

PALM BEACH COUNTY  
BOARD OF COUNTY COMMISSIONERS

Agenda Item #:

7B-1

BOARD APPOINTMENT SUMMARY

Meeting Date: October 17, 2006

Department:

Submitted By: Palm Tran

Submitted for: Palm Tran

I. EXECUTIVE BRIEF

**Motion and Title:** Staff recommends motion to approve: appointment of Jayne King to the Palm Tran Service Board to complete the term of Autrie Moore-Williams from October 17, 2006 through May 6, 2007.

<u>Nominee</u>	<u>Category, Seat Number</u>	<u>Term to Expire</u>	<u>Nominated By</u>
Jayne King	Representative with Multi-Cultural Experience	5/6/07	Comm. McCarty

**Summary:** The Palm Tran Service Board is composed of eleven (11) at-large members. Autrie Moore-Williams was appointed to Seat No. 6 to satisfy the requirement for Representative with Multi-cultural experience. Ms. Moore-Williams has resigned. The nomination is for Ms. Jayne King to complete Ms. Moore-Williams' current term, which ends May 6, 2007. Countywide (DR)

**Background and Justification:** The Palm Tran Service Board was established December 18, 2001 (R2001-2241), amended April 2, 2002 (R2002-0485) to consist of eleven (11) at-large voting members from eleven (11) categories to be appointed by the Palm Beach County Board of County Commissioners. Seat 6 was designated as "Representative with Multi-Cultural Experience."

**Attachments:**

1. Board Appointment Information Form
2. Resolution R2003-1582
3. Resolution R2002-0485

Recommended By:   
Department Director

Sept. 26, 2006  
Date

Approved By:   
Assistant County Attorney

10/3/06  
Date

**II. REVIEW COMMENTS**

**A. Other Department Review:**

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**Department Director**

**PALM BEACH COUNTY  
BOARD OF COUNTY COMMISSION**

**BOARD APPOINTMENT INFORMATION FORM**

**Part I:**

Board Name:

Palm Tran Service Board

☒ At Large Appointment

☐ District Appointment

Term of Appointment: years. From

September 12, 2006

To May 6, 2007

Seat Requirement: Representative with Multi-Cultural Experience

Seat # 6

☐ Reappointment

or

☐ New Appointment

or ☒ to complete the term of

Autrie Moore-Williams

due to:

☒ resignation

☐ [other]

completion of term to expire on: May 6, 2007

**Part II:**

***APPLICANT, UNLESS EXEMPTED, MUST BE A COUNTY RESIDENT***

Name:

Jayne King

Occupation/Affiliation:

Retired Teacher

Business Name:

Business Address:

City & State:

Zip Code:

Residence Address:

3400 Place Valeney

City & State:

Delray Beach, FL

Zip Code:

33445

Home Phone:

561-637-8896

Home Fax:

Mailing Address preference: ☐ Business Address ☒ Residence Other or ☐ other:

**Minority Identification Code:**

☐ IIF (American Indian Female)

☐ IIM (American Indian Male)

☐ JAF (Asian Female)

☐ JAM (Asian Male)

☐ JBF (Black Female)

☐ JBM (Black Male)

☐ JHF (Hispanic Female)

☐ JHM (Hispanic Male)

☒ JWF (White Female)

☐ JWM (White Male)

**Part III: COMMISSIONER COMMENTS**

Appointment to be made at BCC Meeting on:

**\*When a person is being considered for re-appointment, the number and nature of previously disclosed voting conflicts shall be considered by the Board of County Commissioners.**

\_\_\_\_\_ Number of previously disclosed voting conflicts.

