



**AGENDA**  
**CITY OF LAKE WORTH BEACH**  
**CITY COMMISSION WORK SESSION**  
**CITY HALL COMMISSION CHAMBER**  
**THURSDAY, MAY 06, 2021 - 4:30 PM**

**ROLL CALL:**

**PLEDGE OF ALLEGIANCE:** led by Commissioner Kimberly Stokes

**UPDATES / FUTURE ACTION / DIRECTION**

- A. [Discuss Commission Rules and Procedures](#)
- B. [Board Appointment Process](#)

**ADJOURNMENT:**

If a person decides to appeal any decision made by the board, agency or commission with respect to any matter considered at such meeting or hearing, he or she will need a record of the proceedings, and that, for such purpose, he or she may need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based. (F.S. 286.0105)

# EXECUTIVE BRIEF WORK SESSION

**AGENDA DATE:** May 6, 2021

**TITLE:**

Discuss Commission Rules and Procedures

**SUMMARY:**

The Commission Rules and Procedures are enumerated in several Resolutions. The Commission has reviewed and implemented changes over time as deemed necessary.

**BACKGROUND AND JUSTIFICATION:**

Beginning in 1984, resolutions were written to establish rules and procedures for commission meetings, including the scheduling of meetings, adoption of Roberts' Rules of Order and agenda process. Since that time, there have been multiple resolutions changing various procedures. The most recent change was adopted by Resolution 26-2017 on June 20, 2017, changing rule six by extending public participation comments from two to three minutes.

**DIRECTION:**

TBD

**ATTACHMENT(S):**

Fiscal Impact Analysis – N/A  
17 Resolutions starting with the most recent

RESOLUTION NO. 26-2017 OF THE CITY OF LAKE WORTH, FLORIDA, AMENDING THE RULES AND PROCEDURES FOR CITY COMMISSION MEETINGS REGARDING PUBLIC PARTICIPATION; REPEALING ALL RESOLUTIONS IN CONFLICT; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City Commission has adopted rules and procedures for its meetings which include procedures govern public participation; and,

WHEREAS, based on Chapter 2013-227, Laws of Florida, the City passed Resolution No. 56-2013 to update its rules and procedures for public participation at City Commission meetings; and,

WHEREAS, the City desires to update its rules and procedures for public participation by amending the language added by Resolution No. 56-2013 to allow three (3) minutes for public participation on non-agendaed items; and,

WHEREAS, the City Commission's adoption of rules and procedures for its meetings is necessary to comply with applicable law and preserve the professional-nature, orderly conduct and proper decorum of all such meetings and serves a valid public purpose.

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

**Section 1.** The foregoing recitals are hereby incorporated into this resolution as true and correct statements.

**Section 2.** The City Commission's adopted Rules and Procedures for the Lake Worth City Commission, including Resolution No. 56-2013, are amended as follows:

Rule 6, "Debate of Motions; Voting" of the City Commission's Rules and Procedures is amended to read as follows:

RULE 6  
DEBATE OF MOTIONS; VOTING

- (3) Members of the audience are permitted to speak upon opening of the floor for public comment by the Chair on all issues of Public Hearing, Unfinished Business, and New Business and time shall be limited to two minutes per speaker. Members of the audience are permitted to speak on all issues of Consent Agenda, not removed for discussion, during Public Participation of Non-Agendaed Items. When the floor is open for public comment during Public Participation of Non-Agendaed Items the time shall be limited to ~~two~~ three minutes per speaker. During a public hearing, the applicant shall have ten minutes to make his or her presentation but the time may be extended to permit questioning of the applicant or the applicant's witnesses.

**Section 3.** The above amendments shall be included in the Rules and Procedures of the Lake Worth City Commission as set forth in Exhibit "A", which is attached hereto and

is hereby adopted.

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

**Section 5.** This resolution shall become effective upon its adoption.

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

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

The Mayor thereupon declared this resolution duly passed and adopted on this 20<sup>th</sup> day of June 2017.

LAKE WORTH CITY COMMISSION

By:   
Pam Triolo, Mayor

ATTEST:

  
Deborah M. Andrea, City Clerk



Exhibit A

RULES OF PROCEDURE  
LAKE WORTH CITY COMMISSION

RULE 1  
SCHEDULING OF MEETINGS AND WORK SESSIONS

- (1) Regular meetings of the City Commission shall be held on the first and third Tuesday of each month, in the Commission Chambers, at City Hall, 7 North Dixie Highway, Lake Worth, Florida, beginning at 6:00 P.M.

If a regular meeting date falls on a holiday, the meeting shall be held in the Commission Chambers, at City Hall on the next day immediately following the holiday, beginning at 6:00 P.M.

The City Commission may cancel not more than one regular meeting in any month.

- (2) A special meeting of the City Commission to canvass ballots shall be held as required by the City Charter. Other special meetings may be called by a majority of the members of the City Commission or by the Mayor. Notice of special meetings shall be given to each Commissioner<sup>1</sup> and to the public at least twenty-four (24) hours in advance except for emergency meetings. If the Mayor or a member of the Commission is absent from the City or otherwise beyond reach of actual notice, failure to give such notice shall not prevent the convening of the special meeting. The City Commission may act on any matter presented at the special meeting unless prohibited by the City Charter or by rules established by the City Commission. Special meetings shall be held in the Commission Meeting Room at City Hall, 7 North Dixie Highway, Lake Worth, Florida, or at such other location within the City as may be designated in the notice of the special meeting, beginning at a time to be specified in the notice of the special meeting.
- (3) Work Sessions of the City Commission may be called by a majority of the members of the City Commission or by the Mayor, and any matter may be discussed or studied at a work session. Any matter that appears likely to take more than thirty (30) minutes shall be discussed or studied at a work session prior to official action of the City Commission, unless this requirement is waived by a majority vote. No official action of the City Commission shall be taken at a work session. All work sessions shall end at 10:00 P.M. At 10:00 P.M. the City Commission shall cease further discussion on the business on the table and, upon a majority consensus of the City Commission present, determine whether or not to (1) adjourn the meeting; or (2) extend the meeting and continue to conduct the meeting until 11:00 PM. Thereafter, the meeting shall end, unless extended one hour, upon a majority consensus of the City Commission present. All meetings shall adjourn automatically at 12:00 AM.
- (4) "District Public Forums" may be held by the City Commission on a quarterly basis, one to be held in each district of the City on a rotating basis. Notice of such meetings shall be posted no less than 14 days before each meeting. No official action shall be taken at these meetings.
- (5) All regular and special meetings shall end at 10:00 P.M. At 10:00 P.M. the City Commission shall cease further discussion on the business on the table and, upon a majority vote of the City Commission present, determine whether or not to (1) adjourn the meeting; or (2) extend the meeting and continue to conduct the meeting until 11:00 PM. Thereafter, the meeting shall end, unless extended one hour, upon a majority vote of the City Commission present. All meetings shall adjourn automatically at 12:00 AM.

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<sup>1</sup> As used in these rules, "Commissioner" means any City Commissioner or the Mayor unless the context clearly indicates otherwise.

Rule 1 is exempt from the provisions of Rule 11 Amendment or Waiver of Rules and shall not be waived, except where such waiver is expressly permitted in paragraph (3) of Rule 1, and shall only be amended by Resolution.

## RULE 2 QUORUM

A majority of the City Commission shall constitute a quorum; a smaller number may adjourn a meeting or recess a meeting to a time certain. No ordinance, resolution, or motion shall be adopted except by the affirmative vote of at least three members of the City Commission.

## RULE 3 ABSENT MEMBER PARTICIPATION BY TELEPHONE CONFERENCE

A member of the City Commission who is absent due to extraordinary circumstances may participate and vote by telephone conference in a Commission meeting where there is a physical quorum present at the physical meeting site, with such extraordinary circumstances being the following:

1. Serious illness;
2. Receiving medical treatment; or
3. Unable to attend due to being physically disabled.

provided that no more than one (1) member of the City Commission may so participate in any City Commission meeting.

## RULE 4 DUTIES AND RESPONSIBILITIES OF THE "CHAIR"

- (1) The Mayor shall be the presiding officer of the City Commission, and shall be referred to as the "Chair" when sitting in that capacity. In case of the absence or the disability of the Mayor, the Vice Mayor shall assume the responsibilities of the presiding officer, and if both are absent or disabled, the Vice Mayor Pro Tem shall preside.
- (2) The Chair shall preserve order. The Chair may call to order any member of the Commission and any member of the public who shall violate any of these rules or otherwise disrupt the orderly proceeding of the meeting. The Chair shall decide all questions of order subject to a majority vote on an appeal of the decision.
- (3) The Chair shall recognize all Commissioners who seek the floor while entitled to do so.
- (4) The Chair shall not make or second a motion.

## RULE 5 ORDER OF BUSINESS

- (1) The order of business for a regular meeting shall ordinarily be:
  1. Roll Call
  2. Invocation
  3. Pledge of Allegiance
  4. Agenda-Additions/Deletions/Reordering
  5. Presentations
  6. Commission Liaison Reports and Comments

7. Public Participation on Non-Agendaed Items and Consent Agenda
  8. Approval of Minutes
  9. Consent Agenda
  10. Public Hearings
  11. Unfinished Business
  12. New Business
  13. Lake Worth Electric Utility
  14. City Attorney's Report
  15. City Manager's Report
  16. Adjournment
- (2) The order of business may be revised by a majority vote.
  - (3) Matters may be placed on the agenda by any Commissioner, the City Manager, or the City Attorney.
  - (4) Except for matters advertised for public hearing, any matter may be removed from an agenda by the person who placed it on the agenda or by a majority vote.
  - (5) When a matter comes before the Commission which directly affects one election district, the Commissioner from that district shall have the privilege of both expressing his or her views and making a motion on that matter first.
  - (6) Matters may be placed under Presentations by any Commissioner or the City Manager.

RULE 6  
DEBATE OF MOTIONS; VOTING

- (1) When debating or discussing a motion, a Commissioner shall address the Chair and await recognition before speaking. The Commissioner making a motion is entitled to the floor first for debate. No Commissioner is entitled to the floor a second time on the same motion as long as any other Commissioner who has not spoken on the issue desires the floor.
- (2) Motions and amendments can be withdrawn or modified by the maker at any time prior to the Chair's stating the question on the motion; after that time, the permission of the Commission majority must be obtained. The Chair cannot close debate as long as any member who has not exhausted his right to debate desires the floor.

Members of the audience are permitted to speak upon opening of the floor for public comment by the Chair on all issues of Public Hearing, Unfinished Business, and New Business and time shall be limited to two minutes per speaker. Members of the audience are permitted to speak on all issues of Consent Agenda, not removed for discussion, during Public Participation of Non-Agendaed Items. When the floor is open for public comment during Public Participation of Non-Agendaed Items the time shall be limited to ~~two~~ three minutes per speaker. During a public hearing, the applicant shall have ten minutes to make his or her presentation but the time may be extended to permit questioning of the applicant or the applicant's witnesses.

- (3) A member of the audience who speaks to the City Commissioner may be questioned for additional information, but Commissioners shall not engage in debate with a member of the audience. Members of the audience may ask questions but may not compel a Commissioner, the City Manager, or the City Attorney to answer questions during a meeting.
- (5) The Chair shall restate all motions before the vote is taken.
- (6) A tie vote shall constitute a continuance of the item to the next regular meeting, but upon a tie vote on the same item at the next meeting, the item shall not be rescheduled except upon the request of the City Manager, the City Attorney, or a Commissioner.

- (7) The failure of a motion stated in the negative shall not be deemed an affirmative action. For example, the failure of a motion to deny shall not constitute an approval.
- (8) During a presentation, the presenter shall have ten minutes to make his or her presentation but the time may be extended to permit questioning of the presenter.

#### RULE 7 NON-DEBATABLE MOTIONS

The following motions are not debatable:

To adjourn;  
To lay on the table;  
To take from the table;  
To divide a question;  
To close or re-open nominations;  
To take a recess;  
A point of information;  
An appeal of a decision of the Chair;  
The previous question.

#### RULE 8 RECONSIDERATION

Any member of the Commission may move to reconsider any action of the Commission provided that new relevant information is presented to the Commission and the motion be made by the next regular Commission meeting. No motion to reconsider shall be made more than once on any subject or matter.

#### RULE 9 COMMISSION MINUTES

Copies of the minutes of the regular meetings shall be furnished, when possible, at least seven days prior to the next regular meeting. Such minutes shall stand confirmed at the regular meeting of the Commission without the reading thereof in open meeting unless some inaccuracy or error is pointed out by some member of the Commission present, and in such event, an appropriate correction shall be made. Upon request, the City Manager will cause the City Clerk to provide any Commissioner with copies of tapes or transcribed excerpts of tapes of City Commission meetings. No member shall suggest to the City Clerk any revision in minutes of meetings before the same shall have been submitted to the full Commission for approval, unless specifically requested by the Clerk to make clarification.

#### RULE 10 ADOPTION OF ROBERT'S RULES OF ORDER

Robert's Rules of Order, Newly Revised, are adopted as the rules of procedure of the City Commission, but such Rules shall not take precedence over any provision of Florida law, the City Charter, an ordinance or resolution of the City, or these rules, which shall govern in the event of conflict. A failure to comply with Robert's Rules of Order or these rules shall not affect the validity of any action taken by the City Commission.

#### RULE 11 AMENDMENT OR WAIVER OF RULES

These rules of procedure may be amended or waived by a majority vote, provided that no such amendment shall conflict with any applicable provision of Florida law, the City Charter, or an ordinance of the City.



RULE 12  
AGENDA PROCEDURES

- (1) Agenda submittal deadline: The deadline for submitting items for inclusion on an agenda shall be no later than 12:00 PM on Friday, 11 days prior to a regularly scheduled Commission meeting.
- (2) Agenda distribution deadline: The deadline for distributing a final agenda with supporting documents shall be no later than Thursday, the week prior to a regularly scheduled City Commission meeting.

For all special or workshop City Commission meetings, the agendas with supporting documents will be distributed consistent with the timeframe referenced above.

- (3) Amendment to agenda: There shall be no changes, revisions or alterations (add-ons) to a distributed City Commission agenda unless the matter is deemed to be an emergency.

In the case of an emergency, any person or City Commissioner requesting a change, revision or alteration (add-on) to the City Commission agenda must do so in writing, provide written justification for the emergency within the narrative of an agenda memorandum, and include supporting backup material to the City Manager no later than 5:00 PM the Friday before a regularly scheduled Commission meeting.

The name of the person or City Commissioner requesting the change, revision or alteration (add-on) shall be placed with the agenda item to be presented. The written justification and supporting backup material shall be submitted to the City Commission prior to a regularly scheduled Commission meeting.

At the beginning of the City Commission meeting, the City Commission shall review the emergency and, in its discretion, will determine whether it will accept, review and take action on the matter requested.

RULE 13  
PRESERVE ORDER

City Commission members shall not accept receipt of, read or place e-mails, text messages, notes, or phone calls during public meetings and executive sessions of the City Commission.

RULE 14  
DECORUM FOR CITIZEN PARTICIPATION

- (a) In support of and respect for an open, fair and informed decision-making process, the City Commission and Administration recognize that:
  - (1) Civil, respectful and courteous discourse and behavior are conducive to the democratic and harmonious airing of concerns and decision making; and
  - (2) Un-civil discourse and/or discourteous and inappropriate behavior have a negative impact on the character and productivity of the decision-making process.
- (b) In an effort to preserve the intent of open government and maintain a positive environment for citizen input and Commission decision-making, the following Rules of Decorum for Citizen Participation have been established.

Compliance with these rules is expected and appreciated. The Rules of Decorum for Citizen Participation will be included in the agenda and will be referenced at the beginning of each Commission meeting and Commission Work Session by the Chair. A written list of the Rules of Decorum for Citizen Participation will also be printed and mounted upon the walls of the Commission Chamber and Conference Room and upon the speaker's podium in the Commission Chamber.

- (1) Speakers will conduct themselves in a civil and respectful manner at all times.
  - (2) Speakers will address the Chair.
  - (3) Questions to Commission members or City staff will be facilitated by the Chair.
  - (4) Speakers will refrain from the use of obscene language, "fighting words" likely to incite violence from the individuals(s) to whom the words are addressed, or other language which is disruptive to the orderly and fair progress of discussion at the meeting.
  - (5) Speakers will refrain from making comments of a personal nature regarding others.
  - (6) Name-calling and/or obscenity is forbidden.
  - (7) Shouting, yelling or screaming is forbidden.
  - (8) Commission Work Session or Public Hearing attendees (audience) will refrain from commenting, shouting, booing, clapping, stomping feet or other inappropriate and/or disruptive behavior. Brief clapping is permissible at the end of a speaker's comments.
- (c) It is the intent of Commission to maintain order and enforce the Rules of Decorum for Citizen Participation for its meetings. Disregard of these rules will be met with the following consequences:
- (1) The Chair will identify out loud the out-of-compliance behavior and request for the behavior to stop;
  - (2) The Chair will ask the speaker to have a seat if he/she continues to disrupt the meeting;
  - (3) If the speaker refuses to have a seat, the Chair will recess the meeting; and
  - (4) Will instruct a law enforcement officer to instruct the speaker to stop the disruptive conduct and escort the speaker out of the meeting venue.

RESOLUTION NO. 59-2015 OF THE CITY OF LAKE WORTH, FLORIDA, ADOPTING RULES AND PROCEDURES FOR THE CITY COMMISSION; AMENDING RESOLUTION NO. 56-2013 AND ANY OTHER RESOLUTION IN CONFLICT HEREWITH; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, in Resolution No. 56-2013, the City Commission adopted rules and procedures for its meetings; and

WHEREAS, in Rule 5 of Resolution No. 56-2013, entitled "Order of Business", the City Commission authorized an Invocation, which has been historically provided at City Commission meetings; and

WHEREAS, the purpose of the Invocation is ceremonial in nature and is intended to encourage thoughtful and united decision-making; and

WHEREAS, the City Commission has decided to have the option of offering either an Invocation or Moment of Silence, on a rotating basis, at City Commission meetings.

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

Section 1. Rule 5, entitled "Order of Business" in Resolution No. 56-2013 is amended to amend Subsection (1), subparagraph (2) and to add Subsection (7) as follows:

RULE 5  
ORDER OF BUSINESS

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2. Invocation or Moment of Silence

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(7) The Invocation or Moment of Silence shall be offered by the Mayor or a member of the Commission on a rotating basis. The Mayor or Commissioner whose turn it is to deliver the invocation or moment of silence may designate another individual to deliver the invocation on their behalf. Any individual who delivers the invocation shall not denigrate nonbelievers or religious minorities, threaten damnation, or preach conversion. Any individual who delivers the invocation is encouraged to be respectful in tone.

Section 2. This amendment shall be included in the Rules and Procedures of the Lake Worth City Commission as set forth in Exhibit "A", which is attached hereto and is hereby adopted.

Section 3. Resolution 56-2013 and any other resolution in conflict herewith are hereby amended.

Section 4. This Resolution shall become effective upon its adoption.

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

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

The Mayor thereupon declared this Resolution duly passed and adopted on this 8<sup>th</sup> day of December, 2015.

LAKE WORTH CITY COMMISSION

By:

  
Pam Triolo, Mayor

ATTEST:

  
Pamela J. Lopez, City Clerk



Exhibit A

RULES OF PROCEDURE  
LAKE WORTH CITY COMMISSION

RULE 1  
SCHEDULING OF MEETINGS AND WORK SESSIONS

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- (2) A special meeting of the City Commission to canvass ballots shall be held as required by the City Charter. Other special meetings may be called by a majority of the members of the City Commission or by the Mayor. Notice of special meetings shall be given to each Commissioner<sup>1</sup> and to the public at least twenty-four (24) hours in advance except for emergency meetings. If the Mayor or a member of the Commission is absent from the City or otherwise beyond reach of actual notice, failure to give such notice shall not prevent the convening of the special meeting. The City Commission may act on any matter presented at the special meeting unless prohibited by the City Charter or by rules established by the City Commission. Special meetings shall be held in the Commission Meeting Room at City Hall, 7 North Dixie Highway, Lake Worth, Florida, or at such other location within the City as may be designated in the notice of the special meeting, beginning at a time to be specified in the notice of the special meeting.
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<sup>1</sup> As used in these rules, "Commissioner" means any City Commissioner or the Mayor unless the context clearly indicates otherwise.

- (5) All regular and special meetings shall end at 10:00 P.M. At 10:00 P.M. the City Commission shall cease further discussion on the business on the table and, upon a majority vote of the City Commission present, determine whether or not to (1) adjourn the meeting; or (2) extend the meeting and continue to conduct the meeting until 11:00 PM. Thereafter, the meeting shall end, unless extended one hour, upon a majority vote of the City Commission present. All meetings shall adjourn automatically at 12:00 AM.

Rule 1 is exempt from the provisions of Rule 11 Amendment or Waiver of Rules and shall not be waived, except where such waiver is expressly permitted in paragraph (3) of Rule 1, and shall only be amended by Resolution.

## RULE 2 QUORUM

A majority of the City Commission shall constitute a quorum; a smaller number may adjourn a meeting or recess a meeting to a time certain. No ordinance, resolution, or motion shall be adopted except by the affirmative vote of at least three members of the City Commission.

## RULE 3 ABSENT MEMBER PARTICIPATION BY TELEPHONE CONFERENCE

A member of the City Commission who is absent due to extraordinary circumstances may participate and vote by telephone conference in a Commission meeting where there is a physical quorum present at the physical meeting site, with such extraordinary circumstances being the following:

1. Serious illness;
2. Receiving medical treatment; or
3. Unable to attend due to being physically disabled.

provided that no more than one (1) member of the City Commission may so participate in any City Commission meeting.

## RULE 4 DUTIES AND RESPONSIBILITIES OF THE "CHAIR"

- (1) The Mayor shall be the presiding officer of the City Commission, and shall be referred to as the "Chair" when sitting in that capacity. In case of the absence or the disability of the Mayor, the Vice Mayor shall assume the responsibilities of the presiding officer, and if both are absent or disabled, the Vice Mayor Pro Tem shall preside.
- (2) The Chair shall preserve order. The Chair may call to order any member of the Commission and any member of the public who shall violate any of these rules or otherwise disrupt the orderly proceeding of the meeting. The Chair shall decide all questions of order subject to a majority vote on an appeal of the decision.
- (3) The Chair shall recognize all Commissioners who seek the floor while entitled to do so.
- (4) The Chair shall not make or second a motion.

**RULE 5  
ORDER OF BUSINESS**

- (1) The order of business for a regular meeting shall ordinarily be:
  1. Roll Call
  2. Invocation or Moment of Silence
  3. Pledge of Allegiance
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  14. City Attorney's Report
  15. City Manager's Report
  16. Adjournment
- (2) The order of business may be revised by a majority vote.
- (3) Matters may be placed on the agenda by any Commissioner, the City Manager, or the City Attorney.
- (4) Except for matters advertised for public hearing, any matter may be removed from an agenda by the person who placed it on the agenda or by a majority vote.
- (5) When a matter comes before the Commission which directly affects one election district, the Commissioner from that district shall have the privilege of both expressing his or her views and making a motion on that matter first.
- (6) Matters may be placed under Presentations by any Commissioner or the City Manager.
- (7) The Invocation or Moment of Silence shall be offered by the Mayor or a member of the Commission on a rotating basis. The Mayor or Commissioner whose turn it is to deliver the invocation or moment of silence may designate another individual to deliver the invocation on their behalf. Any individual who delivers the invocation shall not denigrate nonbelievers or religious minorities, threaten damnation, or preach conversion. Any individual who delivers the invocation is encouraged to be respectful in tone.

**RULE 6  
DEBATE OF MOTIONS; VOTING**

- (1) When debating or discussing a motion, a Commissioner shall address the Chair and await recognition before speaking. The Commissioner making a motion is entitled to the floor first for debate. No Commissioner is entitled to the floor a second time on the same motion as long as any other Commissioner who has not spoken on the issue desires the floor.
- (2) Motions and amendments can be withdrawn or modified by the maker at any time prior to the Chair's stating the question on the motion; after that time, the permission of the Commission majority must be obtained. The Chair cannot close debate as long as any member who has not exhausted his right to debate desires the floor.

