

AGENDA ITEM SUMMARY

☐ Regular
☒ Public Hearing

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

I. EXECUTIVE BRIEF

Motion and Title: Staff recommends motion to adopt: 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 The guidelines have been removed and no longer applicable.

Attachments:

1. Proposed Ordinance – clean
2. Proposed Ordinance – strikethrough
3. Ordinance 2021-009
4. Proof of Publication

Recommended By: Yvonne Wamsley 4/22/2025
 Agenda Coordinator Date

Approved By: JBaker 4/28/25
County Administrator Date

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	No
Does this item include the use of federal funds?	Yes	No
Does this item include the use of state funds?	Yes	No

Budget Account No:

Fund	Dept	Unit
------	------	------

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:

OFMB Fiscal and/or Contract Dev

Lisa M. Natch 4/23/2025
OFMB JF 4123
RNC 2/23

Control Comments:

Brenda Znachko 4/23/25

Contract Administration 207 4-25-25

B. Legal Sufficiency

Deane C. Shingd 4/24/25
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 _____.

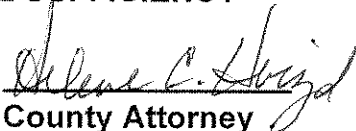
ATTEST:
CLERK & COMPTROLLER
Joseph Abruzzo, Clerk & COMMISSIONERS
Comptroller

PALM BEACH COUNTY, FLORIDA
BY ITS BOARD OF COUNTY

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__.

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, 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, ~~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.

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 & _____
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__.

ORDINANCE NO. 20²¹ - 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 INCLUSION 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 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% 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.

Section 3. SEVERABILITY

If any section, paragraph, sentence, clause, phrase, or word of this Ordinance is for any reason held by a 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 April 20th, 2021.

**ATTEST:
CLERK & CONTROLLER**

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.

LOCALiQ

The Gainesville Sun | The Ledger
Daily Commercial | Ocala StarBanner
News Chief | Herald-Tribune
News Herald | The Palm Beach Post
Northwest Florida Daily News

PO Box 631244 Cincinnati, OH 45263-1244

AFFIDAVIT OF PUBLICATION

Joseph Abruzzo
Value Adjustment Board
P.O. Box 4036
West Palm Beach FL 33402

STATE OF WISCONSIN, COUNTY OF BROWN

Before the undersigned authority personally appeared, who on oath says that he or she is the Legal Coordinator of the Palm Beach Post, published in Palm Beach County, Florida; that the attached copy of advertisement, being a Govt Public Notices, was published on the publicly accessible website of Palm Beach County, Florida, or in a newspaper by print in the issues of, on:

04/18/2025

Affiant further says that the website or newspaper complies with all legal requirements for publication in chapter 50, Florida Statutes.

Subscribed and sworn to before me, by the legal clerk, who is personally known to me, on 04/18/2025

Legal Clerk

Notary, State of WI, County of Brown

My commission expires

Publication Cost:	\$184.31	
Tax Amount:	\$0.00	
Payment Cost:	\$184.31	
Order No:	11213650	# of Copies:
Customer No:	730371	1
PO #:		

THIS IS NOT AN INVOICE!

Please do not use this form for payment remittance.

NOTICE OF PUBLIC HEARING

PLEASE TAKE NOTICE THAT AT 9:30 A.M. ON MAY 6, 2025, in the Palm Beach County Governmental Center, Jane Thompson Memorial Chambers, 6th Floor, 301 North Olive Avenue, West Palm Beach FL, the Board of County Commissioners of Palm Beach County, FL, intends to hold a public hearing for the purpose of considering the following proposed Palm Beach County Ordinance (s):

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.

A copy of the above-referenced proposed ordinance is available for inspection in the Minutes Department, 2nd floor, Room 203.2, Governmental Center. All interested parties may appear at the meeting and be heard with respect to the proposed ordinance(s).

If a person decides to appeal any decision made by this commission with respect to any matter considered at this meeting or hearing they will need to have a record of the proceeding, and for that, for such purpose, they may need to ensure that a verbatim record of the proceeding is made, which record includes the testimony and evidence upon which the appeal is based.

JOSEPH ABRUZZO,
Clerk of the Circuit Court
& Comptroller
Board of County Commissioners
4/18/25 #11213650

RYAN SPELLER
Notary Public
State of Wisconsin