

RESOLUTION NO. 56-2016 OF THE CITY OF LAKE WORTH, FLORIDA PROVIDING FOR THE CREATION OF A C-51 CANAL ADVISORY COMMITTEE; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the Palm Beach County's "Chain of Lakes" is a boater's paradise already used by tens of thousands of boaters, kayakers, canoers, and paddleboarders; and

WHEREAS, the 30-mile stretch of connected freshwater lakes comprised of West Palm Beach's Pine Lake at the north end, Lake Clarke in Lake Clarke Shores, Lake Osborne and Lake Eden in Lake Worth, and Delray Beach's Lake Ida at the south end; and

WHEREAS, the Palm Beach County Commissioners recently voted to support efforts to get the State legislature to pay for a boat lift on the West Palm Beach Canal at the Lake Worth spillway, where water from the freshwater canal drops into the lower brackish water of the Intracoastal and Lake Worth Lagoon; and

WHEREAS, the State legislature has funded an engineering and feasibility study; and

WHEREAS, the City Commission desires to create a C-51 Canal Advisory Committee with the task of monitoring and reviewing the results of the state's engineering and feasibility or any other subsequent studies.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COMMISSION OF THE CITY OF LAKE WORTH, FLORIDA:

Section 1. That a five member committee is hereby created for the purpose of monitoring and reviewing the results of an engineering and feasibility study or any subsequent studies related to the C-51 Canal.

Section 2. That the C-51 Canal Advisory Committee shall be comprised of the following:

- 1) One member to be selected by the Mayor; and
- 2) One member to be selected by each City Commissioner.

Section 3. Terms of Members.

- a) Members of the Committee so appointed shall serve at the pleasure of the City Commission and may be removed from the Committee for any reason;
- b) If any member of the Committee shall fail to be present at three (3) consecutive regularly scheduled meetings or at twenty (20) percent of the regularly scheduled meetings of the Committee 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; and

- c) If the position of a member becomes vacant for any reason, the City Commission shall appoint another person to serve.

Section 4. Election of Committee Officers.

The Committee shall elect its officers for a term of one calendar year.

- a) Chairperson – Presides at meetings of the Committee and makes presentations, written and oral, on behalf of the Committee to the City Commission and the City Manager;
- b) Vice-Chairperson – Performs the duties of the Chairperson in his/her absence; and
- c) Secretary – Records the minutes and attendance at each meeting.

Section 5. Meetings.

- a) The Committee shall meet as necessary or as requested by the City Commission or the City Manager;
- b) A quorum for the conduct of business by the Committee shall be not less than three (3) members of the Committee;
- c) A majority of the members of the Committee present at a meeting shall be necessary to make any determination required by the Committee; and
- d) Meetings of the Committee shall be open to the public, and minutes shall be kept. A public record of the Committee's minutes and resolutions shall be maintained and made available for inspection by the public.

Section 6. Conflicts. All resolutions or parts of resolutions in conflict with the provision of this Resolution are hereby repealed.

Section 7. Severability. In the event that any word, phrase, clause, sentence, or paragraph hereof shall be held invalid by any court of competent jurisdiction, such holding shall not affect any other word, clause, phrase, sentence, or paragraph hereof.

Section 8. Effective Date. This Resolution shall take effect immediately upon its adoption.

The passage of this Resolution was moved by Vice Mayor Maxwell, seconded by Commissioner McVoy, and upon being put to a vote, the vote was as follows:

Mayor Pam Triolo	AYE
Vice Mayor Scott Maxwell	AYE
Commissioner Christopher McVoy	AYE
Commissioner Andy Amoroso	NAY
Commissioner Ryan Maier	AYE


Mayor Pam Triolo thereupon declared this Resolution duly passed and adopted on the 1<sup>st</sup> day of November, 2016.

LAKE WORTH CITY COMMISSION

By:

  
Pam Triolo, Mayor

ATTEST:

  
Pamela J. Lopez, City Clerk



RESOLUTION NO. 02-2021 OF THE CITY OF LAKE WORTH BEACH, FLORIDA, ESTABLISHING A CHARTER REVIEW COMMITTEE TO REVIEW, RECOMMEND, AND SUBMIT PROPOSED AMENDMENTS TO THE CITY'S CHARTER; PROVIDING FOR COMPOSITION, OBJECTIVE, MEETINGS, AND ASSISTANCE OF THE COMMITTEE; AND PROVIDING FOR AN EFFECTIVE DATE

**WHEREAS**, the City Commission for the City of Lake Worth Beach recognizes the necessity of amending sections of the City Charter from time to time to take into account changes in technology, law, financial matters, and other factors, which may necessitate or facilitate the need for amendments to the City Charter;

**WHEREAS**, the City Commission has recently expressed interest in considering term limits, resign to run restrictions, declarations of emergency, and more detailed procedures on vacancy appointments;

**WHEREAS**, in order to ensure the City Charter is reviewed for such potential amendments in an efficient and timely manner, the City Commission has determined that an advisory committee consisting of active, concerned residents and business owners is desirable; and,

**WHEREAS**, the City Commission has determined that the formation of the City's Charter Review Committee as set forth herein is in the best interests of the City and serves a valid public purpose.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COMMISSION OF LAKE WORTH, FLORIDA, that:

**Section 1. Composition of Charter Review Committee.** The Charter Review Committee shall consist of five (5) City resident and/or City business owner members appointed by the City Commission. The Mayor and each Commissioner will recommend a member to be ratified by the entire Commission no later than March 2, 2021. Appointed members shall serve without compensation. The appointed members shall serve until the Charter Review Committee submits its recommendation to the City Commission for consideration. Thereafter, the Charter Review Committee will be automatically dissolved without further action. All Charter Review Committee members shall serve at the pleasure of the City Commission. Any vacancy created by the incapacity or resignation of a member shall be promptly filled in writing by the original maker of the appointment without the need for ratification.

**Section 2. Objective of Charter Review Committee.** The Charter Review Committee shall review the City Charter and provide a recommendation to the City Commission regarding proposed amendments to the City Charter. The Charter Review Committee shall consider proposed amendments which include, but are not limited to,

term limits, resign to run restrictions, declarations of emergency, and more detailed procedures on vacancy appointments. The Charter Review Committee's recommendation shall be delivered to the City Clerk within 180 days of its first meeting unless an extension is granted by the City Manager in writing. The City Clerk will place the Charter Review Committee's recommendation on an upcoming City Commission regular meeting agenda. The City Commission shall review the recommendation of the Charter Review Committee and determine if any proposed amendments to the City Charter should be pursued by the City. Ultimately, the timing of any proposed amendment(s) to the Charter will be finalized by ordinance no later than early December 2021 in order to be placed on the March 2022 municipal election ballot by the Palm Beach County Supervisor of Elections.

**Section 3. Meetings.** The Charter Review Committee shall meet for the purpose organization within thirty (30) days of all members being appointed. The City Clerk shall organize the first meeting of the Charter Review Committee. At the initial meeting, the Charter Review Committee shall elect a Chair from its membership to lead the meetings and elect a Vice-Chair to act in the event the Chair is absent. The Charter Review Committee shall also elect a Secretary from its membership to take and maintain minutes of the Charter Review Committee meetings. The City Attorney will provide Sunshine Law and Public Records training to the Charter Review Committee at its first meeting.

Further meetings of the Charter Review Committee shall be held on the call of the Chair or a majority of the appointed members. All meetings of the Charter Review Committee shall be open to the public with reasonable notice of the date and time of the meetings. All meetings shall be held at City Hall in the Commission Chambers. The Charter Review Committee shall allow public comment at its meetings. Minutes of each meeting shall be taken and maintained by the Secretary. The Secretary shall send a copy of the minutes to the City Clerk for maintaining after the Charter Review Committee is dissolved.

A majority of the appointed members of the Charter Review Committee shall constitute a quorum. No City Charter amendment shall be submitted to the City Commission unless recommended by an affirmative vote of a majority of the appointed members.