- (3) Members of the audience are permitted to speak upon opening of the floor for public comment by the Chair on all issues of Public Hearing, Unfinished Business, and New Business. Members of the audience are permitted to speak on all issues of Consent Agenda, not removed for discussion, during Public Participation of Non-Agendaed Items. When the floor is open for public comment, the time shall be limited to two minutes per speaker. During a public hearing, the applicant shall have ten minutes to make his or her presentation but the time may be extended to permit questioning of the applicant or the applicant's witnesses.
- (4) A member of the audience who speaks to the City Commissioner may be questioned for additional information, but Commissioners shall not engage in debate with a member of the audience. Members of the audience may ask questions but may not compel a Commissioner, the City Manager, or the City Attorney to answer questions during a meeting.
- (5) The Chair shall restate all motions before the vote is taken.
- (6) A tie vote shall constitute a continuance of the item to the next regular meeting, but upon a tie vote on the same item at the next meeting, the item shall not be rescheduled except upon the request of the City Manager, the City Attorney, or a Commissioner.
- (7) The failure of a motion stated in the negative shall not be deemed an affirmative action. For example, the failure of a motion to deny shall not constitute an approval.
- (8) During a presentation, the presenter shall have ten minutes to make his or her presentation but the time may be extended to permit questioning of the presenter.

**RULE 7  
NON-DEBATABLE MOTIONS**

The following motions are not debatable:

To adjourn;  
To lay on the table;  
To take from the table;  
To divide a question;  
To close or re-open nominations;  
To take a recess;  
A point of information;  
An appeal of a decision of the Chair;  
The previous question.

**RULE 8  
RECONSIDERATION**

Any member of the Commission may move to reconsider any action of the Commission provided that new relevant information is presented to the Commission and the motion be made by the next regular Commission meeting. No motion to reconsider shall be made more than once on any subject or matter.

**RULE 9  
COMMISSION MINUTES**

Copies of the minutes of the regular meetings shall be furnished, when possible, at least seven days prior to the next regular meeting. Such minutes shall stand confirmed at the regular meeting of the Commission without the reading thereof in open meeting unless some inaccuracy or error is pointed out by some member of the Commission present, and in such event, an appropriate correction shall be made. Upon request, the City Manager will cause the City Clerk to provide any Commissioner with copies of tapes or transcribed excerpts of tapes of City Commission meetings. No member shall



suggest to the City Clerk any revision in minutes of meetings before the same shall have been submitted to the full Commission for approval, unless specifically requested by the Clerk to make clarification.

**RULE 10  
ADOPTION OF ROBERT'S RULES OF ORDER**

Robert's Rules of Order, Newly Revised, are adopted as the rules of procedure of the City Commission, but such Rules shall not take precedence over any provision of Florida law, the City Charter, an ordinance or resolution of the City, or these rules, which shall govern in the event of conflict. A failure to comply with Robert's Rules of Order or these rules shall not affect the validity of any action taken by the City Commission.

**RULE 11  
AMENDMENT OR WAIVER OF RULES**

These rules of procedure may be amended or waived by a majority vote, provided that no such amendment shall conflict with any applicable provision of Florida law, the City Charter, or an ordinance of the City.

**RULE 12  
AGENDA PROCEDURES**

- (1) Agenda submittal deadline: The deadline for submitting items for inclusion on an agenda shall be no later than 12:00 PM on Friday, 11 days prior to a regularly scheduled Commission meeting.
- (2) Agenda distribution deadline: The deadline for distributing a final agenda with supporting documents shall be no later than Thursday, the week prior to a regularly scheduled City Commission meeting.

For all special or workshop City Commission meetings, the agendas with supporting documents will be distributed consistent with the timeframe referenced above.

- (3) Amendment to agenda: There shall be no changes, revisions or alterations (add-ons) to a distributed City Commission agenda unless the matter is deemed to be an emergency.

In the case of an emergency, any person or City Commissioner requesting a change, revision or alteration (add-on) to the City Commission agenda must do so in writing, provide written justification for the emergency within the narrative of an agenda memorandum, and include supporting backup material to the City Manager no later than 5:00 PM the Friday before a regularly scheduled Commission meeting.

The name of the person or City Commissioner requesting the change, revision or alteration (add-on) shall be placed with the agenda item to be presented. The written justification and supporting backup material shall be submitted to the City Commission prior to a regularly scheduled Commission meeting.

At the beginning of the City Commission meeting, the City Commission shall review the emergency and, in its discretion, will determine whether it will accept, review and take action on the matter requested.

**RULE 13  
PRESERVE ORDER**

City Commission members shall not accept receipt of, read or place e-mails, text messages, notes, or phone calls during public meetings and executive sessions of the City Commission.

**RULE 14  
DECORUM FOR CITIZEN PARTICIPATION**

- (a) In support of and respect for an open, fair and informed decision-making process, the City Commission and Administration recognize that:
- (1) Civil, respectful and courteous discourse and behavior are conducive to the democratic and harmonious airing of concerns and decision making; and
  - (2) Un-civil discourse and/or discourteous and inappropriate behavior have a negative impact on the character and productivity of the decision-making process.
- (b) In an effort to preserve the intent of open government and maintain a positive environment for citizen input and Commission decision-making, the following Rules of Decorum for Citizen Participation have been established.

Compliance with these rules is expected and appreciated. The Rules of Decorum for Citizen Participation will be included in the agenda and will be referenced at the beginning of each Commission meeting and Commission Work Session by the Chair. A written list of the Rules of Decorum for Citizen Participation will also be printed and mounted upon the walls of the Commission Chamber and Conference Room and upon the speaker's podium in the Commission Chamber.

- (1) Speakers will conduct themselves in a civil and respectful manner at all times.
  - (2) Speakers will address the Chair.
  - (3) Questions to Commission members or City staff will be facilitated by the Chair.
  - (4) Speakers will refrain from the use of obscene language, "fighting words" likely to incite violence from the individuals(s) to whom the words are addressed, or other language which is disruptive to the orderly and fair progress of discussion at the meeting.
  - (5) Speakers will refrain from making comments of a personal nature regarding others.
  - (6) Name-calling and/or obscenity is forbidden.
  - (7) Shouting, yelling or screaming is forbidden.
  - (8) Commission Work Session or Public Hearing attendees (audience) will refrain from commenting, shouting, booing, clapping, stomping feet or other inappropriate and/or disruptive behavior. Brief clapping is permissible at the end of a speaker's comments.
- (c) It is the intent of Commission to maintain order and enforce the Rules of Decorum for Citizen Participation for its meetings. Disregard of these rules will be met with the following consequences:
- (1) The Chair will identify out loud the out-of-compliance behavior and request for the behavior to stop;
  - (2) The Chair will ask the speaker to have a seat if he/she continues to disrupt the meeting;
  - (3) If the speaker refuses to have a seat, the Chair will recess the meeting; and
  - (4) Will instruct a law enforcement officer to instruct the speaker to stop the disruptive conduct and escort the speaker out of the meeting venue.

RESOLUTION NO. 56-2013 OF THE CITY OF LAKE WORTH, FLORIDA, ADOPTING RULES AND PROCEDURES FOR THE CITY COMMISSION; REPEALING RESOLUTION NO. 09-2013 AND ANY OTHER RESOLUTION IN CONFLICT HEREWITH; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the Florida Legislature passed Chapter 2013-227, Laws of Florida, (codified at section 286.0114, Florida Statutes), which requires members of the public to be given a reasonable opportunity to be heard on a "proposition" before the City Commission (effective October 1, 2013); and,

WHEREAS, the City Commission already has rules and procedures adopted for its meetings which govern public participation; and,

WHEREAS, based on 2013-227, Laws of Florida, the City is updating its rules and procedures for public participation at City Commission meetings; and,

WHEREAS the City's rules and procedures for public participation at City Commission meetings is necessary to preserve the professional-nature, orderly conduct and proper decorum of all such meetings and serves a valid public purpose.

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

Section 1. The foregoing recitals are hereby incorporated into this Resolution as true and correct statements.

Section 2: Resolution No. 09-2013 adopted the Rules and Procedures for the Lake Worth City Commission. Said Rules and Procedures are hereby amended as follows (amended language is underlined):

Rule 5, entitled "Order of Business" of the City Commission's Rules and Procedures is amended to read as follows:

RULE 5  
ORDER OF BUSINESS

- (1) The order of business for a regular meeting shall ordinarily be:
1. Roll Call
  2. Invocation
  3. Pledge of Allegiance
  4. Agenda-Additions/Deletions/Reordering
  5. Presentations
  6. Commission Liaison Reports and Comments
  7. Public Participation on Non-Agendaed Items and Consent Agenda
  8. Approval of Minutes
  9. Consent Agenda
  10. Public Hearings

- 11. Unfinished Business
- 12. New Business
- 13. Lake Worth Electric Utility
- 14. City Attorney's Report
- 15. City Manager's Report
- 16. Adjournment

\* \* \*

Rule 6, "Debate of Motions; Voting" of the City Commission's Rules and Procedures is amended to read as follows:

**RULE 6  
DEBATE OF MOTIONS; VOTING**

- (3) Members of the audience are permitted to speak upon opening of the floor for public comment by the Chair on all issues of Public Hearing, Unfinished Business, and New Business. Members of the audience are permitted to speak on all issues of Consent Agenda, not removed for discussion, during Public Participation of Non-Agendaed Items. When the floor is open for public comment, the time shall be limited to two minutes per speaker. During a public hearing, the applicant shall have ten minutes to make his or her presentation but the time may be extended to permit questioning of the applicant or the applicant's witnesses.

\* \* \*

Section 3. The above amendments shall be included in the Rules and Procedures of the Lake Worth City Commission as set forth in Exhibit "A", which is attached hereto and is hereby adopted.

Section 4. Resolution 09-2013 and any other resolution in conflict herewith are hereby repealed.

Section 6. This Resolution shall become effective upon its adoption.

The passage of this Resolution was moved by Vice Mayor Maxwell 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	ABSENT
Commissioner Andy Amoroso	AYE
Commissioner John Szerdi	ABSENT

The Mayor thereupon declared this Resolution duly passed and adopted on this 15<sup>th</sup> day of October 2013.

LAKE WORTH CITY COMMISSION

By: *Pam Triolo*  
Pam Triolo, Mayor

ATTEST:

*Pamela J. Lopez*  
Pamela J. Lopez, City Clerk



Exhibit A

RULES OF PROCEDURE  
LAKE WORTH CITY COMMISSION

RULE 1  
SCHEDULING OF MEETINGS AND WORK SESSIONS

- (1) Regular meetings of the City Commission shall be held on the first and third Tuesday of each month, in the Commission Chambers, at City Hall, 7 North Dixie Highway, Lake Worth, Florida, beginning at 6:00 P.M.

If a regular meeting date falls on a holiday, the meeting shall be held in the Commission Chambers, at City Hall on the next day immediately following the holiday, beginning at 6:00 P.M.

The City Commission may cancel not more than one regular meeting in any month.

- (2) A special meeting of the City Commission to canvass ballots shall be held as required by the City Charter. Other special meetings may be called by a majority of the members of the City Commission or by the Mayor. Notice of special meetings shall be given to each Commissioner<sup>1</sup> and to the public at least twenty-four (24) hours in advance except for emergency meetings. If the Mayor or a member of the Commission is absent from the City or otherwise beyond reach of actual notice, failure to give such notice shall not prevent the convening of the special meeting. The City Commission may act on any matter presented at the special meeting unless prohibited by the City Charter or by rules established by the City Commission. Special meetings shall be held in the Commission Meeting Room at City Hall, 7 North Dixie Highway, Lake Worth, Florida, or at such other location within the City as may be designated in the notice of the special meeting, beginning at a time to be specified in the notice of the special meeting.
- (3) Work Sessions of the City Commission may be called by a majority of the members of the City Commission or by the Mayor, and any matter may be discussed or studied at a work session. Any matter that appears likely to take more than thirty (30) minutes shall be discussed or studied at a work session prior to official action of the City Commission, unless this requirement is waived by a majority vote. No official action of the City Commission shall be taken at a work session. All work sessions shall end at 10:00 P.M. At 10:00 P.M. the City Commission shall cease further discussion on the business on the table and, upon a majority consensus of the City Commission present, determine whether or not to (1) adjourn the meeting; or (2) extend the meeting and continue to conduct the meeting until 11:00 PM. Thereafter, the meeting shall end, unless extended one hour, upon a majority consensus of the City Commission present. All meetings shall adjourn automatically at 12:00 AM.
- (4) "District Public Forums" may be held by the City Commission on a quarterly basis, one to be held in each district of the City on a rotating basis. Notice of such meetings shall be posted no less than 14 days before each meeting. No official action shall be taken at these meetings.

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<sup>1</sup> As used in these rules, "Commissioner" means any City Commissioner or the Mayor unless the context clearly indicates otherwise.

- (5) All regular and special meetings shall end at 10:00 P.M. At 10:00 P.M. the City Commission shall cease further discussion on the business on the table and, upon a majority vote of the City Commission present, determine whether or not to (1) adjourn the meeting; or (2) extend the meeting and continue to conduct the meeting until 11:00 PM. Thereafter, the meeting shall end, unless extended one hour, upon a majority vote of the City Commission present. All meetings shall adjourn automatically at 12:00 AM.

Rule 1 is exempt from the provisions of Rule 11 Amendment or Waiver of Rules and shall not be waived, except where such waiver is expressly permitted in paragraph (3) of Rule 1, and shall only be amended by Resolution.

#### RULE 2 QUORUM

A majority of the City Commission shall constitute a quorum; a smaller number may adjourn a meeting or recess a meeting to a time certain. No ordinance, resolution, or motion shall be adopted except by the affirmative vote of at least three members of the City Commission.

#### RULE 3 ABSENT MEMBER PARTICIPATION BY TELEPHONE CONFERENCE

A member of the City Commission who is absent due to extraordinary circumstances may participate and vote by telephone conference in a Commission meeting where there is a physical quorum present at the physical meeting site, with such extraordinary circumstances being the following:

1. Serious illness;
1. Receiving medical treatment; or
2. Unable to attend due to being physically disabled.

provided that no more than one (1) member of the City Commission may so participate in any City Commission meeting.

#### RULE 4 DUTIES AND RESPONSIBILITIES OF THE "CHAIR"

- (1) The Mayor shall be the presiding officer of the City Commission, and shall be referred to as the "Chair" when sitting in that capacity. In case of the absence or the disability of the Mayor, the Vice Mayor shall assume the responsibilities of the presiding officer, and if both are absent or disabled, the Vice Mayor Pro Tem shall preside.
- (2) The Chair shall preserve order. The Chair may call to order any member of the Commission and any member of the public who shall violate any of these rules or otherwise disrupt the orderly proceeding of the meeting. The Chair shall decide all questions of order subject to a majority vote on an appeal of the decision.
- (3) The Chair shall recognize all Commissioners who seek the floor while entitled to do so.
- (4) The Chair shall not make or second a motion.

RULE 5  
ORDER OF BUSINESS

- (1) The order of business for a regular meeting shall ordinarily be:
  6. Roll Call
  7. Invocation
  8. Pledge of Allegiance
  9. Agenda-Additions/Deletions/Reordering
  10. Presentations
  6. Commission Liaison Reports and Comments
  7. Public Participation on Non-Agendaed Items and Consent Agenda
  8. Approval of Minutes
  9. Consent Agenda
  10. Public Hearings
  11. Unfinished Business
  12. New Business
  13. Lake Worth Electric Utility
  14. City Attorney's Report
  15. City Manager's Report
  16. Adjournment
- (2) The order of business may be revised by a majority vote.
- (3) Matters may be placed on the agenda by any Commissioner, the City Manager, or the City Attorney.
- (4) Except for matters advertised for public hearing, any matter may be removed from an agenda by the person who placed it on the agenda or by a majority vote.
- (5) When a matter comes before the Commission which directly affects one election district, the Commissioner from that district shall have the privilege of both expressing his or her views and making a motion on that matter first.
- (6) Matters may be placed under Presentations by any Commissioner or the City Manager.

RULE 6  
DEBATE OF MOTIONS; VOTING

- (1) When debating or discussing a motion, a Commissioner shall address the Chair and await recognition before speaking. The Commissioner making a motion is entitled to the floor first for debate. No Commissioner is entitled to the floor a second time on the same motion as long as any other Commissioner who has not spoken on the issue desires the floor.
- (2) Motions and amendments can be withdrawn or modified by the maker at any time prior to the Chair's stating the question on the motion; after that time, the permission of the Commission majority must be obtained. The Chair cannot close debate as long as any member who has not exhausted his right to debate desires the floor.



- (3) Members of the audience are permitted to speak upon opening of the floor for public comment by the Chair on all issues of Public Hearing, Unfinished Business, and New Business. Members of the audience are permitted to speak on all issues of Consent Agenda, not removed for discussion, during Public Participation of Non-Agendaed Items. When the floor is open for public comment, the time shall be limited to two minutes per speaker. During a public hearing, the applicant shall have ten minutes to make his or her presentation but the time may be extended to permit questioning of the applicant or the applicant's witnesses.
- (4) A member of the audience who speaks to the City Commissioner may be questioned for additional information, but Commissioners shall not engage in debate with a member of the audience. Members of the audience may ask questions but may not compel a Commissioner, the City Manager, or the City Attorney to answer questions during a meeting.
- (5) The Chair shall restate all motions before the vote is taken.
- (6) A tie vote shall constitute a continuance of the item to the next regular meeting, but upon a tie vote on the same item at the next meeting, the item shall not be rescheduled except upon the request of the City Manager, the City Attorney, or a Commissioner.
- (7) The failure of a motion stated in the negative shall not be deemed an affirmative action. For example, the failure of a motion to deny shall not constitute an approval.
- (8) During a presentation, the presenter shall have ten minutes to make his or her presentation but the time may be extended to permit questioning of the presenter.

#### RULE 7 NON-DEBATABLE MOTIONS

The following motions are not debatable:

To adjourn;  
To lay on the table;  
To take from the table;  
To divide a question;  
To close or re-open nominations;  
To take a recess;  
A point of information;  
An appeal of a decision of the Chair;  
The previous question.

#### RULE 8 RECONSIDERATION

Any member of the Commission may move to reconsider any action of the Commission provided that new relevant information is presented to the Commission and the motion be made by the next regular Commission meeting. No motion to reconsider shall be made more than once on any subject or matter.

RULE 9  
COMMISSION MINUTES

Copies of the minutes of the regular meetings shall be furnished, when possible, at least seven days prior to the next regular meeting. Such minutes shall stand confirmed at the regular meeting of the Commission without the reading thereof in open meeting unless some inaccuracy or error is pointed out by some member of the Commission present, and in such event, an appropriate correction shall be made. Upon request, the City Manager will cause the City Clerk to provide any Commissioner with copies of tapes or transcribed excerpts of tapes of City Commission meetings. No member shall suggest to the City Clerk any revision in minutes of meetings before the same shall have been submitted to the full Commission for approval, unless specifically requested by the Clerk to make clarification.

RULE 10  
ADOPTION OF ROBERT'S RULES OF ORDER

Robert's Rules of Order, Newly Revised, are adopted as the rules of procedure of the City Commission, but such Rules shall not take precedence over any provision of Florida law, the City Charter, an ordinance or resolution of the City, or these rules, which shall govern in the event of conflict. A failure to comply with Robert's Rules of Order or these rules shall not affect the validity of any action taken by the City Commission.

RULE 11  
AMENDMENT OR WAIVER OF RULES

These rules of procedure may be amended or waived by a majority vote, provided that no such amendment shall conflict with any applicable provision of Florida law, the City Charter, or an ordinance of the City.

RULE 12  
AGENDA PROCEDURES

- (1) Agenda submittal deadline: The deadline for submitting items for inclusion on an agenda shall be no later than 12:00 PM on Friday, 11 days prior to a regularly scheduled Commission meeting.
- (2) Agenda distribution deadline: The deadline for distributing a final agenda with supporting documents shall be no later than Thursday, the week prior to a regularly scheduled City Commission meeting.

For all special or workshop City Commission meetings, the agendas with supporting documents will be distributed consistent with the timeframe referenced above.

- (3) Amendment to agenda: There shall be no changes, revisions or alterations (add-ons) to a distributed City Commission agenda unless the matter is deemed to be an emergency.

In the case of an emergency, any person or City Commissioner requesting a change, revision or alteration (add-on) to the City Commission agenda must do so in writing, provide written justification for the emergency within the narrative of an agenda memorandum, and include supporting backup material to the City Manager no later than 5:00 PM the Friday before a regularly scheduled Commission meeting.

The name of the person or City Commissioner requesting the change, revision or alteration (add-on) shall be placed with the agenda item to be presented. The written justification and supporting backup material shall be submitted to the City Commission prior to a regularly scheduled Commission meeting.

At the beginning of the City Commission meeting, the City Commission shall review the emergency and, in its discretion, will determine whether it will accept, review and take action on the matter requested.

RULE 13  
PRESERVE ORDER

City Commission members shall not accept receipt of, read or place e-mails, text messages, notes, or phone calls during public meetings and executive sessions of the City Commission.

RULE 14  
DECORUM FOR CITIZEN PARTICIPATION

- (a) In support of and respect for an open, fair and informed decision-making process, the City Commission and Administration recognize that:
- (1) Civil, respectful and courteous discourse and behavior are conducive to the democratic and harmonious airing of concerns and decision making; and
  - (2) Un-civil discourse and/or discourteous and inappropriate behavior have a negative impact on the character and productivity of the decision-making process.
- (b) In an effort to preserve the intent of open government and maintain a positive environment for citizen input and Commission decision-making, the following Rules of Decorum for Citizen Participation have been established.

Compliance with these rules is expected and appreciated. The Rules of Decorum for Citizen Participation will be included in the agenda and will be referenced at the beginning of each Commission meeting and Commission Work Session by the Chair. A written list of the Rules of Decorum for Citizen Participation will also be printed and mounted upon the walls of the Commission Chamber and Conference Room and upon the speaker's podium in the Commission Chamber.

- (1) Speakers will conduct themselves in a civil and respectful manner at all times.
- (2) Speakers will address the Chair.
- (3) Questions to Commission members or City staff will be facilitated by the Chair.
- (4) Speakers will refrain from the use of obscene language, "fighting words" likely to incite violence from the individuals(s) to whom the words are addressed, or other language which is disruptive to the orderly and fair progress of discussion at the meeting.
- (5) Speakers will refrain from making comments of a personal nature regarding others.
- (6) Name-calling and/or obscenity is forbidden.
- (7) Shouting, yelling or screaming is forbidden.

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- (8) Commission Work Session or Public Hearing attendees (audience) will refrain from commenting, shouting, booing, clapping, stomping feet or other inappropriate and/or disruptive behavior. Brief clapping is permissible at the end of a speaker's comments.
- (c) It is the intent of Commission to maintain order and enforce the Rules of Decorum for Citizen Participation for its meetings. Disregard of these rules will be met with the following consequences:
- (1) The Chair will identify out loud the out-of-compliance behavior and request for the behavior to stop;
  - (2) The Chair will ask the speaker to have a seat if he/she continues to disrupt the meeting;
  - (3) If the speaker refuses to have a seat, the Chair will recess the meeting; and
  - (4) Will instruct a law enforcement officer to instruct the speaker to stop the disruptive conduct and escort the speaker out of the meeting venue.

RESOLUTION NO. 09-2013 OF THE CITY OF LAKE WORTH, FLORIDA, ADOPTING RULES AND PROCEDURES FOR THE CITY COMMISSION; REPEALING RESOLUTION NO. 17-2012 AND ANY OTHER RESOLUTION IN CONFLICT HEREWITH; AND PROVIDING AN EFFECTIVE DATE.

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

Section 1. Resolution No. 17-2012 adopted the rules and procedures for the Lake Worth City Commission.

Section 2. Rule 5, "Order of Business" of the City Commission's Rules and Procedures is amended to read as follows:

RULE 5  
ORDER OF BUSINESS

(1) The order of business for a regular meeting shall ordinarily be:

1. Roll Call
2. Invocation
3. Pledge of Allegiance
4. Agenda-Additions/Deletions/Reordering
5. Presentations
6. Commission Liaison Reports and Comments
7. Public Participation on Non-Agendaed Items
8. Approval of Minutes
9. Consent Agenda
10. Public Hearings
11. Unfinished Business
12. New Business
13. Lake Worth Electric Utility
- ~~13-14.~~ City Attorney's Report
- ~~14-15.~~ City Manager's Report
- ~~15-16.~~ Adjournment

\* \* \*

Section 3. These changes shall be included in the Rules and Procedures of the Lake Worth City Commission as set forth in Exhibit A, which is attached hereto and is hereby adopted.

