

ORDINANCE 2022-16 - AN ORDINANCE OF THE CITY OF LAKE WORTH BEACH, FLORIDA, AMENDING CHAPTER 2 "ADMINISTRATION," ADDING A NEW ARTICLE XXIII "BUSINESS ADVISORY BOARD," PROVIDING FOR A NEW BUSINESS ADVISORY BOARD, TERMS, COMPOSITION AND DUTIES; AND PROVIDING FOR SEVERABILITY, CONFLICTS, CODIFICATION AND AN EFFECTIVE DATE

WHEREAS, as provided in Section 2(b), Article VIII of the Constitution of the State of Florida, and Section 166.021(1), Florida Statutes, the City of Lake Worth Beach (the "City"), enjoys all governmental, corporate, and proprietary powers necessary to conduct municipal government, perform municipal functions, and render municipal services, and may exercise any power for municipal purposes, except as expressly prohibited by law; and

WHEREAS, as provided in Section 166.021(3), Florida Statutes, the governing body of each municipality in the state has the power to enact legislation concerning any subject matter upon which the state legislature may act, except when expressly prohibited by law; and

WHEREAS, the City wishes to amend Chapter 2 "Administration," adding thereto a new Article 16III "Business Advisory Board," to create a new Business Advisory Board including the terms, composition and duties; and

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, the City Commission finds and declares that the adoption of this ordinance is appropriate, and in the best interest of the health, safety and welfare of the City, its residents and visitors.

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

Section 1: The foregoing "WHEREAS" clauses are ratified and confirmed as being true and correct and are made a specific part of this ordinance as if set forth herein.

Section 2: Chapter 2 "Administration," is hereby amended by adding thereto a new Article 16III "Business Advisory Board," to read as follows:

ARTICLE XXIII. – BUSINESS ADVISORY BOARD

Sec. 2-271. – Creation of business advisory board and purpose.

There is hereby created a business advisory board. The business advisory board shall act in an advisory capacity to the city manager and city commission. The business advisory board shall be advisory in nature only. The business advisory board shall

promote business development and support and sustain existing businesses within the city by identifying business opportunities and acting as a liaison between the owners of businesses within the city and the city commission.

Sec. 2-272. – Composition; appointment of members.

- (a) The board shall be appointed by the city commission and shall consist of seven (7) members. The board members need not be residents of the city, but shall be owners or operators of businesses within the city. The board members shall be comprised of representatives from the following categories: retail business, professional services business, personal services business, industrial business, commercial realtor or business broker, certified property manager, community bank representative, attorney, and commercial property owner.
- (b) Appointments shall be made consistent with Section 2-9.
- (c) 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 twelve-month period, the city clerk shall declare the member's office vacant, and the city commission shall promptly fill such vacancy.
- (d) 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.
- (e) The city commission may remove any member of the board for misconduct or neglect of duty.

Sec. 2-273. – Officers; meetings.

- (a) Officers. The board shall elect its officers for a term of one (1) calendar year, not to exceed the member's appointed term.
 - 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.
- (b) Meetings.
 - 1. The board shall meet every other month, or more regularly as necessary to address matters as requested by the commission.
 - 2. Four (4) members of the board shall constitute a quorum for the performance of the duties of the board at any time.

3. 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. 2-274. – Duties.

The board's duties shall consist of the following:

- (a) Advise the city commission as to recommended improvements to, and the establishment of, city policies and procedures impacting the business community;
- (b) Review and recommend appropriate communication strategies to disseminate city information to the business community;
- (c) Solicit and facilitate business input in matters of significance in the city;
- (d) Endeavor to build an expanding community of support through education of its members, prospective members, community groups and government officials;
- (e) Advise the city commission and city administration on business development opportunities within the city;
- (f) Identify, analyze and address legislative issues that may impact the business community; and
- (g) Any additional duties as may be assigned by the city commission.

Sec. 2-275. – Staff liaison.

The city manager, or his or her appointed designee, is staff liaison to the board and attends board meetings. The city manager or appointed designee shall serve only in an advisory capacity. The city manager or appointed designee shall have a continuing responsibility to explain the organization, responsibilities and objectives to the board. The city manager or appointed designee shall work closely with the board in matters of interest to the operation of efficient programs and inform the board concerning the interests, needs, objectives, progress, plans, and other factors of importance. The city manager or appointed designee shall be the official medium of communication between the city commission and the board.

Section 3: 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 4: Repeal of Laws in Conflict. All ordinances or parts of ordinances in conflict herewith are hereby repealed to the extent of such conflict.

Section 5: 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 6: Effective Date. This ordinance shall become effective 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	ABSENT
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 6th day of September, 2022.

The passage of this ordinance on second reading was moved by _____, seconded by _____, 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 _____, 2022.

LAKE WORTH BEACH CITY COMMISSION

By: _____
Betty Resch, Mayor

ATTEST:

Melissa Ann Coyne, City Clerk