The Charter Review Committee will be subject to Florida's Public Records Act, Chapter 119, Florida Statutes, and Florida's Sunshine Law, Section 286.011, Florida Statutes. Unless prohibited by law, the Charter Review Committee may adopt such other rules and procedures for its meetings as it deems desirable.

**Section 4. Extraordinary Circumstances.** If due to extraordinary circumstances (e.g., continuation of COVID-19 pandemic), the Charter Review Committee may use assistive technology to conduct its meeting without being physically present at City Hall (e.g., conduct the meetings via Zoom). Public comment may also be received via such technology or other format. Notice of such meetings shall identify how the meetings will be conducted and how public comment may be submitted or provided.

**Section 5. Assistance.** The City Manager, City Clerk, and City Attorney shall assist the Charter Review Committee as needed. Further staff or other professionals may be provided to assist the Charter Review Committee as needed.

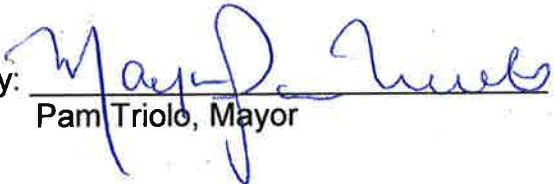
**Section 6. Effective Date.** This resolution shall take effect immediately upon its adoption.

The passage of this resolution was moved by Commissioner Maxwell, seconded by Commissioner Robinson, and upon being put to a vote, the vote was as follows:

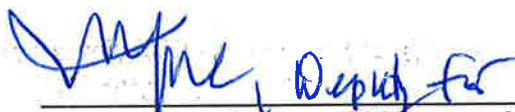
Mayor Pam Triolo	AYE
Vice Mayor Andy Amoroso	AYE
Commissioner Scott Maxwell	AYE
Commissioner Carla Blockson	AYE
Commissioner Herman Robinson	AYE

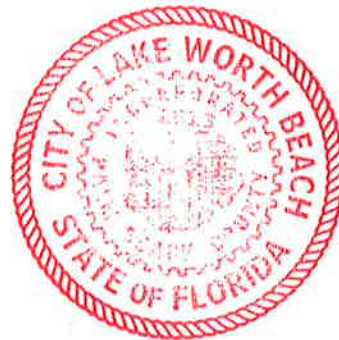
Mayor Pam Triolo thereupon declared this resolution duly passed and adopted on the 19<sup>th</sup> day of January, 2021.

LAKE WORTH BEACH CITY COMMISSION

By:   
Pam Triolo, Mayor

ATTEST:

  
Deborah M. Andrea, CMC, City Clerk





RESOLUTION NO. 47-89 OF THE CITY OF LAKE WORTH, FLORIDA, DECLARING THE CITY COMMISSION TO BE A COMMUNITY REDEVELOPMENT AGENCY; REQUIRING THE CITY COMMISSION TO APPOINT TWO ADDITIONAL PERSONS TO THE CRA; PROVIDING FOR LENGTH OF TERMS OF OFFICE OF TWO ADDITIONAL MEMBERS; INCORPORATING BY REFERENCE COMMUNITY REDEVELOPMENT ACT OF 1969, AS AMENDED; CONFLICTING RESOLUTIONS REPEALED; SEVERABILITY CLAUSE; EFFECTIVE DATE.

BE IT RESOLVED BY THE CITY COMMISSION OF THE CITY OF LAKE WORTH, FLORIDA, that:

Section 1. The City Commission of the City of Lake Worth, Florida, hereby declares itself to be a community redevelopment agency under the Community Redevelopment Act of 1969, as amended.

Section 2. The City Commission shall appoint two additional persons to act as members of the Community Redevelopment Agency. The terms of office of the additional members shall be for 4 years, except that the first person appointed shall initially serve a term of 2 years.

Section 3. The Community Redevelopment Agency shall be organized and exercise its authority in accord with the Community Redevelopment Act of 1969, as amended, which is fully incorporated herein by reference.

Section 4. All resolutions in conflict herewith are hereby repealed.

Section 5. If any provision of this resolution, or the application thereof to any person or circumstance is held invalid, the invalidity shall not affect other provisions or applications of this resolution which can be given effect without the invalid provision or application, and to this end the provisions of this resolution are declared severable.

Section 6. This Resolution shall take effect immediately upon passage.

The passage of this Resolution was moved by Commissioner Coonerty, seconded by Commissioner Wright, and upon being put to a vote, the vote was as follows:

Mayor Ronald E. Exline	<u>AYE</u>
Vice Mayor Jim Jones	<u>ABSENT</u>
Commissioner Michael Coonerty	<u>AYE</u>
Commissioner Charles Wright	<u>AYE</u>
Commissioner Roy D. Strohacker	<u>AYE</u>

The Mayor thereupon declared this Resolution duly passed and adopted this 3rd day of July, 1989.

LAKE WORTH CITY COMMISSION

By: Ronald E. Exline  
Mayor

ATTEST:

Barbara A. Sprague  
City Clerk

Submitted: 7/3/89

ORIGINAL DOCUMENT

**ORDINANCE NO. 2019-07 OF THE CITY OF LAKE WORTH BEACH, FLORIDA, REPEALING AND REPLACING ARTICLE XX OF CHAPTER 2 OF THE CODE OF ORDINANCES TO RECONSTITUTE THE CITY'S ELECTRIC UTILITY ADVISORY BOARD; PROVIDING FOR SEVERABILITY, CONFLICTS, AND CODIFICATION; AND PROVIDING AN EFFECTIVE DATE.**

**WHEREAS**, in 2012, the City Commission of the City of Lake Worth Beach created the City's Electric Utility Advisory Board (EUAB) to advise the City Commission, on behalf of the City's citizens and residents, on electric utility policies, plans and programs; and

**WHEREAS**, while the EUAB has provided invaluable advisory assistance and recommendations to the City Commission in the past, the City Commission is more actively and engaged in electric utility policies, plans and programs including the creation of a public monthly City Commission meeting dedicated solely to electric utility issues; and

**WHEREAS**, the electric utility's financial and operational performance, project plans and initiatives are regularly reviewed with the City Commission in public; and

**WHEREAS**, the City's citizens, residents, members of the public and customers of City's electric utility are afforded the ability to provide public comment on electric utility matters at City Commission meetings; and

**WHEREAS**, the City Commission desires to maintain the EUAB but wants to streamline its work so that recommendations are made on policy matters only; and

**WHEREAS**, the City Commission deems it to be in the best interests of the citizens and residents of the City to reconstitute the EUAB as set forth herein.

**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 and are made a specific part of this Ordinance.

**Section 2:** Chapter 2, Article XX, entitled "Electric Utility Advisory Board" of the Code of Ordinances of the City of Lake Worth Beach, is hereby repealed (which includes repealing sections 2-235, 2-236, 2-237, 2-238 and 2-239) and the following shall be established as Article XX:

**ARTICLE XX. - ELECTRIC UTILITY ADVISORY BOARD**

**Section 2-235. - Creation of electric utility advisory board and purpose.**



There is hereby established an electric utility advisory board. The 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.

**Section 2-236. - Composition; term of members; qualifications.**

- (a) The electric utility advisory board shall be comprised of seven (7) members as follows: At-large appointments by each of the four (4) district commissioners, for a term of three (3) years; two (2) at-large members, one (1) appointed by the mayor and one (1) business owner, whose business is located in the city, appointed by the city commission, for a term of two (2) years; and one (1) at-large member appointed by the city commission representing the utility service areas of or in a portion of the Village of Palm Springs and unincorporated Palm Beach County for a term of one (1) year.
- (b) The four (4) district members and the one (1) at-large member appointed by the commissioners and the mayor, respectively, must be residents of the city, and all members of the electric utility advisory board must be customers of the electric utility.
- (c) 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.
- (d) Members may be re-appointed for subsequent terms. Vacancies shall be filled by qualified members for the unexpired term of the member whose post becomes vacant.
- (e) If any member of the electric utility advisory board shall fail to be present at three (3) consecutive regular meetings or at fifty (50) percent of the regular meetings of the board held within any 24-month period, the city clerk shall declare the member's office vacant, and the city commission shall promptly fill such vacancy.
- (f) The members of the electric utility advisory board serve at the pleasure of the city commission and the city commission may remove any member(s) of the board from office upon affirmative vote of the city commission after due notice and an opportunity for the member(s) to be heard.

