



## Cover Memorandum/Staff Report

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**File #:** 26-0287

**Agenda Date:** 2/24/2026

**Item #:** 7.I.

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**TO:** Mayor and Commissioners  
**FROM:** Lynn Gelin, City Attorney  
**DATE:** February 24, 2026

### REQUEST FOR RECONSIDERATION

#### **Recommended Action:**

Motion to Approve Request to the Lake Worth Drainage District to Reconsider the Vote Taken on February 11, 2026 Denying the City's Request to Permit an Existing Banyan Tree to Remain within the ROW of the E-4 Canal.

#### **Background:**

On February 11, 2026, the Lake Worth Drainage District (LWDD) voted to deny the City's request to allow an existing banyan tree to remain within the west ROW of the E-4 Canal. The tree was first discovered during the ongoing renovation of the City's municipal golf course. A special meeting was convened by the City Commission on February 18, 2026, wherein staff was directed to obtain a risk assessment to evaluate the structural integrity, health, and stability of the banyan tree to determine the likelihood of potential damage to people or property in the event a significant natural event occurred such as a hurricane.

According to the report prepared by Baker Landscape, the tree appears to be in "very good" condition. Approximately 98% of the tree appears to be located within the LWDD easement and its canopy extends over the drainage canal. Despite its massive size, the overall tree risk rating, according to the arborist, is "low" and "no concerns" were noted with respect to the branches, trunk, root collar, and roots of the tree.

Robert Rules of Order allows for reconsideration of a vote taken by a board. The motion for reconsideration must be made by a member who voted on the prevailing side of the vote and requires a majority to pass. In the event the LWDD decides to reconsider its vote, the City would be given a second opportunity to present its newly obtained evidence in an effort to mitigate the concerns of the LWDD with regard to allowing the tree to remain.

Based on this new evidence obtained by the City that appears to address the concerns noted by the LWDD, staff recommends providing the attached correspondence seeking reconsideration of the vote taken on February 11, 2026 to the LWDD.

#### **City Attorney Review:**

Approved as to form and legal sufficiency.

**Timing of Request:**

A motion for reconsideration is typically made by a board member on the “prevailing” side of the vote at the next meeting of the board. The next meeting of the LWDD is scheduled for March 3, 2026.