Section 4. Resolution 17-2012 and any other resolution in conflict herewith are hereby repealed.

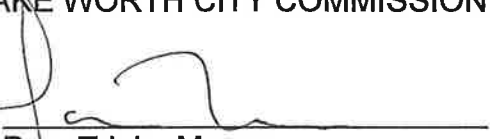
Section 5. This Resolution shall become effective upon its adoption.

The passage of this Resolution was moved by Commissioner McVoy 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 Resolution duly passed and adopted on this 5<sup>th</sup> day of February 2013.

LAKE WORTH CITY COMMISSION

By:   
\_\_\_\_\_  
Pam Triolo, Mayor

ATTEST:


  
\_\_\_\_\_  
Pamela J. Lopez, City Clerk



Exhibit A

RULES OF PROCEDURE  
LAKE WORTH CITY COMMISSION

RULE 1  
SCHEDULING OF MEETINGS AND WORK SESSIONS

- (1) Regular meetings of the City Commission shall be held on the first and third Tuesday of each month, in the Commission Chambers, at City Hall, 7 North Dixie Highway, Lake Worth, Florida, beginning at 6:00 P.M.

If a regular meeting date falls on a holiday, the meeting shall be held in the Commission Chambers, at City Hall on the next day immediately following the holiday, beginning at 6:00 P.M.

The City Commission may cancel not more than one regular meeting in any month.

- (2) A special meeting of the City Commission to canvass ballots shall be held as required by the City Charter. Other special meetings may be called by a majority of the members of the City Commission or by the Mayor. Notice of special meetings shall be given to each Commissioner <sup>1</sup> and to the public at least twenty-four (24) hours in advance except for emergency meetings. If the Mayor or a member of the Commission is absent from the City or otherwise beyond reach of actual notice, failure to give such notice shall not prevent the convening of the special meeting. The City Commission may act on any matter presented at the special meeting unless prohibited by the City Charter or by rules established by the City Commission. Special meetings shall be held in the Commission Meeting Room at City Hall, 7 North Dixie Highway, Lake Worth, Florida, or at such other location within the City as may be designated in the notice of the special meeting, beginning at a time to be specified in the notice of the special meeting.
- (3) Work Sessions of the City Commission may be called by a majority of the members of the City Commission or by the Mayor, and any matter may be discussed or studied at a work session. Any matter that appears likely to take more than thirty (30) minutes shall be discussed or studied at a work session prior to official action of the City Commission, unless this requirement is waived by a majority vote. No official action of the City Commission shall be taken at a work session. All work sessions shall end at 10:00 P.M. At 10:00 P.M. the City Commission shall cease further discussion on the business on the table and, upon a majority consensus of the City Commission present, determine whether or not to (1) adjourn the meeting; or (2) extend the meeting and continue to conduct the meeting until 11:00 PM. Thereafter, the meeting shall end, unless extended one hour, upon a majority consensus of the City Commission present. All meetings shall adjourn automatically at 12:00 AM.
- (4) "District Public Forums" may be held by the City Commission on a quarterly basis, one to be held in each district of the City on a rotating basis. Notice of such meetings shall be posted no less than 14 days before each meeting. No official action shall be taken at these meetings.

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<sup>1</sup> As used in these rules, "Commissioner" means any City Commissioner or the Mayor unless the context clearly indicates otherwise.

- (5) All regular and special meetings shall end at 10:00 P.M. At 10:00 P.M. the City Commission shall cease further discussion on the business on the table and, upon a majority vote of the City Commission present, determine whether or not to (1) adjourn the meeting; or (2) extend the meeting and continue to conduct the meeting until 11:00 PM. Thereafter, the meeting shall end, unless extended one hour, upon a majority vote of the City Commission present. All meetings shall adjourn automatically at 12:00 AM.

Rule 1 is exempt from the provisions of Rule 11 Amendment or Waiver of Rules and shall not be waived, except where such waiver is expressly permitted in paragraph (3) of Rule 1, and shall only be amended by Resolution.

## RULE 2 QUORUM

A majority of the City Commission shall constitute a quorum; a smaller number may adjourn a meeting or recess a meeting to a time certain. No ordinance, resolution, or motion shall be adopted except by the affirmative vote of at least three members of the City Commission.

## RULE 3 ABSENT MEMBER PARTICIPATION BY TELEPHONE CONFERENCE

A member of the City Commission who is absent due to extraordinary circumstances may participate and vote by telephone conference in a Commission meeting where there is a physical quorum present at the physical meeting site, with such extraordinary circumstances being the following:

1. Serious illness;
1. Receiving medical treatment; or
2. Unable to attend due to being physically disabled.

provided that no more than one (1) member of the City Commission may so participate in any City Commission meeting.

## RULE 4 DUTIES AND RESPONSIBILITIES OF THE "CHAIR"

- (1) The Mayor shall be the presiding officer of the City Commission, and shall be referred to as the "Chair" when sitting in that capacity. In case of the absence or the disability of the Mayor, the Vice Mayor shall assume the responsibilities of the presiding officer, and if both are absent or disabled, the Vice Mayor Pro Tem shall preside.
- (2) The Chair shall preserve order. The Chair may call to order any member of the Commission and any member of the public who shall violate any of these rules or otherwise disrupt the orderly proceeding of the meeting. The Chair shall decide all questions of order subject to a majority vote on an appeal of the decision.
- (3) The Chair shall recognize all Commissioners who seek the floor while entitled to do so.
- (4) The Chair shall not make or second a motion.



RULE 5  
ORDER OF BUSINESS

- (1) The order of business for a regular meeting shall ordinarily be:
  1. Roll Call
  2. Invocation
  3. Pledge of Allegiance
  4. Agenda-Additions/Deletions/Reordering
  5. Presentations
  6. Commission Liaison Reports and Comments
  7. Public Participation on Non-Agendaed Items
  8. Approval of Minutes
  9. Consent Agenda
  10. Public Hearings
  11. Unfinished Business
  12. New Business
  13. Lake Worth Electric Utility
  - ~~13.~~~~14.~~ City Attorney's Report
  - ~~14.~~~~15.~~ City Manager's Report
  - ~~15.~~~~16.~~ Adjournment
- (2) The order of business may be revised by a majority vote.
- (3) Matters may be placed on the agenda by any Commissioner, the City Manager, or the City Attorney.
- (4) Except for matters advertised for public hearing, any matter may be removed from an agenda by the person who placed it on the agenda or by a majority vote.
- (5) When a matter comes before the Commission which directly affects one election district, the Commissioner from that district shall have the privilege of both expressing his or her views and making a motion on that matter first.
- (6) Matters may be placed under Presentations by any Commissioner or the City Manager.

RULE 6  
DEBATE OF MOTIONS; VOTING

- (1) When debating or discussing a motion, a Commissioner shall address the Chair and await recognition before speaking. The Commissioner making a motion is entitled to the floor first for debate. No Commissioner is entitled to the floor a second time on the same motion as long as any other Commissioner who has not spoken on the issue desires the floor.
- (2) Motions and amendments can be withdrawn or modified by the maker at any time prior to the Chair's stating the question on the motion; after that time, the permission of the Commission majority must be obtained. The Chair cannot close debate as long as any member who has not exhausted his right to debate desires the floor.
- (3) Members of the audience are permitted to speak upon opening of the floor for public comment by the Chair on all issues of Public Hearing, Unfinished Business, and New Business. When the floor is open for public comment, the time shall be limited to two minutes per speaker. During a public hearing, the applicant shall have ten minutes to make his or her presentation but the time may be extended to permit questioning of the applicant or the applicant's witnesses.

- (4) A member of the audience who speaks to the City Commissioner may be questioned for additional information, but Commissioners shall not engage in debate with a member of the audience. Members of the audience may ask questions but may not compel a Commissioner, the City Manager, or the City Attorney to answer questions during a meeting.
- (5) The Chair shall restate all motions before the vote is taken.
- (6) A tie vote shall constitute a continuance of the item to the next regular meeting, but upon a tie vote on the same item at the next meeting, the item shall not be rescheduled except upon the request of the City Manager, the City Attorney, or a Commissioner.
- (7) The failure of a motion stated in the negative shall not be deemed an affirmative action. For example, the failure of a motion to deny shall not constitute an approval.
- (8) During a presentation, the presenter shall have ten minutes to make his or her presentation but the time may be extended to permit questioning of the presenter.

#### RULE 7 NON-DEBATABLE MOTIONS

The following motions are not debatable:

To adjourn;  
To lay on the table;  
To take from the table;  
To divide a question;  
To close or re-open nominations;  
To take a recess;  
A point of information;  
An appeal of a decision of the Chair;  
The previous question.

#### RULE 8 RECONSIDERATION

Any member of the Commission may move to reconsider any action of the Commission provided that new relevant information is presented to the Commission and the motion be made by the next regular Commission meeting. No motion to reconsider shall be made more than once on any subject or matter.

#### RULE 9 COMMISSION MINUTES

Copies of the minutes of the regular meetings shall be furnished, when possible, at least seven days prior to the next regular meeting. Such minutes shall stand confirmed at the regular meeting of the Commission without the reading thereof in open meeting unless some inaccuracy or error is pointed out by some member of the Commission present, and in such event, an appropriate correction shall be made. Upon request, the City Manager will cause the City Clerk to provide any Commissioner with copies of tapes or transcribed excerpts of tapes of City Commission meetings. No member shall suggest to the City Clerk any revision in minutes of meetings before the same shall have been submitted to the full Commission for approval, unless specifically requested by the Clerk to make clarification.

RULE 10  
ADOPTION OF ROBERT'S RULES OF ORDER

Robert's Rules of Order, Newly Revised, are adopted as the rules of procedure of the City Commission, but such Rules shall not take precedence over any provision of Florida law, the City Charter, an ordinance or resolution of the City, or these rules, which shall govern in the event of conflict. A failure to comply with Robert's Rules of Order or these rules shall not affect the validity of any action taken by the City Commission.

RULE 11  
AMENDMENT OR WAIVER OF RULES

These rules of procedure may be amended or waived by a majority vote, provided that no such amendment shall conflict with any applicable provision of Florida law, the City Charter, or an ordinance of the City.

RULE 12  
AGENDA PROCEDURES

- (1) Agenda submittal deadline: The deadline for submitting items for inclusion on an agenda shall be no later than 12:00 PM on Friday, 11 days prior to a regularly scheduled Commission meeting.
- (2) Agenda distribution deadline: The deadline for distributing a final agenda with supporting documents shall be no later than Thursday, the week prior to a regularly scheduled City Commission meeting.

For all special or workshop City Commission meetings, the agendas with supporting documents will be distributed consistent with the timeframe referenced above.

- (3) Amendment to agenda: There shall be no changes, revisions or alterations (add-ons) to a distributed City Commission agenda unless the matter is deemed to be an emergency.

In the case of an emergency, any person or City Commissioner requesting a change, revision or alteration (add-on) to the City Commission agenda must do so in writing, provide written justification for the emergency within the narrative of an agenda memorandum, and include supporting backup material to the City Manager no later than 5:00 PM the Friday before a regularly scheduled Commission meeting.

The name of the person or City Commissioner requesting the change, revision or alteration (add-on) shall be placed with the agenda item to be presented. The written justification and supporting backup material shall be submitted to the City Commission prior to a regularly scheduled Commission meeting.

At the beginning of the City Commission meeting, the City Commission shall review the emergency and, in its discretion, will determine whether it will accept, review and take action on the matter requested.

RULE 13  
PRESERVE ORDER

City Commission members shall not accept receipt of, read or place e-mails, text messages, notes, or phone calls during public meetings and executive sessions of the City Commission.

RULE 14  
DECORUM FOR CITIZEN PARTICIPATION

- (a) In support of and respect for an open, fair and informed decision-making process, the City Commission and Administration recognize that:
- (1) Civil, respectful and courteous discourse and behavior are conducive to the democratic and harmonious airing of concerns and decision making; and
  - (2) Un-civil discourse and/or discourteous and inappropriate behavior have a negative impact on the character and productivity of the decision-making process.
- (b) In an effort to preserve the intent of open government and maintain a positive environment for citizen input and Commission decision-making, the following Rules of Decorum for Citizen Participation have been established.

Compliance with these rules is expected and appreciated. The Rules of Decorum for Citizen Participation will be included in the agenda and will be referenced at the beginning of each Commission meeting and Commission Work Session by the Chair. A written list of the Rules of Decorum for Citizen Participation will also be printed and mounted upon the walls of the Commission Chamber and Conference Room and upon the speaker's podium in the Commission Chamber.

- (1) Speakers will conduct themselves in a civil and respectful manner at all times.
  - (2) Speakers will address the Chair.
  - (3) Questions to Commission members or City staff will be facilitated by the Chair.
  - (4) Speakers will refrain from the use of obscene language, "fighting words" likely to incite violence from the individuals(s) to whom the words are addressed, or other language which is disruptive to the orderly and fair progress of discussion at the meeting.
  - (5) Speakers will refrain from making comments of a personal nature regarding others.
  - (6) Name-calling and/or obscenity is forbidden.
  - (7) Shouting, yelling or screaming is forbidden.
  - (8) Commission Work Session or Public Hearing attendees (audience) will refrain from commenting, shouting, booing, clapping, stomping feet or other inappropriate and/or disruptive behavior. Brief clapping is permissible at the end of a speaker's comments.
- (c) It is the intent of Commission to maintain order and enforce the Rules of Decorum for Citizen Participation for its meetings. Disregard of these rules will be met with the following consequences:
- (1) The Chair will identify out loud the out-of-compliance behavior and request for the behavior to stop;
  - (2) The Chair will ask the speaker to have a seat if he/she continues to disrupt the meeting;
  - (3) If the speaker refuses to have a seat, the Chair will recess the meeting; and
  - (4) Will instruct a law enforcement officer to instruct the speaker to stop the disruptive conduct and escort the speaker out of the meeting venue.

RESOLUTION NO. 17-2012 OF THE CITY OF LAKE WORTH, FLORIDA, ADOPTING RULES AND PROCEDURES FOR THE CITY COMMISSION; REPEALING RESOLUTION NO. 05-2012 AND ANY OTHER RESOLUTION IN CONFLICT HEREWITH; AND PROVIDING AN EFFECTIVE DATE.

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

Section 1. Resolution No. 05-2012 adopted the rules and procedures for the Lake Worth City Commission.

Section 2. Rule 5, "Order of Business" of the City Commission's Rules and Procedures is amended to read as follows:

RULE 5  
ORDER OF BUSINESS

(1) The order of business for a regular meeting shall ordinarily be:

1. Roll Call
2. Invocation
3. Pledge of Allegiance
4. Agenda-Additions/Deletions/Reordering
5. Presentations
6. Commission Liaison Reports and Comments
- ~~6-7.~~ Public Participation on Non-Agendaed Items
- ~~7-8.~~ Approval of Minutes
- ~~8-9.~~ Consent Agenda
- ~~9-10.~~ Public Hearings
- ~~10-11.~~ Unfinished Business
- ~~11-12.~~ New Business
- ~~12-13.~~ City Attorney's Report
- ~~13-14.~~ City Manager's Report
14. ~~Commission Liaison Reports and Comments~~
15. Adjournment

\* \* \*

Section 3. These changes shall be included in the Rules and Procedures of the Lake Worth City Commission as set forth in Exhibit A, which is attached hereto and is hereby adopted.

Section 4. Resolution 05-2012 and any other resolution in conflict herewith are hereby repealed.

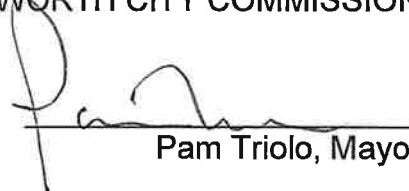
Section 5. This Resolution shall become effective upon its adoption.

The passage of this Resolution was moved by Commissioner Amoroso 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	AYE
Commissioner Suzanne Mulvehill	AYE

The Mayor thereupon declared this Resolution duly passed and adopted on this 1<sup>st</sup> day of May 2012.

LAKE WORTH CITY COMMISSION

  
\_\_\_\_\_  
Pam Triolo, Mayor

ATTEST:


  
\_\_\_\_\_  
Pamela J. Lopez, City Clerk



Exhibit A

RULES OF PROCEDURE  
LAKE WORTH CITY COMMISSION

RULE 1  
SCHEDULING OF MEETINGS AND WORK SESSIONS

- (1) Regular meetings of the City Commission shall be held on the first and third Tuesday of each month, in the Commission Chambers, at City Hall, 7 North Dixie Highway, Lake Worth, Florida, beginning at 6:00 P.M.

If a regular meeting date falls on a holiday, the meeting shall be held in the Commission Chambers, at City Hall on the next day immediately following the holiday, beginning at 6:00 P.M.

The City Commission may cancel not more than one regular meeting in any month.

If a regular meeting date falls on a holiday, the meeting shall be held in the Commission Chambers, at City Hall on the next day immediately following the holiday, beginning at 6:00 P.M.

The City Commission may cancel not more than one regular meeting in any month.

- (2) A special meeting of the City Commission to canvass ballots shall be held as required by the City Charter. Other special meetings may be called by a majority of the members of the City Commission or by the Mayor. Notice of special meetings shall be given to each Commissioner<sup>1</sup> and to the public at least twenty-four (24) hours in advance except for emergency meetings. If the Mayor or a member of the Commission is absent from the City or otherwise beyond reach of actual notice, failure to give such notice shall not prevent the convening of the special meeting. The City Commission may act on any matter presented at the special meeting unless prohibited by the City Charter or by rules established by the City Commission. Special meetings shall be held in the Commission Meeting Room at City Hall, 7 North Dixie Highway, Lake Worth, Florida, or at such other location within the City as may be designated in the notice of the special meeting, beginning at a time to be specified in the notice of the special meeting.

- (3) Work Sessions of the City Commission may be called by a majority of the members of the City Commission or by the Mayor, and any matter may be discussed or studied at a work session. Any matter that appears likely to take more than thirty (30) minutes shall be discussed or studied at a work session prior to official action of the City Commission, unless this requirement is waived by a majority vote. No official action of the City Commission shall be taken at a work session. All work sessions shall end at 10:00 P.M. At 10:00 P.M. the City Commission shall cease further discussion on the business on the table and, upon a majority consensus of the City Commission present, determine whether or not to (1) adjourn the meeting; or (2) extend the meeting and continue to conduct the meeting until 11:00 P.M. Thereafter, the meeting shall end, unless extended one hour, upon a majority consensus of the City Commission present. All meetings shall adjourn automatically at 12:00 AM.

- (4) "District Public Forums" may be held by the City Commission on a quarterly basis, one to be held in each district of the City on a rotating basis. Notice of such meetings shall be posted no less than 14 days before each meeting. No official action shall be taken at these meetings.

<sup>1</sup>As used in these rules, "Commissioner" means any City Commissioner or the Mayor unless the context clearly indicates otherwise.

- (5) All regular and special meetings shall end a 10:00 P.M. At 10:00 P.M. the City Commission shall cease further discussion on the business on the table and, upon a majority vote of the City Commission present, determine whether or not to (1) adjourn the meeting; or (2) extend the meeting and continue to conduct the meeting until 11:00 PM. Thereafter, the meeting shall end, unless extended one hour, upon a majority vote of the City Commission present. All meetings shall adjourn automatically at 12:00 AM.

Rule 1 is exempt from the provisions of Rule 11 Amendment or Waiver of Rules and shall not be waived, except where such waiver is expressly permitted in paragraph (3) of Rule 1, and shall only be amended by Resolution.

## RULE 2 QUORUM

A majority of the City Commission shall constitute a quorum; a smaller number may adjourn a meeting or recess a meeting to a time certain. No ordinance, resolution, or motion shall be adopted except by the affirmative vote of at least three members of the City Commission.

## RULE 3 ABSENT MEMBER PARTICIPATION BY TELEPHONE CONFERENCE

A member of the City Commission who is absent due to extraordinary circumstances may participate and vote by telephone conference in a Commission meeting where there is a physical quorum present at the physical meeting site, with such extraordinary circumstances being the following:

1. Serious illness;
1. Receiving medical treatment; or
2. Unable to attend due to being physically disabled.

provided that no more than one (1) member of the City Commission may so participate in any City Commission meeting.

## RULE 4 DUTIES AND RESPONSIBILITIES OF THE "CHAIR"

- (1) The Mayor shall be the presiding officer of the City Commission, and shall be referred to as the "Chair" when sitting in that capacity. In case of the absence or the disability of the Mayor, the Vice Mayor shall assume the responsibilities of the presiding officer, and if both are absent or disabled, the Vice Mayor Pro Tem shall preside.
- (2) The Chair shall preserve order. The Chair may call to order any member of the Commission and any member of the public who shall violate any of these rules or otherwise disrupt the orderly proceeding of the meeting. The Chair shall decide all questions of order subject to a majority vote on an appeal of the decision.
- (3) The Chair shall recognize all Commissioners who seek the floor while entitled to do so.
- (4) The Chair shall not make or second a motion.



RULE 5  
ORDER OF BUSINESS

- (1) The order of business for a regular meeting shall ordinarily be:
  1. Roll Call
  2. Invocation
  3. Pledge of Allegiance
  4. Agenda-Additions/Deletions/Reordering
  5. Presentations
  6. Commission Liaison Reports and Comments
  - ~~6.7.~~ Public Participation on Non-Agendaed Items
  - ~~7.8.~~ Approval of Minutes
  - ~~8.9.~~ Consent Agenda
  - ~~9.10.~~ Public Hearings
  - ~~10.11.~~ Unfinished Business
  - ~~11.12.~~ New Business
  - ~~12.13.~~ City Attorney's Report
  - ~~13.14.~~ City Manager's Report
  - ~~14.~~ Commission Liaison Reports and Comments
  15. Adjournment
- (2) The order of business may be revised by a majority vote.
- (3) Matters may be placed on the agenda by any Commissioner, the City Manager, or the City Attorney.
- (4) Except for matters advertised for public hearing, any matter may be removed from an agenda by the person who placed it on the agenda or by a majority vote.
- (5) When a matter comes before the Commission which directly affects one election district, the Commissioner from that district shall have the privilege of both expressing his or her views and making a motion on that matter first.
- (6) Matters may be placed under Presentations by any Commissioner or the City Manager.

RULE 6  
DEBATE OF MOTIONS; VOTING

- (1) When debating or discussing a motion, a Commissioner shall address the Chair and await recognition before speaking. The Commissioner making a motion is entitled to the floor first for debate. No Commissioner is entitled to the floor a second time on the same motion as long as any other Commissioner who has not spoken on the issue desires the floor.
- (2) Motions and amendments can be withdrawn or modified by the maker at any time prior to the Chair's stating the question on the motion; after that time, the permission of the Commission majority must be obtained. The Chair cannot close debate as long as any member who has not exhausted his right to debate desires the floor.
- (3) Members of the audience are permitted to speak upon opening of the floor for public comment by the Chair on all issues of Public Hearing, Unfinished Business, and New Business. When the floor is open for public comment, the time shall be limited to two minutes per speaker. During a public hearing, the applicant shall have ten minutes to make his or her presentation but the time may be extended to permit questioning of the applicant or the applicant's witnesses.

- (4) A member of the audience who speaks to the City Commissioner may be questioned for additional information, but Commissioners shall not engage in debate with a member of the audience. Members of the audience may ask questions but may not compel a Commissioner, the City Manager, or the City Attorney to answer questions during a meeting.
- (5) The Chair shall restate all motions before the vote is taken.
- (6) A tie vote shall constitute a continuance of the item to the next regular meeting, but upon a tie vote on the same item at the next meeting, the item shall not be rescheduled except upon the request of the City Manager, the City Attorney, or a Commissioner.
- (7) The failure of a motion stated in the negative shall not be deemed an affirmative action. For example, the failure of a motion to deny shall not constitute an approval.
- (8) During a presentation, the presenter shall have ten minutes to make his or her presentation but the time may be extended to permit questioning of the presenter.

#### RULE 7 NON-DEBATABLE MOTIONS

The following motions are not debatable:

To adjourn;  
To lay on the table;  
To take from the table;  
To divide a question;  
To close or re-open nominations;  
To take a recess;  
A point of information;  
An appeal of a decision of the Chair;  
The previous question.

#### RULE 8 RECONSIDERATION

Any member of the Commission may move to reconsider any action of the Commission provided that new relevant information is presented to the Commission and the motion be made by the next regular Commission meeting. No motion to reconsider shall be made more than once on any subject or matter.