**Section 2-237. - Officers; meetings and procedures.**

- (a) At its first meeting, the electric utility advisory board shall appoint a chairperson for a one-year term and annually thereafter. In addition, the members of the board

shall elect such officers as may be deemed necessary or desirable to serve at the will of the board.

- (b) The meetings of the electric utility advisory board shall be every other month unless the chairperson determines, after consultation with the electric utility director, that there are no pending policy-decisions for the board's consideration. Additional meetings of the board may be called by the electric utility director or as directed by the city commission at a public meeting.
- (c) A minimum of four board members will constitute a quorum for the board. Meetings of the board shall be conducted in accordance with Robert's Rules of Order. Minutes shall be kept of all meetings of the board and all such meetings shall be properly noticed and open to the public.

**Section 2-238. - Duties.**

The electric utility advisory board shall act in an advisory capacity to the city commission and electric utility director on policy decisions regarding the city's electric utility.

**Section 3:** If any part, sentence, paragraph, section or clause of this ordinance is adjudged unconstitutional or invalid by a court of competent jurisdiction, the remainder of this Ordinance shall not be affected thereby. In the event of a subsequent change in applicable law, so the provision which had been held invalid is no longer invalid, the provision shall thereupon return to full force and effect without further action by the City and shall thereafter be binding under this Ordinance.

**Section 4:** That any ordinances or parts thereof in conflict with the provisions of this ordinance are hereby repealed to the extent of such conflict.

**Section 5:** Authority is hereby given to codify this ordinance. The sections of the ordinance may be made a part of the City's 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 6:** This ordinance shall become effective ten (10) days after passage.

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

Mayor Pam Triolo	AYE
Vice Mayor Andy Amoroso	NAY
Commissioner Scott Maxwell	AYE
Commissioner Omari Hardy	AYE
Commissioner Herman Robinson	AYE


The Mayor thereupon declared this ordinance duly passed on first reading on the 18<sup>th</sup> day of June, 2019.

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

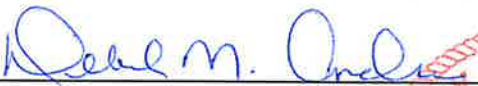
Mayor Pam Triolo	AYE
Vice Mayor Andy Amoroso	AYE
Commissioner Scott Maxwell	AYE
Commissioner Omari Hardy	AYE
Commissioner Herman Robinson	AYE

The Mayor thereupon declared this ordinance duly passed on the 16<sup>th</sup> day of July, 2019.

CITY OF LAKE WORTH BEACH, FLORIDA

By:   
Pam Triolo, Mayor

ATTEST:

  
Deborah M. Andrea, City Clerk



ORDINANCE NO. 2010-03 OF THE CITY OF LAKE WORTH, FLORIDA, CREATING A NEW CHAPTER 2, ARTICLE XVII, SECTION 2-130 THROUGH 2-135 OF THE CODE OF ORDINANCES TO ESTABLISH THE CITY OF LAKE WORTH FINANCE ADVISORY BOARD; PROVIDING THE PURPOSE, DUTIES, MEMBERSHIP AND MEETINGS OF THE BOARD; PROVIDING FOR CODIFICATION; PROVIDING 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.

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

Section 1. The City creates a new Article XVII and Sections 2-130 through 2-135 of Chapter 2 of the Code of Ordinances to read as follows:

## **Chapter 2**

### **ADMINISTRATION**

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

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

There is hereby created and established the City of Lake Worth 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'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 Comprehensive Annual Financial Report (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) members. Board members shall serve without compensation.
- (b) Appointment and terms of members.
  1. The City Commission shall appoint seven (7) 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, the City Commission shall annually appoint persons to fill the positions of members whose terms have expired. 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.

**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.
- (b) A quorum for the conduct of business by the Board shall be not less than four (4) 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.
- (d) 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. This Ordinance shall become effective ten (10) days after passage.



The passage of this Ordinance on first reading was moved by Commissioner Jennings, seconded by Vice-Mayor Golden, and upon being put to a vote, the vote was as follows:

Mayor René A. Varela	AYE
Vice Mayor Jo-Ann Golden	AYE
Commissioner Cara Jennings	AYE
Commissioner Suzanne Mulvehill	AYE
Commissioner Scott Maxwell	AYE

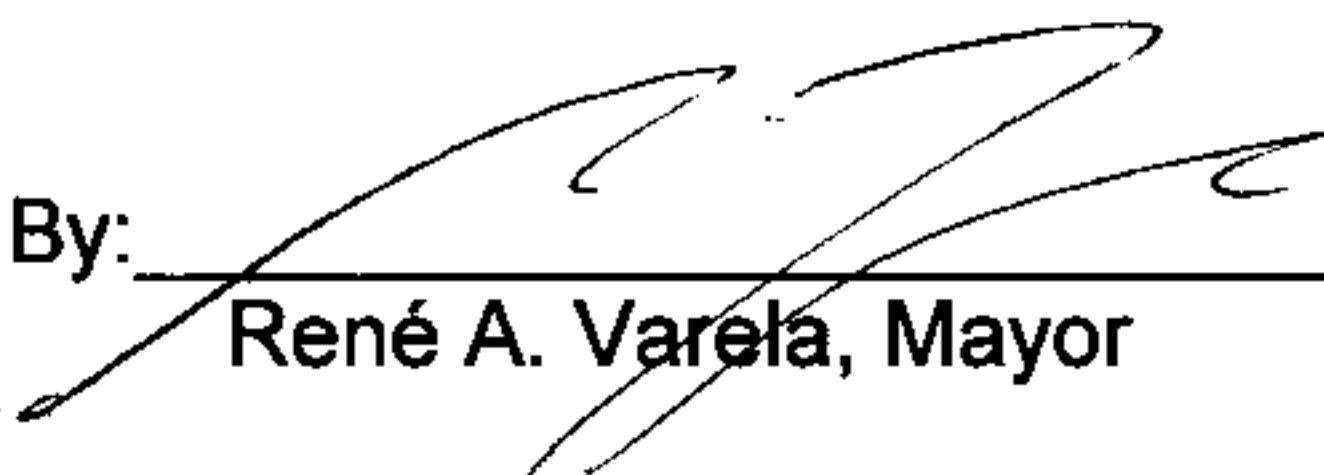
The Mayor thereupon declared this Ordinance duly passed on first reading on the 2nd day of February, 2010.

The passage of this Ordinance on second reading was moved by Vice Mayor Golden, seconded by Commissioner Jennings, and upon being put to a vote, the vote was as follows:

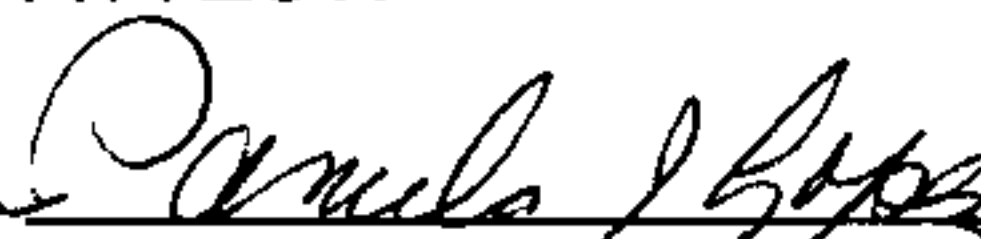
Mayor René A. Varela	AYE
Vice Mayor Jo-Ann Golden	AYE
Commissioner Cara Jennings	AYE
Commissioner Suzanne Mulvehill	AYE
Commissioner Scott Maxwell	AYE

