



AGENDA
CITY OF LAKE WORTH BEACH
CITY COMMISSION WORK SESSION - AFFORDABLE HOUSING & ADVISORY
BOARDS
CITY HALL COMMISSION CHAMBER
MONDAY, APRIL 17, 2023 - 5:00 PM

ROLL CALL:

PLEDGE OF ALLEGIANCE: led by Commissioner Kimberly Stokes

UPDATES / FUTURE ACTION / DIRECTION

- A. [Discussion of Lake Worth Beach Affordable Housing and Florida Senate Bill 102](#)
- B. [Discussion to reconfigure Advisory Boards/Committees and set a consistent Board Meeting Policy](#)

ADJOURNMENT:

The City Commission has adopted Rules of Decorum for Citizen Participation (See Resolution No. 81-2022). The Rules of Decorum are posted within the City Hall Chambers, City Hall Conference Room, posted online at: <https://lakeworthbeachfl.gov/government/virtual-meetings/>, and available through the City Clerk's office. Compliance with the Rules of Decorum is expected and appreciated.

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)

STAFF REPORT WORK SESSION

AGENDA DATE: April 17, 2023

DEPARTMENT: Community Sustainability

TITLE:

Discussion of Lake Worth Beach Affordable Housing and Florida Senate Bill 102

SUMMARY:

Provide update on status of affordable housing initiatives in Lake Worth Beach and the potential impacts and implementation of Florida Senate Bill 102 that establishes a broad range of initiatives and funding for new housing

BACKGROUND AND JUSTIFICATION:

During this year's state legislative session, Senate Bill 102 was passed and signed into law. It goes into effect on July 1, 2023. Tagged as the Live Local Initiative, the bill outlines an array of new funding and tax credits for affordable/workforce housing. Further, it offers new affordable housing property tax exemptions and sales tax refunds for affordable developments. Most importantly, it outlines a series of land use and zoning preemptions governing zoning, density and height for multi-family and mixed-use housing developments that requires that projects providing at least forty percent (40%) of its residential units as affordable, and providing they meet land development regulations otherwise in the City's Code, must be approved administratively. Current requirements for such items as conditional uses, special exceptions, variances, zoning changes, comprehensive plan amendments regarding the height, zoning and densities authorized by SB 102 may not be required. Affordable units developed utilizing this preemption must be deed restricted for 30 years. At this time, the preemption for the entitlement of these developments is in effect for 10 years.

Provided here are attachments offering a summary of the provisions of SB 102 and new housing funding as well as a staff memo outlining the preemption and its potential impacts within the City.

DIRECTION:

No action or direction being requested at this time.

ATTACHMENT(S):

Staff Memo – Live Local
Summary – SB 102
One Pager – SB 102
SHIP Distribution Estimates



Memorandum

To: Honorable Mayor & City Commissioners
Through: Carmen Davis, City Manager
From: William Waters, Community Sustainability Director
Subject: Recently Enacted Live Local Act – Chapter 2023-17 - Senate Bill 102
Date: April 5, 2022

Chapter 2023-17, Laws of Florida, recently enacted by the Legislature (Live Local Act), will become effective July 1, 2023. This new legislation includes amendments to Section 166.04151, Florida Statutes, regarding municipal regulation of affordable housing. A major change is the addition of subsection (7) that requires a municipality to authorize multifamily and mixed-use residential projects, if the project meets certain qualifications, and only in areas zoned for commercial, industrial or mixed use (not residential zoning districts). Further, the new subsection also requires that approval of such projects must be made administratively without any further action of the governing body of the municipality, if the project complies with the municipality's LDRs for multifamily developments and is consistent with the comprehensive plan except for provisions establishing density, height, and land use.

Minimum Requirements to Qualify for the new Administrative Review Process:

- Forty percent (40%) of residential units must be income restricted for a period of at least 30 years.
- Affordable is defined in F.S. 420.004, which includes units from very low income (30% or less of area median income) to moderate income levels (120% of area median income).
- For a mixed-use project 65% of the of the total square footage must be residential.
- Development must be consistent with all other City requirements for new development except for land use, height and density, which are preempted by the new statutory established limits.

Land Development Regulations Not Impacted:

The new administrative review process without further action of the governing body of the municipality is only available if the project complies with the municipality's LDRs for multifamily developments and is consistent with the comprehensive plan with the exception of provisions establishing density, height, and land use.

The following is a list of all the requirements where developments must comply regardless of the approval process:

- Floor Area Ratio (FAR)
- Setbacks, including additional setbacks for stories above 30 ft and from rear property lines
- Wall Height at Side Setbacks
- Building Lot Coverage
- Overall impermeable surface area
- Major Thoroughfare Design Guidelines
- Historic Preservation Design Guidelines
- Landscaping
- Sustainable Site and Building Design Qualitative and Performance Standards
- Lake Worth Beach Affordable/Workforce Housing Program
- Sustainable Bonus Incentive Fees (Tier One)
- Parking
- Unit size

The potential density and height allowances permitted in the planned development districts would not apply as they are not considered “currently allowed” for multi-family development. Planned development districts function as customized zoning overlays and are only allowed through a special site-specific process that considers the unique site conditions of each development and allows for the relaxation of certain development requirements. Further, the statutes refer back to the City’s LDRs for all other requirements, which indicates the intent is to streamline the approval of affordable housing but not facilitate development that is incongruous with the scale and setbacks of standard zoning district requirements.

Density & Height Preemption – How it works:

The municipality may not require projects that qualify for administrative review to obtain a zoning or land use change, special exception, conditional use approval, variance, or comprehensive plan amendment to facilitate the proposed projects under the statutorily allowed parameters, which include:

1. For mixed-use residential projects, at least 65% of the total square footage of the project must be used for residential purposes;
2. Density must be allowed at no less than the highest allowed density on any land in the municipality where residential development is allowed;
3. Height must be allowed at no less than the highest currently allowed height for a commercial or residential development in the municipality within 1 mile of the proposed project, or 3 stories, whichever is higher;
4. Reduced parking requirements must be considered if the project otherwise meeting the criteria under this subsection is located within ½ mile of a major transit stop and the major transit stop is accessible from the project; and

5. If the municipality designates less than 20% of the land in its jurisdiction for commercial or industrial purposes, the projects are required to be allowed by the municipality only if they are mixed-use residential.