#### RULE 9 COMMISSION MINUTES

Copies of the minutes of the regular meetings shall be furnished, when possible, at least seven days prior to the next regular meeting. Such minutes shall stand confirmed at the regular meeting of the Commission without the reading thereof in open meeting unless some inaccuracy or error is pointed out by some member of the Commission present, and in such event, an appropriate correction shall be made. Upon request, the City Manager will cause the City Clerk to provide any Commissioner with copies of tapes or transcribed excerpts of tapes of City Commission meetings. No member shall suggest to the City Clerk any revision in minutes of meetings before the same shall have been submitted to the full Commission for approval, unless specifically requested by the Clerk to make clarification.

RULE 10  
ADOPTION OF ROBERT'S RULES OF ORDER

Robert's Rules of Order, Newly Revised, are adopted as the rules of procedure of the City Commission, but such Rules shall not take precedence over any provision of Florida law, the City Charter, an ordinance or resolution of the City, or these rules, which shall govern in the event of conflict. A failure to comply with Robert's Rules of Order or these rules shall not affect the validity of any action taken by the City Commission.

RULE 11  
AMENDMENT OR WAIVER OF RULES

These rules of procedure may be amended or waived by a majority vote, provided that no such amendment shall conflict with any applicable provision of Florida law, the City Charter, or an ordinance of the City.

RULE 12  
AGENDA PROCEDURES

- (1) Agenda submittal deadline: The deadline for submitting items for inclusion on an agenda shall be no later than 12:00 PM on Friday, 11 days prior to a regularly scheduled Commission meeting.
- (2) Agenda distribution deadline: The deadline for distributing a final agenda with supporting documents shall be no later than Thursday, the week prior to a regularly scheduled City Commission meeting.

For all special or workshop City Commission meetings, the agendas with supporting documents will be distributed consistent with the timeframe referenced above.

- (3) Amendment to agenda: There shall be no changes, revisions or alterations (add-ons) to a distributed City Commission agenda unless the matter is deemed to be an emergency.

In the case of an emergency, any person or City Commissioner requesting a change, revision or alteration (add-on) to the City Commission agenda must do so in writing, provide written justification for the emergency within the narrative of an agenda memorandum, and include supporting backup material to the City Manager no later than 5:00 PM the Friday before a regularly scheduled Commission meeting.

The name of the person or City Commissioner requesting the change, revision or alteration (add-on) shall be placed with the agenda item to be presented. The written justification and supporting backup material shall be submitted to the City Commission prior to a regularly scheduled Commission meeting.

At the beginning of the City Commission meeting, the City Commission shall review the emergency and, in its discretion, will determine whether it will accept, review and take action on the matter requested.

RULE 13  
PRESERVE ORDER

City Commission members shall not accept receipt of, read or place e-mails, text messages, notes, or phone calls during public meetings and executive sessions of the City Commission.

RULE 14  
DECORUM FOR CITIZEN PARTICIPATION

- (a) In support of and respect for an open, fair and informed decision-making process, the City Commission and Administration recognize that:
- (1) Civil, respectful and courteous discourse and behavior are conducive to the democratic and harmonious airing of concerns and decision making; and
  - (2) Un-civil discourse and/or discourteous and inappropriate behavior have a negative impact on the character and productivity of the decision-making process.
- (b) In an effort to preserve the intent of open government and maintain a positive environment for citizen input and Commission decision-making, the following Rules of Decorum for Citizen Participation have been established.

Compliance with these rules is expected and appreciated. The Rules of Decorum for Citizen Participation will be included in the agenda and will be referenced at the beginning of each Commission meeting and Commission Work Session by the Chair. A written list of the Rules of Decorum for Citizen Participation will also be printed and mounted upon the walls of the Commission Chamber and Conference Room and upon the speaker's podium in the Commission Chamber.

- (1) Speakers will conduct themselves in a civil and respectful manner at all times.
  - (2) Speakers will address the Chair.
  - (3) Questions to Commission members or City staff will be facilitated by the Chair.
  - (4) Speakers will refrain from the use of obscene language, "fighting words" likely to incite violence from the individuals(s) to whom the words are addressed, or other language which is disruptive to the orderly and fair progress of discussion at the meeting.
  - (5) Speakers will refrain from making comments of a personal nature regarding others.
  - (6) Name-calling and/or obscenity is forbidden.
  - (7) Shouting, yelling or screaming is forbidden.
  - (8) Commission Work Session or Public Hearing attendees (audience) will refrain from commenting, shouting, booing, clapping, stomping feet or other inappropriate and/or disruptive behavior. Brief clapping is permissible at the end of a speaker's comments.
- (c) It is the intent of Commission to maintain order and enforce the Rules of Decorum for Citizen Participation for its meetings. Disregard of these rules will be met with the following consequences:
- (1) The Chair will identify out loud the out-of-compliance behavior and request for the behavior to stop;
  - (2) The Chair will ask the speaker to have a seat if he/she continues to disrupt the meeting;
  - (3) If the speaker refuses to have a seat, the Chair will recess the meeting; and
  - (4) Will instruct a law enforcement officer to instruct the speaker to stop the disruptive conduct and escort the speaker out of the meeting venue.

RESOLUTION NO. 05-2012 OF THE CITY OF LAKE WORTH, FLORIDA, AMENDING THE CITY COMMISSION'S RULES AND PROCEDURES, RULE 1, "SCHEDULING OF MEETINGS AND WORKSHOPS;" REPEALING CONFLICTING RESOLUTIONS; AND PROVIDING AN EFFECTIVE DATE.

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

Section 1. Resolution No. 14-2011 adopted the rules and procedures for the Lake Worth City Commission.

Section 2. Rule 1, "Scheduling of Meetings and Workshops" of the City Commissions Rules and Procedures is amended to read as follows:

RULE 1  
SCHEDULING OF MEETINGS AND ~~WORKSHOPS~~ WORK SESSIONS

- (1) Regular meetings of the City Commission shall be held on the first and third Tuesday of each month, in the Commission ~~Chambers Meeting Room~~, at City Hall, 7 North Dixie Highway, Lake Worth, Florida, beginning at 6:00 o'clock P.M.

If a regular meeting date falls on a holiday, the meeting shall be held in the Commission ~~Chambers Meeting Room~~, at City Hall on the next day immediately following the holiday, beginning at 6:00 P.M.

The City Commission may cancel not more than one regular meeting in any month.

\* \* \*

- (3) ~~Workshops~~ Work Sessions of the City Commission may be called by a majority of the members of the City Commission or by the Mayor, and any matter may be discussed or studied at a ~~workshop work session~~. Any matter that appears likely to take more than thirty (30) minutes shall be discussed or studied at a ~~workshop work session~~ prior to official action of the City Commission, unless this requirement is waived by a majority vote. No official action of the City Commission shall be taken at a ~~workshop work session~~. All work sessions shall end at 10:00 P.M. At 10:00 P.M. the City Commission shall cease further discussion on the business on the table and, upon a majority consensus of the City Commission present, determine whether or not to (1) adjourn the meeting; or (2) extend the meeting and continue to conduct the meeting until 11:00 PM. Thereafter, the meeting shall end, unless extended one hour, upon a majority consensus of the City Commission present. All meetings shall adjourn automatically at 12:00 AM.

\* \* \*

- (5) All regular and special meetings shall end at 10:00 P.M. At 10:00 P.M. the City Commission shall cease further discussion on the business on the table and, upon a majority vote of the City Commission present, determine whether or not to (1) adjourn the meeting; or (2) extend the meeting and continue to conduct the

meeting until 11:00 PM. Thereafter, the meeting shall end, unless extended one hour, upon a majority vote of the City Commission present. All meetings shall adjourn automatically at 12:00 AM.

Rule 1 is exempt from the provisions of Rule 11 Amendment or Waiver of Rules and shall not be waived, except where such waiver is expressly permitted in paragraph (3) of Rule 1, and shall only be amended by Resolution.

Section 3. These changes shall be included in the Rules and Procedures of the Lake Worth City Commission as set forth in Exhibit A, which is attached hereto and is hereby adopted.

Section 4. Resolution 14-2011 and any other resolution in conflict herewith are hereby repealed.

Section 5. This Resolution shall become effective upon its adoption.

The passage of this Resolution was moved by Commissioner McVoy 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 Suzanne Mulvehill	AYE

The Mayor thereupon declared this Resolution duly passed and adopted on this 7<sup>th</sup> day of February 2012.

LAKE WORTH CITY COMMISSION

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

Pam Triolo, Mayor

ATTEST:


  
Pamela J. Lopez, City Clerk



Exhibit A

RULES OF PROCEDURE  
LAKE WORTH CITY COMMISSION

RULE 1  
SCHEDULING OF MEETINGS AND ~~WORKSHOPS~~ WORK SESSIONS

- (1) Regular meetings of the City Commission shall be held on the first and third Tuesday of each month, in the Commission ~~Chambers Meeting Room~~, at City Hall, 7 North Dixie Highway, Lake Worth, Florida, beginning at 6:00 o'clock P.M.

If a regular meeting date falls on a holiday, the meeting shall be held in the Commission ~~Chambers Meeting Room~~, at City Hall on the next day immediately following the holiday, beginning at 6:00 P.M.

The City Commission may cancel not more than one regular meeting in any month.

If a regular meeting date falls on a holiday, the meeting shall be held in the Commission ~~Chambers Meeting Room~~, at City Hall on the next day immediately following the holiday, beginning at 6:00 P.M.

The City Commission may cancel not more than one regular meeting in any month.

- (2) A special meeting of the City Commission to canvass ballots shall be held as required by the City Charter. Other special meetings may be called by a majority of the members of the City Commission or by the Mayor. Notice of special meetings shall be given to each Commissioner<sup>1</sup> and to the public at least twenty-four (24) hours in advance except for emergency meetings. If the Mayor or a member of the Commission is absent from the City or otherwise beyond reach of actual notice, failure to give such notice shall not prevent the convening of the special meeting. The City Commission may act on any matter presented at the special meeting unless prohibited by the City Charter or by rules established by the City Commission. Special meetings shall be held in the Commission Meeting Room at City Hall, 7 North Dixie Highway, Lake Worth, Florida, or at such other location within the City as may be designated in the notice of the special meeting, beginning at a time to be specified in the notice of the special meeting.
- (3) ~~Workshops~~ Work Sessions of the City Commission may be called by a majority of the members of the City Commission or by the Mayor, and any matter may be discussed or studied at a ~~workshop~~ work session. Any matter that appears likely to take more than thirty (30) minutes shall be discussed or studied at a ~~workshop~~ work session prior to official action of the City Commission, unless this requirement is waived by a majority vote. No official action of the City Commission shall be taken at a ~~workshop~~ work session. All work sessions shall end a 10:00 P.M. At 10:00 P.M. the City Commission shall cease further discussion on the business on the table and, upon a majority consensus of the City Commission present, determine whether or not to (1) adjourn the meeting; or (2) extend the meeting and continue to conduct the meeting until 11:00 PM. Thereafter, the meeting shall end, unless extended one hour, upon a majority consensus of the City Commission present. All meetings shall adjourn automatically at 12:00 AM.
- (4) "District Public Forums" may be held by the City Commission on a quarterly basis, one to be held in each district of the City on a rotating basis. Notice of such meetings shall be posted no less than 14 days before each meeting. No official action shall be taken at these meetings.

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<sup>1</sup> As used in these rules, "Commissioner" means any City Commissioner or the Mayor unless the context clearly indicates otherwise.

- (5) All regular and special meetings shall end a 10:00 P.M. At 10:00 P.M. the City Commission shall cease further discussion on the business on the table and, upon a majority vote of the City Commission present, determine whether or not to (1) adjourn the meeting; or (2) extend the meeting and continue to conduct the meeting until 11:00 PM. Thereafter, the meeting shall end, unless extended one hour, upon a majority vote of the City Commission present. All meetings shall adjourn automatically at 12:00 AM.

Rule 1 is exempt from the provisions of Rule 11 Amendment or Waiver of Rules and shall not be waived, except where such waiver is expressly permitted in paragraph (3) of Rule 1, and shall only be amended by Resolution.

## RULE 2 QUORUM

A majority of the City Commission shall constitute a quorum; a smaller number may adjourn a meeting or recess a meeting to a time certain. No ordinance, resolution, or motion shall be adopted except by the affirmative vote of at least three members of the City Commission.

## RULE 3 ABSENT MEMBER PARTICIPATION BY TELEPHONE CONFERENCE

A member of the City Commission who is absent due to extraordinary circumstances may participate and vote by telephone conference in a Commission meeting where there is a physical quorum present at the physical meeting site, with such extraordinary circumstances being the following:

1. Serious illness;
1. Receiving medical treatment; or
2. Unable to attend due to being physically disabled.

provided that no more than one (1) member of the City Commission may so participate in any City Commission meeting.

## RULE 4 DUTIES AND RESPONSIBILITIES OF THE "CHAIR"

- (1) The Mayor shall be the presiding officer of the City Commission, and shall be referred to as the "Chair" when sitting in that capacity. In case of the absence or the disability of the Mayor, the Vice Mayor shall assume the responsibilities of the presiding officer, and if both are absent or disabled, the Vice Mayor Pro Tem shall preside.
- (2) The Chair shall preserve order. The Chair may call to order any member of the Commission and any member of the public who shall violate any of these rules or otherwise disrupt the orderly proceeding of the meeting. The Chair shall decide all questions of order subject to a majority vote on an appeal of the decision.
- (3) The Chair shall recognize all Commissioners who seek the floor while entitled to do so.
- (4) The Chair shall not make or second a motion.



RULE 5  
ORDER OF BUSINESS

- (1) The order of business for a regular meeting shall ordinarily be:
  1. Roll Call
  2. Invocation
  3. Pledge of Allegiance
  4. Agenda-Additions/Deletions/Reordering
  5. Presentations
  6. Public Participation on Non-Agendaed Items
  7. Approval of Minutes
  8. Consent Agenda
  9. Public Hearings
  10. Unfinished Business
  11. New Business
  12. City Attorney's Report
  13. City Manager's Report
  14. Commission Liaison Reports and Comments
  15. Adjournment
- (2) The order of business may be revised by a majority vote.
- (3) Matters may be placed on the agenda by any Commissioner, the City Manager, or the City Attorney.
- (4) Except for matters advertised for public hearing, any matter may be removed from an agenda by the person who placed it on the agenda or by a majority vote.
- (5) When a matter comes before the Commission which directly affects one election district, the Commissioner from that district shall have the privilege of both expressing his or her views and making a motion on that matter first.
- (6) Matters may be placed under Presentations by any Commissioner or the City Manager.

RULE 6  
DEBATE OF MOTIONS; VOTING

- (1) When debating or discussing a motion, a Commissioner shall address the Chair and await recognition before speaking. The Commissioner making a motion is entitled to the floor first for debate. No Commissioner is entitled to the floor a second time on the same motion as long as any other Commissioner who has not spoken on the issue desires the floor.
- (2) Motions and amendments can be withdrawn or modified by the maker at any time prior to the Chair's stating the question on the motion; after that time, the permission of the Commission majority must be obtained. The Chair cannot close debate as long as any member who has not exhausted his right to debate desires the floor.
- (3) Members of the audience are permitted to speak upon opening of the floor for public comment by the Chair on all issues of Public Hearing, Unfinished Business, and New Business. When the floor is open for public comment, the time shall be limited to two minutes per speaker. During a public hearing, the applicant shall have ten minutes to make his or her presentation but the time may be extended to permit questioning of the applicant or the applicant's witnesses.

- (4) A member of the audience who speaks to the City Commissioner may be questioned for additional information, but Commissioners shall not engage in debate with a member of the audience. Members of the audience may ask questions but may not compel a Commissioner, the City Manager, or the City Attorney to answer questions during a meeting.
- (5) The Chair shall restate all motions before the vote is taken.
- (6) A tie vote shall constitute a continuance of the item to the next regular meeting, but upon a tie vote on the same item at the next meeting, the item shall not be rescheduled except upon the request of the City Manager, the City Attorney, or a Commissioner.
- (7) The failure of a motion stated in the negative shall not be deemed an affirmative action. For example, the failure of a motion to deny shall not constitute an approval.
- (8) During a presentation, the presenter shall have ten minutes to make his or her presentation but the time may be extended to permit questioning of the presenter.

#### RULE 7 NON-DEBATABLE MOTIONS

The following motions are not debatable:

To adjourn;  
To lay on the table;  
To take from the table;  
To divide a question;  
To close or re-open nominations;  
To take a recess;  
A point of information;  
An appeal of a decision of the Chair;  
The previous question.

#### RULE 8 RECONSIDERATION

Any member of the Commission may move to reconsider any action of the Commission provided that new relevant information is presented to the Commission and the motion be made by the next regular Commission meeting. No motion to reconsider shall be made more than once on any subject or matter.

#### RULE 9 COMMISSION MINUTES

Copies of the minutes of the regular meetings shall be furnished, when possible, at least seven days prior to the next regular meeting. Such minutes shall stand confirmed at the regular meeting of the Commission without the reading thereof in open meeting unless some inaccuracy or error is pointed out by some member of the Commission present, and in such event, an appropriate correction shall be made. Upon request, the City Manager will cause the City Clerk to provide any Commissioner with copies of tapes or transcribed excerpts of tapes of City Commission meetings. No member shall suggest to the City Clerk any revision in minutes of meetings before the same shall have been submitted to the full Commission for approval, unless specifically requested by the Clerk to make clarification.

RULE 10  
ADOPTION OF ROBERT'S RULES OF ORDER

Robert's Rules of Order, Newly Revised, are adopted as the rules of procedure of the City Commission, but such Rules shall not take precedence over any provision of Florida law, the City Charter, an ordinance or resolution of the City, or these rules, which shall govern in the event of conflict. A failure to comply with Robert's Rules of Order or these rules shall not affect the validity of any action taken by the City Commission.

RULE 11  
AMENDMENT OR WAIVER OF RULES

These rules of procedure may be amended or waived by a majority vote, provided that no such amendment shall conflict with any applicable provision of Florida law, the City Charter, or an ordinance of the City.

RULE 12  
AGENDA PROCEDURES

- (1) Agenda submittal deadline: The deadline for submitting items for inclusion on an agenda shall be no later than 12:00 PM on Friday, 11 days prior to a regularly scheduled Commission meeting.
- (2) Agenda distribution deadline: The deadline for distributing a final agenda with supporting documents shall be no later than Thursday, the week prior to a regularly scheduled City Commission meeting.

For all special or workshop City Commission meetings, the agendas with supporting documents will be distributed consistent with the timeframe referenced above.

- (3) Amendment to agenda: There shall be no changes, revisions or alterations (add-ons) to a distributed City Commission agenda unless the matter is deemed to be an emergency.

In the case of an emergency, any person or City Commissioner requesting a change, revision or alteration (add-on) to the City Commission agenda must do so in writing, provide written justification for the emergency within the narrative of an agenda memorandum, and include supporting backup material to the City Manager no later than 5:00 PM the Friday before a regularly scheduled Commission meeting.

The name of the person or City Commissioner requesting the change, revision or alteration (add-on) shall be placed with the agenda item to be presented. The written justification and supporting backup material shall be submitted to the City Commission prior to a regularly scheduled Commission meeting.

At the beginning of the City Commission meeting, the City Commission shall review the emergency and, in its discretion, will determine whether it will accept, review and take action on the matter requested.

RULE 13  
PRESERVE ORDER

City Commission members shall not accept receipt of, read or place e-mails, text messages, notes, or phone calls during public meetings and executive sessions of the City Commission.

RULE 14  
DECORUM FOR CITIZEN PARTICIPATION

- (a) In support of and respect for an open, fair and informed decision-making process, the City Commission and Administration recognize that:
  - (1) Civil, respectful and courteous discourse and behavior are conducive to the democratic and harmonious airing of concerns and decision making; and
  - (2) Un-civil discourse and/or discourteous and inappropriate behavior have a negative impact on the character and productivity of the decision-making process.
- (b) In an effort to preserve the intent of open government and maintain a positive environment for citizen input and Commission decision-making, the following Rules of Decorum for Citizen Participation have been established.

Compliance with these rules is expected and appreciated. The Rules of Decorum for Citizen Participation will be included in the agenda and will be referenced at the beginning of each Commission meeting and Commission Work Session by the Chair. A written list of the Rules of Decorum for Citizen Participation will also be printed and mounted upon the walls of the Commission Chamber and Conference Room and upon the speaker's podium in the Commission Chamber.

- (1) Speakers will conduct themselves in a civil and respectful manner at all times.
  - (2) Speakers will address the Chair.
  - (3) Questions to Commission members or City staff will be facilitated by the Chair.
  - (4) Speakers will refrain from the use of obscene language, "fighting words" likely to incite violence from the individuals(s) to whom the words are addressed, or other language which is disruptive to the orderly and fair progress of discussion at the meeting.
  - (5) Speakers will refrain from making comments of a personal nature regarding others.
  - (6) Name-calling and/or obscenity is forbidden.
  - (7) Shouting, yelling or screaming is forbidden.
  - (8) Commission Work Session or Public Hearing attendees (audience) will refrain from commenting, shouting, booing, clapping, stomping feet or other inappropriate and/or disruptive behavior. Brief clapping is permissible at the end of a speaker's comments.
- (c) It is the intent of Commission to maintain order and enforce the Rules of Decorum for Citizen Participation for its meetings. Disregard of these rules will be met with the following consequences:
    - (1) The Chair will identify out loud the out-of-compliance behavior and request for the behavior to stop;
    - (2) The Chair will ask the speaker to have a seat if he/she continues to disrupt the meeting;
    - (3) If the speaker refuses to have a seat, the Chair will recess the meeting; and
    - (4) Will instruct a law enforcement officer to instruct the speaker to stop the disruptive conduct and escort the speaker out of the meeting venue.

RESOLUTION NO. 14-2011 OF THE CITY OF LAKE WORTH, FLORIDA, ADOPTING RULES AND PROCEDURES FOR THE CITY COMMISSION; REPEALING RESOLUTION NO. 04-2011 AND ANY OTHER RESOLUTION IN CONFLICT HEREWITH; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City Commission has adopted rules and procedures for the City Commission by resolution, the most recent being Resolution No. 04-2011; and

WHEREAS, it is well-established that a municipal commission must have a physical quorum present at the meeting in order to conduct a meeting in which the City Commission takes action; and

WHEREAS, the Florida Attorney General's Office has issued numerous formal and informal opinions that a member of a local government commission or board who is absent due to serious illness or a physical disability may participate at a public meeting where there was a physical quorum present at the public meeting site; and

WHEREAS, the Florida Attorney General's Office has stated that it is up to the good judgment of the Commission to make the determination of whether or not the participation of a commission member who is absent due to a scheduling conflict can participate by telephone conference in a meeting where there is a quorum physically present at the meeting site; and

WHEREAS, the City Commission desires to make a determination of what circumstance constitute extraordinary circumstances wherein an absent commission member may participate by telephone conference in a commission meeting where there is a physical quorum of the City Commission at the meeting site.

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

Section 1. The foregoing recitals are hereby ratified and confirmed as being true and correct and are hereby made a specific part of this specific part of this Resolution.

Section 2. The City Commission of Lake Worth finds that those extraordinary circumstances in which a member of the City Commission who is absent may participate and vote by telephone conference where there is a physical quorum present at the meeting site are those circumstances that the Florida Attorney General's Office has specifically opined upon and defined as extraordinary circumstances and are as follows:

1. Serious illness;
2. Receiving medical treatment; or
3. Unable to attend due to being physically disabled,

provided that no more than one (1) member of the City Commission may so participate in any City Commission meeting.

Section 3. These extraordinary circumstances shall be included in the rules of procedure for the Lake Worth City Commission as set forth in Exhibit A, which are attached hereto, and are hereby adopted.

Section 4. Resolution No. 04-2011 and any other resolutions in conflict herewith are hereby repealed.

Section 5. This resolution shall become effective upon its adoption

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

Mayor Rachel Waterman	AYE
Vice Mayor Suzanne Mulvehill	AYE
Commissioner Scott Maxwell	AYE
Commissioner Christopher McVoy	ABSENT
Commissioner Jo-Ann Golden	AYE

The Mayor thereupon declared this Resolution duly passed and adopted this 2nd day of August 2011.