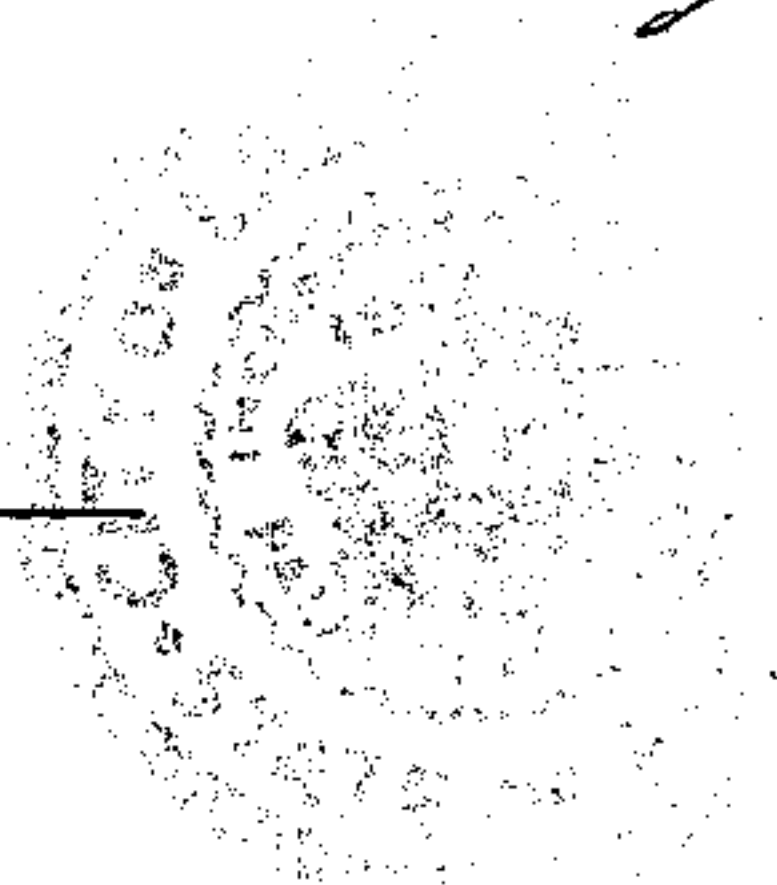
The Mayor thereupon declared this Ordinance duly passed and enacted on the 16th day of February, 2010.

LAKE WORTH CITY COMMISSION

By:   
René A. Varela, Mayor

ATTEST:

  
Pamela J. Lopez, City Clerk



ORDINANCE NO. 2010-16 OF THE CITY OF LAKE WORTH, FLORIDA, AMENDING ARTICLE XXIII, ADMINISTRATION, AND ARTICLE XXVII, HISTORIC RESOURCES PRESERVATION, OF CHAPTER 23 OF THE CODE OF ORDINANCES TO ESTABLISH AN HISTORIC PRESERVATION BOARD SEPARATE AND APART FROM THE PLANNING AND ZONING BOARD; PROVIDING FOR SEVERABILITY; PROVIDING THAT CONFLICTING ORDINANCES ARE AUTOMATICLY REPEALED; PROVIDING FOR CODIFICATION; PROVIDING AN EFFECTIVE DATE

WHEREAS, the City of Lake Worth acknowledges the importance of resources that are reminders of past eras, events and persons important in local, state or national history, or which provide significant examples of architectural styles of the past, or are unique and irreplaceable assets of the City of Lake Worth, and which add substantial value to the historical and cultural heritage of Florida; and

WHEREAS, the protection, enhancement, preservation and use of historic resources foster civic pride in the accomplishments of the past or natural features that are unique to the area, enhance the City's attraction to visitors, create economic benefits through heritage tourism and encourage increases in property values through historic recognition and the maintenance of historic resources; and

WHEREAS, it is hereby declared as a matter of public policy that the protection, enhancement and preservation of properties and areas of historical, cultural, archaeological and aesthetic significance are in the interest of the health, prosperity and welfare of the people of the City of Lake Worth; and

WHEREAS, the City of Lake Worth is best served by a separate Historic Preservation Board.

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

Section 1. The City Commission approves the bifurcation of the Historic Resources Preservation Board from the Planning and Zoning Board.

Section 2. Sections 23.23.01.01 and 23.23.01.02 of Chapter 23 of the Code of Ordinances are amended to read as follows:

## Chapter 23 ZONING

\* \* \*

### ARTICLE XXIII. ADMINISTRATION

#### 23.23.01.00. City planning and zoning board.\*

~~\*Cross references: City planning and zoning board to serve as historic preservation commission, § 23.27.03.01.~~

23.23.01.01.~~Created; members; terms; vacancies.~~ There is created a city planning and zoning board, which shall consist of seven (7) members. The seven (7) members shall be appointed by the City Commission. The first seven (7) members shall be appointed for the following terms: two (2) for a term of one (1) year; two (2) for a term of two (2) years; and three (3) for a term of three (3) years. Thereafter, all succeeding members of said board shall be appointed for a term of three (3) years. The City Commission shall appoint two (2) alternate members for a term of one (1) year each; ~~who shall also serve as members of the board of the historic resources preservation board.~~ 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. Vacancies in the board membership by resignation, illness or other causes shall be filled by the city commission for the unexpired term of the member involved. Members of the city planning and zoning board may be removed from office by the City Commission upon written charges and after public hearing. The board shall select its own chairman and vice-chairman annually at the first meeting in January. The city planner shall serve as ~~secretary and~~ advisor to the board. The presence of four (4) or more members shall constitute a quorum of the board.

23.23.01.02.~~Qualifications.~~ ~~All members of the city planning and zoning board shall be residents and qualified electors of the city.~~ Members of the Planning and Zoning Board shall be appointed from the residents and electors of the City who shall be knowledgeable concerning the functions of municipal government and interested in the furtherance and promotion of planning and zoning matters, preservation, stewardship, and sustainability, and municipal development, in keeping with the health, safety and welfare of the citizens and integrating social and environmental equity in future planning efforts. Board members shall hold no other City office or position.

At least five of the members of the Planning & Zoning Board shall have professional qualifications, such as attorney, professional planner, architect, landscape architect, real estate agent or broker, and land developer.

Section 3. Section 23.27.03.00 of Chapter 23 of the Code of Ordinances is amended to read as follows:

## Chapter 23 ZONING

\* \* \*

### ARTICLE XXVII. HISTORIC PRESERVATION

\* \* \*

#### **23.27.03.00. Historic resources preservation board.**

~~23.27.03.01. *Planning board designated as HRPB.* It is hereby established that the city planning board shall serve as the City of Lake Worth Historic Resources Preservation Board ("HRPB"). To meet the requirements of the certified local government program and to carry out its responsibilities under this article, the membership of the HRPB shall include, to the extent available, members from the disciplines of architecture, architectural history, planning, archeology or related fields. At least two (2) members of the HRPB shall be experienced in the areas of real estate sales, land development, banking or law. The city commission shall determine whether or not the existing members of the HRPB meet the requirements of the certified local government program and may appoint up to two (2) additional members to the HRPB if needed. Whenever a new member is appointed to the HRPB, the city commission shall consider the professional requirements of the new member to ensure that the requirements of the certified local government program are met. When necessary, persons serving on the HRPB shall attend educational meetings to develop a special interest, expertise, experience or knowledge in history, architecture, or related disciplines.~~

#### *Membership; meetings; quorum; required vote.*

It is hereby established that the City of Lake Worth Historic Resources Preservation Board (HRPB) is its own entity; and therefore it shall be separate from the City Planning and Zoning Board, and shall consist of five (5) members and two (2) alternate members. All members of the HRPB shall be residents and qualified electors of the city. Members of HRPB shall serve without compensation. The five (5) members of the HRPB shall be appointed by the City Commission. The first five (5) members shall be appointed for the following terms: two (2) members shall be appointed for a term of two (2) years; and three (3) members shall be appointed for a term of three (3) years. Thereafter, all succeeding members of said board shall be appointed for a term of three (3) years. Alternates shall serve for a term of one (1) year. To meet the requirements of the Certified Local Government Program and to carry out its responsibilities under this article, the local government shall appoint professional members from the disciplines of



architecture, history, architectural history, planning, prehistoric and historic archaeology, folklore, cultural anthropology, curation, conservation, and landscape architecture or related disciplines to the extent such professionals are available in the community concerned (see the Florida Certified Local Government Guidelines, Appendix A, Professional Qualifications Standards). The Professional Qualifications Standards in Appendix A are no more stringent than the standards for membership on the National Register Review Board. Lay persons who have demonstrated special interest, experience, or knowledge in history, architecture, or related disciplines shall make up the balance of HRPB membership in the event that there are not enough professionals in the community. HRPB members should be residents of the jurisdiction for which they serve.