The City of Lake Worth Beach will be impacted by this new legislation as both density and height will be preempted as consistent with the following analysis.

Density

The City currently allows multifamily in the MF-20, MF-30, FM-40 zoning districts and mixed-use residential projects in the MU-E, DT, MU-FH, MU-DH, MU-W, TOD-E and TOD-W zoning districts, with the relevant regulations as follows:

Zoning District	Maximum Density
MF-20	20 units per gross acre
MF-30	30 units per gross acre
MF-40	40 units per gross acre
MU-E	Consistent with MF-30
DT	Consistent with MF-40
MU-FH	Consistent with MF-20
MU-DH	Consistent with MF-20 on East side of Dixie Hwy; and with MF-30 on West side of Dixie Hwy
MU-W	Consistent with MF-20
TOD-E	Consistent with MF-40 or MU-E
TOD-W	Consistent with MF-40 or MU-E

The highest allowed density on any land in the City, where residential development is allowed, is identified in the MF-40 district, which is also used in the DT, TOD-E and TOD-W districts. **In accordance with provision #2, above, density consistent with MF-40 (40 dwelling units per acre) would be the maximum density for all projects that meet the criteria under this new legislation.**

Height

The maximum allowable height in every zoning district within the City is 30 ft, not to exceed 2 stores, by right and may be increased through participation in the Sustainable Bonus Incentive Program (SBIP). The City’s multifamily and multi-use zoning districts that have the opportunity for height exceeding 3 stories are as follows:

Zoning District	Height Limitation with Sustainable Bonus Incentive Program (Tier One)
MU-E	Additional 15 ft, not to exceed 4 stories, for lots west of the FEC Railroad Tracks and East of F Street
DT	Additional 15 ft, not to exceed 4 stories; or Additional 35 ft, not to exceed 6 stories, for lots East of Federal Hwy with the provision of a hotel or mixed-use hotel project of at least 50 rooms, requires conditional use permit

MU-DH West	Additional 15 ft, not to exceed 4 stories, for blocks fronting both Dixie Hwy and G Street or blocks adjacent to the AI district
MU-W	Additional 35 ft, not to exceed 6 stories, for blocks fronting 10 th Ave N; and Additional 15 ft, not to exceed 4 stories, for blocks fronting Lake Worth Road and blocks fronting 2 nd Ave N
TOD-E	Additional 25 ft, not to exceed 5 stories, with conditional land use and with inclusion of a transit station for location along Lake and Lucerne Avenues; or Without transit station, an additional height limited to 15 ft, not to exceed 4 stories; or Additional 15 ft, not to exceed 4 stories, with conditional land use and with inclusion of a transit station for locations along 10 th Ave N and 9 th Ave S; or Without transit station, an additional height limited to 5 ft, not to exceed 3 stories
TOD-W	Additional 25 ft, not to exceed 5 stories, with conditional land use and with inclusion of a transit station; or Without a transit station, additional height limited to 15 ft, not to exceed 4 stories

The City’s multifamily and mixed-use zoning districts that provide a maximum height of 3 stories with participation in Tier One of the SBIP were not listed in the table above as the highest currently allowed height in those districts is consistent with the minimum 3 stories provided for in the new legislation. The new legislation would allow for the increased height obtained through participation in the SBIP within a mile from where it is allowed by the City’s LDRs, if the proposed project meets the criteria under the statute and the SBIP. The table above lists the maximum height currently allowed in the City’s mixed-use zoning district.

Therefore, an application eligible for the new administrative approval process cannot exceed the highest currently allowed height within 1 mile of the proposed project from the zoning districts in the table, or 3 stories, whichever is higher. **The maximum height that could be administratively approved would typically be between 4 – 6 stories depending on the distance from the zoning district listed in the table above.** Any proposed project over two stories would have to satisfy the requirements of the SBIP including, paying the required SBIP incentive fees, even though the proposed project would be subject to administrative level review.

Parking

The City does not have a major transit stop, as defined in the City’s LDRs. Consequently, provision #4, above, does not apply within the City. All projects will be required to comply with the City’s parking requirements for multifamily or mixed-use residential projects, as applicable.

Additionally

The City has designated more than 20% of the land area within the City for commercial and industrial purposes. Therefore, provision #5, above, does not apply within the City.



Senate Bill 102 (Calatayud) – Housing

Summary of the Bill as of March 9, 2023

Contact: Kody Glazer, Legal & Policy Director, glazer@flhousing.org

This document summarizes the policies in the Live Local Act as of March 9, 2023, organized by policy topic. This bill is the vehicle for a number of housing policies and is a main priority of Senate President Kathleen Passidomo.

Policies included in the bill:

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I. Funding & Tax Credits

Additional funding for the State Housing Trust Fund

- Redirects up to \$150 million annually of the General Revenue service charge on doc stamp revenues to the State Housing Trust Fund over 10 years (up to \$1.5 billion new funding for SAIL over 10 years)
- Additional funds must be used as follows:
 - At least 70% of additional funds must be used for competitive requests for projects that:
 - Both redevelop an existing affordable housing development and provide for the construction of new development within close proximity to the development to be rehabilitated
 - Address urban infill, including conversions of vacant, dilapidated, or functionally obsolete buildings
 - Provide for mixed-use housing
 - Provide housing near military installations
 - Remainder of funds can be used for projects that:
 - Propose using or leasing public lands
 - Address the needs of young adults who age out of foster care
 - Meet the needs of elderly persons
 - Provide housing to meet the needs in areas of rural opportunity

New Live Local Corporate Tax Donation Program

- Creates a new tax donation program to allow taxpayers to direct payments to FHFC for use as SAIL funds in exchange for tax credits against corporate or insurance premium tax liability. Cap of \$100 million in each state fiscal year
- Projects funded through this donation program must be used to fund:
 - 100% through the SAIL program
 - Up to \$25 million can be used to provide loans for the construction of large-scale projects of significant regional impact.