LAKE WORTH CITY COMMISSION

By:   
Rachel B. Waterman, Mayor

ATTEST:

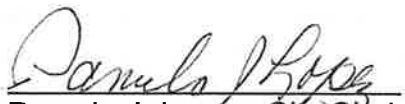
  
Pamela J. Lopez, City Clerk



Exhibit A

RULES OF PROCEDURE  
LAKE WORTH CITY COMMISSION

RULE 1  
SCHEDULING OF MEETINGS AND WORKSHOPS

- (1) Regular meetings of the City Commission shall be held on the first and third Tuesday of each month, in the Commission Meeting Room at City Hall, 7 North Dixie Highway, Lake Worth, Florida, beginning at 6:00 o'clock P.M.

If a regular meeting date falls on a holiday, the meeting shall be held in the Commission Meeting Room at City Hall on the next day immediately following the holiday, beginning at 6:00 P.M.

The City Commission may cancel not more than one regular meeting in any month.

- (2) A special meeting of the City Commission to canvass ballots shall be held as required by the City Charter. Other special meetings may be called by a majority of the members of the City Commission or by the Mayor. Notice of special meetings shall be given to each Commissioner <sup>1</sup> and to the public at least twenty-four (24) hours in advance except for emergency meetings. If the Mayor or a member of the Commission is absent from the City or otherwise beyond reach of actual notice, failure to give such notice shall not prevent the convening of the special meeting. The City Commission may act on any matter presented at the special meeting unless prohibited by the City Charter or by rules established by the City Commission. Special meetings shall be held in the Commission Meeting Room at City Hall, 7 North Dixie Highway, Lake Worth, Florida, or at such other location within the City as may be designated in the notice of the special meeting, beginning at a time to be specified in the notice of the special meeting.
- (3) Workshops of the City Commission may be called by a majority of the members of the City Commission or by the Mayor, and any matter may be discussed or studied at a workshop. Any matter that appears likely to take more than thirty (30) minutes shall be discussed or studied at a workshop prior to official action of the City Commission, unless this requirement is waived by a majority vote. No official action of the City Commission shall be taken at a workshop.

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<sup>1</sup> As used in these rules, "Commissioner" means any City Commissioner or the Mayor unless the context clearly indicates otherwise.

- (4) "District Public Forums" may be held by the City Commission on a quarterly basis, one to be held in each district of the City on a rotating basis. Notice of such meetings shall be posted no less than 14 days before each meeting. No official action shall be taken at these meetings.

## RULE 2 QUORUM

A majority of the City Commission shall constitute a quorum; a smaller number may adjourn a meeting or recess a meeting to a time certain. No ordinance, resolution, or motion shall be adopted except by the affirmative vote of at least three members of the City Commission.

## RULE 3 ABSENT MEMBER PARTICIPATION BY TELEPHONE CONFERENCE

A member of the City Commission who is absent due to extraordinary circumstances may participate and vote by telephone conference in a Commission meeting where there is a physical quorum present at the meeting site, with such extraordinary circumstances being those circumstances that the Florida Attorney General's Office has specifically opined upon and defined as extraordinary circumstances, and are as follows:

1. Serious illness;
4. Receiving medical treatment; or
5. Unable to attend due to being physically disabled.

provided that no more than one (1) member of the City Commission may so participate in any City Commission meeting.

## RULE 4 DUTIES AND RESPONSIBILITIES OF THE "CHAIR"

- (1) The Mayor shall be the presiding officer of the City Commission, and shall be referred to as the "Chair" when sitting in that capacity. In case of the absence or the disability of the Mayor, the Vice Mayor shall assume the responsibilities of the presiding officer, and if both are absent or disabled, the Vice Mayor Pro Tem shall preside.
- (2) The Chair shall preserve order. The Chair may call to order any member of the Commission and any member of the public who shall violate any of these



rules or otherwise disrupt the orderly proceeding of the meeting. The Chair shall decide all questions of order subject to a majority vote on an appeal of the decision.

- (3) The Chair shall recognize all Commissioners who seek the floor while entitled to do so.
- (4) The Chair shall not make or second a motion.

RULE 5  
ORDER OF BUSINESS

- (1) The order of business for a regular meeting shall ordinarily be:
  1. Roll Call
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- (5) The Chair shall restate all motions before the vote is taken.
- (6) A tie vote shall constitute a continuance of the item to the next regular meeting, but upon a tie vote on the same item at the next meeting, the item shall not be rescheduled except upon the request of the City Manager, the City Attorney, or a Commissioner.
- (7) The failure of a motion stated in the negative shall not be deemed an affirmative action. For example, the failure of a motion to deny shall not constitute an approval.
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The following motions are not debatable:

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To lay on the table;  
To take from the table;  
To divide a question;  
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To take a recess;  
A point of information;  
An appeal of a decision of the Chair;  
The previous question.

**RULE 8  
RECONSIDERATION**

Any member of the Commission may move to reconsider any action of the Commission provided that new relevant information is presented to the Commission and the motion be made by the next regular Commission meeting. No motion to reconsider shall be made more than once on any subject or matter.

**RULE 9  
COMMISSION MINUTES**

Copies of the minutes of the regular meetings shall be furnished, when possible, at least seven days prior to the next regular meeting. Such minutes shall stand confirmed at the regular meeting of the Commission without the reading thereof in open meeting unless some inaccuracy or error is pointed out by some member of the Commission present, and in such event, an appropriate correction shall be made. Upon request, the City Manager will cause the City Clerk to provide any Commissioner with copies of tapes or transcribed excerpts of tapes of City Commission meetings. No member shall suggest to the City Clerk any revision in minutes of meetings before the same shall have been submitted to the full Commission for approval, unless specifically requested by the Clerk to make clarification.

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Robert's Rules of Order, Newly Revised, are adopted as the rules of procedure of the City Commission, but such Rules shall not take precedence over any provision of Florida law, the City Charter, an ordinance or resolution of the City, or these rules, which shall govern in the event of conflict. A failure to comply with Robert's Rules of Order or these rules shall not affect the validity of any action taken by the City Commission.

RULE 11  
AMENDMENT OR WAIVER OF RULES

These rules of procedure may be amended or waived by a majority vote, provided that no such amendment shall conflict with any applicable provision of Florida law, the City Charter, or an ordinance of the City.

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AGENDA PROCEDURES

- (1) Agenda submittal deadline: The deadline for submitting items for inclusion on an agenda shall be no later than 12:00 PM on Friday, 11 days prior to a regularly scheduled Commission meeting.
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For all special or workshop City Commission meetings, the agendas with supporting documents will be distributed consistent with the timeframe referenced above.

- (3) Amendment to agenda: There shall be no changes, revisions or alterations (add-ons) to a distributed City Commission agenda unless the matter is deemed to be an emergency.

In the case of an emergency, any person or City Commissioner requesting a change, revision or alteration (add-on) to the City Commission agenda must do so in writing, provide written justification for the emergency within the narrative of an agenda memorandum, and include supporting backup material to the City Manager no later than 5:00 PM the Friday before a regularly scheduled Commission meeting.

The name of the person or City Commissioner requesting the change, revision or alteration (add-on) shall be placed with the agenda item to be presented. The written justification and supporting backup material shall be submitted to the City Commission prior to a regularly scheduled Commission meeting.

At the beginning of the City Commission meeting, the City Commission shall review the emergency and, in its discretion, will determine whether it will accept, review and take action on the matter requested.

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PRESERVE ORDER

City Commission members shall not accept receipt of, read or place e-mails, text messages, notes, or phone calls during public meetings and executive sessions of the City Commission.

RULE 14  
DECORUM FOR CITIZEN PARTICIPATION

- (a) In support of and respect for an open, fair and informed decision-making process, the City Commission and Administration recognize that:
- (1) Civil, respectful and courteous discourse and behavior are conducive to the democratic and harmonious airing of concerns and decision making; and
  - (2) Un-civil discourse and/or discourteous and inappropriate behavior have a negative impact on the character and productivity of the decision-making process.
- (b) In an effort to preserve the intent of open government and maintain a positive environment for citizen input and Commission decision-making, the following Rules of Decorum for Citizen Participation have been established.

Compliance with these rules is expected and appreciated. The Rules of Decorum for Citizen Participation will be included in the agenda and will be referenced at the beginning of each Commission meeting and Commission Work Session by the Chair. A written list of the Rules of Decorum for Citizen Participation will also be printed and mounted upon the walls of the Commission Chamber and Conference Room and upon the speaker's podium in the Commission Chamber.

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- (2) Speakers will address the Chair.
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- (6) Name-calling and/or obscenity is forbidden.
  - (7) Shouting, yelling or screaming is forbidden.
  - (8) Commission Work Session or Public Hearing attendees (audience) will refrain from commenting, shouting, booing, clapping, stomping feet or other inappropriate and/or disruptive behavior. Brief clapping is permissible at the end of a speaker's comments.
- (c) It is the intent of Commission to maintain order and enforce the Rules of Decorum for Citizen Participation for its meetings. Disregard of these rules will be met with the following consequences:
- (1) The Chair will identify out loud the out-of-compliance behavior and request for the behavior to stop;
  - (2) The Chair will ask the speaker to have a seat if he/she continues to disrupt the meeting;
  - (3) If the speaker refuses to have a seat, the Chair will recess the meeting; and
  - (4) Will instruct a law enforcement officer to instruct the speaker to stop the disruptive conduct and escort the speaker out of the meeting venue.

RESOLUTION NO. 04-2011 OF THE CITY OF LAKE WORTH, FLORIDA, ADOPTING RULES AND PROCEDURES FOR THE CITY COMMISSION; RESCINDING RESOLUTION NOS. 06-2009 AND 33-2009 AND ANY OTHER RESOLUTION IN CONFLICT HEREWITH; PROVIDING AN EFFECTIVE DATE.

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

Section 1. The rules of procedure for the Lake Worth City Commission, set forth in Exhibit A attached hereto, are hereby adopted.

Section 2. Resolution Nos. 06-2009 and 33-2009 and any other resolutions in conflict herewith are hereby repealed.

Section 3. This resolution shall become effective upon its adoption

The passage of this Resolution was moved by Vice Mayor Mulvehill seconded by Commissioner Golden, 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	ABSENT
Commissioner Christopher McVoy	AYE
Commissioner Jo-Ann Golden	AYE

The Mayor thereupon declared this Resolution duly passed and adopted this 15<sup>th</sup> day of March 2011.

LAKE WORTH CITY COMMISSION

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

René A. Varela, Mayor

ATTEST:


  
Pamela J. Lopez, City Clerk



Exhibit A

RULES OF PROCEDURE  
LAKE WORTH CITY COMMISSION

RULE 1  
SCHEDULING OF MEETINGS AND WORKSHOPS

- (1) Regular meetings of the City Commission shall be held on the first and third Tuesday of each month, in the Commission Meeting Room at City Hall, 7 North Dixie Highway, Lake Worth, Florida, beginning at 6:00 o'clock P.M.

If a regular meeting date falls on a holiday, the meeting shall be held in the Commission Meeting Room at City Hall on the next day immediately following the holiday, beginning at 6:00 P.M.

The City Commission may cancel not more than one regular meeting in any month.

- (2) A special meeting of the City Commission to canvass ballots shall be held as required by the City Charter. Other special meetings may be called by a majority of the members of the City Commission or by the Mayor. Notice of special meetings shall be given to each Commissioner<sup>1</sup> and to the public at least twenty-four (24) hours in advance except for emergency meetings. If the Mayor or a member of the Commission is absent from the City or otherwise beyond reach of actual notice, failure to give such notice shall not prevent the convening of the special meeting. The City Commission may act on any matter presented at the special meeting unless prohibited by the City Charter or by rules established by the City Commission. Special meetings shall be held in the Commission Meeting Room at City Hall, 7 North Dixie Highway, Lake Worth, Florida, or at such other location within the City as may be designated in the notice of the special meeting, beginning at a time to be specified in the notice of the special meeting.
- (3) Workshops of the City Commission may be called by a majority of the members of the City Commission or by the Mayor, and any matter may be discussed or studied at a workshop. Any matter that appears likely to take more than thirty (30) minutes shall be discussed or studied at a workshop prior to official action of the City Commission, unless this requirement is waived by a majority vote. No official action of the City Commission shall be taken at a workshop.

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<sup>1</sup> As used in these rules, "Commissioner" means any City Commissioner or the Mayor unless the context clearly indicates otherwise.



- (4) "District Public Forums" may be held by the City Commission on a quarterly basis, one to be held in each district of the City on a rotating basis. Notice of such meetings shall be posted no less than 14 days before each meeting. No official action shall be taken at these meetings.

**RULE 2  
QUORUM**

A majority of the City Commission shall constitute a quorum; a smaller number may adjourn a meeting or recess a meeting to a time certain. No ordinance, resolution, or motion shall be adopted except by the affirmative vote of at least three members of the City Commission.

**RULE 3  
DUTIES AND RESPONSIBILITIES OF THE "CHAIR"**

- (1) The Mayor shall be the presiding officer of the City Commission, and shall be referred to as the "Chair" when sitting in that capacity. In case of the absence or the disability of the Mayor, the Vice Mayor shall assume the responsibilities of the presiding officer, and if both are absent or disabled, the Vice Mayor Pro Tem shall preside.
- (2) The Chair shall preserve order. The Chair may call to order any member of the Commission and any member of the public who shall violate any of these rules or otherwise disrupt the orderly proceeding of the meeting. The Chair shall decide all questions of order subject to a majority vote on an appeal of the decision.
- (3) The Chair shall recognize all Commissioners who seek the floor while entitled to do so.
- (4) The Chair shall not make or second a motion.

**RULE 4  
ORDER OF BUSINESS**

- (1) The order of business for a regular meeting shall ordinarily be:
  1. Roll Call
  2. Invocation
  3. Pledge of Allegiance
  4. Agenda-Additions/Deletions/Reordering
  5. Presentations
  6. Public Participation on Non-Agendaed Items
  7. Approval of Minutes
  8. Consent Agenda

9. Public Hearings
10. Unfinished Business
11. New Business
12. City Attorney's Report
13. City Manager's Report
14. Commission Liaison Reports and Comments
15. Adjournment

- (2) The order of business may be revised by a majority vote.
- (3) Matters may be placed on the agenda by any Commissioner, the City Manager, or the City Attorney.
- (4) Except for matters advertised for public hearing, any matter may be removed from an agenda by the person who placed it on the agenda or by a majority vote.
- (5) When a matter comes before the Commission which directly affects one election district, the Commissioner from that district shall have the privilege of both expressing his or her views and making a motion on that matter first.
- (6) Matters may be placed under Presentations by any Commissioner or the City Manager.

**RULE 5  
DEBATE OF MOTIONS; VOTING**

- (1) When debating or discussing a motion, a Commissioner shall address the Chair and await recognition before speaking. The Commissioner making a motion is entitled to the floor first for debate. No Commissioner is entitled to the floor a second time on the same motion as long as any other Commissioner who has not spoken on the issue desires the floor.
- (2) Motions and amendments can be withdrawn or modified by the maker at any time prior to the Chair's stating the question on the motion; after that time, the permission of the Commission majority must be obtained. The Chair cannot close debate as long as any member who has not exhausted his right to debate desires the floor.
- (3) Members of the audience are permitted to speak upon opening of the floor for public comment by the Chair on all issues of Public Hearing, Unfinished Business, and New Business. When the floor is open for public comment, the time shall be limited to two minutes per speaker. During a public hearing, the applicant shall have ten minutes to make his or her presentation but the time may be extended to permit questioning of the applicant or the applicant's witnesses.

- (4) A member of the audience who speaks to the City Commissioner may be questioned for additional information, but Commissioners shall not engage in debate with a member of the audience. Members of the audience may ask questions but may not compel a Commissioner, the City Manager, or the City Attorney to answer questions during a meeting.
- (5) The Chair shall restate all motions before the vote is taken.
- (6) A tie vote shall constitute a continuance of the item to the next regular meeting, but upon a tie vote on the same item at the next meeting, the item shall not be rescheduled except upon the request of the City Manager, the City Attorney, or a Commissioner.
- (7) The failure of a motion stated in the negative shall not be deemed an affirmative action. For example, the failure of a motion to deny shall not constitute an approval.
- (8) During a presentation, the presenter shall have ten minutes to make his or her presentation but the time may be extended to permit questioning of the presenter.

#### RULE 6 NON-DEBATABLE MOTIONS

The following motions are not debatable:

To adjourn;  
To lay on the table;  
To take from the table;  
To divide a question;  
To close or re-open nominations;  
To take a recess;  
A point of information;  
An appeal of a decision of the Chair;  
The previous question.

#### RULE 7 RECONSIDERATION

Any member of the Commission may move to reconsider any action of the Commission provided that new relevant information is presented to the Commission and the motion be made by the next regular Commission meeting. No motion to reconsider shall be made more than once on any subject or matter.

#### RULE 8 COMMISSION MINUTES

Copies of the minutes of the regular meetings shall be furnished, when possible, at least seven days prior to the next regular meeting. Such minutes shall stand confirmed at the regular meeting of the Commission without the reading thereof in open meeting unless some inaccuracy or error is pointed out by some member of the Commission present, and in such event, an appropriate correction shall be made. Upon request, the City Manager will cause the City Clerk to provide any Commissioner with copies of tapes or transcribed excerpts of tapes of City Commission meetings. No member shall suggest to the City Clerk any revision in minutes of meetings before the same shall have been submitted to the full Commission for approval, unless specifically requested by the Clerk to make clarification.

**RULE 9  
ADOPTION OF ROBERT'S RULES OF ORDER**

Robert's Rules of Order, Newly Revised, are adopted as the rules of procedure of the City Commission, but such Rules shall not take precedence over any provision of Florida law, the City Charter, an ordinance or resolution of the City, or these rules, which shall govern in the event of conflict. A failure to comply with Robert's Rules of Order or these rules shall not affect the validity of any action taken by the City Commission.

**RULE 10  
AMENDMENT OR WAIVER OF RULES**

These rules of procedure may be amended or waived by a majority vote, provided that no such amendment shall conflict with any applicable provision of Florida law, the City Charter, or an ordinance of the City.

**RULE 11  
AGENDA PROCEDURES**

- (1) Agenda submittal deadline: The deadline for submitting items for inclusion on an agenda shall be no later than 12:00 PM on Friday, 11 days prior to a regularly scheduled Commission meeting.
- (2) Agenda distribution deadline: The deadline for distributing a final agenda with supporting documents shall be no later than Thursday, the week prior to a regularly scheduled City Commission meeting.

For all special or workshop City Commission meetings, the agendas with supporting documents will be distributed consistent with the timeframe referenced above.

- (3) Amendment to agenda: There shall be no changes, revisions or alterations (add-ons) to a distributed City Commission agenda unless the matter is deemed to be an emergency.

In the case of an emergency, any person or City Commissioner requesting a change, revision or alteration (add-on) to the City Commission agenda must do so in writing, provide written justification for the emergency within the narrative of an agenda memorandum, and include supporting backup material to the City Manager no later than 5:00 PM the Friday before a regularly scheduled Commission meeting.

The name of the person or City Commissioner requesting the change, revision or alteration (add-on) shall be placed with the agenda item to be presented. The written justification and supporting backup material shall be submitted to the City Commission prior to a regularly scheduled Commission meeting.

At the beginning of the City Commission meeting, the City Commission shall review the emergency and, in its discretion, will determine whether it will accept, review and take action on the matter requested.

#### RULE 12 PRESERVE ORDER

City Commission members shall not accept receipt of, read or place e-mails, text messages, notes, or phone calls during public meetings and executive sessions of the City Commission.

#### RULE 13 DECORUM FOR CITIZEN PARTICIPATION

- (a) In support of and respect for an open, fair and informed decision-making process, the City Commission and Administration recognize that:
- (1) Civil, respectful and courteous discourse and behavior are conducive to the democratic and harmonious airing of concerns and decision making; and
  - (2) Un-civil discourse and/or discourteous and inappropriate behavior have a negative impact on the character and productivity of the decision-making process.
- (b) In an effort to preserve the intent of open government and maintain a positive environment for citizen input and Commission decision-making, the following Rules of Decorum for Citizen Participation have been established.

Compliance with these rules is expected and appreciated. The Rules of Decorum for Citizen Participation will be included in the agenda and will be referenced at the beginning of each Commission meeting and Commission Work Session by the Chair. A written list of the Rules of Decorum for Citizen Participation will also be printed and mounted upon the walls of the Commission Chamber and Conference Room and upon the speaker's podium in the Commission Chamber.

- (1) Speakers will conduct themselves in a civil and respectful manner at all times.
  - (2) Speakers will address the Chair.
  - (3) Questions to Commission members or City staff will be facilitated by the Chair.
  - (4) Speakers will refrain from the use of obscene language, "fighting words" likely to incite violence from the individuals(s) to whom the words are addressed, or other language which is disruptive to the orderly and fair progress of discussion at the meeting.
  - (5) Speakers will refrain from making comments of a personal nature regarding others.
  - (6) Name-calling and/or obscenity is forbidden.
  - (7) Shouting, yelling or screaming is forbidden.
  - (8) Commission Work Session or Public Hearing attendees (audience) will refrain from commenting, shouting, booing, clapping, stomping feet or other inappropriate and/or disruptive behavior. Brief clapping is permissible at the end of a speaker's comments.
- (c) It is the intent of Commission to maintain order and enforce the Rules of Decorum for Citizen Participation for its meetings. Disregard of these rules will be met with the following consequences:
- (1) The Chair will identify out loud the out-of-compliance behavior and request for the behavior to stop;
  - (2) The Chair will ask the speaker to have a seat if he/she continues to disrupt the meeting;
  - (3) If the speaker refuses to have a seat, the Chair will recess the meeting; and
  - (4) Will instruct a law enforcement officer to instruct the speaker to stop the disruptive conduct and escort the speaker out of the meeting venue.

RESOLUTION NO. 33-2009 OF THE CITY OF LAKE WORTH, FLORIDA, AMENDING RULES AND PROCEDURES OF THE CITY COMMISSION (RESOLUTION NO. 06-2009) BY AMENDING RULE 4(1), ORDER OF BUSINESS; AMENDING RULE 11(1) AGENDA PROCEDURES; CREATING RULE 12 PRESERVE ORDER; PROVIDING AN EFFECTIVE DATE.

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

Section 1. The City Commission adopted Resolution No. 06-2009 establishing the rules and procedures for the Lake Worth City Commission on March 3, 2009, and desires to amend their rules and procedures as set out in Sections 2, 3, and 4 below.

Section 2. Rule 4(1), Order of Business is amended to read as follows:

RULE 4  
ORDER OF BUSINESS

(1) The order of business for a regular meeting shall ordinarily be:

- I. Roll Call
- II. Invocation
- III. Pledge of Allegiance
- IV. Agenda-Additions/Deletions/Reordering
- V. Presentations
- ~~VI. Commission Liaison Reports and Comments~~
- ~~VII. VI. Public Participation on Non-Agendaed Items~~
- VII. Approval of Minutes
- VIII. Consent Agenda
- IX. Public Hearings
- X. Unfinished Business
- XI. New Business
- XII. City Attorney's Report
- XIII. City Manager's Report
- XIV. Commission Liaison Reports and Comments
- XV. Adjournment

Section 3. Rule 11(1), Agenda Procedures is amended to read as follows:

RULE 11  
AGENDA PROCEDURES

- (1) Agenda submittal deadline: The deadline for submitting items for inclusion on an agenda shall be no later than ~~5:00 PM~~ 12:00 PM on Friday, 11 days prior to a regularly scheduled Commission meeting.

Section 4. Create Rule 12, Preserve Order to read as follows:

RULE 12  
PRESERVE ORDER

City Commission members shall not accept receipt of, read or place e-mails, text messages, notes, or phone calls during public meetings and executive sessions of the City Commission.

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

Mayor Jeff Clemens	AYE
Vice Mayor Jo-Ann Golden	AYE
Commissioner Retha Lowe	AYE
Commissioner Cara Jennings	AYE
Commissioner Suzanne Mulvehill	AYE


The Mayor thereupon declared this Resolution duly passed and adopted on this 21st day of July 2009.

LAKE WORTH CITY COMMISSION

ATTEST:

  
Pamela J. Lopez, City Clerk



  
Jeff Clemens, Mayor



RESOLUTION NO. 06-2009 OF THE CITY OF LAKE WORTH, FLORIDA, ADOPTING RULES AND PROCEDURES FOR THE CITY COMMISSION; RESCINDING RESOLUTION NOS. 54-99, 05-2004, 26-2006, 48-2007, 49-2007, 32-2008, AND ANY OTHER RESOLUTION IN CONFLICT HEREWITH; PROVIDING AN EFFECTIVE DATE.

