023.

LAKE WORTH BEACH CITY COMMISSION

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

ATTEST:

\_\_\_\_\_  
Melissa Ann Coyne, City Clerk