- (a) The City Commission shall determine whether or not the existing members of the HRPB meet the requirements of the Certified Local Government program. Whenever a new member is appointed to the HRPB, the City Commission shall consider the professional requirements of the new member to ensure that the requirements of the Certified Local Government Program are met. When necessary, persons serving on the HRPB shall attend educational meetings to develop a special interest, expertise, experience or knowledge in history, architecture, or related disciplines.
- (b) If any member of the HRPB is not present for three (3) consecutive regularly scheduled meetings or at twenty percent (20%) of the 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. Vacancies in the board membership by resignation, illness or other causes shall be filled by the City Commission for the unexpired term of the member involved. Members of the HRPB may be removed from office by the City Commission upon written charges and after public hearing. The Board shall select its own chairman, vice-chairman and secretary annually at the first meeting in January.
- (c) The city planner shall serve as advisor to the board.
- (d) The HRPB shall conduct at least four (4) public hearings a year OR as needed to consider historic preservation issues. The HRPB shall meet on the second Wednesday of each month. The meeting time may be set and amended as deemed necessary by the chairperson and the Director of the Community Development Department. The presence of four (4) or more members shall constitute a quorum of the board. A simple majority of the membership shall be required for decisions involving landmarks and historic districts.

**Section 4.** If any provision of this Ordinance, or the application thereof 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 applications, and to this end the provisions of this ordinance are declared severable.

Section 5. All ordinances or parts of ordinances in conflict herewith are hereby repealed.

Section 6. Sections 2 and 3 of this Ordinance shall be codified.

SECTION 7: This Ordinance shall become effective ten (10) days after passage

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

Mayor René A. Varela	NAY
Vice Mayor Jo-Ann Golden	AYE
Commissioner Scott Maxwell	NAY
Commissioner Cara Jennings	AYE
Commissioner Suzanne Mulvehill	AYE

The Mayor thereupon declared this Ordinance duly passed on first reading on the 7<sup>th</sup> day of September, 2010.

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

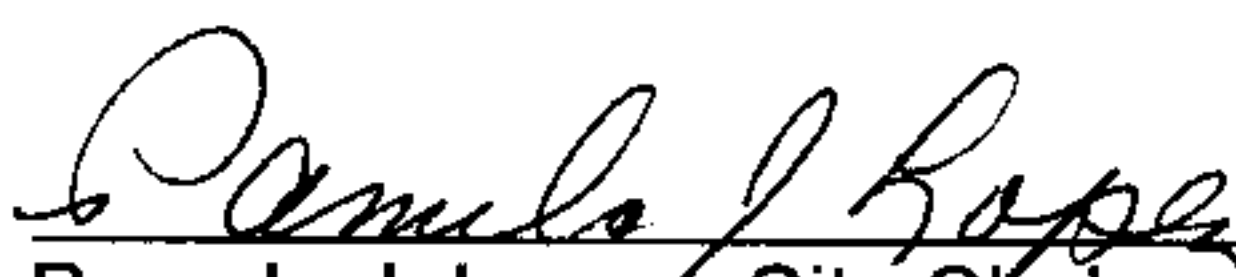
Mayor René A. Varela	NAY
Vice Mayor Jo-Ann Golden	AYE
Commissioner Scott Maxwell	NAY
Commissioner Cara Jennings	AYE
Commissioner Suzanne Mulvehill	AYE

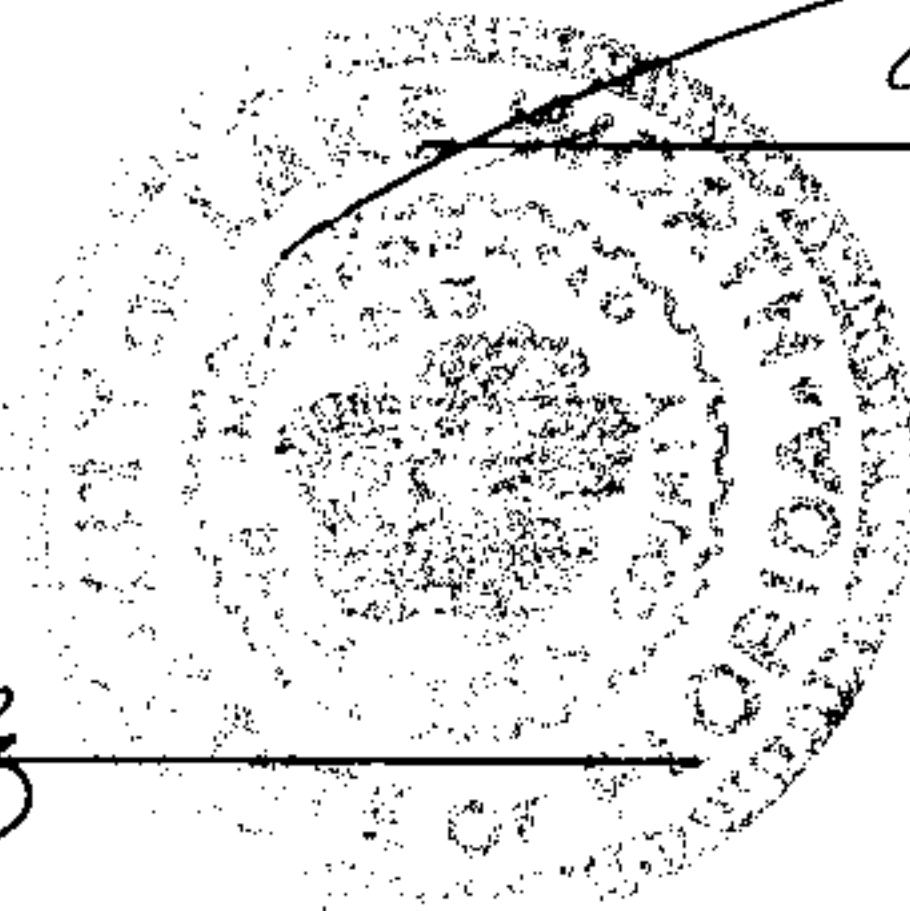
The Mayor thereupon declared this Ordinance duly passed and enacted on the 21<sup>st</sup> day of September, 2010.

CITY OF LAKE WORTH, FLORIDA

  
René A. Varela, Mayor

ATTEST:

  
Pamela J. Lopez, City Clerk





ORDINANCE NO. 2010-28 OF THE CITY OF LAKE WORTH, FLORIDA, AMENDING CHAPTER 13, OF THE CODE OF ORDINANCE, AMENDING SECTION 13-2 BOARD MEMBERSHIP TO DELETE THE ALTERNATE MEMBER APPOINTMENT TO THE LAKE WORTH PUBLIC LIBRARY BOARD; PROVIDING FOR CODIFICATION; PROVIDING FOR SEVERABILITY; PROVIDING FOR THE REPEAL OF ORDINANCES IN CONFLICT HERewith; AND PROVIDING AN EFFECTIVE DATE.

BE IT ORDAINED BY THE CITY COMMISSION OF THE CITY OF LAKE WORTH, FLORIDA, that:

Section 1. Chapter 13, Section 13-2 of the Code of Ordinances is amended to read as follows:

### **Chapter 13**

#### **LIBRARY**

\*\*\*

#### **Sec. 13-2. Board membership.**

The library board shall consist of five (5) members ~~and one alternate member~~ appointed by the City Commission who shall serve without compensation. As presently constituted, the library terms are staggered terms, each term being a duration of five (5) years. ~~The alternate member shall serve a term of two years.~~ With the expiration of each term, the City Commission shall continue to appoint for new terms, and for interim vacancies created by resignation or by the City Commission. If any member of the board shall fail to be present at three (3) consecutive regularly scheduled meetings or at twenty-five (25) percent of the 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.