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

Section 1. The rules of procedure for the Lake Worth City Commission, set forth in Exhibit A attached hereto, are hereby adopted.

Section 2. Resolution Nos. 54-99, 05-2004, 26-2006, 48-2007, 49-2007, 32-2008, and any other resolutions in conflict herewith are hereby rescinded.

Section 3. This resolution shall become effective upon its adoption

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

Mayor Jeff Clemens	NAY
Vice Mayor Jo-Ann Golden	AYE
Commissioner Retha Lowe	NAY
Commissioner Cara Jennings	AYE
Commissioner Suzanne Mulvehill	AYE

The Mayor thereupon declared this Resolution duly passed and adopted this 3rd day of March 2009.

LAKE WORTH CITY COMMISSION



By Jeff Clemens  
Jeff Clemens, Mayor

ATTEST:

Pamela J. Lopez  
Pamela J. Lopez, City Clerk

Exhibit A

RULES OF PROCEDURE  
LAKE WORTH CITY COMMISSION

RULE 1  
SCHEDULING OF MEETINGS AND WORKSHOPS

- (1) Regular meetings of the City Commission shall be held on the first and third Tuesday of each month, in the Commission Meeting Room at City Hall, 7 North Dixie Highway, Lake Worth, Florida, beginning at 6:00 o'clock P.M.

If a regular meeting date falls on a holiday, the meeting shall be held in the Commission Meeting Room at City Hall on the next day immediately following the holiday, beginning at 6:00 P.M.

The City Commission may cancel not more than one regular meeting in any month.

- (2) A special meeting of the City Commission to canvass ballots shall be held as required by the City Charter. Other special meetings may be called by a majority of the members of the City Commission or by the Mayor. Notice of special meetings shall be given to each Commissioner<sup>1</sup> and to the public at least twenty-four (24) hours in advance except for emergency meetings. If the Mayor or a member of the Commission is absent from the City or otherwise beyond reach of actual notice, failure to give such notice shall not prevent the convening of the special meeting. The City Commission may act on any matter presented at the special meeting unless prohibited by the City Charter or by rules established by the City Commission. Special meetings shall be held in the Commission Meeting Room at City Hall, 7 North Dixie Highway, Lake Worth, Florida, or at such other location within the City as may be designated in the notice of the special meeting, beginning at a time to be specified in the notice of the special meeting.
- (3) Workshops of the City Commission may be called by a majority of the members of the City Commission or by the Mayor, and any matter may be discussed or studied at a workshop. Any matter that appears likely to take more than thirty (30) minutes shall be discussed or studied at a workshop prior to official action of the City Commission, unless this requirement is waived by a majority vote. No official action of the City Commission shall be taken at a workshop.

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<sup>1</sup> As used in these rules, "Commissioner" means any City Commissioner or the Mayor unless the context clearly indicates otherwise.

- (4) "District Public Forums" may be held by the City Commission on a quarterly basis, one to be held in each district of the City on a rotating basis. Notice of such meetings shall be posted no less than 14 days before each meeting. No official action shall be taken at these meetings.

## RULE 2 QUORUM

A majority of the City Commission shall constitute a quorum; a smaller number may adjourn a meeting or recess a meeting to a time certain. No ordinance, resolution, or motion shall be adopted except by the affirmative vote of at least three members of the City Commission.

## RULE 3 DUTIES AND RESPONSIBILITIES OF THE "CHAIR"

- (1) The Mayor shall be the presiding officer of the City Commission, and shall be referred to as the "Chair" when sitting in that capacity. In case of the absence or the disability of the Mayor, the Vice Mayor shall assume the responsibilities of the presiding officer, and if both are absent or disabled, the Vice Mayor Pro Tem shall preside.
- (2) The Chair shall preserve order. The Chair may call to order any member of the Commission and any member of the public who shall violate any of these rules or otherwise disrupt the orderly proceeding of the meeting. The Chair shall decide all questions of order subject to a majority vote on an appeal of the decision.
- (3) The Chair shall recognize all Commissioners who seek the floor while entitled to do so.
- (4) The Chair shall not make or second a motion.

## RULE 4 ORDER OF BUSINESS

- (1) The order of business for a regular meeting shall ordinarily be:
  - I. Roll Call
  - II. Invocation
  - III. Pledge of Allegiance
  - IV. Agenda-Additions/Deletions/Reordering
  - V. Presentations
  - VI. Commission Liaison Reports and Comments
  - VII. Public Participation on Non-Agendaed Items

- VIII. Consent Agenda
- IX. Public Hearings
- X. Unfinished Business
- XI. New Business
- XII. City Attorney's Report
- XIII. City Manager's Report
- XIV. Adjournment

- (2) The order of business may be revised by a majority vote.
- (3) Matters may be placed on the agenda by any Commissioner, the City Manager, or the City Attorney.
- (4) Except for matters advertised for public hearing, any matter may be removed from an agenda by the person who placed it on the agenda or by a majority vote.
- (5) When a matter comes before the Commission which directly affects one election district, the Commissioner from that district shall have the privilege of both expressing his or her views and making a motion on that matter first.
- (6) Matters may be placed under Presentations by any Commissioner or the City Manager.

RULE 5  
DEBATE OF MOTIONS; VOTING

- (1) When debating or discussing a motion, a Commissioner shall address the Chair and await recognition before speaking. The Commissioner making a motion is entitled to the floor first for debate. No Commissioner is entitled to the floor a second time on the same motion as long as any other Commissioner who has not spoken on the issue desires the floor.
- (2) Motions and amendments can be withdrawn or modified by the maker at any time prior to the Chair's stating the question on the motion; after that time, the permission of the Commission majority must be obtained. The Chair cannot close debate as long as any member who has not exhausted his right to debate desires the floor.
- (3) ~~Except for matters for which a public hearing is being conducted, members of the audience may not participate in the debate on a motion as a matter of right, but may be~~ are permitted to speak upon opening of the floor for public comment by the Chair on all issues of Public Hearing, Unfinished Business, and New Business. When the floor is open for public comment, the time shall be limited to ~~three~~ two minutes per speaker. During a public hearing, the applicant shall have ten minutes to make his or her presentation but the time

may be extended to permit questioning of the applicant or the applicant's witnesses.

- (4) A member of the audience who speaks to the City Commissioner may be questioned for additional information, but Commissioners shall not engage in debate with a member of the audience. Members of the audience may ask questions but may not compel a Commissioner, the City Manager, or the City Attorney to answer questions during a meeting.
- (5) The Chair shall restate all motions before the vote is taken.
- (6) A tie vote shall constitute a continuance of the item to the next regular meeting, but upon a tie vote on the same item at the next meeting, the item shall not be rescheduled except upon the request of the City Manager, the City Attorney, or a Commissioner.
- (7) The failure of a motion stated in the negative shall not be deemed an affirmative action. For example, the failure of a motion to deny shall not constitute an approval.
- (8) During a presentation, the presenter shall have ten minutes to make his or her presentation but the time may be extended to permit questioning of the presenter.

#### RULE 6 NON-DEBATABLE MOTIONS

The following motions are not debatable:

To adjourn;  
To lay on the table;  
To take from the table;  
To divide a question;  
To close or re-open nominations;  
To take a recess;  
A point of information;  
An appeal of a decision of the Chair;  
The previous question.

#### RULE 7 RECONSIDERATION

Any member of the Commission ~~who voted with the prevailing side~~ may move to reconsider any action of the Commission provided that new relevant information is presented to the Commission and the motion be made by the next regular

Commission meeting. No motion to reconsider shall be made more than once on any subject or matter.

#### RULE 8 COMMISSION MINUTES

Copies of the minutes of the regular meetings shall be furnished, when possible, at least seven days prior to the next regular meeting. Such minutes shall stand confirmed at the regular meeting of the Commission without the reading thereof in open meeting unless some inaccuracy or error is pointed out by some member of the Commission present, and in such event, an appropriate correction shall be made. Upon request, the City Manager will cause the City Clerk to provide any Commissioner with copies of tapes or transcribed excerpts of tapes of City Commission meetings. No member shall suggest to the City Clerk any revision in minutes of meetings before the same shall have been submitted to the full Commission for approval, unless specifically requested by the Clerk to make clarification.

#### RULE 9 ADOPTION OF ROBERT'S RULES OF ORDER

Robert's Rules of Order, Newly Revised, are adopted as the rules of procedure of the City Commission, but such Rules shall not take precedence over any provision of Florida law, the City Charter, an ordinance or resolution of the City, or these rules, which shall govern in the event of conflict. A failure to comply with Robert's Rules of Order or these rules shall not affect the validity of any action taken by the City Commission.

#### RULE 10 AMENDMENT OR WAIVER OF RULES

These rules of procedure may be amended or waived by a majority vote, provided that no such amendment shall conflict with any applicable provision of Florida law, the City Charter, or an ordinance of the City.

#### RULE 11 AGENDA PROCEDURES

- (1) Agenda submittal deadline: The deadline for submitting items for inclusion on an agenda shall be no later than 5:00 PM on Friday, 11 days prior to a regularly scheduled Commission meeting.
- (2) Agenda distribution deadline: The deadline for distributing a final agenda with supporting documents shall be no later than Thursday, the week prior to a regularly scheduled City Commission meeting.

For all special or workshop City Commission meetings, the agendas with supporting documents will be distributed consistent with the timeframe referenced above.

- (3) Amendment to agenda: There shall be no changes, revisions or alterations (add-ons) to a distributed City Commission agenda unless the matter is deemed to be an emergency.

In the case of an emergency, any person or City Commissioner requesting a change, revision or alteration (add-on) to the City Commission agenda must do so in writing, provide written justification for the emergency within the narrative of an agenda memorandum, and include supporting backup material to the City Manager no later than 5:00 PM the Friday before a regularly scheduled Commission meeting.

The name of the person or City Commissioner requesting the change, revision or alteration (add-on) shall be placed with the agenda item to be presented. The written justification and supporting backup material shall be submitted to the City Commission prior to a regularly scheduled Commission meeting.

At the beginning of the City Commission meeting, the City Commission shall review the emergency and, in its discretion, will determine whether it will accept, review and take action on the matter requested.

RESOLUTION NO. 32-2008 OF THE CITY OF LAKE WORTH, FLORIDA, AMENDING RESOLUTION NO. 54-99 RULES AND PROCEDURES TO AMEND RULE 4, ORDER OF BUSINESS, RULE 5 DEBATE OF MOTIONS; VOTING, AND RULE 7, RECONSIDERATION FOR THE CITY COMMISSION; PROVIDING AN EFFECTIVE DATE.

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

Section 1. Resolution No. 54-99 adopted the rules and procedures for the Lake Worth City Commission.

Section 2. Rule 4, Order of Business is amended to add section 6:

(6) Matters may be placed under Presentations by any Commissioner or the City Manager.

Section 3. Rule 5, Debate of Motions; Voting is amended to add section 8:

(8) During a presentation, the presenter shall have ten minutes to make his or her presentation but the time may be extended to permit questioning of the presenter.

Section 4. Rule 7, Reconsideration is amended to read as follow:

Any member of the Commission who voted with the prevailing side may move to reconsider any action of the Commission provided that the motion be made at the same meeting at which the action was taken by the next regular Commission meeting. ~~If the action is one for which a public hearing is required, a motion to reconsider the action shall be in order prior to taking up the next item of business and shall be untimely if the motion is made later in the meeting. No motion to reconsider shall be made more than once on any subject or matter at the same meeting.~~

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

Mayor Jeff Clemens	AYE
Vice Mayor Retha Lowe	AYE
Commissioner Cara Jennings	NAY
Commissioner Jo-Ann Golden	NAY
Commissioner Dave Vespo	AYE




Pg. 2, Reso. 32-2008

The Mayor thereupon declared this Resolution duly passed and adopted on this 15th day of July 2008.

LAKE WORTH CITY COMMISSION

By:   
Jeff Clemens, Mayor

ATTEST:

  
Pamela J. Lopez, City Clerk



RESOLUTION NO. 49-2007 OF THE CITY OF LAKE WORTH, FLORIDA, AMENDING RESOLUTION NO. 54-99 RULES AND PROCEDURES TO AMEND IN ITS ENTIRETY RULE 4, ORDER OF BUSINESS FOR THE CITY COMMISSION; PROVIDING AN EFFECTIVE DATE.

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

Section 1. Resolution No. 54-99 adopted the rules and procedures for the Lake Worth City Commission.

Section 2. Rule 4, Order of Business is amended in its entirety to read as follow:

RULE 4  
ORDER OF BUSINESS

- I. Roll Call.
- II. Invocation.
- III. Pledge of Allegiance.
- IV. Agenda – Additions/Deletions/Reordering.
- V. Presentations.
- VI. Public Participation on Non-Agendaed Items.
- VII. Consent Agenda.
- VIII. Public Hearings.
- IX. Unfinished Business.
- X. New Business.
- XI. City Attorney's Report.
- XII. City Manager's Report.
- XIII. Commission Liaison Reports and Comments.
- XIV. Adjournment.

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

Mayor Jeff Clemens	NAY
Vice Mayor Retha Lowe	NAY
Commissioner Cara Jennings	AYE
Commissioner Jo-Ann Golden	AYE
Commissioner Dave Vespo	AYE


Pg. 2, Reso. 49-2007

The Mayor thereupon declared this Resolution duly passed and adopted on this 2nd day of October 2007.

LAKE WORTH CITY COMMISSION

By:   
Jeff Clemens, Mayor

ATTEST:

  
Pamela J. Lopez, City Clerk



RESOLUTION NO. 48-2007 OF THE CITY OF LAKE WORTH, FLORIDA, AMENDING RESOLUTION NO. 54-99 RULES AND PROCEDURES TO CREATE RULE 11, AGENDA PROCEDURES FOR THE CITY COMMISSION; PROVIDING AN EFFECTIVE DATE.

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

Section 1. Resolution No. 54-99 adopted the rules and procedures for the Lake Worth City Commission.

Section 2. Rule 11, Agenda Procedures is hereby created to read as follow:

RULE 11  
AGENDA PROCEDURES

- (1) Agenda submittal deadline: The deadline for submitting items for inclusion on an agenda shall be no later than 5:00 PM on Friday, 11 days prior to a regularly scheduled Commission meeting.
- (2) Agenda distribution deadline: The deadline for distributing a final agenda with supporting documents shall be no later than Thursday, the week prior to a regularly scheduled City Commission meeting.

For all special or workshop City Commission meetings, the agendas with supporting documents will be distributed consistent with the timeframe referenced above.

- (3) Amendment to agenda: There shall be no changes, revisions or alterations (add-ons) to a distributed City Commission agenda unless the matter is deemed to be an emergency.

In the case of an emergency, any person or City Commissioner requesting a change, revision or alteration (add-on) to the City Commission agenda must do so in writing, provide written justification for the emergency within the narrative of an agenda memorandum, and include supporting backup material to the City Manager no later than 5:00 PM the Friday before a regularly scheduled Commission meeting.

The name of the person or City Commissioner requesting the change, revision or alteration (add-on) shall be placed with the agenda item to be presented. The written justification and supporting backup material shall be submitted to the City Commission prior to a regularly scheduled Commission meeting.

At the beginning of the City Commission meeting, the City Commission shall review the emergency and, in its discretion, will determine whether it will accept, review and take action on the matter requested.

The passage of this Resolution was moved by Commission Golden, seconded by Vice Mayor Lowe, and upon being put to a vote, the vote was as follows:


Mayor Jeff Clemens	AYE
Vice Mayor Retha Lowe	AYE
Commissioner Cara Jennings	AYE
Commissioner Jo-Ann Golden	AYE
Commissioner Dave Vespo	AYE

The Mayor thereupon declared this Resolution duly passed and adopted on this 2<sup>nd</sup> day of October, 2007.

LAKE WORTH CITY COMMISSION

By:   
Jeff Clemens, Mayor

ATTEST:

  
Pamela J. Lopez, City Clerk



RESOLUTION NO. 26-2006 OF THE CITY OF LAKE WORTH, FLORIDA, AMENDING RESOLUTION NO. 54-99 RULES AND PROCEDURES TO AMEND IN ITS ENTIRETY RULE 4, ORDER OF BUSINESS FOR THE CITY COMMISSION; PROVIDING AN EFFECTIVE DATE.

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

Section 1. Resolution No. 54-99 adopted the rules and procedures for the Lake Worth City Commission.

Section 2. Rule 4, Order of Business is amended in its entirety to read as follow:

RULE 4  
ORDER OF BUSINESS

- I. Roll Call.
- II. Invocation.
- III. Pledge of Allegiance.
- IV. Agenda – Additions/Deletions/Reordering.
- V. Presentations.
- VI. Consent Agenda.
- VII. Public Hearings.
- VIII. Unfinished Business.
- IX. New Business.
- X. City Attorney’s Report.
- XI. City Manager’s Report.
- XII. Public Participation on Non-Agendaed Items.
- XIII. Commission Liaison Reports and Comments.
- XIV. Adjournment.

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

Mayor Marc J. Drautz	AYE
Vice Mayor Retha Lowe	AYE
Commissioner Cara Jennings	AYE
Commissioner Nadine Burns	AYE
Commissioner Dave Vespo	AYE


Pg. 2, Reso. 26-2006

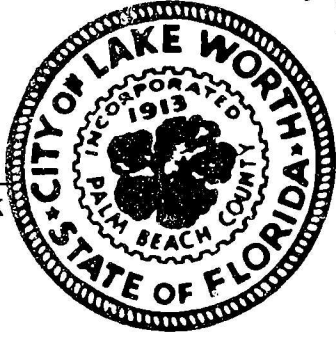
The Mayor thereupon declared this Resolution duly passed and adopted on this 6<sup>th</sup> day of June, 2006.

LAKE WORTH CITY COMMISSION

By:   
Marc J. Drautz, Mayor

ATTEST:

  
Pamela J. Lopez, City Clerk



RESOLUTION NO. 05-2004 OF THE CITY OF LAKE WORTH, FLORIDA, AMENDING RESOLUTION NO. 54-99 RULES AND PROCEDURES TO AMEND IN ITS ENTIRETY RULE 4, ORDER OF BUSINESS FOR THE CITY COMMISSION; PROVIDING AN EFFECTIVE DATE.

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

Section 1. Resolution No. 54-99 adopted the rules and procedures for the Lake Worth City Commission.

Section 2. Rule 4, Order of Business is amended in its entirety to read as follow:

RULE 4  
ORDER OF BUSINESS

- I. Roll Call.
- II. Invocation.
- III. Pledge of Allegiance.
- IV. Agenda – Additions/Deletions/Reordering.
- V. Presentations.
- VI. Consent Agenda.
- VII. Public Participation on non-agendaed items.
- VIII. Commission Liaison Reports and Comments.
- IX. Public Hearings.
- X. Unfinished Business.
- XI. New Business.
- XII. City Attorney's Report.
- XIII. City Manager's Report.
- XIV. Adjournment.

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

Mayor Rodney G. Romano	AYE
Vice Mayor Colburn H. McKinnon	AYE
Commissioner Retha Lowe	AYE
Commissioner Nadine Burns	AYE
Commissioner Joe Egly	AYE



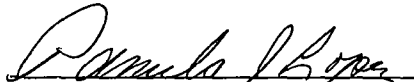
The Mayor thereupon declared this Resolution duly passed and adopted on this 3<sup>rd</sup> day of February, 2004.

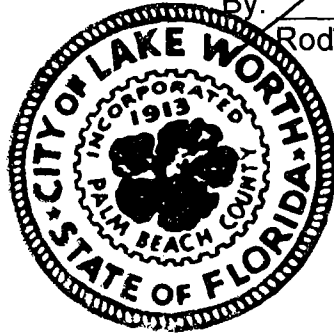
LAKE WORTH CITY COMMISSION

By: 

Rodney G. Romano, Mayor

ATTEST:

  
Pamela J. Lopez, City Clerk



RESOLUTION NO. 54-99 OF THE CITY OF LAKE WORTH, FLORIDA, ADOPTING RULES AND PROCEDURES FOR THE CITY COMMISSION; RESCINDING RESOLUTION NO. 40-96, RESOLUTION NO. 12-94, AND ANY OTHER RESOLUTION IN CONFLICT HEREWITH; PROVIDING AN EFFECTIVE DATE.

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

Section 1. The rules of procedure for the Lake Worth City Commission, set forth in Exhibit A attached hereto, are hereby adopted.

Section 2. Resolution No. 40-96, Resolution No. 12-94, and all other resolutions in conflict herewith are hereby rescinded.

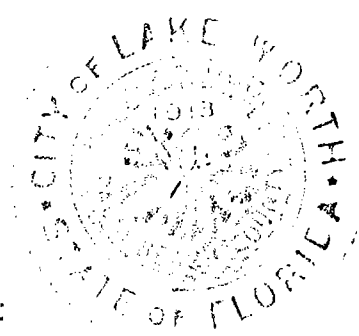
Section 3. This Resolution shall take effect immediately upon its adoption.

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

Mayor Tom Ramiccio	AYE
Commissioner Retha Lowe	AYE
Commissioner Colburn H. McKinnon	AYE
Commissioner Gary Bo Allen	ABSENT
Commissioner Lloyd A. Clager	ABSENT

The Mayor there upon declared this Resolution duly passed and adopted on this 3rd day of August, 1999.

ORIGINAL DOCUMENT



LAKE WORTH CITY COMMISSION

By: Retha Lowe  
Retha Lowe, Vice Mayor

ATTEST:

Barbara A. Forsythe  
Barbara A. Forsythe, City Clerk

Submitted: August 3, 1999

RULES OF PROCEDURE  
LAKE WORTH CITY COMMISSION

RULE 1  
SCHEDULING OF MEETINGS AND WORKSHOPS

(1) Regular meetings of the City Commission shall be held on the first and third Tuesday of each month, in the Commission Meeting Room at City Hall, 7 North Dixie Highway, Lake Worth, Florida, beginning at 6:00 o'clock P.M.

If a regular meeting date falls on a holiday, the meeting shall be held in the Commission Meeting Room at City Hall on the next day immediately following the holiday, beginning at 6:00 P.M.

The City Commission may cancel not more than one regular meeting in any month.

(2) A special meeting of the City Commission to canvass ballots shall be held as required by the City Charter. Other special meetings may be called by a majority of the members of the City Commission or by the Mayor. Notice of special meetings shall be given to each Commissioner<sup>1</sup> and to the public at least twenty-four (24) hours in advance except for emergency meetings. If the Mayor or a member of the Commission is absent from the City or otherwise beyond reach of actual notice, failure to give such notice shall not prevent the convening of the special meeting. The City Commission may act on any matter presented at the special meeting unless prohibited by the City Charter or by rules established by the City Commission. Special meetings shall be held in the Commission Meeting Room at City Hall, 7 North Dixie Highway, Lake Worth, Florida, or at such other location within the City as may be designated in the notice of the special meeting, beginning at a time to be specified in the notice of the special meeting.

(3) Workshops of the City Commission may be called by a majority of the members of the City Commission or by the Mayor, and any matter may be discussed or studied at a workshop. Any matter that appears likely to take more than thirty (30) minutes shall be discussed or studied at a workshop prior to official action of the City Commission, unless this requirement is waived by a majority vote. No official action of the City Commission shall be taken at a workshop.

(4) "District Public Forums" may be held by the City Commission on a quarterly basis, one to be held in each district of the City on a rotating basis. Notice of such meetings shall be posted no less than 14 days before each meeting. No official action shall be taken at these meetings.

RULE 2  
QUORUM

A majority of the City Commission shall constitute a quorum; a smaller number may adjourn a meeting or recess a meeting to a time certain. No ordinance, resolution, or motion shall be adopted except by the affirmative vote of at least three members of the City Commission.

RULE 3  
DUTIES AND RESPONSIBILITIES OF THE "CHAIR"

(1) The Mayor shall be the presiding officer of the City Commission, and shall be referred to as the "Chair" when sitting in that capacity. In case of the absence or the disability of the Mayor, the Vice Mayor shall assume the responsibilities of the presiding officer, and if both are absent or disabled, the Vice Mayor Pro Tem shall preside.

---

<sup>1</sup>As used in these rules, "Commissioner" means any City Commissioner or the Mayor unless the context clearly indicates otherwise.