Codifies Florida Hometown Hero Program

- Codifies the Hometown Hero program in state statute
- Provides a minimum of \$10,000 and up to 5 percent of the first mortgage, not exceeding \$35,000, in down payment assistance



- Assistance is a 0% interest loan due at sale, refinancing, rental of property
- Can serve households up to 150% of state median income or local median income, whichever is greater
- Must be first-time homebuyer and employed full-time (35 hours or more per week) by a Florida based employer
 - **Note**, an eligible homebuyer does not need to be in a specific industry

Affordable housing funding

- Provides \$100 million from General Revenue for the Florida Hometown Hero Housing Program
- Provides \$252 million from LGHTF the SHIP program
- Provides \$259 million in total for the SAIL program - \$150 million from GR service charge and \$109 million from SHTF
- Provides \$100 million from GR for a competitive loan program for new construction projects in the development pipeline that have not commenced construction and are experiencing verifiable cost increases due to market inflation

Community Contribution Tax Credit

- Increases CCTC to \$25 million from \$14.4 million

Florida Job Growth Grant Fund

- Expands Job Growth Grant Fund for “state or local public infrastructure projects to facilitate the development of affordable housing.”

II. Affordable housing tax exemptions

New affordable housing property tax exemption in s. 196.1978.

- **Background:** F.S. 196.1978 is the state’s affordable housing property tax exemption statute. Under this statute, there are two property tax exemptions available for affordable units: 1) the “Affordable Housing Property Exemption”; and 2) the “Multifamily Property Exemption.” The “Affordable Housing Property Exemption” is for property owned by nonprofit organizations that serves households up to 120% AMI and the “Multifamily Property Exemption” is for properties of more than 70 units that have a Land Use Restriction Agreement with the Florida Housing Finance Corporation (FHFC) and serve households up to 80% AMI.
- **Bill actions:**
 - Clarifies that land owned entirely by a nonprofit entity and is leased for a minimum of 99 years for the purpose of, and is predominately used for, providing affordable housing is exempt from property taxation
 - Adds a third affordable housing property tax exemption in s. 196.1978 for newly constructed multifamily projects of more than 70 units that serve up to 120% AMI



and do not have a Land Use Restriction Agreement with FHFC; exemption only applies to the affordable housing units

- Different levels of tax exemptions:
 - Units that serve 80-120% AMI = 75% property tax exemption
 - Units that serve up to 80% AMI = 100% property tax exemption
- Affordable units must be rented at an amount not to exceed the Multifamily Tax Subsidy Projects Income Limits published by HUD or or 90 percent of the fair market value rent as determined by a rental market study

New optional local property tax exemption (60% AMI and below)

- Authorizes city and county commissions to adopt an ordinance to provide property tax exemptions to certain affordable housing units that serve households up to 60% AMI
- Eligible developments must have at least 50 units and dedicate at least 20% of its units for affordable housing
- Affordable units must be rented at an amount not to exceed the Multifamily Tax Subsidy Projects Income Limits published by HUD or 90 percent of the fair market value rent as determined by a rental market study
- Different levels of tax exemption options:
 - Developments that are 100% affordable = Up to 100% property tax exemption
 - Developments that are less than 100% affordable = Up to 75% property tax exemption
- Local government may provide this tax exemption only to units serving 60% AMI or below, 30% AMI or below, ELI, or both
- Local government must post a list of certified properties on its website
- An ordinance adopted under this section must expire before the fourth January 1 after adoption but may be renewed through a new ordinance

New sales tax refund for affordable housing construction

- Affordable housing developments subject to an agreement with FHFC serving up to low-income households are eligible for a sales tax refund on building materials for affordable units
- Up to \$5,000 or 97.5% of sales tax paid as a refund for each eligible residential unit

III. Zoning, land use, and role of local government

Preempting local governments on zoning for certain multi-family affordable housing developments in commercial areas.

- Requires cities and counties to allow multifamily and mixed-use residential as allowable uses in any area zoned for commercial, industrial, or mixed-use if at least 40 percent of the units are affordable to income-eligible households for at least 30 years. A local government may not require a development under this section to obtain a zoning or land use change, special exception, conditional use approval, variance, or comprehensive plan amendment for the



height, zoning, and densities authorized by this section. For mixed-use residential projects, at least 65 percent of total square footage must be used for residential purposes.

- Local government may not restrict the density of a development under this preemption below the highest allows density in the jurisdiction where residential development is allowed
- Local government may not restrict the height of a development under this preemption below the highest currently allowed height for a commercial or residential development in the jurisdiction within 1 mile of the proposed development or 3 stories, whichever is higher
- Application under this section must be administratively approved and does not require further action by the city or county commission if it satisfies the jurisdictions land development regulations for multifamily developments
- Local government must consider reducing parking requirements to the greatest extent possible for developments approved under this section if development located within ½ mile of a transit stop
- Cities and certain counties with less than 20 percent of land zoned for commercial or industrial uses can only use the provision to authorize mixed-use developments
- All other state and local laws still apply – this includes setbacks, parking, environmental, concurrency, and other state and local laws
- Subsection does not apply to property defined as recreational and commercial working waterfront in s. 342.201(2)(b)
- This preemption lasts for 10 years

Land use tool to allow affordable housing on parcels zoned residential, commercial, and industrial.

- **Background:** House Bill 1339 (2020), which was amended slightly by Senate Bill 962 (2022), gave local governments the flexibility to allow affordable housing developments on any parcel zoned residential, commercial, or industrial notwithstanding any other law to the contrary. In effect, the tool allows local government to override its own zoning code and comprehensive plan to approve an affordable housing development.
- **Bill actions:**
 - Removes the use of the land use tool on parcels zoned for residential use
 - Removes the prohibition on using the tool for developments that apply for or receive SAIL funding

Amendments to Florida’s surplus land statute

- **Background:** Florida’s “surplus land laws” at ss. 125.379 and 166.0451 for counties and cities respectively, require local governments every 3 years to create an inventory of all lands it owns that are “appropriate for use as affordable housing.” Although parcels do not have to be placed on this inventory for a local government to use its land for affordable housing purposes, parcels placed on the inventory can be used for affordable housing according to guidance in the statute.
- **Bill actions:**



- Requires every local government to prepare a new list by October 1, 2023
- Expands inventory requirement to independent special districts within local governments
- Requires every local government to make the inventory list publicly available on its website to encourage potential development
- Clarifies that land placed on the inventory can be used for affordable housing “through a long-term land lease”
- Adds new subsection encouraging local governments to adopt best practices for surplus land programs

Rent Control Prohibited

- **Background:** Under current law, local governments are allowed to enact temporary rent control measures upon a finding that such controls are “necessary and proper to eliminate an existing housing emergency which is so grave as to constitute a serious menace to the public” and after a vote via public referendum.
- **Bill action:**
 - Repeals the language at ss. 125.0103 and 166.043 allowing local governments to enact temporary rent control measures.
- **Effect:**
 - Local governments would be preempted from enacting rent control measures.

