

**PALM BEACH COUNTY
BOARD OF COUNTY COMMISSIONERS**

AGENDA ITEM SUMMARY

Meeting Date: April 8, 2025

<input type="checkbox"/>	Consent	<input checked="" type="checkbox"/>	Regular
<input type="checkbox"/>	Ordinance	<input type="checkbox"/>	Public Hearing

Department: County Administration
Submitted By: County Administration
Submitted For: County Administration

I. EXECUTIVE BRIEF

Motion and Title: Staff recommends motion to approve on preliminary reading and permission to advertise for public hearing on May 6, 2025: AN ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS OF PALM BEACH COUNTY, FLORIDA AMENDING PALM BEACH COUNTY CODE CHAPTER 2, ARTICLE V, DIVISION 1. – BOARDS, COMMISSIONS, ETC., AMENDING AN IN-PERSON QUORUM STANDARD; PROVIDING A CONFLICTING PROVISIONS CLAUSE; PROVIDING SEVERABILITY; PROVIDING INCLUSION IN THE CODE OF LAWS AND ORDINANCES; PROVIDING CAPTIONS; AND PROVIDING FOR AN EFFECTIVE DATE.

Summary: This ordinance will standardize the in-person quorum requirements for all County-created boards, commissions, committees and similar entities, including County boards created by Special Act of the Florida Legislature, as long as the provisions do not conflict with quorum definitions in State or federal law, rule, regulation or code. Establishing a standard definition will provide consistency in quorum definitions in County-created boards. Ordinance 2021-009 was established as a result of COVID-19 and the guidelines surrounding the pandemic. With the COVID-19 guidelines no longer in existence, this proposed Ordinance change will be more aligned of statutory requirements of achieving in-person quorums. Countywide (HH)

Background and Policy Issues: During the COVID-19 pandemic, Florida Attorney General modified in-person quorums based on the pandemic social gathering guidelines related to meetings of special committees and advisory boards of school districts and local governments. The guidelines have been removed and are no longer applicable.

Attachments:

1. Proposed Ordinance – clean
2. Proposed Ordinance – strikethrough
3. Ordinance 2021-009

Recommended By: Yvonne Wansley 4/2/2025
Agenda Coordinator Date

Approved By: W. J. Blum Date 7/2/25
for County Administrator

II. FISCAL IMPACT ANALYSIS

A. Five Year Summary of Fiscal Impact:

Fiscal Years	2025	2026	2027	2028	2029
Capital Expenditures					
Operating Costs					
External Revenues					
Program Income(County)					
In-Kind Match(County					
NET FISCAL IMPACT					
#ADDITIONAL FTE					
POSITIONS (CUMULATIVE					

Is Item Included in Current Budget?	Yes	X	No
Does this item include the use of federal funds?	Yes	X	No
Does this item include the use of state funds?	Yes	X	No

Budget Account No:

Fund	Dept	Unit
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B. Recommended Sources of Funds/Summary of Fiscal Impact:

C. Departmental Fiscal Review:

III. REVIEW COMMENTS:

A. OFMB Fiscal and/or Contract Dev. and Control Comments:

Line Mnt 3/22/2008
 OFMB *DE 3/29*
 MAR 31 27

Control Comments:

Handwritten Signature 3/31/25

Contract Administration

76 9.28.25

B. Legal Sufficiency

Helene C. Heingold #1-25
Assistant County Attorney

C. Other Department Review

Department Director

(THIS SUMMARY IS NOT TO BE USED AS A BASIS FOR PAYMENT.)

ORDINANCE NO. 20_ -

AN ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS OF PALM BEACH COUNTY, FLORIDA AMENDING PALM BEACH COUNTY CODE, CHAPTER 2, ARTICLE V, DIVISION 1. – BOARDS, COMMISSIONS, ETC., ADDING AN IN-PERSON QUORUM STANDARD; PROVIDING A CONFLICTING PROVISIONS CLAUSE; PROVIDING SEVERABILITY; PROVIDING INCLUDING IN THE CODE OF LAWS AND ORDINANCES; PROVIDING CAPTIONS; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the Palm Beach County Charter and Florida Statutes provide broad authority to the Board of County Commissioners to establish boards, commissions, committees and similar entities to assist with the conduct of the business of County government and support of County government operations; and

WHEREAS, Chapter 2, Article V, Division 1 of the Palm Beach County Code is the appropriate location to define requirements and provisions related to various boards, commissioners, committees and similar entities established by the Board of County Commissioners; and

WHEREAS, the boards, commissions, committees and similar entities established by the Board of County Commissioners are typically established by resolution or County ordinance; and

WHEREAS, the Board of County Commissioners finds that it is in the best interests of the County to standardize the in-person quorum requirements for all County-created boards, commissions, committees and similar entities, including County boards created by Special Act of the Florida Legislature, as long as the provisions do not conflict with quorum definitions in State or federal law, rule, regulation or code.

NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF PALM BEACH COUNTY, FLORIDA THAT:

Section 1. THE FOLLOWING LANGUAGE IS ADDED TO CHAPTER 2, ARTICLE V, DIVISION 1 OF THE PALM BEACH COUNTY CODE:

In-Person Quorum Standard

Unless otherwise restricted by Florida or federal law, rule, regulation or code, 51% of the appointed members shall constitute a quorum for defining in-person participation for any meeting of a County-created board, commission, committee, or similar entity.

Section 2. CONFLICTING PROVISIONS IN PRIOR ORDINANCES AND RESOLUTIONS ARE SUPERSEDED

It is intended that the quorum provisions of this ordinance apply to all County-created boards, commissions, committees and similar entities that are not otherwise restricted by Florida or federal law, rule, regulation or code. To the extent that any prior ordinance or resolution or similar instrument contains quorum provisions inconsistent with the Ordinance, such provisions are superseded as to those inconsistencies.

Section 3. SEVERABILITY

If any section, paragraph, sentence, clause, phrase, or word of this Ordinance is for any reason held by court of competent jurisdiction to be unconstitutional, inoperative, or void, such holding shall not affect the remainder of this Ordinance.

Section 4. INCLUSION IN THE CODE OF LAWS AND ORDINANCES

The provisions of this Ordinance shall become and be made a part of the Palm Beach County Code. The sections of this Ordinance may be renumbered or relettered to accomplish such, and the word Ordinance may be changed to section, article, or other appropriate word.

Section 5. CAPTIONS

The captions, section headings, and section designations used in this Ordinance are for convenience only and have no effect on the interpretations of the provisions of this Ordinance.

Section 6. EFFECTIVE DATE

The provisions of this Ordinance shall become effective upon filing with the Department of State.

APPROVED and ADOPTED by the Board of County Commissioners of Palm Beach County, Florida on _____. Filed

ATTEST:

CLERK & COMPTROLLER

**Joseph Abruzzo, Clerk & COMMISSIONERS
Comptroller**

PALM BEACH COUNTY, FLORIDA

BY ITS BOARD OF COUNTY

**By: _____
Deputy Clerk**

**APPROVED AS TO
LEGAL SUFFICIENCY**

**By: _____
Maria G. Marino, Mayor**

**By: _____
County Attorney**

EFFECTIVE DATE: Filed with the Department of State on the ____ day of _____, 20__.

ORDINANCE NO. 2021-20 - 009

AN ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS OF PALM BEACH COUNTY, FLORIDA AMENDING PALM BEACH COUNTY CODE, CHAPTER 2, ARTICLE V, DIVISION 1. – BOARDS, COMMISSIONS, ETC., ADDING AN IN-PERSON QUORUM STANDARD; PROVIDING A CONFLICTING PROVISIONS CLAUSE; PROVIDING SEVERABILITY; PROVIDING INCLUDING IN THE CODE OF LAWS AND ORDINANCES; PROVIDING CAPTIONS; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the Palm Beach County Charter and Florida Statutes provide broad authority to the Board of County Commissioners to establish boards, commissions, committees and similar entities to assist with the conduct of the business of County government and support of County government operations; and

WHEREAS, Chapter 2, Article V, Division 1 of the Palm Beach County Code is the appropriate location to define requirements and provisions related to various boards, commissions, committees and similar entities established by the Board of County Commissioners; and

WHEREAS, the boards, commissions, committees and similar entities established by the Board of County Commissioners are typically established by resolution or County ordinance; and

WHEREAS, the Board of County Commissioners finds that it is in the best interests of the County to standardize the in-person quorum requirements for all County-created boards, commissions, committees and similar entities, including County boards created by Special Act of the Florida Legislature, as long as the provisions do not conflict with quorum definitions in State or federal law, rule, regulation or code.

NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF PALM BEACH COUNTY, FLORIDA THAT:

Section 1. THE FOLLOWING LANGUAGE IS ADDED TO CHAPTER 2, ARTICLE V, DIVISION 1 OF THE PALM BEACH COUNTY CODE:

In-Person Quorum Standard

Unless otherwise restricted by Florida or federal law, rule, regulation or code, ~~25%~~ 51% of the appointed members shall constitute a quorum for defining in-person participation for any meeting of a County-created board, commission, committee, or similar entity.

Section 2. CONFLICTING PROVISIONS IN PRIOR ORDINANCES AND RESOLUTIONS ARE SUPERSEDED

It is intended that the quorum provisions of this ordinance apply to all County-created boards, commissions, committees and similar entities that are not otherwise restricted by Florida or federal law, rule, regulation or code. To the extent that any prior ordinance or resolution or similar instrument contains quorum provisions inconsistent with the Ordinance, such provisions are superseded as to those inconsistencies.

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Section 6. EFFECTIVE DATE

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APPROVED and ADOPTED by the Board of County Commissioners of Palm Beach County, Florida on _____. Filed

ATTEST:
CLERK & COMPTROLLER
Joseph Abruzzo, Clerk & _____
Comptroller

PALM BEACH COUNTY, FLORIDA
BY ITS BOARD OF COUNTY
COMMISSIONERS

By: _____
Deputy Clerk

By: _____
Maria G. Marino, Mayor

APPROVED AS TO
LEGAL SUFFICIENCY

By: _____
County Attorney

EFFECTIVE DATE: Filed with the Department of State on the ____ day of _____, 20____.

AN ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS OF PALM BEACH COUNTY, FLORIDA AMENDING PALM BEACH COUNTY CODE, CHAPTER 2, ARTICLE V, DIVISION 1. – BOARDS, COMMISSIONS, ETC., ADDING AN IN-PERSON QUORUM STANDARD; PROVIDING A CONFLICTING PROVISIONS CLAUSE; PROVIDING SEVERABILITY; PROVIDING INCLUSION IN THE CODE OF LAWS AND ORDINANCES; PROVIDING CAPTIONS; AND PROVIDING FOR AN EFFECTIVE DATE.

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Section 1. THE FOLLOWING LANGUAGE IS ADDED TO CHAPTER 2, ARTICLE V, DIVISION 1 OF THE PALM BEACH COUNTY CODE:

In-Person Quorum Standard

Unless otherwise restricted by Florida or federal law, rule, regulation or code, 25% of the appointed members shall constitute a quorum for defining in-person participation for any meeting of a County-created board, commission, committee, or similar entity.

Section 2. CONFLICTING PROVISIONS IN PRIOR ORDINANCES AND RESOLUTIONS ARE SUPERSEDED

It is intended that the quorum provisions of this ordinance apply to all County-created boards, commissions, committees and similar entities that are not otherwise restricted by Florida or federal law, rule, regulation or code. To the extent that any prior ordinance or resolution or similar instrument contains quorum provisions inconsistent with this Ordinance, such provisions are superseded as to those inconsistencies.

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Section 6. EFFECTIVE DATE


The provisions of this Ordinance shall become effective upon filing with the Department of State.

APPROVED and ADOPTED by the Board of County Commissioners of Palm Beach County, Florida on April 20th, 2021.

**ATTEST:
CLERK & COMPTROLLER**

By: 
Deputy Clerk

**PALM BEACH COUNTY, FLORIDA
BY ITS BOARD OF COUNTY
COMMISSIONERS**

By: 
Mayor Dave Kerner

**APPROVED AS TO
LEGAL SUFFICIENCY**

By: 
County Attorney

EFFECTIVE DATE: Filed with the Department of State on the 21st day of April, 2021.



FLORIDA DEPARTMENT *of* STATE

RON DESANTIS
Governor

LAUREL M. LEE
Secretary of State

April 21, 2021

Honorable Joseph Abruzzo
Clerk of the Circuit Court and Comptroller
Palm Beach County
301 North Olive Avenue
West Palm Beach, Florida 33401

Attention: Mr. Timothy Montiglio

Dear Mr. Abruzzo:

Pursuant to the provisions of Section 125.66, Florida Statutes, this will acknowledge receipt of your electronic copy of Palm Beach County Ordinance No. 2021-009, which was filed in this office on April 21, 2021.

Sincerely,

Ernest L. Reddick
Program Administrator

ELR/lb

R. A. Gray Building • 500 South Bronough Street • Tallahassee, Florida 32399-0250
Telephone: (850) 245-6270