(2) The Chair shall preserve order. The Chair may call to order any member of the Commission and any member of the public who shall violate any of these rules or otherwise disrupt the orderly proceeding of the meeting. The Chair shall decide all questions of order subject to a majority vote on an appeal of the decision.

(3) The Chair shall recognize all Commissioners who seek the floor while entitled to do so.

(4) The Chair shall not make or second a motion.

#### RULE 4 ORDER OF BUSINESS

(1) The order of business for a regular meeting shall ordinarily be:

- A. Roll Call.
- B. Invocation.
- C. Pledge of Allegiance.
- D. Agenda — Additions/Deletions/Reordering.
- E. Presentations.
- F. Project Manager's Report.
- G. Unfinished Business.
- H. New Business.
- I. Consent Agenda.
- J. City Attorney's Report.
- K. City Manager's Report.
- L. Public Participation.
- M. Commission Liaison Reports and Comments.
- N. Adjournment.

(2) The order of business may be revised by a majority vote.

(3) Matters may be placed on the agenda by any Commissioner, the City Manager, or the City Attorney.

(4) Except for matters advertised for public hearing, any matter may be removed from an agenda by the person who placed it on the agenda or by a majority vote.

(5) When a matter comes before the Commission which directly affects one election district, the Commissioner from that district shall have the privilege of both expressing his or her views and making a motion on that matter first.

#### RULE 5 DEBATE OF MOTIONS; VOTING

(1) When debating or discussing a motion, a Commissioner shall address the Chair and await recognition before speaking. The Commissioner making a motion is entitled to the floor first for debate. No Commissioner is entitled to the floor a second time on the same motion as long as any other Commissioner who has not spoken on the issue desires the floor.

(2) Motions and amendments can be withdrawn or modified by the maker at any time prior to the Chair's stating the question on the motion; after that time, the permission of the Commission majority must be obtained. The Chair cannot close debate as long as any member who has not exhausted his right to debate desires the floor.

(3) Except for matters for which a public hearing is being conducted, members of the audience may not participate in the debate on a motion as a matter of right, but may be permitted to speak upon opening of the floor for public comment by the Chair. When the floor is open for public comment, the time shall be limited to three minutes per speaker. During a public hearing, the applicant shall have ten minutes to make his or her presentation but the time may be extended to permit questioning of the applicant or the applicant's witnesses.

(4) A member of the audience who speaks to the City Commissioner may be questioned for additional information, but Commissioners shall not engage in debate with a member of the audience. Members of the audience may ask questions but may not compel a Commissioner, the City Manager, or the City Attorney to answer questions during a meeting.

(5) The Chair shall restate all motions before the vote is taken.

(6) A tie vote shall constitute a continuance of the item to the next regular meeting, but upon a tie vote on the same item at the next meeting, the item shall not be rescheduled except upon the request of the City Manager, the City Attorney, or a Commissioner.

(7) The failure of a motion stated in the negative shall not be deemed an affirmative action. For example, the failure of a motion to deny shall not constitute an approval.

#### RULE 6 NON-DEBATABLE MOTIONS

The following motions are not debatable:

- To adjourn;
- To lay on the table;
- To take from the table;
- To divide a question;
- To close or re-open nominations;
- To take a recess;
- A point of information;
- An appeal of a decision of the Chair;
- The previous question.

#### RULE 7 RECONSIDERATION

Any member of the Commission who voted with the prevailing side may move to reconsider any action of the Commission provided that the motion be made at the same meeting at which the action was taken. If the action is one for which a public hearing is required, a motion to reconsider the action shall be in order prior to taking up the next item of business and shall be untimely if the motion is made later in the meeting. No motion to reconsider shall be made more than once on any subject or matter at the same meeting.

#### RULE 8 COMMISSION MINUTES

Copies of the minutes of the regular meetings shall be furnished, when possible, at least seven days prior to the next regular meeting. Such minutes shall stand confirmed at the regular meeting of the Commission without the reading thereof in open meeting unless some inaccuracy or error is pointed out by some member of the Commission present, and in such event, an appropriate correction shall be made. Upon request, the City Manager will cause the City Clerk to provide any Commissioner with copies of tapes or transcribed

excerpts of tapes of City Commission meetings. No member shall suggest to the City Clerk any revision in minutes of meetings before the same shall have been submitted to the full Commission for approval, unless specifically requested by the Clerk to make clarification.

**RULE 9  
ADOPTION OF ROBERT'S RULES OF ORDER**

Robert's Rules of Order, Newly Revised, are adopted as the rules of procedure of the City Commission, but such Rules shall not take precedence over any provision of Florida law, the City Charter, an ordinance or resolution of the City, or these rules, which shall govern in the event of conflict. A failure to comply with Robert's Rules of Order or these rules shall not affect the validity of any action taken by the City Commission.

**RULE 10  
AMENDMENT OR WAIVER OF RULES**

These rules of procedure may be amended or waived by a majority vote, provided that no such amendment shall conflict with any applicable provision of Florida law, the City Charter, or an ordinance of the City.

**ORIGINAL DOCUMENT**

RESOLUTION NO. 16-88 OF THE CITY OF LAKE WORTH, FLORIDA, ESTABLISHING THE TIME AND PLACE FOR THE REGULAR CITY COMMISSION MEETINGS; ESTABLISHING RULES FOR THE CALLING OF SPECIAL MEETINGS AND WORKSHOPS OF THE CITY COMMISSION; CONFLICTING RESOLUTIONS REPEALED; EFFECTIVE DATE.

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

Section 1. Regular meetings of the City Commission shall be held on the first and third Monday of each month, in the Commission Meeting Room at City Hall, 7 North Dixie Highway, Lake Worth, Florida, at 5:00 o'clock P.M.

If a regular meeting date shall fall on a holiday, the meeting shall be held at the appropriate time in the Commission Meeting Room at City Hall on Tuesday immediately following the holiday.

Section 2. Special meetings of the City Commission may be fixed by the City Commission or may be called by the Mayor. Notice of special meetings shall be given to each Commissioner at least twenty-four (24) hours in advance whenever possible. If the Mayor or a member of the Commission is absent from the City or beyond reach of actual notice, such notice shall not be required and a special meeting may be convened. The Commission may act on any matter presented at the special meeting unless prohibited by the City Charter or by rules established by the City Commission. Special meetings shall be held in the Commission Meeting Room at City Hall, 7 North Dixie Highway, Lake Worth, Florida.

Section 3. Workshops of the City Commission may be fixed by the City Commission or called by the Mayor, and any matter may be discussed or studied at a workshop. Any matter that appears likely to take more than thirty (30) minutes shall be discussed or studied at a workshop prior to official action of the City Commission, unless this requirement is waived by majority vote. No official action of the City Commission shall be taken at a workshop.

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

Section 5. This Resolution shall take effect immediately upon its passage.

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

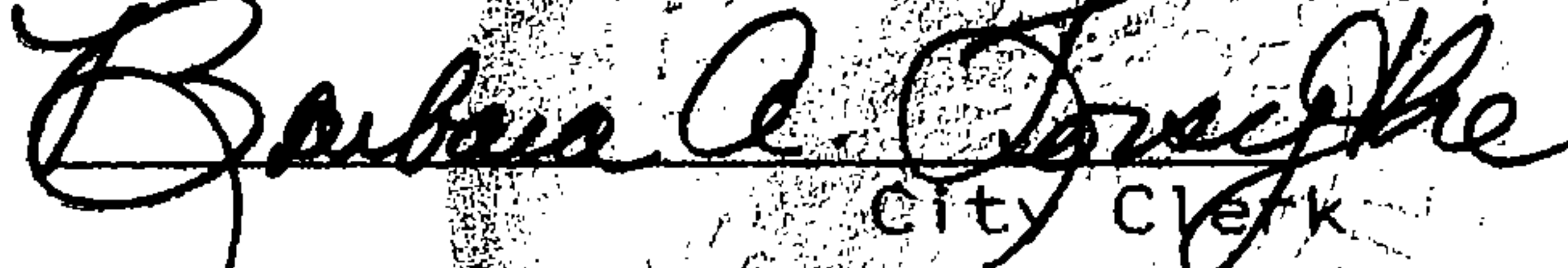
Mayor Ralph F. Schenck	<u>AYE</u>
Vice Mayor Charles Wright	<u>AYE</u>
Commissioner Jim Jones	<u>AYE</u>
Commissioner Michael Coonerty	<u>AYE</u>
Commissioner Roy D. Strohacker	<u>NAY</u>

The Mayor thereupon declared this Resolution duly passed and adopted this 4th day of April, 1988.

LAKE WORTH CITY COMMISSION

By:  Mayor

ATTEST:

  
City Clerk



ORIGINAL COPY

# EXECUTIVE BRIEF WORK SESSION

**AGENDA DATE:** May 6, 2021

**TITLE:**

Board Appointment Process

**SUMMARY:**

The process for the appointment of board members was revised in 2013. The Commission can consider changing the process as deemed necessary.

**BACKGROUND AND JUSTIFICATION:**

Section 2-12, Article I of the Code of Ordinances was amended in February of 2013 to change how members of city boards were appointed. The previous process provided for a once a year application process held in June of each year. In 2012, four special meetings were required to interview candidates to create the pool from which potential Board members would be selected. After researching the procedures from comparable cities in Palm Beach, Broward and St. Lucie counties, staff recommended that appointments be filled on an as needed basis throughout the year.

Ordinance 2013-21 was approved and went into effect on February 15, 2013.

**DIRECTION:**

TBD

**ATTACHMENT(S):**

Fiscal Impact Analysis – N/A  
Ordinance 2014-32 amending procedure  
Ordinance 2013-21 amending procedure  
Ordinance 2002-30 establishing procedure  
Advisory Board resolutions & ordinances



ORDINANCE NO. 2014-32 OF THE CITY OF LAKE WORTH, FLORIDA, AMENDING SECTION 2-12 OF ARTICLE I OF CHAPTER 2 OF THE CODE OF ORDINANCES AMENDING PROCEDURES FOR THE APPOINTMENT OF BOARD MEMBERS; PROVIDING FOR CODIFICATION; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, in 2013, the City Commission adopted a new process for the appointment of members to City's boards;

WHEREAS, there is a need to clarify the new process in terms of the order of appointments and the timeframe for making such appointments;

WHEREAS, the City finds making such clarifications serves a valid public purpose.

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

Section 1. Section 2-12 of Article I of Chapter 2 of the Code of Ordinances is amended to read as follows:

## Chapter 2

### ADMINISTRATION

#### ARTICLE I. IN GENERAL

\* \* \*

#### **Sec. 2-12. Appointment of members of city boards and terms of office.**

(a) Appointment of members to all city boards created by the city commission shall be as follows:

1. On city boards consisting of five members, each member of the city commission shall have one appointment in the following order: mayor, vice mayor, then numerically by each commission district.
2. On city boards consisting of seven members, the mayor and vice-mayor shall have two appointments and the remaining three commissioners shall each have one appointment in the following order: mayor, vice mayor, numerically by each commission district, mayor, then vice mayor.
3. On new city boards consisting of membership other than five or seven, the city commission shall specify the method of appointment in the enabling ordinance.
4. The city commission as a whole may appoint alternate members to city boards to serve as a substitute for absent regular members; and while so serving, the substitute shall have the full power and authority of the

absent member.

5. On city boards consisting of five members and two alternates in their enabling ordinance, the mayor and vice-mayor shall each have one member appointment and one alternate appointment and the remaining three commissioners shall each have one appointment in the following order: mayor, vice mayor, numerically by each commission district, mayor, then vice mayor.
6. The board appointments will be effective upon ratification by the city commission as a whole during a public meeting.

(b) An elected official responsible for an appointment of a member to a city board shall have 30 days to make the appointment. The 30 days shall commence upon notification from the City Clerk or designee to the elected official of the needed appointment. If the elected official does not notify the City Clerk or designee of his or her appointment within 30 days of the City Clerk or designee's notification, the elected official waives his or her right to make that appointment. Once waived, the City Clerk or designee shall notify the next elected official responsible for an appointment to that city board. In the event that the last responsible elected official waives his or her right to make an appointment, the City Clerk or designee will notify the other elected officials of the needed appointment and any elected official may bring forward an appointment for ratification by the city commission as a whole during a public meeting. In such a case, the appointed member shall be assigned to the last responsible elected official who waived his or her right to the appointment.

1 (b)(c) The members and alternate members of all city boards shall serve  
2 at the pleasure of the city commission. The members' terms shall be as  
3 stated in the enabling ordinance of their respective boards; however, all  
4 members shall continue to serve until a successor is appointed. All  
5 members and alternate members are eligible for reappointment.  
6

7 (e) (d) Upon the adoption of this Ordinance, the City Clerk will coordinate  
8 with the Mayor and City Commissioners to appoint new members or new  
9 alternates as vacancies arise from time to time.  
10

11 (d)(e) All city boards created by general law, special act of the legislature,  
12 or pursuant to other authority, shall follow the requirements of the  
13 enabling legislation when such legislation is in conflict with this  
14 Ordinance.  
15

16 Section 2. Section 1 of this Ordinance shall be codified.  
17

18 Section 3. This Ordinance shall become effective ten (10) days after passage.  
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The passage of this Ordinance on first reading was moved by Vice Mayor Maxwell, 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	NAY
Commissioner Andy Amoroso	AYE
Commissioner John Szerdi	AYE

The Mayor thereupon declared this Ordinance duly passed on first reading on the 21<sup>st</sup> day of October, 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	AYE
Commissioner Christopher McVoy	ABSENT
Commissioner Andy Amoroso	AYE
Commissioner John Szerdi	AYE

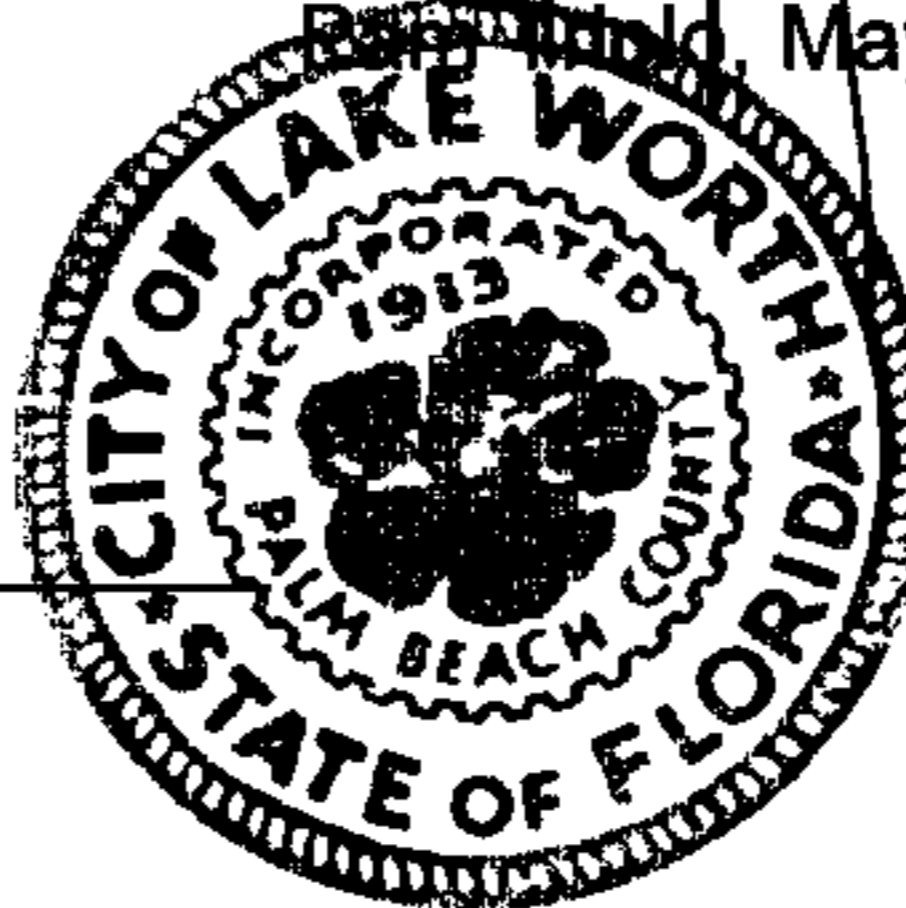
The Mayor thereupon declared this Ordinance duly passed and enacted on the 4<sup>th</sup> day of November, 2014.

LAKE WORTH CITY COMMISSION

By:   
Mayor

ATTEST:

  
Pamela J. Lopez, City Clerk



ORDINANCE NO. 2013-21 OF THE CITY OF LAKE WORTH, FLORIDA, AMENDING SECTION 2-12 OF ARTICLE I OF CHAPTER 2 OF THE CODE OF ORDINANCES AMENDING PROCEDURES FOR THE APPOINTMENT OF BOARD MEMBERS; AMENDING TERMS OF OFFICE OF MEMBERS OF ALL ADVISORY BOARDS OF THE CITY; PROVIDING FOR CODIFICATION; PROVIDING AN EFFECTIVE DATE.

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

Section 1. Section 2-12 of Article I of Chapter 2 of the Code of Ordinances is amended in its entirety to read as follows:

## Chapter 2

### ADMINISTRATION

#### ARTICLE I. IN GENERAL

\* \* \*

#### **Sec. 2-12. ~~Terms of office and selection~~ Appointment of members of city boards and terms of office.**

~~(a) The term of office of each person who serves on any city board, commission, authority, council, agency or panel who is appointed by the city commission shall end on July 31 of the year in which such members term expires.~~

~~(b) Beginning in April of each year, the City shall provide to the public notice of vacancies of board members whose terms expire during the year, so that residents may apply for the vacant positions. Applications for boards may be filed at any time up to thirty (30) days before the interview meeting with the City Commission.~~

~~(c) In June of each year, the City Commission shall conduct an interview meeting with prospective applicants to city boards and shall select the board members at the meeting, based upon the Commission members ranking of the applicants. In the event that vacancies to city boards occur at other times of the year, the City Commission may determine to hold interview meetings with applicants at other times of the year and select replacement members in accordance with the procedures contained in this Section.~~

~~(d) Upon the adoption of this Ordinance, for members of city boards whose terms end in a month other than July, the terms shall be extended until the following July, as provided in paragraph (a).~~

(a) Appointment of members to all city boards created by the city commission shall be as follows:

1. On city boards consisting of five members, each member of the city commission shall have one appointment.
2. On city boards consisting of seven members, the mayor and vice-mayor shall have two appointments and the remaining three commissioners shall each have one appointment.
3. On new city boards consisting of membership other than five or seven, the city commission shall specify the method of appointment in the enabling ordinance.
4. The city commission as a whole may appoint alternate members to city boards to serve as a substitute for absent regular members; and while so serving, the substitute shall have the full power and authority of the absent member.
5. On city boards consisting of five members and two alternates in their enabling ordinance, the mayor and vice-mayor shall each have one member appointment and one alternate appointment and the remaining three commissioners shall each have one appointment.
6. The board appointments will be effective upon ratification by the city commission as a whole during a public meeting.

(b) The members and alternate members of all city boards shall serve at the pleasure of the city commission. The members' terms shall be as stated in the enabling ordinance of their respective boards; however, all members shall continue to serve until a successor is appointed. All members and alternate members are eligible for reappointment.

(c) Upon the adoption of this Ordinance, the City Clerk will coordinate with the Mayor and City Commissioners to appoint new members or new alternates as vacancies arise from time to time.

(d) All city boards created by general law, special act of the legislature, or pursuant to other authority, shall follow the requirements of the enabling legislation when such legislation is in conflict with this Ordinance.

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 Szerdi, seconded by Commissioner Amoroso, and upon being put to a vote, the vote was as follows:


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

The Mayor thereupon declared this Ordinance duly passed on first reading on the 15<sup>th</sup> day of January, 2013.

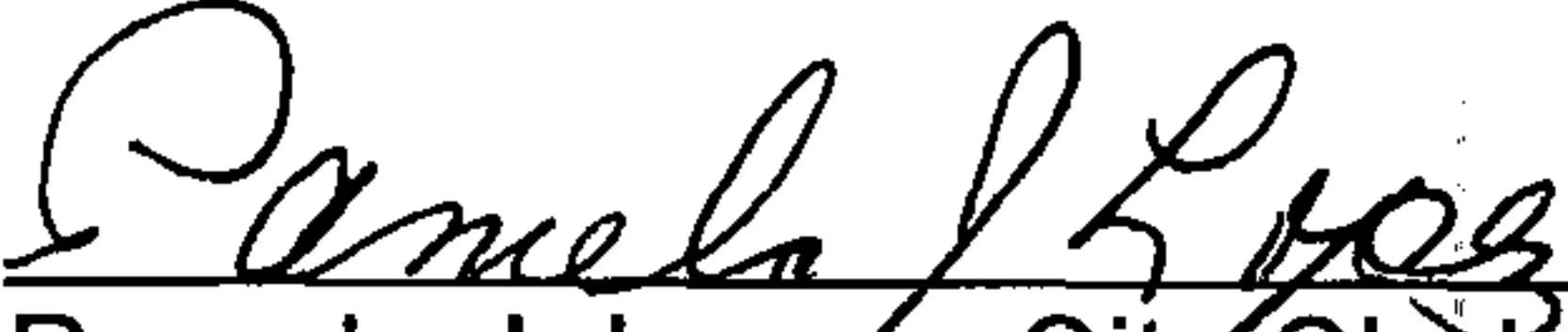
The passage of this Ordinance on second reading was moved by Commissioner Amoroso, seconded by Commissioner Szerdi, and upon being put to a vote, the vote was as follows:

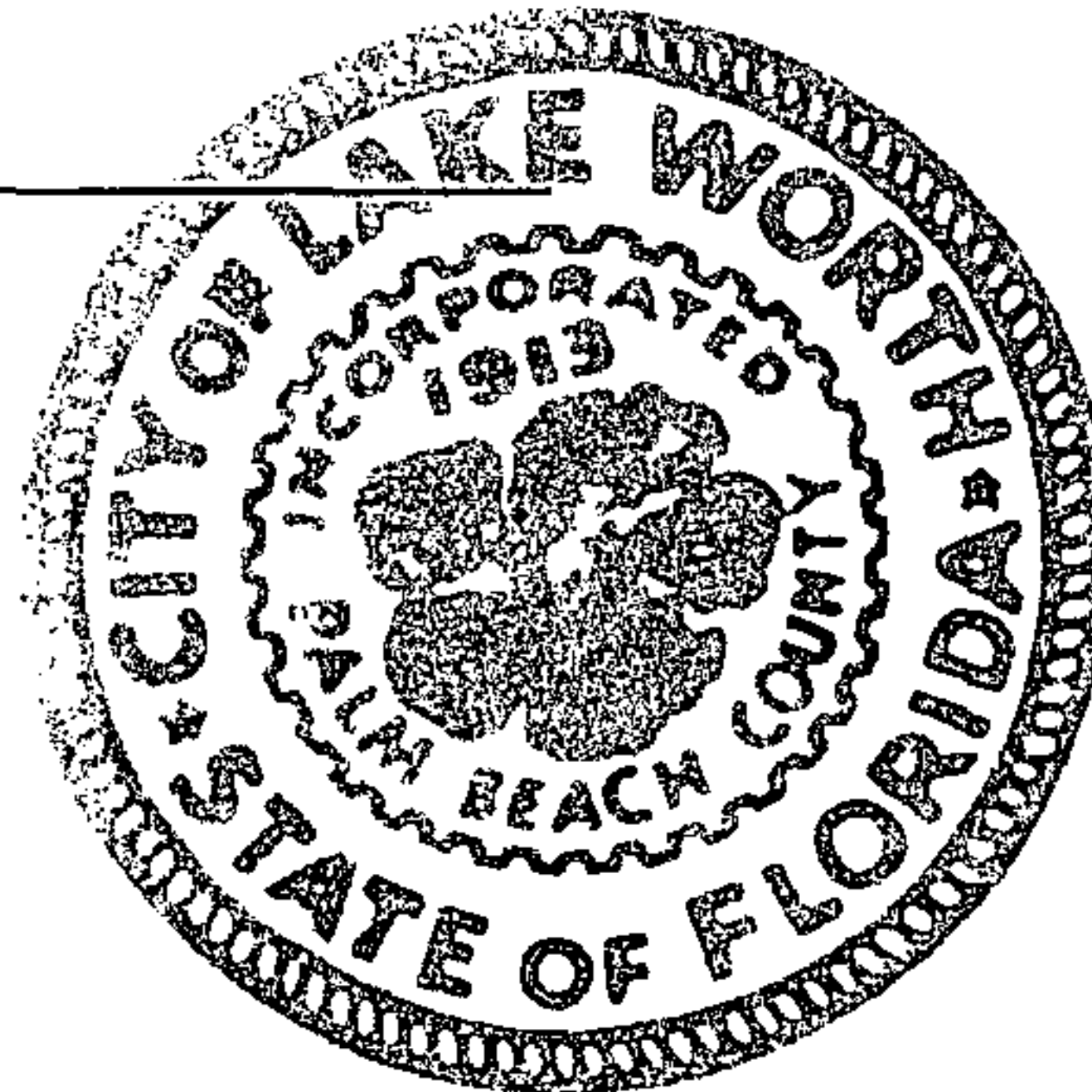
Mayor Pam Triolo	AYE
Vice Mayor Scott Maxwell	AYE
Commissioner Christopher McVoy	NAY
Commissioner Andy Amoroso	AYE
Commissioner John Szerdi	AYE

The Mayor thereupon declared this Ordinance duly passed and enacted on the 5<sup>th</sup> day of February, 2013.

