

6C-1

PALM BEACH COUNTY
BOARD OF COUNTY COMMISSIONERS

BOARD APPOINTMENT SUMMARY

Meeting Date: February 24, 2009
Department:
Submitted By: Palm Tran
Advisory Board Name: Palm Tran Service Board

I. EXECUTIVE BRIEF

Motion and Title: Staff recommends motion to approve:

Appointment of two (2) At-Large members to the Palm Tran Service Board.

<u>Nominee</u>	<u>Category, Seat Number</u>	<u>Term to Expire</u>	<u>Nominated By</u>
Trudy McConnell	Environmental Advocate, Seat #3	05/17/2010	Comm. Koons Comm. Greene Comm. Vana <i>Comm. Aaronson</i>
Roberta Van Sickle	Reg. Fixed Route Rider, Seat #9	05/16/2010	Comm. Koons Comm. Greene Comm. Vana <i>Comm. Aaronson</i>

Summary: The Palm Tran Service Board is composed of thirteen (13) at-large members. The new appointment of Trudy McConnell, Seat 3, will fill the same seat vacated by Ms. McConnell in November 2008 due to the rule of absences. Ms. McConnell's absences were due to an illness at the time. If appointed, Ms. Roberta Van Sickle, Seat #9, will fill the same seat vacated by Ms. Van Sickle in November 2008 also due to the rule of absences. Ms. Van Sickle is a member of a State Board and was required to be at those out of town meetings. These positions were not filled in the interim. Countywide (DR)

Background and Justification: The Palm Tran Service Board was established December 18, 2001 and acts as an advisory board to the BCC regarding Palm Tran's fixed route, and paratransit programs and services. The Palm Tran Service Board has also been delegated authority by the Board of County Commissioners to conduct Public Hearings and make certain modifications to Palm Tran's fixed route service.

- Attachments:**
1. Board Appointment Information Form
 2. Resolution R2001-2241
 3. Resolution R2002-0485
 4. Resolution R2003-1582
 5. Resolution R2004-0949
 6. Resolution R2007-0711
 7. Resolution R2008-1568
 8. Current Membership List

Recommended By: _____ Date: Jan 29, 2009
Department Director

Legal Sufficiency: _____ Date: 2/4/09
Assistant County Attorney

**PALM BEACH COUNTY
BOARD OF COUNTY COMMISSIONERS
ADVISORY BOARD NOMINEE INFORMATION FORM**

Part I:

Board Name: Palm Tran Service Board

At Large Appointment or District Appointment

Term of Appointment: 2 Years. From: _____ To: 05/17/2010

Seat Requirement: Environmental Advocate Representative Seat #: 3

*Reappointment or New Appointment

or to complete the term of Ms. Trudy McConnell Due to: resignation other illness that necessitated 3 or more absences.
Completion of term to expire on: 05/17/2010

Part II: APPLICANT, UNLESS EXEMPTED, MUST BE A COUNTY RESIDENT

Name: McConnell Trudy
Last First Middle

Occupation/Affiliation: _____

Business Name: Quantum Foundation

Business Address: 2701 North Australian Avenue, Suite 200

City & State: West Palm Beach, FL Zip Code: 33407

Residence Address: _____

City & State: _____ Zip Code: _____

Home Phone: () Business Phone: (561) 832-7497 ext. _____

Cell Phone: (561) 644-6827 Fax: ()

Email Address: trudym@quantumfnd.org

Mailing Address preference: Business Address Residence

Minority Identification Code:

- | | |
|---|---|
| <input type="checkbox"/> IF (Native-American Female) | <input type="checkbox"/> IM (Native-American Indian Male) |
| <input type="checkbox"/> AF (Asian-American Female) | <input type="checkbox"/> AM (Asian-American Male) |
| <input type="checkbox"/> BF (African-American Female) | <input type="checkbox"/> BM (African-American Male) |
| <input type="checkbox"/> HF (Hispanic-American Female) | <input type="checkbox"/> HM (Hispanic-American Male) |
| <input checked="" type="checkbox"/> WF (Caucasian Female) | <input type="checkbox"/> WM (Caucasian Male) |

Part III: COMMISSIONER COMMENTS

Appointment to be made at BCC Meeting on: _____

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

Number of previously disclosed voting conflicts during the previous term

Signature: John F. Krout Date: 1/8/09

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Last First Middle

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Business Name: Quantum Foundation