Signature

LB for Mary McCarty

Date:

8/10/06

**RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF PALM BEACH COUNTY, FLORIDA, AMENDING RESOLUTION NO. R 2001-2241, AS AMENDED BY RESOLUTION NO. R2002-0485; REPEALING THE SUNSET DATE; PROVIDING AN EFFECTIVE DATE.**

WHEREAS, the Board of County Commissioners adopted Resolution No. R2001-2241 which created the Palm Tran Service Board; and

WHEREAS, the Board of County Commissioners adopted Resolution No. R2002-0485 which amended the manner in which members are appointed to the Palm Tran Service Board and extended the sunset date established for the Palm Tran Service Board to September 30, 2003; and

WHEREAS, the Board of County Commissioners now desires to amend Resolution No. R2001-2241, as amended, to eliminate the resolution's sunset date.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF PALM BEACH COUNTY, FLORIDA that:

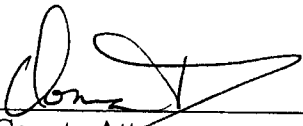
Section 13 of Resolution No. R2001-2241, as amended by Resolution R2002-0485, is repealed in its entirety.

The foregoing resolution was offered by Commissioner Masilotti, who moved its adoption. The motion was seconded by Commissioner Koons, and upon being put to a vote, the vote was as follows:

Commissioner Warren H. Newell	<u>Absent</u>
Commissioner Carol A. Roberts	<u>Aye</u>
Commissioner Karen T. Marcus	<u>Aye</u>
Commissioner Mary McCarty	<u>Aye</u>
Commissioner Burt Aaronson	<u>Aye</u>
Commissioner Tony Masilotti	<u>Aye</u>
Commissioner Addie L. Greene	<u>Absent</u>

The Chair thereupon declared the resolution duly passed and adopted this 23<sup>rd</sup> day of September, 2003.

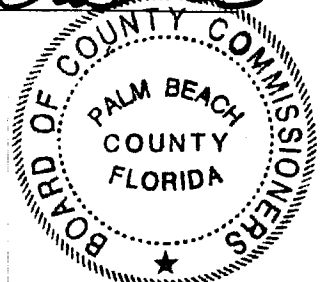
APPROVED AS TO FORM  
AND LEGAL SUFFICIENCY

By:   
County Attorney

PALM BEACH COUNTY, FLORIDA, by its  
BOARD OF COUNTY COMMISSIONERS

DOROTHY H. WILKEN, CLERK

By:   
Deputy Clerk



RESOLUTION NO. R-2001-2241

RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF PALM BEACH COUNTY, FLORIDA, REPEALING RESOLUTION NO. R. 2000-1221; ESTABLISHING THE PALM TRANSERVICES BOARD; PROVIDING A PURPOSE; PROVIDING FOR MEMBERSHIP; DELEGATING TO THE SERVICE BOARD THE AUTHORITY TO APPROVE ADJUSTMENTS TO PALM TRAN'S FIXED ROUTE SERVICE; PROVIDING AN EFFECTIVE DATE.

WHEREAS, the Board of County Commissioners desires to repeal Resolution No. R2000-1221 and to adopt, in its stead, a resolution creating the Palm Tran Services Board whose functions shall be advisory in nature except as expressly stated herein; and

WHEREAS, the Board of County Commissioners wishes to delegate its authority to approve Palm Tran fixed route transportation service adjustments to the Palm Tran Service Board created hereunder; and

WHEREAS, the Palm Tran Service Board is expressly authorized and required, on behalf of the Board of County Commissioners, to solicit and consider public comment and to conduct all public meetings and hearings required to be held prior to the implementation of any adjustments to Palm Tran's fixed route public transportation services in accordance with the grant of authority set forth herein; and

WHEREAS, the Palm Tran Service Board is established to provide an ongoing mechanism for the participation of individuals, with and without disabilities, in the continued development, implementation and assessment of all Palm Tran services; and

WHEREAS, the Palm Tran Service Board shall establish a standing committee consisting of individuals with disabilities and other interested citizens which shall function as a forum for individuals with disabilities to participate in the continued development and assessment of public transit services to individuals with disabilities in furtherance of the requirements of Subpart F of 49 C.F.R. Part 37.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF PALM BEACH COUNTY, FLORIDA that:

1. **Repeal** - Resolution No. R2000-1221 of the Board of County Commissioners of Palm Beach County, Florida is hereby repealed.
2. **Creation and Name** - The Board of County Commissioners of Palm Beach County, Florida does hereby create a board to be known as the "Palm Tran Service Board" (PTSB) whose function shall be advisory in nature, except for the exercise of the authority granted to it in paragraph 3 below.
3. **Delegation** - The Board of County Commissioners does hereby expressly delegate to the