Posting expedited permitting procedures online

- Requires local governments to maintain on its website a policy containing procedures and expedited processing of building permits and development orders required by law to be expedited

Using State-Owned lands for affordable housing

- Requires each manager of conservation lands to include in its land management plan “whether nonconservation lands would be more appropriately transferred to the county or municipality in which the land is located for the purpose of providing affordable multifamily rental housing.”

DEO’s Keys Workforce Housing Initiative

- States that DEO’s Keys Workforce Housing Initiative can continue in effect by considering affordable units built under the program an exception to evacuation time constraints in areas of critical state concern.

IV. State Housing Strategy

Substantial amendments to the State housing strategy in s. 420.0003

- Substantially amends the state housing strategy at 420.0003
- Directs Shimberg Center for Housing Studies to “develop and maintain statewide data on housing needs and production, provide technical assistance relating to real estate



development and finance, operate an information clearinghouse on housing programs, and coordinate state housing initiatives with local government and federal programs” and to “perform functions related to the research and planning for affordable housing”

- Directs the Office of Program Policy Analysis and Government Accountability (OPPAGA) to evaluate affordable housing issues

V. Florida Housing Finance Corporation

FHFC Board Makeup

- Adds one member appointed by the President of the Senate and one member appointed by the Speaker of the House

Qualified Contracts

- Changes timeframe for when FHFC shall deem a bona fide contract to be a qualified contract to at the time the “bona fide contract is present to the owner and the initial deposit is deposit in escrow”

FHFC Budget Requests

- Directs FHFC to include the amount of state funds necessary to use all federal housing funds anticipated to be received by, or allocated to, the state in order to maximize the produce of new, affordable multifamily housing units

VI. Technical Assistance

Affordable Housing Catalyst Program

- Allows FHFC to contract with the Catalyst Program provider to provide technical assistance to local governments to establish selection criteria and related provisions for RFPs or other competitive solicitations for use or lease of government-owned land for affordable housing



Senate Bill 102 (Calatayud) – Housing
One-Pager of the bill as of March 9, 2023

Contact: Kody Glazer, Legal & Policy Director, glazer@flhousing.org

Here are the main policies in the Live Local Act as of March 9, 2023, organized by policy topic. This bill is the vehicle for a number of housing policies and is a main priority of Senate President Kathleen Passidomo.

Funding & Tax Credits

- Proposes a record \$811 million for affordable housing programs including: \$252 million for SHIP, \$259 million for SAIL, \$100 million for the Florida Hometown Hero Housing Program, \$100 million for a CHIRP-like program, and up to \$100 million for a new Live Local Tax Donation program
- Redirects up to an additional \$150 million/year for 10 years to SAIL to be used on defined projects
- Creates a new Live Local Corporate Tax Donation program allowing taxpayers to donate funds directly to FHFC for the SAIL program in return for tax credits against corporate and insurance liability tax
- Codifies the Florida Hometown Hero program in state law
- Increases the Community Contribution Tax Credit (CCTC) and expands the Job Growth Grant Fund for affordable housing-related infrastructure expenses

Affordable housing tax exemptions

- Creates a new affordable housing property tax exemption for non-FHFC multifamily developments of over 70 affordable units
- Authorizes cities and counties to provide property tax incentives for developments that serve households at 60% AMI or below
- Creates a new sales tax refund for certain affordable developments

Zoning, land use, and role of local government

- Proscribes standards on zoning, density, and height for certain multifamily affordable housing developments in commercial, industrial, or mixed-use areas. For height, a development would be allowed the highest height currently allowed within 1 mile of the proposed development or 3 stories, whichever is higher. For example, if a county limits height to 4 stories within 1 mile of a proposed development through a county charter or other land development regulation, that development could only be built up to 4 stories.
- Amends land use tool for affordable housing at ss. 125.01055(6) and 166.04151(6) to exclude “residential” zones and removes prohibition on SAIL-funded projects
- Requires cities and counties to post inventory of lands appropriate for affordable housing on its website and encourages local governments to adopt best practices
- Prohibits local governments from enacting rent control
- Requires local governments to post expedited permitting procedures online

State Housing Strategy

- Makes substantial amendments to the state’s housing strategy at s. 420.0003.

Florida Housing Finance Corporation & Technical Assistance

- Changes board makeup of FHFC, makes changes to FHFC budget request process, and makes amendments to the Qualified Contracts
- Allows FHFC to contract with Catalyst Program provider to provide training on using publicly owned land for affordable housing



PROJECTED SHIP DISTRIBUTION ESTIMATES FOR FY 2023-24

(\$252,000,000)

LOCAL GOVERNMENT	COUNTY TOTAL	COUNTY SHARE/ CITY SHARE
ALACHUA	3,286,537	1,621,249
Gainesville		1,665,288
BAKER	350,000	350,000
BAY	2,111,922	1,697,141
Panama City		414,781
BRADFORD	350,000	350,000
BREVARD	7,189,654	3,945,682
Cocoa		227,912
Melbourne		996,486
Palm Bay		1,452,310
Titusville		567,264
BROWARD	22,534,548	3,988,613
Coconut Creek		662,516
Coral Springs		1,543,617
Davie		1,223,626
Deerfield Beach		1,000,534
Fort Lauderdale		2,163,317
Hollywood		1,773,469
Lauderhill		856,313
Margate		671,530
Miramar		1,581,925
Pembroke Pines		1,960,506
Plantation		1,077,151
Pompano Beach		1,302,497
Sunrise		1,115,460
Tamarac		831,525
Weston		781,949
CALHOUN	350,000	350,000
CHARLOTTE	2,260,559	2,031,564
Punta Gorda		228,995
CITRUS	1,814,501	1,814,501
CLAY	2,587,678	2,587,678
COLLIER	4,476,074	4,255,404
Naples		220,670
COLUMBIA	818,222	818,222
DE SOTO	409,396	409,396
DIXIE	350,000	350,000
DUVAL	11,836,251	11,836,251
ESCAMBIA	3,777,215	3,149,442
Pensacola		627,773
FLAGLER	1,435,374	320,088
Palm Coast		1,115,286
FRANKLIN	350,000	350,000
GADSDEN	513,413	513,413
GILCHRIST	350,000	350,000