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City & State: West Palm Beach, FL Zip Code: 33407

Residence Address: _____

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Signature: Shelley Vana Date: 1/12/09

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BOARD OF COUNTY COMMISSIONERS
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Signature:  Date: _____

**PALM BEACH COUNTY
BOARD OF COUNTY COMMISSIONERS
ADVISORY BOARD NOMINEE INFORMATION FORM**

Part I:

Board Name: Palm Tran Service Board

At Large Appointment or District Appointment

Term of Appointment: 2 Years. From: _____ To: 05/16/2010

Seat Requirement: Fixed Route Bus Rider Seat #: 9

*Reappointment or New Appointment

or to complete the term of Ms. Rusty Van Sickle Due resignation other
Completion of term to expire on: 05/16/2010 to: 3 or more absences due to membership on a state appointed board

Part II: APPLICANT, UNLESS EXEMPTED, MUST BE A COUNTY RESIDENT

Name: Van Sickle Roberta
Last First Middle

Occupation/Affiliation: _____

Business Name: _____

Business Address: _____

City & State Zip Code: _____

Residence Address: 4082 Chestnut Avenue

City & State Palm Beach Gardens, FL Zip Code: 33410-2146

Home Phone: (661) 691-8220 Business Phone: () ext.

Cell Phone: () Fax: ()

Email Address: rv51us@yahoo.com

Mailing Address preference: Business Address Residence

Minority Identification Code:

- | | |
|---|---|
| <input type="checkbox"/> IF (Native-American Female) | <input type="checkbox"/> IM (Native-American Indian Male) |
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Signature: [Handwritten Signature] Date: 1/08/09

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Signature: Addee L Greene Date: 01/10/09

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_____ Number of previously disclosed voting conflicts during the previous term

Signature: [Signature] Date: _____

II. FISCAL IMPACT ANALYSIS

A. Five Year Summary of Fiscal Impact:

Fiscal Years	2002	20__	20__	20__	20__
Capital Expenditures	_____	_____	_____	_____	_____
Operating Costs	_____	_____	_____	_____	_____
External Revenues	_____	_____	_____	_____	_____
Program Income (County)	_____	_____	_____	_____	_____
In-Kind Match (County)	_____	_____	_____	_____	_____
NET FISCAL IMPACT	<u>-0-</u>	_____	_____	_____	_____
# ADDITIONAL FTE POSITIONS (Cumulative)	_____	_____	_____	_____	_____

Is Item Included In Current Budget? Yes _____ No _____
 Budget Account No.: Fund _____ Agency _____ Org. _____ Object _____
 Reporting Category _____

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:

No Fiscal Impact.

Elizabeth Chasin 12/10/01 _____ N/A
 OFMB 12/10/01 Contract Dev. and Control

B. Legal Sufficiency:

[Signature] 12/12/01
 Assistant County Attorney

C. Other Department Review:

 Department Director

RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF PALM BEACH COUNTY, FLORIDA, REPEALING RESOLUTION NO. R. 2000-1221; ESTABLISHING THE PALM TRAN SERVICES 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 PTSE 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~~ ⁶ ~~9~~ 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.

*→ Repealed, extending
to ~~9-30-03~~ on Apr. 2, 2002; R 2002-048.
& repealed R2002-0485 on ~~9-23-03~~,
R 2003-1582 --- removing sunset
date of the PTSB.*

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.

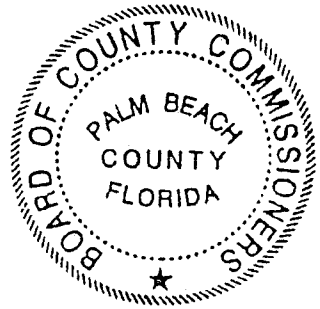
APPROVED AS TO FORM AND LEGAL SUFFICIENCY

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

DOROTHY H. WILKEN, CLERK

By: [Signature]
County Attorney

By: Linda C. Hickman
Deputy Clerk



II. FISCAL IMPACT ANALYSIS

A. Five Year Summary of Fiscal Impact:

Fiscal Years	19__	19__	20__	20__	20__
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 _____
 Budget Account No.: Fund _____ Agency _____ Org. _____ Object _____
 Reporting Category _____

B. Recommended Sources of Funds/Summary of Fiscal Impact:

No fiscal impact.