LAKE WORTH CITY COMMISSION  
By:   
Pam Triolo, Mayor

ATTEST:

  
Pamela J. Lopez, City Clerk



ORDINANCE NO. 2002-20 OF THE CITY OF LAKE WORTH, FLORIDA, ADDING SECTION 2-12 OF ARTICLE I OF CHAPTER 2 OF THE CODE OF ORDINANCES TO STANDARDIZE THE TERMS OF OFFICE OF MEMBERS OF ALL ADVISORY BOARDS OF THE CITY; PROVIDING PROCEDURES FOR THE SELECTION OF SUCH BOARD MEMBERS; PROVIDING FOR CODIFICATION; PROVIDING AN EFFECTIVE DATE.

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

Section 1. Section 2-12 of Article I of Chapter 2 of the Code of Ordinances is added to read as follows:

**Chapter 2**

**ADMINISTRATION**

**ARTICLE I. IN GENERAL**

\* \* \*

**Sec. 2-12. Terms of office and selection of members of city boards.**

(a) The term of office of each person who serves on any city board, commission, authority, council, agency or panel who is appointed by the city commission shall end on July 31 of the year in which such members term expires.

(b) Beginning in April of each year, the City shall provide to the public notice of vacancies of board members whose terms expire during the year, so that residents may apply for the vacant positions. Applications for boards may be filed at any time up to 10 days before the interview meeting with the City Commission.

(c) In June of each year, the City Commission shall conduct an interview meeting with prospective applicants to city boards and shall select the board members at the meeting, based upon the Commission members ranking of the applicants. In the event that vacancies to city boards occur at other times of the year, the City Commission may determine to hold interview meetings with applicants at other times of the year and select replacement members in accordance with the procedures contained in this Section.

(d) Upon the adoption of this Ordinance, for members of city boards whose terms end in a month other than July, the terms shall be extended until the following July, as provided in paragraph (a).

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 Allen, seconded by Vice Mayor McKinnon, and upon being put to a vote, the vote was as follows:

Mayor Rodney G. Romano	AYE
Vice Mayor Colburn H. McKinnon	AYE
Commissioner Scott Maxwell	NAY
Commissioner Bo Allen	AYE
Commissioner Joe Egly	AYE

The Mayor thereupon declared this Ordinance duly passed on first reading on the 2<sup>nd</sup> day of July, 2002.

ORIGINAL DOCUMENT

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

Mayor Rodney G. Romano	AYE
Vice Mayor Colburn H. McKinnon	AYE
Commissioner Scott Maxwell	NAY
Commissioner Bo Allen	AYE
Commissioner Joe Egly	AYE


The Mayor thereupon declared this Ordinance duly passed and enacted on the 16<sup>th</sup> day of July, 2002.

LAKE WORTH CITY COMMISSION

By: 

Rodney G. Romano, Mayor

ATTEST:

  
Pamela J. Lopez, City Clerk

ORIGINAL DOCUMENT



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.

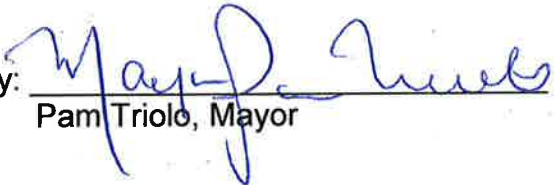
**Section 6. Effective Date.** This resolution shall take effect immediately upon its adoption.

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:

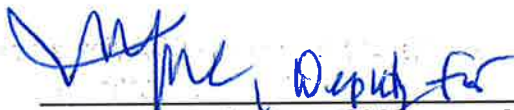
Mayor Pam Triolo	AYE
Vice Mayor Andy Amoroso	AYE
Commissioner Scott Maxwell	AYE
Commissioner Carla Blockson	AYE
Commissioner Herman Robinson	AYE

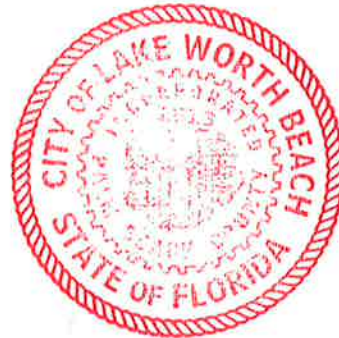
Mayor Pam Triolo thereupon declared this resolution duly passed and adopted on the 19<sup>th</sup> day of January, 2021.

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. Sprythe  
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

\*\*\*

#### 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

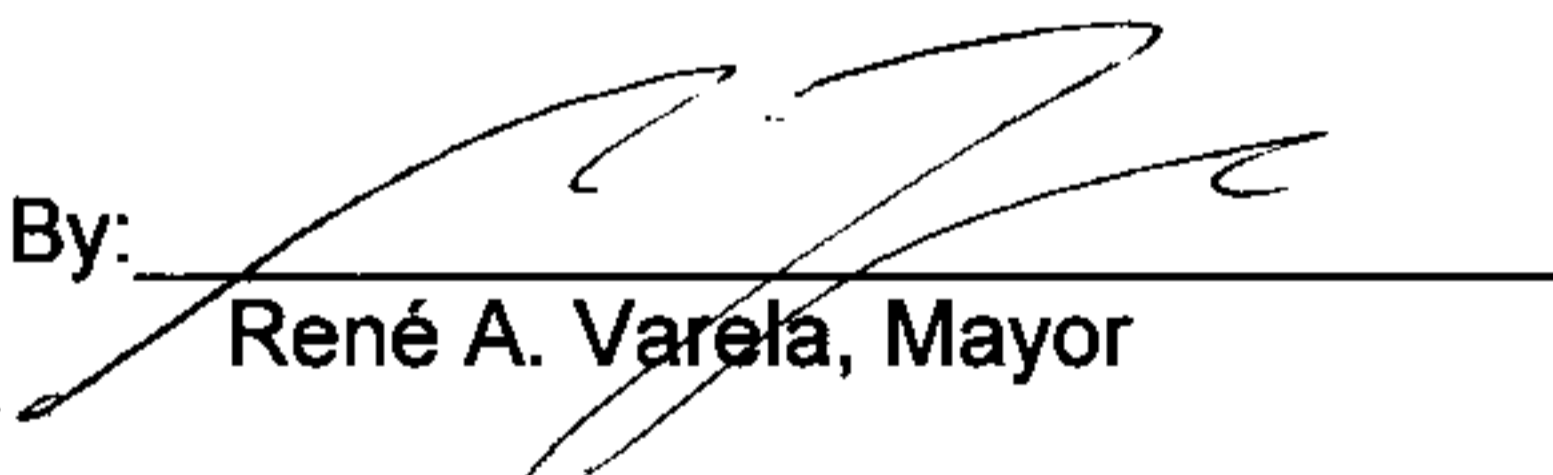
The Mayor thereupon declared this Ordinance duly passed on first reading on the 2nd day of February, 2010.

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:

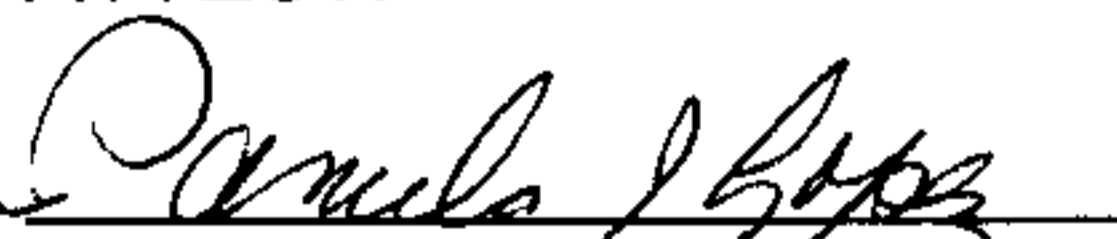
Mayor René A. Varela	AYE
Vice Mayor Jo-Ann Golden	AYE
Commissioner Cara Jennings	AYE
Commissioner Suzanne Mulvehill	AYE
Commissioner Scott Maxwell	AYE

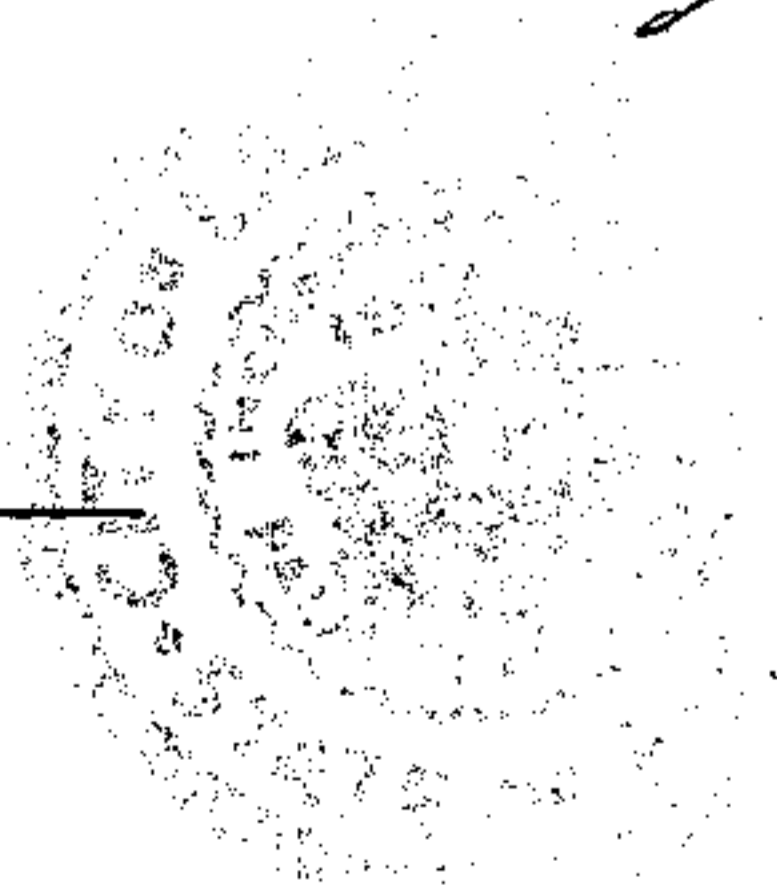
The Mayor thereupon declared this Ordinance duly passed and enacted on the 16th day of February, 2010.

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

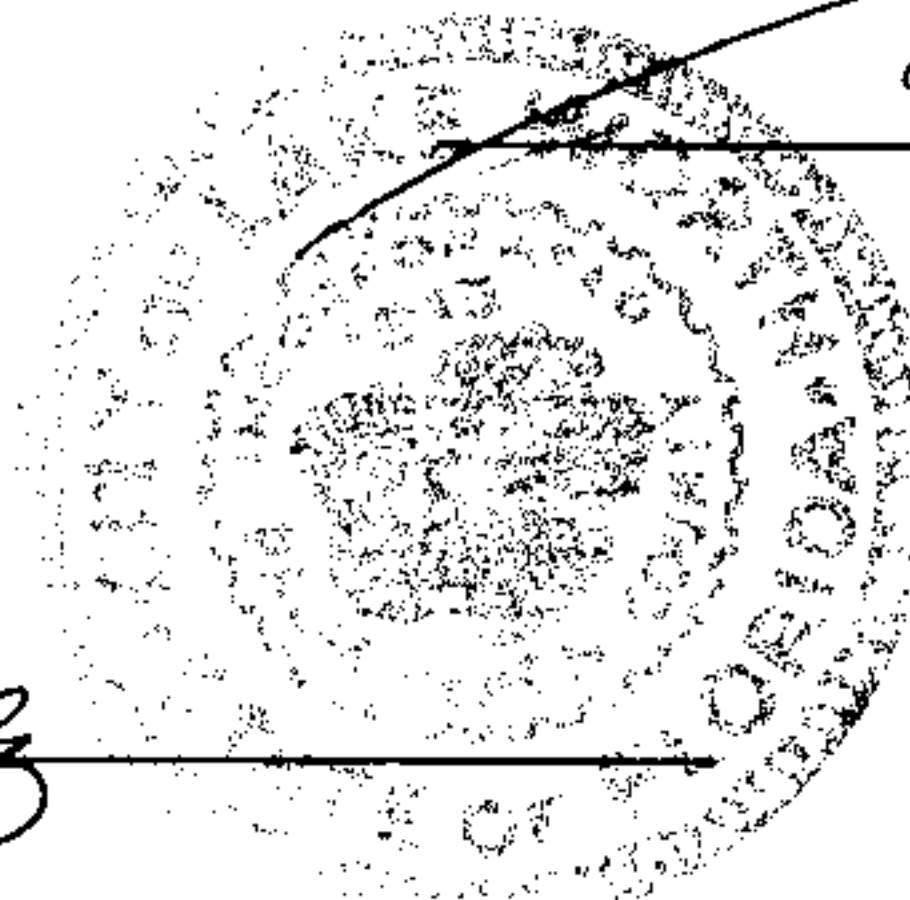
The Mayor thereupon declared this Ordinance duly passed and enacted on the 21<sup>st</sup> day of September, 2010.

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

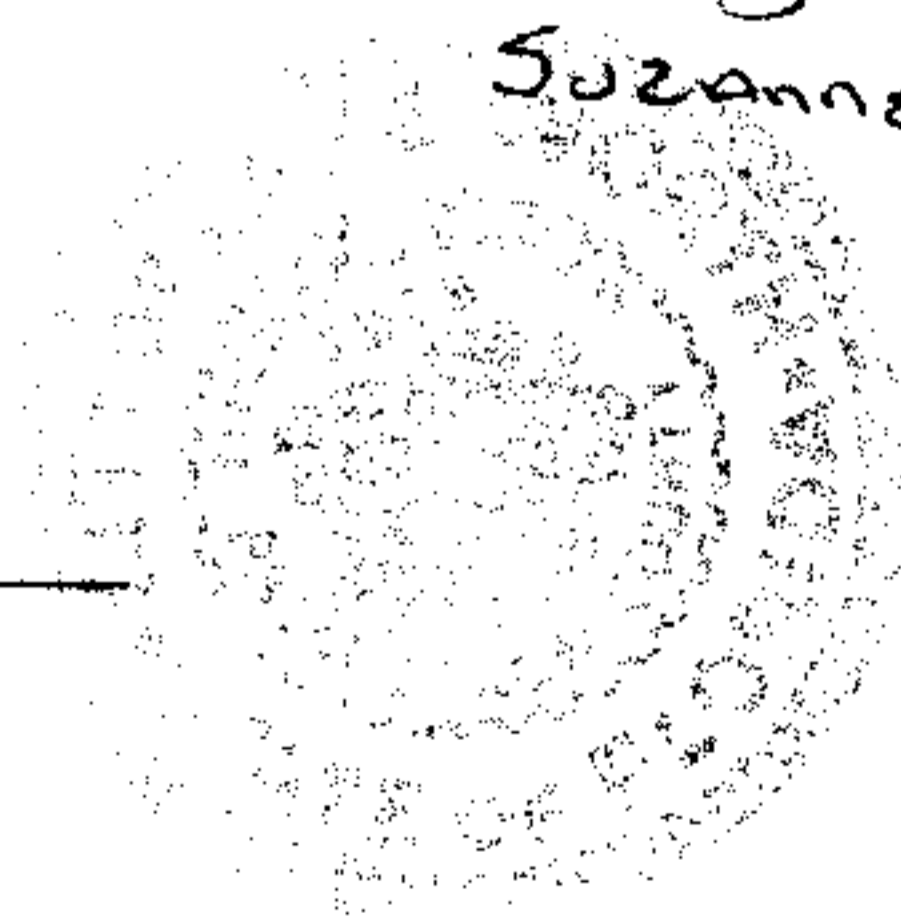
The Mayor thereupon declared this Ordinance duly passed and enacted on the 16<sup>TH</sup> day of November 2010.

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:

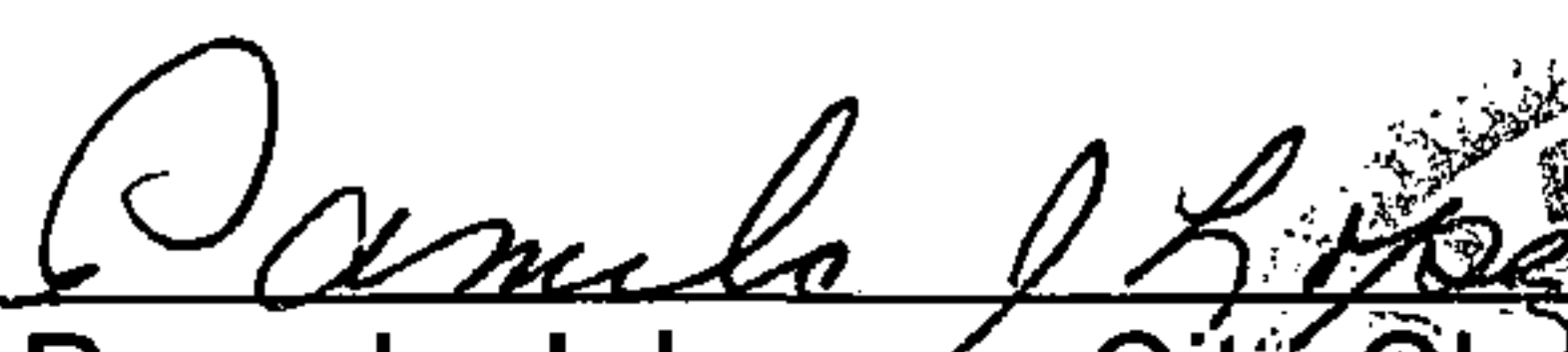
Mayor Pam Triolo	AYE
Vice Mayor Scott Maxwell	AYE
Commissioner Christopher McVoy	AYE
Commissioner Andy Amoroso	AYE
Commissioner John Szerdi	AYE


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

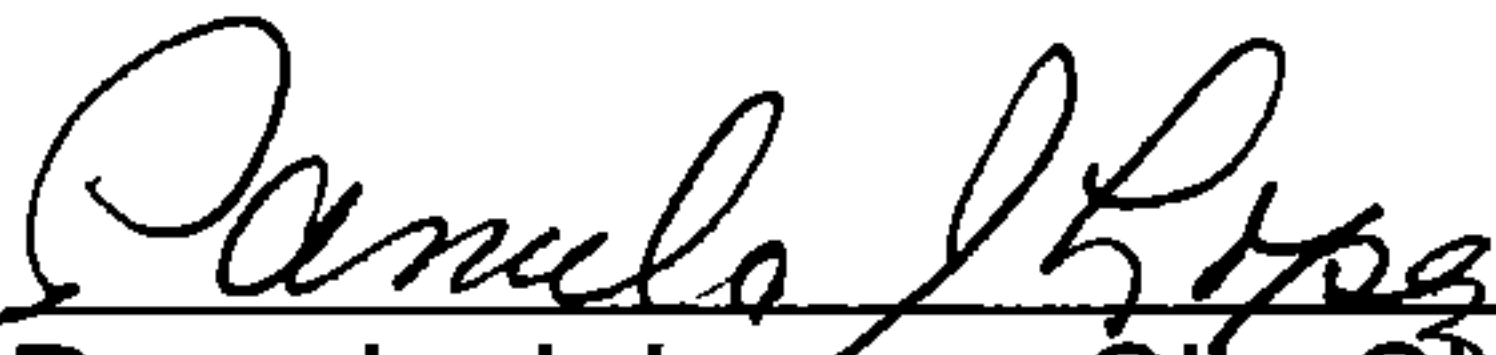
The Mayor thereupon declared this Ordinance duly passed and enacted on the 1<sup>st</sup> day of February 2011.

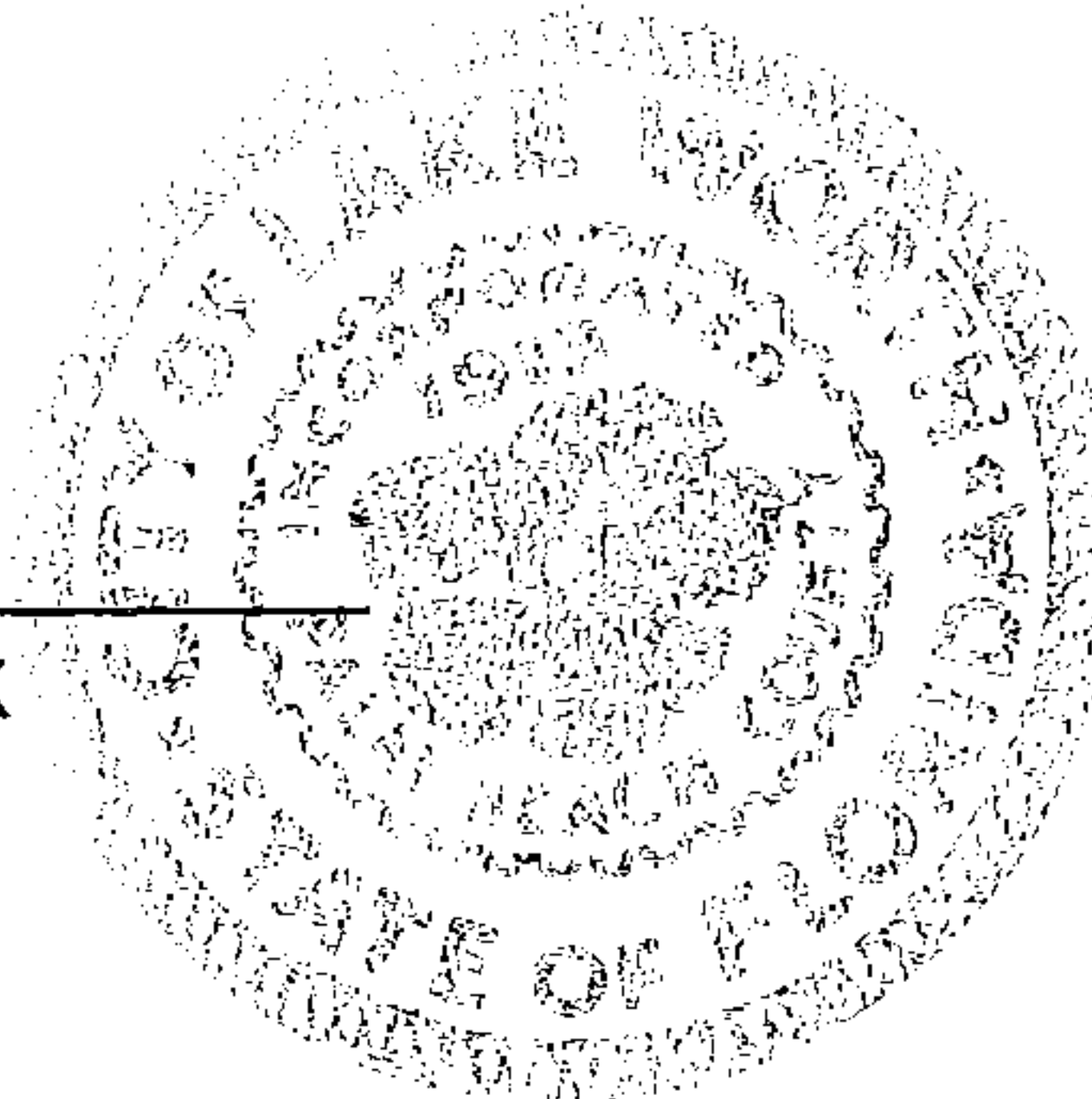
LAKE WORTH CITY COMMISSION

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.

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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, City Clerk