LOCAL GOVERNMENT	COUNTY TOTAL	COUNTY SHARE/ CITY SHARE
GLADES	350,000	350,000
GULF	350,000	350,000
HAMILTON	350,000	350,000
HARDEE	350,000	350,000
HENDRY	461,405	461,405
HERNANDO	2,282,869	2,282,869
HIGHLANDS	1,182,573	1,182,573
HILLSBOROUGH	17,412,196	12,813,635
Tampa		4,598,561
HOLMES	350,000	350,000
INDIAN RIVER	1,888,820	1,888,820
JACKSON	572,956	572,956
JEFFERSON	350,000	350,000
LAFAYETTE	350,000	350,000
LAKE	4,624,711	4,624,711
LEE	9,174,678	5,688,301
Cape Coral		2,379,911
Fort Myers		1,106,466
LEON	3,427,786	1,132,540
Tallahassee		2,295,246
LEVY	513,413	513,413
LIBERTY	350,000	350,000
MADISON	350,000	350,000
MANATEE	4,825,503	4,174,060
Bradenton		651,443
MARION	4,498,384	3,753,002
Ocala		745,382
MARTIN	1,859,122	1,859,122
MIAMI-DADE	20,155,423	13,238,082
Hialeah		1,668,869
Miami		3,355,878
Miami Beach		610,709
Miami Gardens		840,481
North Miami		441,404
MONROE	967,006	967,006
NASSAU	1,093,333	1,093,333
OKALOOSA	2,476,127	2,234,952
Fort Walton Beach		241,175
OKEECHOBEE	454,017	454,017
ORANGE	16,943,828	13,261,934
Orlando		3,681,894
OSCEOLA	4,877,511	3,230,375
Kissimmee		943,311
St. Cloud		703,825

LOCAL GOVERNMENT	COUNTY TOTAL	COUNTY SHARE/ CITY SHARE
PALM BEACH	17,389,885	12,463,331
Boca Raton		1,140,776
Boynton Beach		935,576
Delray Beach		768,633
Wellington		707,768
West Palm Beach		1,373,801
PASCO	6,795,605	6,795,605
PINELLAS	11,137,539	5,783,723
Clearwater		1,364,349
Largo		964,511
St. Petersburg		3,024,956
POLK	8,825,249	6,835,155
Lakeland		1,378,504
Winter Haven		611,590
PUTNAM	855,454	855,454
ST. JOHNS	3,398,088	3,398,088
ST. LUCIE	4,015,093	890,548
Fort Pierce		548,060
Port St. Lucie		2,576,485
SANTA ROSA	2,260,559	2,260,559
SARASOTA	5,182,320	4,535,048
Sarasota		647,272
SEMINOLE	5,531,749	5,531,749
SUMTER	1,606,321	1,606,321
SUWANNEE	513,413	513,413
TAYLOR	350,000	350,000
UNION	350,000	350,000
VOLUSIA	6,550,339	4,565,586
Daytona Beach		887,571
Deltona		1,097,182
WAKULLA	409,396	409,396
WALTON	922,385	922,385
WASHINGTON	350,000	350,000
TOTAL	246,436,400	246,436,400
DR Holdback & Catalyst		5,563,600
TOTAL APPROPRIATION		252,000,000

SHIP allocation based on SB 102, includes DR holdback, uses current Catalyst appropriation

STAFF REPORT WORK SESSION

AGENDA DATE: April 17, 2023

DEPARTMENT: City Commission

TITLE:

Discussion to reconfigure Advisory Boards/Committees and set a consistent Board Meeting Policy

SUMMARY:

The Commission will be holding interviews in the near future for the Advisory Boards/Committees and needs to reconfigure several before the interviews.

BACKGROUND AND JUSTIFICATION:

There are various city advisory boards/committees that have vacancies to be filled. The advisory board appointment process was revised by Ordinance 2022-02, passed on March 1, 2022, so that all appointments would be made by the City Commission as a whole, for unspecified terms (except for the CRA which is governed by State Statute).

Interviews were held on June 11 and 21, 2022 with a Special Meeting on June 28, 2022 to appoint members to the various boards. The Commission tabled appointments to the C-51 Canal Advisory Committee and Finance Advisory Board until the boards could be reconfigured.

A consistent policy should be established for the advisory board meetings regarding access to the public, broadcasting of meetings and meeting minutes.

C-51 Canal

- established by Resolution 56-2016 on November 1, 2016
- monitor and review the results of the state's engineering and feasibility or any other subsequent studies
- five member committee; currently has five members

The City Commission did not make any new appointments to the committee until it would be reconfigured. There was discussion about expanding the parameters and possibly changing the name of the committee.

Finance Advisory Board (FAB)

- established by Ordinance 2010-03, effective on February 16, 2010
- serve in an advisory capacity to the City Commission and the City Manager to promote transparency in the budget process and allow for additional citizen input on major financial decisions; 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
- seven member board; currently has one member

No appointments were made to the FAB during the interview process as the City Commission wished to review the FAB prior to making appointments.

City Tree Board

- established by Ordinance 1990-12, effective on March 29, 1990
- serve in a planning and advisory capacity together with qualified city employees or commercial contractors to oversee the writing and implementation of an annual work plan to address all aspects of the planting and maintenance of city trees, including, but not limited to, recommendations on dead and hazardous tree removal, safety and fine pruning, planting, watering and fertilizing, insect and disease control and related long-term planning and prioritizing
- seven member board; currently has four members (one term expires July 2024)

There was discussion about broadening the scope of the board beyond trees and changing its name to the Landscaping Board.

DIRECTION:

Direction is sought regarding the reconfiguring of the C-51 Canal Advisory Board, the City Tree Board and the Finance Advisory Board. Direction is sought for a meeting policy for the advisory boards.

ATTACHMENT(S):

June 28, 2022 minutes

3 Board Lists

Resolution/Ordinances creating the 3 boards

MINUTES
CITY OF LAKE WORTH BEACH
SPECIAL CITY COMMISSION MEETING – ADVISORY BOARD APPOINTMENTS
CITY HALL COMMISSION CHAMBER
TUESDAY, JUNE 28, 2022 – 5:00 PM

The meeting was called to order by Mayor Resch on the above date at 5:09 PM in the City Commission Chamber located at City Hall, 7 North Dixie Highway, Lake Worth Beach, Florida.