C. Departmental Fiscal Review: N/A

III. REVIEW COMMENTS

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

No fiscal impact.

N/A VJB 3/23/02
3/29/02 DM OFMB Contract Dev. and Control 3/23/02 N/A VJB

B. Legal Sufficiency:

Assistant County Attorney 3/23/02

C. Other Department Review:

N/A
 Department Director

RESOLUTION NO. R- 2002-0485

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 PTSD:

- 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>

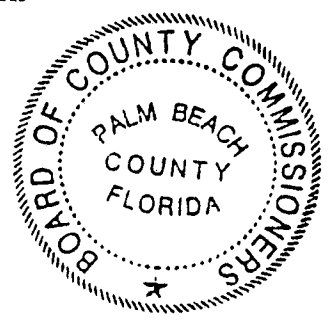
The Chairman, thereupon declared the resolution duly passed and adopted this 2 day of April, 2002.

APPROVED AS TO FORM AND LEGAL SUFFICIENCY

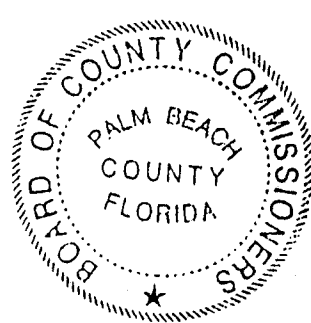
PALM BEACH COUNTY, FLORIDA, by its BOARD OF COUNTY COMMISSIONERS
DOROTHY H. WILKEN, CLERK

By: [Signature]
County Attorney

By: [Signature]
Deputy Clerk



G:\eng\draney\RPTSBamend.pt



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: [Signature] D.C.

Agenda Item #: 6E-2
R-2003-1582
MS/K 5-0
GEN abs

PALM BEACH COUNTY
BOARD OF COUNTY COMMISSIONERS

AGENDA ITEM SUMMARY

=====
Meeting Date: September 23, 2003 [] Consent [X] Regular
[] Workshop [] Public Hearing
Department:
Submitted By: Palm Tran
Submitted For: Palm Tran
=====

I. EXECUTIVE BRIEF

Motion and Title: Staff recommends motion to: A) to adopt a resolution to amend Resolution R. 2001-2241 to remove the sunset date of the Palm Tran Service Board and B) to receive and file the annual report from the Palm Tran Service Board.

Summary: The Board of County Commissioners created the Palm Tran Service Board on December 18, 2001. The Palm Tran Service Board has worked successfully to fulfill its mission to make Palm Tran's fixed route bus system more efficient and to serve as the ongoing mechanism for the participation of citizens, with and without disabilities, in the continued development, implementation, and assessment of all Palm Tran services. This resolution will remove the sunset provision in the existing resolution. Sidney F. Dinerstein, Chair, Palm Tran Service Board will also make a brief presentation. Countywide(DR)

Background and Policy Issues: None.

Attachments: 1. Resolution
2. R 2001-2241

=====
Recommended by: [Signature] 8/27/03
Department Director Date

Approved By: [Signature] 9/18/03
Assistant County Administrator Date

II. FISCAL IMPACT ANALYSIS

A. Five Year Summary of Fiscal Impact:

Fiscal Years	2003	2004	2005	20__	20__
Capital Expenditures	_____	_____	_____	_____	_____
Operating Costs	_____	_____	_____	_____	_____
External Revenues	_____	_____	_____	_____	_____
Program Income (County)	_____	_____	_____	_____	_____
In-Kind Match (County)	_____	_____	_____	_____	_____
NET FISCAL IMPACT	<u>-0-</u>	<u>-0-</u>	<u>-0-</u>	_____	_____
# ADDITIONAL FTE POSITIONS (Cumulative)	<u>-0-</u>	_____	_____	_____	_____

Is Item Included In Current Budget? Yes _____ No _____
 Budget Account No.: Fund _____ Agency _____ Org. _____ Object _____
 Reporting Category _____

B. Recommended Sources of Funds/Summary of Fiscal Impact:

No fiscal impact.