PTSB the authority vested in the Board of County Commissioners to conduct all public meetings and public hearings required to be held prior to the implementation of any adjustment to Palm Tran's fixed route public transportation services, and having solicited and considered all public comments received related to a proposed service adjustment, to approve the implementation thereof. All route and schedule adjustments must be funded in Palm Tran's annual budget approved by the Board of County Commissioners. Except as expressly set forth herein, all other authority vested in the Board of County Commissioners is retained by the Board of County Commissioners, including, but not limited to the approval of Palm Tran's capital and operating budgets, the establishment of all fares, the employment of all staff, the filing of all grant applications, and the approval of all contracts and purchases.

4. **Purpose** - The PTSB shall act as an advisory board to the Board of County Commissioners regarding Palm Tran's fixed route and paratransit programs and services, and in its performance of the duties set forth in paragraph 5, except when exercising the authority expressly delegated to it by the Board of County Commissioners described in paragraph 3 above and paragraphs 5.a. and b. below. The PTSB shall provide an ongoing mechanism for the participation of individuals, with and without disabilities, in the continued development, implementation and assessment of all Palm Tran services
5. **Duties** - The duties of the PTSB are limited to the following:
  - a. To hold all public hearings for fixed route service adjustments in those instances where twenty-five percent (25%) or more of the route miles are affected by a proposed change. Public hearings must be noticed at least ten (10) days in advance in a newspaper of general circulation in Palm Beach County. In those instances where a proposed fixed route adjustment impacts less than twenty-five (25%) of the route miles of a route, those changes shall be approved at a public meeting after public comments, but without a formal public hearing.
  - b. To consider all public comments received regarding proposed route adjustment and to approve or reject proposed changes to fixed routes and schedules after concluding its public hearing or public comment process.
  - c. To hold regular meetings and special meetings as convened by the Chair of the PTSB or requested by the Executive Director of Palm Tran.

- d. To create subcommittees as needed. The Chair of the PTSB shall appoint all subcommittee members and the chairs of all subcommittees. All subcommittee chairs shall be members of the PTSB. Any citizen may be appointed to serve on a subcommittee. Subcommittees shall elect a vice-chair from among the members of the subcommittee.
  - e. To create a standing subcommittee on paratransit whose members shall be appointed by the Chair of the PTSB. This standing subcommittee shall hold meetings at least six (6) times per calendar year.
  - f. To provide summary minutes of each of its meetings to the Board of County Commissioners.
  - g. To make at least one (1) presentation to the Board of County Commissioners each year and to make additional presentations if requested by the Board of County Commissioners or the County Administrator.
  - h. To review and make recommendations to the Board of County Commissioners concerning community transit projects within Palm Beach County, upon the request of the Board of County Commissioners, the County Administrator, or the Executive Director of Palm Tran.
  - i. To review and make recommendation to the Board of County Commissioners regarding the Regional Transportation Organization (RTO), the Tri-County Commuter Rail Authority (Tri-Rail) and regarding Transportation Management Associations, and Transportation Concurrency Exception Areas, upon the request of the Board of County Commissioners, the County Administrator, or the Executive Director of Palm Tran .
  - j. To act as a mechanism for the participation of individuals, with and without disabilities, in the continued development, implementation and assessment of all Palm Tran services.
  - k. The PTSB shall approve or disapprove the recommendations for fixed route service adjustments made by the Palm Tran Executive Director, or his designee. The PTSB shall not change the Palm Tran Executive Director's recommendations without the consent of the Palm Tran Executive Director or his designee.
6. **Composition** - The PTSB shall be composed of eleven (11) voting members who shall be

residents of Palm Beach County. Each County Commissioner shall appoint one (1) member who shall represent that Commissioner's district and serve at the pleasure of the appointing County Commissioner. The Board of County Commissioners shall appoint four (4) additional members who shall serve at-large and serve at the pleasure of the Board of County Commissioners.