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

Section 3. If any provision of this Ordinance or the application thereof to any person or circumstances is held invalid, such invalidity shall not affect other provisions or applications of this Ordinance which can be given effect without the invalid provision or application, and to this end the provisions of this Ordinance are declared to be severable.

Section 4. All ordinances or resolutions or parts thereof that may be determined to be in conflict herewith are hereby repealed.

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

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

Mayor René A. Varela	AYE
Vice Mayor Jo-Ann Golden	AYE
Commissioner Scott Maxwell	AYE
Commissioner Cara Jennings	AYE
Commissioner Suzanne Mulvehill	AYE

The Mayor thereupon declared this Ordinance duly passed on first reading on the 19<sup>th</sup> day of October 2010.

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

Mayor René A. Varela	AYE
Vice Mayor Suzanne Mulvehill	AYE
Commissioner Scott Maxwell	AYE
Commissioner Christopher McVoy	AYE
Commissioner Jo-Ann Golden	AYE

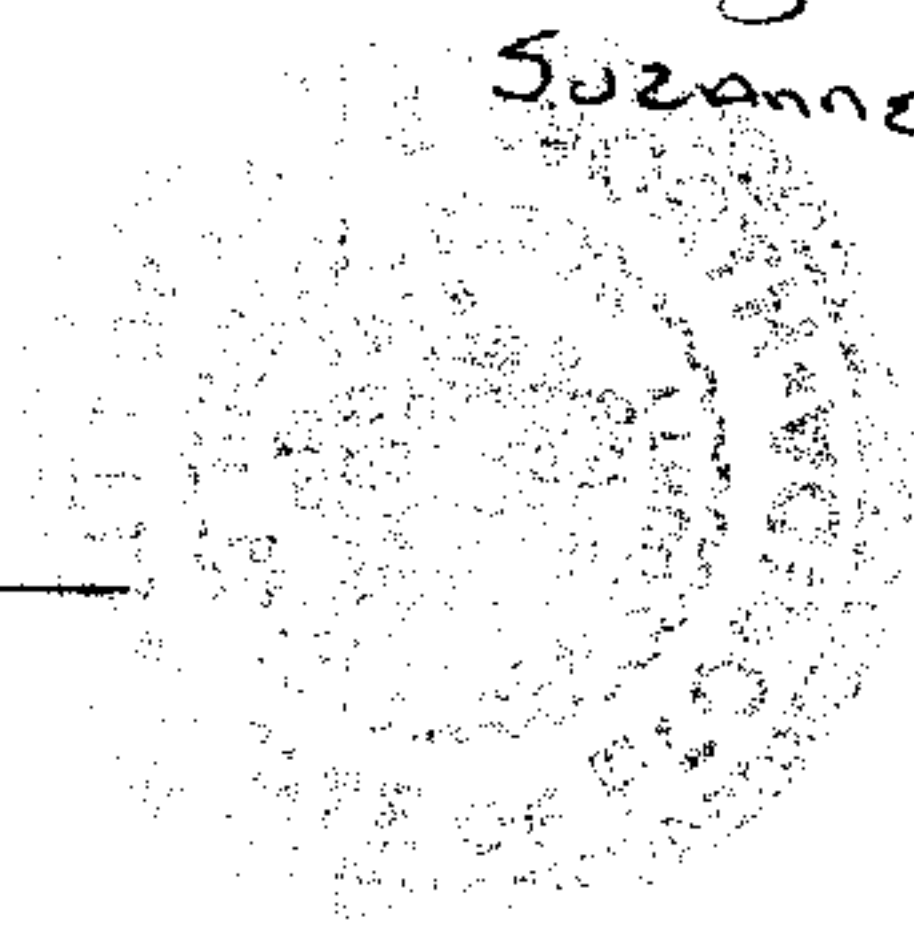
The Mayor thereupon declared this Ordinance duly passed and enacted on the 16<sup>TH</sup> day of November 2010.

LAKE WORTH CITY COMMISSION

By: Suzanne Mulvehill 11/24/10  
~~René A. Varela, Mayor~~  
Suzanne Mulvehill, Vice Mayor

ATTEST:

Pamela J. Lopez  
Pamela J. Lopez, City Clerk



ORDINANCE NO. 2014-02 OF THE CITY COMMISSION OF LAKE WORTH, FLORIDA, AMENDING CHAPTER 23 LAND DEVELOPMENT REGULATIONS OF THE CODE OF ORDINANCES TO ADDRESS MINOR REVISIONS NEEDED TO THE NEWLY ADOPTED LAND DEVELOPMENT REGULATIONS BY AMENDING ARTICLE 1 GENERAL PROVISIONS, DIVISION 2, SECTION 23.1-12 DEFINITIONS; ARTICLE 2, DIVISION 1, SECTION 23.2-8 PLANNING AND ZONING BOARD; ARTICLE 2, DIVISION 1, SECTION 23.2-9, TABLE 2-1; ARTICLE 2, DIVISION 2, SECTION 23.2-15, TABLE 2-2; ARTICLE 2, DIVISION 3, SECTION 23.2-28 ADMINISTRATIVE ADJUSTMENTS/ADMINISTRATIVE USE PERMITS; ARTICLE 3, DIVISION 1, SECTION 23.3-6 USE TABLE; ARTICLE 4, SECTION 23.4-5 GARAGES; ARTICLE 4, SECTION 23.4-16 MECHANICAL EQUIPMENT; ARTICLE 4, SECTION 23.4-17 STANDBY GENERATOR/PERMANENT; ARTICLE 5 SUPPLEMENTAL REGULATIONS, SECTION 23.5-1, H), 3 SIGNS; PROVIDING FOR SEVERABILITY; PROVIDING FOR CONFLICT; CODIFICATION; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the City of Lake Worth, 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, the City has adopted a new Chapter 23 Land Development Regulations of the code of ordinances on August 6, 2013; and

WHEREAS, as implementation of those new codes progresses, changes need to be made to create consistency and improve clarity; and

WHEREAS, on November 6, 2013 the Planning and Zoning Board recommended approval of these changes; and

WHEREAS, on November 13, 2013, the Historic Resources Preservation Board recommended approval of these changes; and

WHEREAS, the City Commission has reviewed the recommended amendments, the recommendation of the Planning and Zoning Board, the recommendation of the Historic Resources Preservation Board, and has determined that the amendments set forth herein are in the best interest of the public health, safety, and welfare of the City and its residents and serve a valid public purpose.

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

Section 1. The foregoing recitals are hereby affirmed and incorporated herein.

Section 2. Chapter 23, Article 1, Division 2, Section 23.1-12 Definitions are amended by adding the words and figures shown in underline type as indicated in exhibit A.



Section 3. Chapter 23, Article 2, Division 1, Section 23.2-8 Planning and Zoning Board is amended by adding the words and figures shown in underlined type and deleting the words and figures shown as struck-through as shown in exhibit B.

Section 4. Chapter 23, Article 2, Division 1, Section 23.2-9, Table 2-1 is amended by adding the words and figures shown in underlined type as shown in exhibit C.

Section 5. Chapter 23, Article 2, Division 2, Section 23.2-15, Table 2-2 is amended by adding the words and figures shown in underlined type and deleting the words and figures shown as struck-through as shown in exhibit D.

Section 6. Chapter 23, Article 2, Division 3, Section 23.2-28, is amended by adding the words and figures shown in underlined type and deleting the words and figures shown as struck-through as shown in exhibit E.

Section 7. Chapter 23, Article 3, Division 1, Section 23.3-6 Use Tables are amended by adding the words and figures shown in highlighted type as indicated in exhibit F.

Section 8. Chapter 23, Article 4, Section 23.4-5 Garages are amended by adding the words and figures shown in underlined type as indicated in exhibit G.

Section 9. Chapter 23, Article 4, Section 23.4-16 Mechanical System/Equipment is amended by adding the words and figures shown in underlined type as indicated in exhibit H.

Section 10. Chapter 23, Article 4, Section 23.4-17 Standby Generator/Permanent is amended by adding the words and figures shown in underlined type as indicated in exhibit I.