Departmental Fiscal Review: John Murphy, Finance Mgr

III. REVIEW COMMENTS

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

H Bergeron 15 Aug 03 9/9 OFMB
John J. Juehlert 8/15/03 Contract Dev. and Control
8/14/03
9/9/03

Legal Sufficiency:

[Signature] 8/10/03
 Assistant County Attorney

Other Department Review:

 Department Director

RESOLUTION NO. R-2003-1582

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 23rd day of September, 2003.

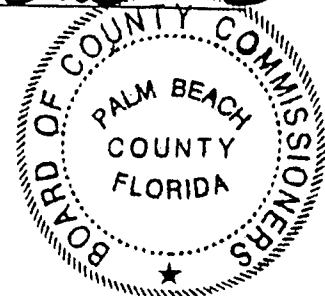
APPROVED AS TO FORM AND LEGAL SUFFICIENCY

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

DOROTHY H. WILKEN, CLERK

By: [Signature]
County Attorney

By: [Signature]
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 TRAN SERVICES 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.

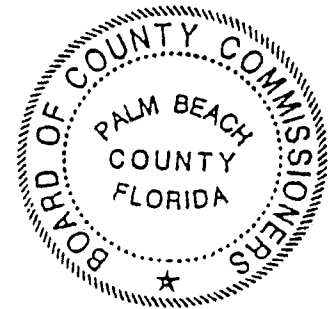
APPROVED AS TO FORM
AND LEGAL SUFFICIENCY

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

DOROTHY H. WILKEN, CLERK

By: [Signature]
County Attorney

By: Linda C. Hickman
Deputy Clerk



September 23, 2003

TO: Karen T. Marcus, Chair and Members of the Board of County Commissioners

FROM: Sidney Dinerstein, Chair, Palm Tran Service Board

RE: Palm Tran Service Board - 2003 Annual Report

DATE: September 12, 2003

I am pleased to be able to provide the Board of County Commissioners the Palm Tran Service Board's Annual Report. The past year has been extremely productive as the Palm Tran Service Board has moved to streamline fixed route bus service as well as provide a continuing forum for public involvement with paratransit service by members of the disabled and senior citizen communities of Palm Beach County.

Specifically the Palm Tran Service Board has accomplished the following:

1. Evaluated the performance of 5 poorly performing fixed routes as defined by Board of County Commissioners policies, held public hearings, and discontinued service on 3 routes, combined 2 routes into one route, and modified service on 1 route.
2. As a result of this work 5 buses have been obtained from existing services to reassign to Route 1 to implement 20 minute service each weekday beginning September 20, 2003. Route 1 carries approximately 25% of Palm Tran's total fixed route ridership. The additional service on Route 1 will be financially assisted by a Florida Department of Transportation corridor development grant for the next two years with 100% state funding.
3. A new County Senior Transportation Services program was established during the past year. This new program provides a focus for transportation options for senior citizens who are the fastest growing age group in Palm Beach County.
4. The PTSB Planning Subcommittee has continued to promote the straightening of the current crazy quilt pattern of fixed routes into a grid of bus routes serving major corridors. The recently completed Palm Beach County Transit Development Plan will help promote the transfer of neighborhood bus service to municipal sponsorship, thus making the implementation of a grid bus route network more acceptable to neighborhoods that have been served by Palm Tran bus routes.
5. The PTSB Marketing Subcommittee has continued to promote a higher level of awareness of all of Palm Tran's services. This year ridership on fixed route service is up by some 12.5% from the previous year with no increase in either buses operated or service hours provided from the previous year. Paratransit ridership is also up some 13% for the fiscal year to date.
6. The PTSB Paratransit Subcommittee has met regularly throughout the year to provide a continuing forum for the members of the disabled and elderly communities in the development of Palm Tran CONNECTION and fixed route services. We have been pleased that complaints are at the lowest levels, ever. Palm Tran CONNECTION has been recognized at both the national and state levels as an outstanding paratransit system.

The past year has been very productive for the Palm Tran Service Board and we look forward to serving Palm Beach County during the coming year.

cc: Members, Palm Tran Service Board
Robert Weisman, County Administrator
Vincent Bonvento, Assistant County Administrator
Donna Raney, Assistant County Attorney

Agenda Item #: **6H-2**

PALM BEACH COUNTY
BOARD OF COUNTY COMMISSIONERS

R-2004-0949
Ms/Mc 6-0
N abs.