ROLL CALL: (0:17) Present were Mayor Betty Resch; Vice Mayor Christopher McVoy and Commissioners Sarah Malega, Kimberly Stokes and Reinaldo Diaz. Also present were City Manager Carmen Davis and City Clerk Melissa Ann Coyne.

NEW BUSINESS: (0:43)

A. Advisory Board Appointments

1. Planning & Zoning Board (1:16)

Action: Motion made by Vice Mayor McVoy and seconded by Commissioner Diaz to appoint Alexander Cull, Evelin Urcuyo and Daniel Walesky to the Planning and Zoning Board.

Vote: Voice vote showed: AYES: Mayor Resch, Vice Mayor McVoy, and Commissioners Malega, Stokes and Diaz. NAYS: None.

2. Community Redevelopment Board (1:41)

Action: Motion made by Commissioner Stokes and seconded by Vice Mayor McVoy to appoint Anne Fairfax, Donna Kerner and Daniel Morgan to the Community Redevelopment Board.

Vote: Voice vote showed: AYES: Mayor Resch, Vice Mayor McVoy, and Commissioners Malega, Stokes and Diaz. NAYS: None.

3. Historic Resources Preservation Board (4:47)

Action: Motion made by Commissioner Malega and seconded by Vice Mayor McVoy to appoint Tricia Hallison-Mischler and Nadine Heitz to the Historic Resources Preservation Board.

Vote: Voice vote showed: AYES: Mayor Resch, Vice Mayor McVoy, and Commissioners Malega, Stokes and Diaz. NAYS: None.

4. Library Advisory Board (11:16)

Action: Motion made by Commissioner Malega and seconded by Vice Mayor McVoy to appoint Emily Abbott, Erika Gettig and Mary Lindsey to the Library Advisory Board.

Vote: Voice vote showed: AYES: Mayor Resch, Vice Mayor McVoy, and Commissioners Malega, Stokes and Diaz. NAYS: None.

5. C-51 Canal Advisory Board (12:00)

Action: Motion made by Vice Mayor McVoy and seconded by Commissioner Diaz to table appointments to the C-51 Advisory Board until the committee would be reconfigured.

Vote: Voice vote showed: AYES: Mayor Resch, Vice Mayor McVoy, and Commissioners Malega, Stokes and Diaz. NAYS: None.

6. City Tree Board (16:09)

Action: Motion made by Vice Mayor McVoy and seconded by Commissioner Stokes to appoint Diane Brown, Giovanna Dominguez Timor, and Ginny Powell to the City Tree Board.

Vote: Voice vote showed: AYES: Mayor Resch, Vice Mayor McVoy, and Commissioners Malega, Stokes and Diaz. NAYS: None.

7. Construction Board of Adjustments & Appeals (17:26)

Action: Motion made by Commissioner Malega and seconded by Vice Mayor McVoy to appoint the Edmund Deveaux, Thomas Forlenza, and Mark Szafaryn to the Construction Board of Adjustments & Appeals.

Vote: Voice vote showed: AYES: Mayor Resch, Vice Mayor McVoy, and Commissioners Malega, Stokes and Diaz. NAYS: None.

8. Electric Utility Advisory Board (18:52)

Action: Motion made by Vice Mayor McVoy and seconded by Commissioner Malega to appoint Eric Jeffers and Ramsay Stevens to the Electric Utility Advisory Board.

Vote: Voice vote showed: AYES: Mayor Resch, Vice Mayor McVoy, and Commissioners Malega, Stokes and Diaz. NAYS: None.

9. Finance Advisory Board (19:01)

Action: Motion made by Commissioner Malega and seconded by Vice Mayor McVoy to table appointments to the Finance Advisory Board until the board would be reconfigured.

Vote: Voice vote showed: AYES: Mayor Resch, Vice Mayor McVoy, and Commissioners Malega, Stokes and Diaz. NAYS: None.

10. Recreation Advisory Board (30:31)

Action: Motion made by Commissioner Malega and seconded Commissioner Diaz to appoint Danielle Hartman, Tiffany Kapner and Theodore McMorrough to the Recreation Advisory Board.

Vote: Voice vote showed: AYES: Mayor Resch, Vice Mayor McVoy, and Commissioners Malega, Stokes and Diaz. NAYS: None.

11. Police Retirement System (30:56)

Action: Motion made by Commissioner Malega and seconded by Commissioner Stokes to appoint Lonney Moral to the Police Retirement System.

Vote: Voice vote showed: AYES: Mayor Resch, Vice Mayor McVoy, and Commissioners Malega, Stokes and Diaz. NAYS: None.

12. Firefighters Pension Board (31:12)

Action: Motion made by Commissioner Malega and seconded by Commissioner Diaz to appoint Valerie Hurley and Theodore McMurrrough to the Firefighters Pension Board.

Vote: Voice vote showed: AYES: Mayor Resch, Vice Mayor McVoy, and Commissioners Malega, Stokes and Diaz. NAYS: None.

13. Employees Retirement System (33:47)

Action: Motion made by Vice Mayor McVoy and seconded by Commissioner Malega to appoint Wayne Lewis to the Employees Retirement System.

Vote: Voice vote showed: AYES: Mayor Resch, Vice Mayor McVoy, and Commissioners Malega, Stokes and Diaz. NAYS: None.

ADJOURNMENT: (36:10)

Action: Motion made by Commissioner Stokes and seconded by Commissioner Malega to adjourn the meeting at 5:45 PM.

Vote: Voice vote showed: AYES: Mayor Resch, Vice Mayor McVoy, and Commissioners Stokes and Diaz. NAYS: None.

ATTEST:



Melissa Ann Coyne, City Clerk

Minutes approved July 19, 2022.

Item time stamps refer to the recording of the meeting which is available on YouTube.


Betty Resch, Mayor

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 1st day of November, 2016.