7. Terms -

- a. The terms of all PTSB members shall be for two (2) years, and there shall be no limit upon the number of terms any member may serve.
- b. In order to achieve a staggering of terms, the initial terms held by the members representing Districts 1, 3, 5, and 7 and two (2) of the at-large members shall be for two (2) years. The initial terms held by the members representing Districts 2, 4, and 6 and two (2) of the at-large members shall be for one (1) year.
- c. Any member may be removed, for any reason whatsoever, with or without cause, by the County Commissioner who appointed that member and the Board of County Commissioners may remove, for any reason whatsoever, with or without cause, any at-large member of the PTSB.
- d. Notwithstanding anything contained herein, a member's appointment shall terminate and the member shall be automatically removed, with or without the action of the appointing authority, for lack of attendance. Lack of attendance is defined as a failure to attend three (3) consecutive meetings or three (3) meetings within a one (1) year period regardless of the reason for absences.
- e. To the extent deemed possible by each County Commissioner and the Board of County Commissioners, the criteria set forth below will be used in the selection and appointment of members to serve on the PTSB. It is the goal of the Board of County Commissioners to have one (1) representative of each of the following seven (7) categories appointed to the PTSB:
  - 1) Transportation experience
  - 2) Disability advocate
  - 3) Environmental advocate
  - 4) Municipal representative
  - 5) Business community representative
  - 6) Representative with multi-cultural experience



- 7) Senior citizen
- f. To the extent deemed possible by the Board of County Commissioners, it will use the criteria set forth below in its selection and appointment of at-large members to the PTSB. It is the goal of the Board of County Commissioners to have one (1) representative of each of the following four (4) categories appointed to the PTSB:
  - 1) a certified paratransit user
  - 2) a regular fixed route bus passenger
  - 3) a fixed route bus operator
  - 4) a representative of the Joint Committee to Increase County Government Efficiency.
8. **PTSB Chairperson** - The PTSB shall elect a chairperson and a vice-chairperson from among its eleven (11) members. The chairperson and the vice-chairperson shall each serve for a term of one (1) year.
9. **Quorum and Meetings** -
  - a. A quorum of the PTSB's membership must be physically present in order to conduct any business or take any action. A quorum shall consist of six (6) of the eleven (11) members.
  - b. The PTSB shall endeavor to meet on a monthly basis and may meet more or less frequently as it deems appropriate.
  - c. The PTSB shall conduct its meetings according to Roberts' Rules of Order and may establish rules of procedure for the conduct of its meetings.
10. **PTSB Actions** -
  - a. The PTSB shall not undertake any action(s) unless a motion for such action has been approved by a majority of the members physically present casting their votes in favor of the motion.
  - b. Motions must be made and voted upon during the course of regular or special meetings. Within any particular meeting, the PTSB will not take any action on any issue which has not been placed on the agenda for that meeting, unless the PTSB finds special conditions or circumstances exist which require immediate action.
  - c. The PTSB shall establish a standing committee consisting of individuals with disabilities and other interested citizens. The primary purpose of this subcommittee

shall be to create a forum for individuals with disabilities to participate in the continued development and assessment of services to individuals with disabilities. This subcommittee will meet on a quarterly basis, but may be convened more frequently to consider and provide input to the PTSB regarding proposed changes to the County's fixed route or paratransit systems or to perform any other task assigned to it by the PTSB. The subcommittee shall report directly to the PTSB and shall forward to the PTSB the comments, information, facts and opinions it has obtained or gathered. The chair of the PTSB shall name the individual who will serve as the chair of the subcommittee. Members of the PTSB may also serve on this standing subcommittee.

d. The PTSB may establish special subcommittees on an "ad-hoc" basis in order to enable it to more efficiently carry out its duties. The chair of the PTSB shall name all members of all subcommittees and the individual who will serve as the chair of any special subcommittee. Members of the PTSB may also serve on any special subcommittee.