AGENDA ITEM SUMMARY

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Meeting Date: May 18, 2004 Consent Regular
 Workshop Public Hearing

Department:
Submitted By: Palm Tran

Submitted For: Palm Tran

=====

I. EXECUTIVE BRIEF

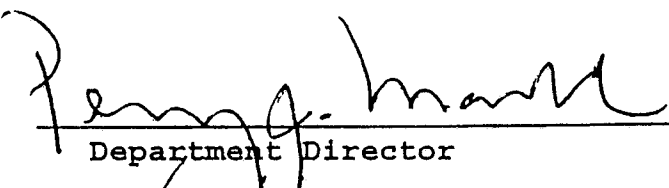
Motion and Title: Staff recommends motion to adopt: A Resolution to amend Resolution R. 2001-2241 to change a seat on the Palm Tran Service Board to a "Citizen At Large" position to replace the seat designated for a representative of the former Palm Beach County Joint Committee to Increase County Government Efficiency (Mini-Grace Commission).

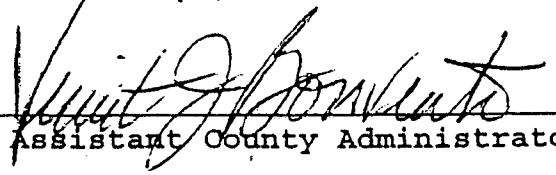
Summary: The Board of County Commissioners abolished the Palm Beach County Joint Committee to Increase County Government Efficiency on May 4, 2004. One of the eleven seats on the Palm Tran Service Board was designated for a representative of this group. This resolution will designate the seat allocated to the Mini-Grace Commission to a "Citizen At Large." Countywide (DR)

Background and Policy Issues: The seat designated for the Mini-Grace Commission is currently held by Mr. Sidney F. Dinerstein. Mr. Dinerstein is currently the Chair of the Palm Tran Service Board.

Attachments: Resolution

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Recommended by:  5.6.04
Department Director Date

Approved By:  5/13/04
Assistant County Administrator Date

II. FISCAL IMPACT ANALYSIS

Five Year Summary of Fiscal Impact:

Fiscal Years	2004	20__	20__	20__	20__
Capital Expenditures	_____	_____	_____	_____	_____
Operating Costs	_____	_____	_____	_____	_____
External Revenues	_____	_____	_____	_____	_____
Program Income (County)	_____	_____	_____	_____	_____
Non-Kind Match (County)	_____	_____	_____	_____	_____
NET FISCAL IMPACT	<u>-0-</u>	_____	_____	_____	_____
# ADDITIONAL FTE POSITIONS (Cumulative)	<u>-0-</u>	_____	_____	_____	_____

Is Item Included In Current Budget? Yes _____ No _____
 Budget Account No.: Fund _____ Agency _____ Org. _____ Object _____
 Reporting Category _____

Recommended Sources of Funds/Summary of Fiscal Impact:

Departmental Fiscal Review: John Murphy, Finance Manager

III. REVIEW COMMENTS

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

H. Beynon 11 May 04
 OFMB
 5/11/04

Dr. J. Jacobson 5/12/04
 Contract Dev. and Control
 Done 5/12/04

Legal Sufficiency:
[Signature] 5/13/04
 Assistant County Attorney

Other Department Review:

 Department Director

RESOLUTION NO. R- 2004 - 0949

**RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS
OF PALM BEACH COUNTY, FLORIDA, AMENDING RESOLUTION
NO. R-2001-2241, AS AMENDED BY R-2002-0485 and R-2003-1582,
TO CHANGE THE CRITERIA FOR MEMBERSHIP ON THE PALM
TRAN SERVICE BOARD; PROVIDING AN EFFECTIVE DATE.**

WHEREAS, the Board of County Commissioners desires to amend Resolution R-2001-2241 (which created the Palm Tran Service Board), as amended by R-2002-0485 and R-2003-1582; and

WHEREAS, the Board of County Commissioners wishes to revise the membership criteria used to select and appoint members to serve on the Palm Tran Service Board.

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

1. Section 7.e. of Resolution No. 2001-2241, as amended by Resolution Nos. 2002-0465 and 2003-1582, is amended in its entirety to provide as follows:

To the extent deemed possible by 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 each of the following eleven (11) categories appointed to the PTSB.