Section 11. Chapter 23, Article 5, Section 23.5-1, h), 3 is amended by adding the words and figures shown in underlined type and deleting the words and figures shown as struck-through as shown in exhibit J.

Section 12. 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 13. All Ordinances or parts of Ordinances in conflict herein are hereby repealed.

Section 14. All Exhibits of this Ordinance shall be codified.

Section 15. This Ordinance shall become effective ten (10) days after passage.

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

Mayor Pam Triolo	AYE
Vice Mayor Scott Maxwell	AYE
Commissioner Christopher McVoy	AYE
Commissioner Andy Amoroso	AYE
Commissioner John Szerdi	AYE

The Mayor, thereupon declared this Ordinance duly passed on first reading on the 3<sup>rd</sup> day of December, 2013.

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

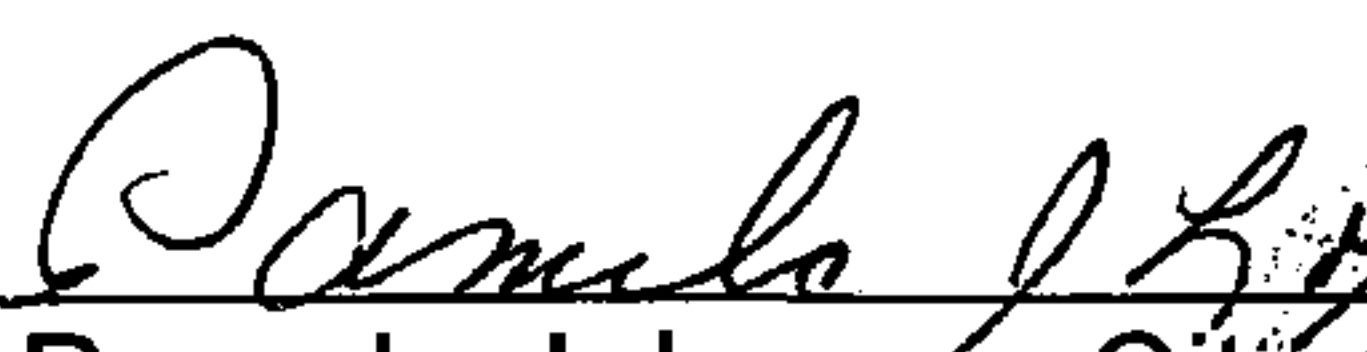
Mayor Pam Triolo	AYE
Vice Mayor Scott Maxwell	AYE
Commissioner Christopher McVoy	AYE
Commissioner Andy Amoroso	AYE
Commissioner John Szerdi	AYE


The Mayor thereupon declared this Ordinance duly passed and enacted on the 7<sup>th</sup> day of January, 2014.

LAKE WORTH CITY COMMISSION

By:   
Pam Triolo, Mayor

ATTEST:

  
Pamela J. Lopez, City Clerk



**Exhibit B**

**Chapter 23**

**ZONING**

\*\*\*

**ARTICLE II ADMINISTRATION, DIVISION 1, SECTION 23.2-8 PLANNING AND ZONING BOARD**

Amended by adding the words and figures shown in underline type and deleting the cross through.

a) *Members; terms; vacancies.* The Planning and Zoning Board shall consist of seven (7) members. All members of the Board shall be residents of or property owners in the City. Members of the Planning and Zoning Board shall serve without compensation. The seven (7) members shall be appointed by the City Commission. All members of the Board shall be appointed for a term of three (3) years. If any member of the Board shall fail to be present at three (3) consecutive regularly scheduled meetings or at ~~twenty~~ twenty-five percent (25%) of the public 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. Vacancies in the Board membership by resignation, illness or other causes shall be filled by the City Commission for the unexpired term of the member involved. Members of the Planning and Zoning Board may be removed from office by the City Commission at its discretion. The Board shall select its own chairman and vice-chairman annually at the first meeting in January. The City's Community Planner shall serve as secretary and advisor to the board.



ORDINANCE NO. 2011-02 OF THE CITY OF LAKE WORTH, FLORIDA, AMENDING CHAPTER 2, ARTICLE XI OF THE CODE OF ORDINANCES, AMENDING SECTION 2-93, "MEMBERSHIP." AMENDING THE TERM OF SERVICE; PROVIDING FOR SEVERABILITY; PROVIDING FOR THE REPEAL OF ORDINANCES IN CONFLICT HERewith; PROVIDING FOR CODIFICATION; AND PROVIDING FOR EFFECTIVE DATE.

BE IT ORDAINED BY THE CITY COMMISSION OF THE CITY OF LAKE WORTH, FLORIDA, that:

Section 1. Chapter 2, Article XI, Section 2-93 of the Code of Ordinances is amended to read as follows:

**Chapter 2**

**ADMINISTRATION**

\* \* \*

**ARTICLE XI. CITY RECREATION ADVISORY BOARD**

\* \* \*

**Sec. 2-93. Membership.**

(a) The Recreation Advisory Board shall be comprised of the following members: six resident members appointed by the City Commission and one student member appointed by the Lake Worth Teen Advisory Council. ~~The resident members shall serve for three (3) year terms.~~ Effective July 31, 2012, two resident members shall serve for a one (1) year term, two resident members shall serve for two (2) year terms, and two resident members shall serve for three (3) year terms; thereafter, all succeeding members of said board shall be appointed for a term of three (3) years The student member shall serve a one (1) year term and have voting rights, but shall not be counted for the purpose of creating a quorum.

(b) If any member of the Board shall fail to be present at three (3) consecutive regularly scheduled meetings or at twenty five (25) percent of the 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.

(c) The City Commission may remove any member of the Board for misconduct or neglect of duty.

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

(e) Chairperson – Presides at meetings of the Board and makes presentations, written and oral, on behalf of the Board to the City Commission and the Recreation Manager.

(f) Vice-Chairperson – Performs the duties of the Chairperson in his/her absence.

(g) 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 circumstances is held invalid, such invalidity shall not affect other provisions or applications of this Ordinance which can be given effect without the invalid provision or application, and to this end the provisions of this Ordinance are declared to be severable.

Section 3. All ordinances or resolutions or parts thereof that may be determined to be in conflict herewith are hereby repealed.

Section 4. Section 1 of this Ordinance shall be codified.

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

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

Mayor René A. Varela	ABSENT
Vice Mayor Suzanne Mulvehill	AYE
Commissioner Scott Maxwell	AYE
Commissioner Christopher McVoy	AYE
Commissioner Jo-Ann Golden	ABSENT

The Mayor thereupon declared this Ordinance duly passed on first reading on the 18<sup>th</sup> day of January 2011.

The passage of this Ordinance on second reading was moved by Commissioner Golden, seconded by Vice Mayor Mulvehill, and upon being put to a vote, the vote was as follows:

Mayor René A. Varela	AYE
Vice Mayor Suzanne Mulvehill	AYE
Commissioner Scott Maxwell	AYE
Commissioner Christopher McVoy	AYE
Commissioner Jo-Ann Golden	AYE

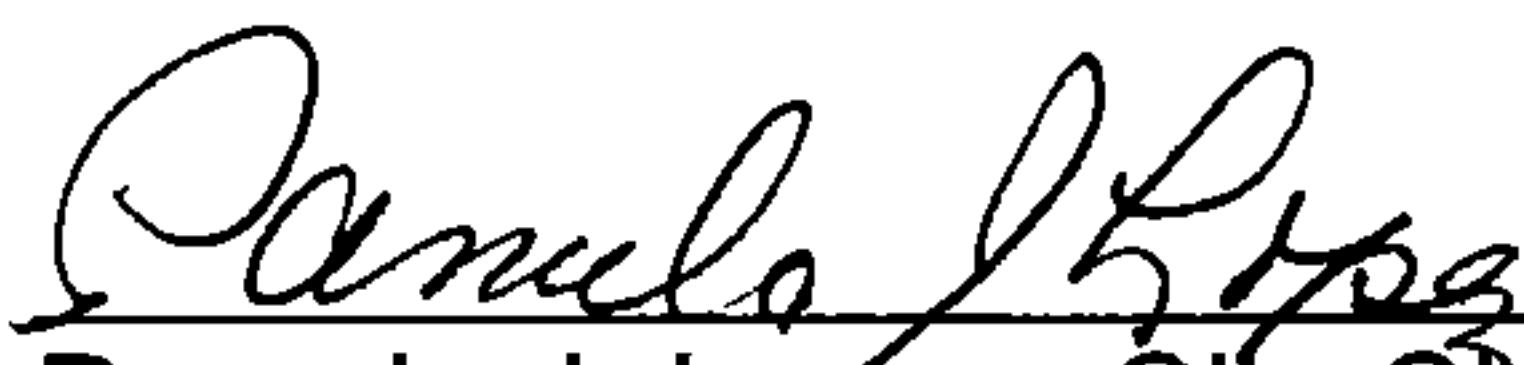
The Mayor thereupon declared this Ordinance duly passed and enacted on the 1<sup>st</sup> day of February 2011.