LAKE WORTH CITY COMMISSION

By: 
Pam Triolo, Mayor

ATTEST:


Pamela J. Lopez, City Clerk





C-51 CANAL ADVISORY COMMITTEE

MEMBERS	APPOINTED	PHONE
Laura Starr 2610 Holy Cross Lane lstarr@yourfloridacounsel.com	04/04/17	C: 561-414-5686
Mark Foley 801 South Olive Avenue 1509 - WPB markfoley5@gmail.com	06/20/17	C: 561-543-4025
Carla Blockson 1802 Pierce Drive bloclsonpc@yahoo.com	05/04/21	C: 561-628-2576
Sally Gonsalves 1739 22 nd Avenue North sstill@warddamon.com	06/20/17	C: 954-478-3341
Michelle Sylvester 6570 High Ridge Rd., Lantana 1jupiterlight@gmail.com	05/02/17	C: 561-301-3818

COMMITTEE LIAISON

Brian Shields, Water Utility Director
bshields@lakeworth.org
561-586-1712

The purpose of this committee to monitor and review the results of the State's engineering and feasibility or any other subsequent studies related to the C-51 Canal.

Resolution No. 56-2016 – effective November 1, 2016, created a five-member committee composed of one member appointed by the Mayor and one member appointed by each City Commissioner. The committee shall meet as necessary or as requested by the City Commissioner or the City Manager.

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

FINANCIAL DISCLOSURE FORMS ARE NOT REQUIRED.

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

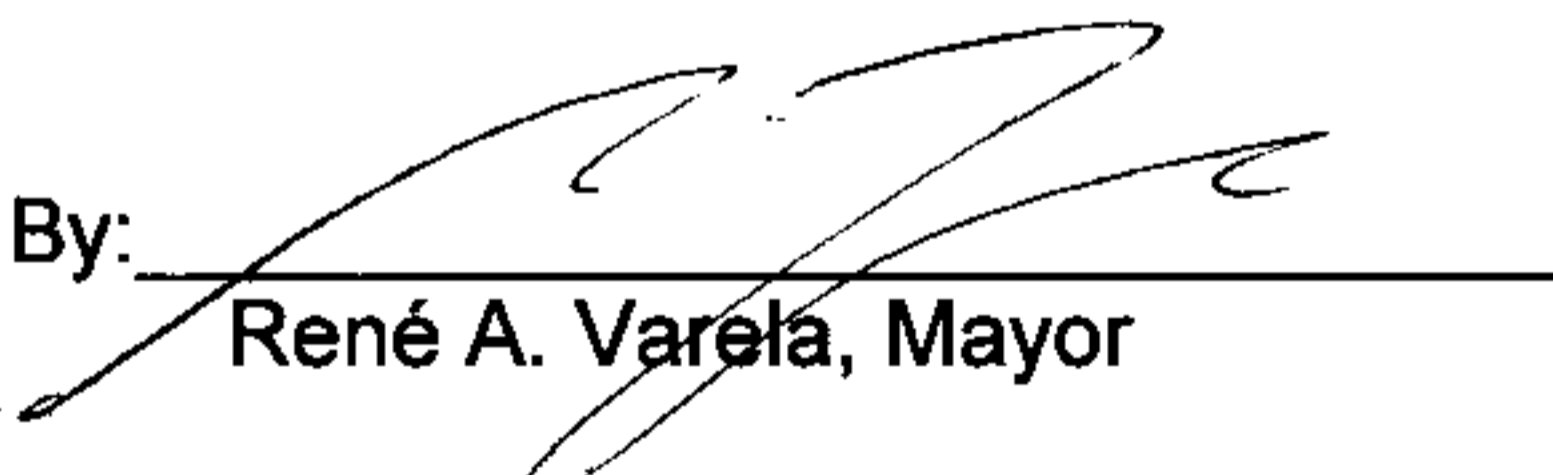
The Mayor thereupon declared this Ordinance duly passed on first reading on the 2nd day of February, 2010.

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:

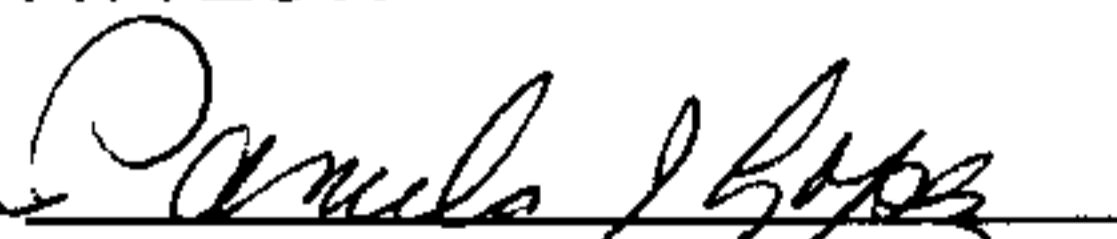
Mayor René A. Varela	AYE
Vice Mayor Jo-Ann Golden	AYE
Commissioner Cara Jennings	AYE
Commissioner Suzanne Mulvehill	AYE
Commissioner Scott Maxwell	AYE

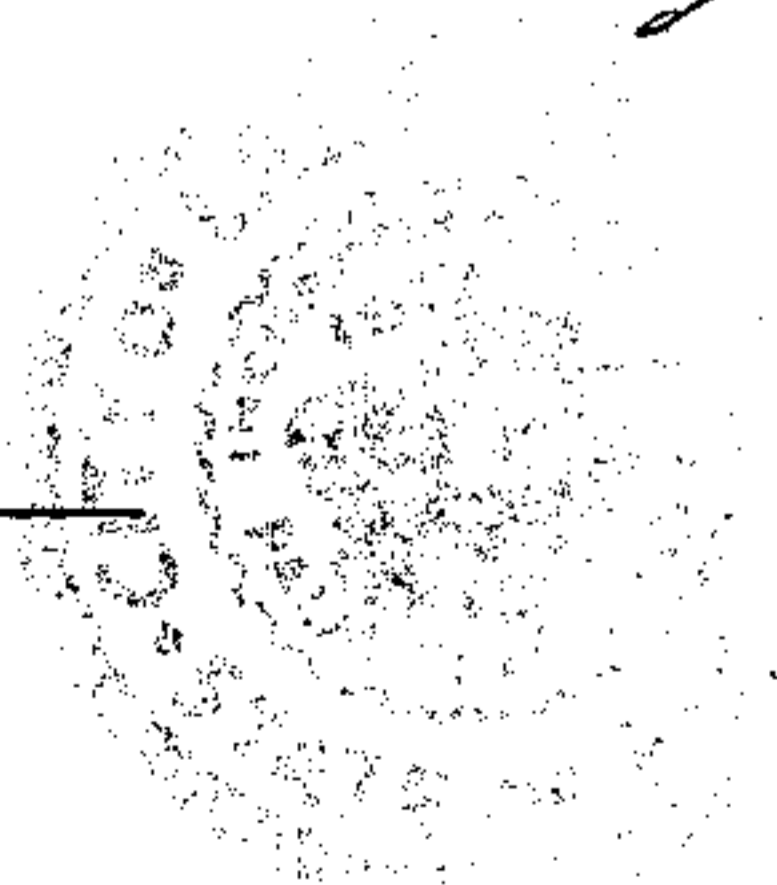
The Mayor thereupon declared this Ordinance duly passed and enacted on the 16th day of February, 2010.