11. **Noninterference** - Members of the PTSB shall not contact Palm Tran staff, for any reason, other than the Executive Director of Palm Tran or his designee. Members shall not involve themselves in or interfere with the day-to-day operations of Palm Tran or the actions or activities of its employees and the employees of the Board of County Commissioners.
12. **Conflict** - The provisions of this resolution shall prevail over Resolution No. 95-1806, to the extent of any conflict.
13. **Sunset** - Except for the repeal of Resolution No. R2000-1221, the provisions of this Resolution shall sunset on December 31, 2002.

The foregoing resolution was offered by Commissioner McCarty, who moved its adoption. The motion was seconded by Commissioner Marcus, and upon being put to a vote, the vote was as follows:

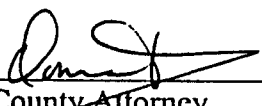
Commissioner Warren H. Newell	<u>Aye</u>
Commissioner Carol A. Roberts	<u>Aye</u>
Commissioner Karen T. Marcus	<u>Aye</u>
Commissioner Mary McCarty	<u>Aye</u>
Commissioner Burt Aaronson	<u>Aye</u>
Commissioner Tony Masilotti	<u>Aye</u>
Commissioner Addie L. Greene	<u>Aye</u>

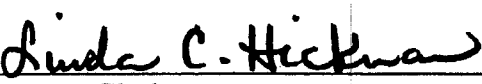
The Chairman, thereupon declared the resolution duly passed and adopted this 18 day of December, 2001.

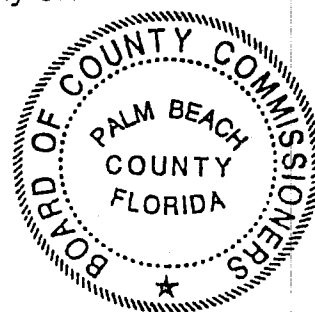
APPROVED AS TO FORM  
AND LEGAL SUFFICIENCY

PALM BEACH COUNTY, FLORIDA, by its  
BOARD OF COUNTY COMMISSIONERS

DOROTHY H. WILKEN, CLERK

By:   
County Attorney

By:   
Deputy Clerk



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**RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF PALM BEACH COUNTY, FLORIDA, AMENDING RESOLUTION NO. R. 2001-2241; CHANGING THE METHOD OF APPOINTING MEMBERS; EXTENDING THE SUNSET DATE; PROVIDING AN EFFECTIVE DATE.**

**WHEREAS**, the Board of County Commissioners desires to amend Resolution No. R2001-2241 which created the Palm Tran Services Board; and

**WHEREAS**, the Board of County Commissioners wishes to amend the manner in which members are appointed to the Palm Tran Services Board so that all members will serve at-large and at the pleasure of the Board of County Commissioners; and

**WHEREAS**, the Board of County Commissioners desires to extend the sunset date for the Palm Tran Services Board to September 30, 2003.

**NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF PALM BEACH COUNTY, FLORIDA that:**

1. Sections 6, 7 and 13 of Resolution No. R2001-2241 are amended, in their entirety, as follows:

Section 6. **Composition** - The PTSB shall be composed of eleven (11) voting members who shall be residents of Palm Beach County. ~~Each County Commissioner shall appoint one (1) member who shall represent that Commissioner's district and serve at the pleasure of the appointing County Commissioner.~~ The Board of County Commissioners shall appoint ~~four (4) additional~~ each members who shall serve at-large and serve at the pleasure of the Board of County Commissioners.

Section 7. **Terms** -

- a. The terms of all PTSB members shall be for two (2) years, and there shall be no limit upon the number of terms any member may serve.
- b. In order to achieve a staggering of terms, the initial terms held by the members appointed to serve as representatives from the categories described in Section 7. e. 1), 3), 5), 7), 9) and 11) ~~representing Districts 1, 3, 5, and 7 and two (2) of the at-large members~~ shall be for two (2) years. The initial terms held by the members ~~representing Districts 2, 4, and 6 and two (2) of the at-large members~~ appointed to serve as representatives from the categories described in Section 7. e. 2), 4), 6), 8) and 10) shall be for one (1) year.