LAKE WORTH CITY COMMISSION

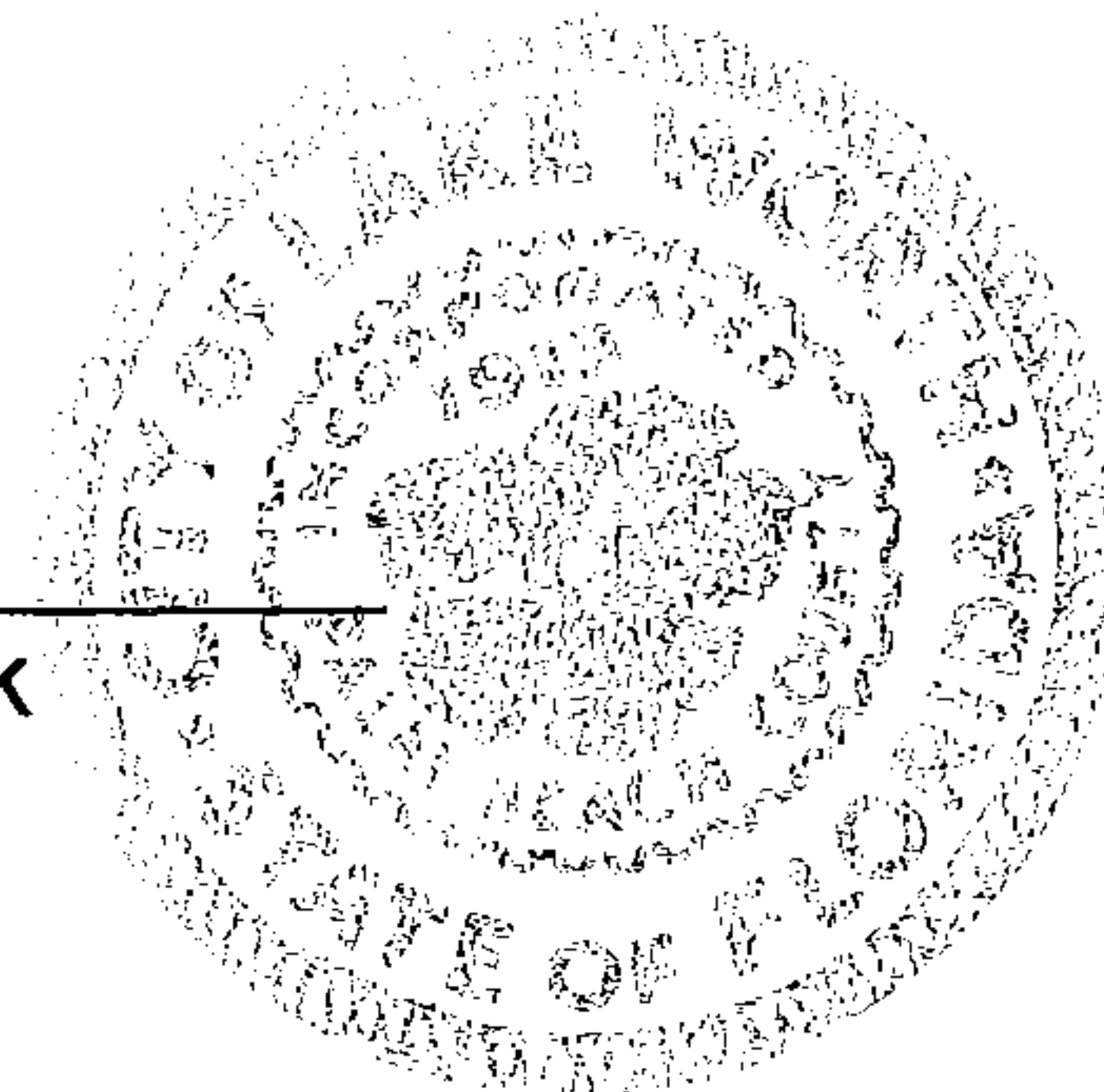
By: \_\_\_\_\_

René A. Varela, Mayor

ATTEST:



Pamela J. Lopez, City Clerk





ORDINANCE NO. 2014-07 OF THE CITY OF LAKE WORTH, FLORIDA, AMENDING CHAPTER 2, ARTICLE IX OF THE CODE OF ORDINANCES, AMENDING SECTION 2-83, "MEMBERSHIPS, TERMS AND VACANCIES" TO PROVIDE FOR ELECTION OF BOARD OFFICERS; PROVIDING FOR SEVERABILITY; PROVIDING FOR THE REPEAL OF ORDINANCES IN CONFLICT HERewith; PROVIDING FOR CODIFICATION; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, between 1990 and 1998, the City's ordinance governing the Tree Board contained a provision for the election of a Chairperson and Vice Chairperson at the first Board meeting in January of each year for a term of one calendar year;

WHEREAS, on April 7, 1998, the City Commission adopted Ordinance No. 98-11 amending the Tree Board ordinance in its entirety and deleting the provision for electing officers;

WHEREAS, the current Tree Board has requested that the Tree Board ordinance be amended to reinsert the provision for electing officers, including a secretary, for a term of one year; and,

WHEREAS, the City finds amending the Tree Board ordinance as set forth herein serves a valid public purpose.

BE IT ORDAINED BY THE CITY COMMISSION OF THE CITY OF LAKE WORTH, FLORIDA, that:

Section 1. Chapter 2, Article IX, Section 2-83 of the Code of Ordinances is amended to read as follows:

## **Chapter 2**

### **ADMINISTRATION**

\* \* \*

### **ARTICLE IX. CITY TREE BOARD**

\* \* \*

#### **Sec. 2-83. Members, terms, and vacancies officers.**

(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 resident members shall be appointed for one-year terms, two resident members shall be appointed for two-year terms, and three 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.

(b) The Board shall elect its officers annually for a term of one 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 circumstances is held invalid, such invalidity shall not affect other provisions or applications of this Ordinance which can be given effect without the invalid provision or application, and to this end the provisions of this Ordinance are declared to be severable.

Section 3. All ordinances or resolutions or parts thereof that may be determined to be in conflict herewith are hereby repealed.

Section 4. Section 1 of this Ordinance shall be codified.

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

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

Mayor Pam Triolo	AYE
Vice Mayor Scott Maxwell	AYE
Commissioner Christopher McVoy	AYE
Commissioner Andy Amoroso	AYE
Commissioner John Szerdi	AYE

The Mayor thereupon declared this Ordinance duly passed on first reading on the 28<sup>th</sup> day of January 2014.

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

Mayor Pam Triolo	AYE
Vice Mayor Scott Maxwell	ABSENT
Commissioner Christopher McVoy	AYE
Commissioner Andy Amoroso	AYE
Commissioner John Szerdi	AYE

The Mayor thereupon declared this Ordinance duly passed and enacted on the 11<sup>th</sup> day of February 2014.

LAKE WORTH CITY COMMISSION

By: \_\_\_\_\_

Pam Triolo, Mayor

ATTEST:

Pamela J. Lopez  
Pamela J. Lopez, City Clerk