LAKE WORTH CITY COMMISSION

By: 
René A. Varela, Mayor

ATTEST:


Pamela J. Lopez, City Clerk





FINANCE ADVISORY BOARD

MEMBERS	APPOINTED	PHONE	
Charles Royce 129 S. Golfview Rd chroyce@aol.com	05/04/2021	C: 786-397-4953	07/31/2023
VACANT			
VACANT			
VACANT			
VACANT			
VACANT			
VACANT			

BOARD LIAISON: Bruce Miller, Finance Director - bmiller@lakeworth.org - 561-586-1641

The City of Lake Worth Beach Finance Advisory Board was created 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.

Established by Ordinance No. 2010-03, effective 02/26/10, comprised of seven resident members appointed by the City Commission.

Ord. No. 2010-03, effective 2/26/10, a member who fails to attend three consecutive regularly scheduled meetings or 20% of regularly scheduled meetings held within a 12-month period shall have his/her seat declared vacant by the City Clerk and the City Commission shall promptly fill such vacancy.

Meetings: First Monday of each month at 6:00 pm in the City Hall Conference Room.

ORDINANCE NO. 90-12 OF THE CITY OF LAKE WORTH, FLORIDA, CREATING A CITY TREE BOARD TO SERVE IN A PLANNING AND ADVISORY CAPACITY WITH QUALIFIED CITY EMPLOYEES OR COMMERCIAL CONTRACTORS RESPONSIBLE TO OVERSEE THE WRITING AND IMPLEMENTATION OF AN ANNUAL PLAN FOR PLANTING AND MAINTENANCE OF CITY TREES; SEVERABILITY CLAUSE; CONFLICTING ORDINANCES REPEALED; CODIFICATION CLAUSE; EFFECTIVE DATE.

WHEREAS, the City Commission of the City of Lake Worth wishes to encourage citizen participation in the beautification of our community; and

WHEREAS, the City Commission wishes to apply to the National Arbor Foundation for designation as a "Tree City USA" City in an effort to promote its beautification goals; and

WHEREAS, in order to meet the application criteria for the Tree City USA designation, the City is required to establish an official City Tree Board to oversee writing and implementation of an annual work plan for planting and maintenance of City trees.

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

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

Chapter 2

ADMINISTRATION

* * *

ARTICLE IX. CITY TREE BOARD

* * *

Sec. 2-82. Creation; Advisory function.

There is hereby created and established an official city tree board to serve in a planning and advisory capacity together with qualified city employees or commercial contractors to oversee the writing and implementation of an annual work plan to address all aspects of the planting and maintenance of city trees, including, but not limited to, recommendations on dead and hazardous tree removal, safety and fine pruning, planting, watering and fertilizing, insect and disease control and related long-term planning and prioritizing.

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

The official city tree board shall be composed of ten (10) volunteer members-at-large, appointed by the city commission, to serve in that capacity unless and until he or she is removed from office pursuant to law or a vacancy otherwise occurs, in which case said vacancy shall be filled by the city commission. The board shall elect its own chairman and vice chairman annually at the first meeting in January.

ORIGINAL DOCUMENT

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

Section 3. All ordinances or parts of ordinances 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 Coonerty, seconded by Commissioner Wright, and upon being put to a vote, the vote was as follows:

Mayor Ronald E. Exline	<u>AYE</u>
Commissioner C. L. Clarke	<u>AYE</u>
Commissioner Michael Coonerty	<u>AYE</u>
Commissioner Charles Wright	<u>AYE</u>
Commissioner Monte A. Mohr	<u>AYE</u>

The Mayor thereupon declared this Ordinance duly passed on first reading this 5th day of March, 1990.

The passage of this Ordinance on second reading 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>NOT PRESENT</u>
Vice Mayor C. L. Clarke	<u>AYE</u>
Commissioner Michael Coonerty	<u>AYE</u>
Commissioner Charles Wright	<u>AYE</u>
Commissioner Monte A. Mohr	<u>AYE</u>

The Mayor thereupon declared this Ordinance duly passed and enacted this 19th day of March, 1990.

LAKE WORTH CITY COMMISSION

By: Ronald E. Exline
Mayor

ATTEST:

Barbara C. [Signature]
City Clerk

Submitted: 3/5/90

ORIGINAL DOCUMENT



CITY TREE BOARD

Donna Kerner 1012 N J Street dakerner@hotmail.com	03/02/2021	202-320-2841	07/31/2024
Diane Brown 905 N Lakeside Drive meadowrockers@bellsouth.net	03/02/2021	561-389-8551	
Ginny Powell 224 North Palmway Ginny_lou@live.com	06/18/2019	561-315-4565	
Giovanna Dominguez Timor 301 8th Avenue N. papillon5@bellsouth.net	06/28/2022	305-710-3466	

VACANT

VACANT

VACANT

ADVISOR

City Horticulturist, David McGrew (Community Sustainability) W: 561-586-1677

The board was created to establish policy and provide standards within the City landscape ordinance for tree preservation and protection, both public and private, to include, but not be limited to, providing educational materials on proper planting, pruning techniques, insect and disease control, planting of native species, inventory of existing trees, permit guidelines including rules for tree removal, opportunities for citizen involvement and City tree sales. The planting of trees provides a continuing shade canopy into the future.

Ord. No. 2008-14, effective 7/10/08, amended attendance requirements: a member who fails to attend three consecutive regularly scheduled meetings or 20% of regularly scheduled meetings held within a 12-month period shall have his/her seat declared vacant by the City Clerk and the City Commission shall promptly fill such vacancy. Ord. No. 2007-42, effective 10/02/07, increased membership from five to seven resident members and eliminated the alternate member. City Horticulturist shall be the advisor to the Board.

Meetings: Second Thursday of each month at 6:00 PM.

FINANCIAL DISCLOSURE FORMS ARE NOT REQUIRED.