- c. Any member may be removed, for any reason whatsoever, with or without cause, by the ~~County Commissioner who appointed that member and the~~ Board of County Commissioners ~~may remove, for any reason whatsoever, with or without cause, any at-large member of the PTSB.~~
- d. Notwithstanding anything contained herein, a member's appointment shall terminate and the member shall be automatically removed, with or without the action of the Board of County Commissioners, ~~appointing authority~~, for lack of attendance. Lack of attendance is defined as a failure to attend three (3) consecutive meetings or three (3) meetings within a one (1) year period regardless of the reason for absences.
- e. To the extent deemed possible by ~~each County Commissioner and the~~ Board of County Commissioners, the criteria set forth below will be used in the selection and appointment of members to serve on the PTSB. It is the goal of the Board of County Commissioners to have one (1) representative from of each of the following eleven (11) ~~seven (7)~~ categories appointed to the PTSB:
- 1) Transportation experience
  - 2) Disability advocate
  - 3) Environmental advocate
  - 4) Municipal representative
  - 5) Business community representative
  - 6) Representative with multi-cultural experience
  - 7) Senior citizen
  - 8) a certified paratransit user
  - 9) a regular fixed route bus passenger
  - 10) a fixed route bus operator
  - 11) a representative of the Joint Committee to Increase County Government Efficiency.
- f. ~~To the extent deemed possible by the Board of County Commissioners, it will use the criteria set forth below in its selection and appointment of at-large members to the PTSB. It is the goal of the Board of County Commissioners to have one (1) representative of each of the following four (4) categories~~

appointed to the PTSB:

- 1) ~~certified paratransit user~~
- 2) ~~a regular fixed route bus passenger~~
- 3) ~~a fixed route bus operator~~
- 4) ~~a representative of the Joint Committee to Increase County Government Efficiency.~~

Section 13. ~~Sunset - Except for the repeal of Resolution No. R2000-1221, the provisions of this Resolution~~ The provisions of Resolution R2001-2241, as amended herein, shall sunset on September 30, 2003 ~~December 31, 2002.~~

The foregoing resolution was offered by Commissioner McCarty, who moved its adoption. The motion was seconded by Commissioner Roberts, and upon being put to a vote, the vote was as follows:

Commissioner Warren H. Newell	<u>Aye</u>
Commissioner Carol A. Roberts	<u>Aye</u>
Commissioner Karen T. Marcus	<u>Aye</u>
Commissioner Mary McCarty	<u>Aye</u>
Commissioner Burt Aaronson	<u>Absent</u>
Commissioner Tony Masilotti	<u>Absent</u>
Commissioner Addie L. Greene	<u>Aye</u>

The Chairman, thereupon declared the resolution duly passed and adopted this 2 day of April, 2002.

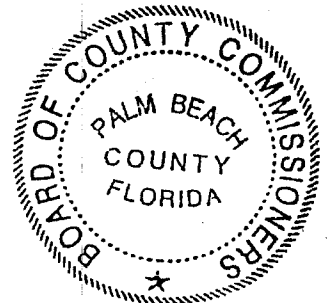
APPROVED AS TO FORM  
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PALM BEACH COUNTY, FLORIDA, by its  
BOARD OF COUNTY COMMISSIONERS

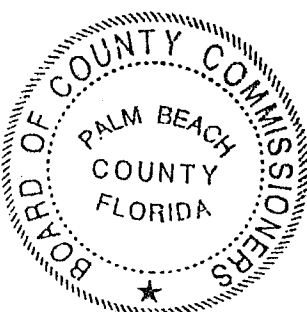
DOROTHY H. WILKEN, CLERK

By: *Ronnie D.*  
County Attorney

By: *Linda C. Hickman*  
Deputy Clerk



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STATE OF FLORIDA, COUNTY OF PALM BEACH  
I, DOROTHY H. WILKEN, ex-officio Clerk of the  
Board of County Commissioners certify this to be a  
true and correct copy of the original filed in my office  
on April 2, 2002  
DATED at West Palm Beach, FL on 4-5-2002  
DOROTHY H. WILKEN, Clerk  
By: *Linda C. Hickman* D.C.