- 1) Transportation experience
- 2) Disability advocate
- 3) Environmental advocate
- 4) Municipal representative
- 5) Business community representative
- 6) Representative of the diverse communities of Palm Beach County
- 7) Senior citizen
- 8) a certified paratransit user
- 9) a regular fixed route bus passenger
- 10) a fixed route bus operator
- 11) a Citizen at large

The foregoing resolution was offered by Commissioner Masilotti,

who moved its adoption. The motion was seconded by Commissioner

McCarty, and upon being put to a vote, the vote was as follows:

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

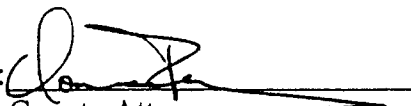
The Chair thereupon declared the resolution duly passed and adopted this 18 day of

May, 2004.

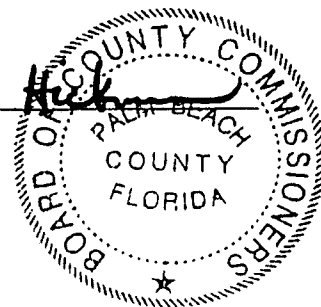
APPROVED AS TO FORM
AND LEGAL SUFFICIENCY

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

DOROTHY H. WILKEN, CLERK

By: 
County Attorney

By: 
Deputy Clerk



PALM BEACH COUNTY
BOARD OF COUNTY COMMISSIONERS
AGENDA ITEM SUMMARY

m/k 6-0
mc gbs

R-2007-0711

Meeting Date: May 1, 2007

Consent Regular
 Ordinance Public Hearing

Department: Palm Tran

Submitted By: Palm Tran

Submitted for: Palm Tran

I. EXECUTIVE BRIEF

Motion and Title: Staff recommends motion to approve: a resolution amending Resolution No. 2001-2241 effectively revising membership criteria for the Palm Tran Service Board (PTSB).

Summary: The Board of County Commissioners adopted Resolution No. R2001-2241 which created the Palm Tran Service Board (PTSB). The resolution has been further amended through the adoption of Resolution Nos. R2002-0485, which amended the manner which members are appointed to the PTSB; and R2003-1582, which removed the sunset date established for the PTSB in its entirety; and R2004-0949, which allowed for a citizen at-large position. This current resolution will further amend the original Board Resolution by revising the PTSB membership criteria so as to allow one (1) member of the PTSB to be employed by a paratransit transportation provider providing service to Palm Beach County and further requiring that such member have extensive experience dealing with the consumers of paratransit transportation services in Palm Beach County. Countywide (DR)

Background and Policy Issues: David Evans resigned from the PTSB due to a conflict of interest with the existing resolution because of his employment with MV Transportation. Mr. Evans is an integral part of the paratransit system in Palm Beach County. In addition to using the service, he is a member of the TD Local Coordinating Board (LCB), former member of the Palm Tran Service Board (PTSB), former Chairman of the Palm Tran Service Board Paratransit Subcommittee and currently the consumer advocate for MV Transportation. He is one of the most active members of the LCB and PTSB. He always voices his concerns and informs the Board of any transportation issues of importance. With the help of Mr. Evans' advocacy and volunteering, Palm Tran CONNECTION has experienced unprecedented growth. His creative ideas and active leadership have contributed to the positive relationship we have with our customers. Without Mr. Evans' help, Palm Beach County's paratransit system would not be where it is today.

For six (6) years Mr. Evans led a group of advocates from Palm Beach County to Tallahassee for Transportation Disadvantaged Day. With the help of his organization, leadership and diligence he has helped get Bills passed and keep the Transportation Disadvantaged program and Trust Fund intact. In 2004 the Florida Commission for the Transportation Disadvantaged named David Evans the Transportation Volunteer of the Year. Mr. Evans is the leading advocate and volunteer for the transportation of seniors, the disadvantaged and the disabled in not only Palm Beach County, but the entire state of Florida.

Attachments: N/A

Recommended By: 
Department Director

April 4, 2007
Date

Approved By: 
Assistant County Administrator

April 17, 2007
Date

II. FISCAL IMPACT ANALYSIS

A. Five Year Summary of Fiscal Impact:

Fiscal Years	2007	2008	2009	200-	200-
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
 Budget Account No.: Fund Dep't. Unit Object
 Program

B. Recommended Sources of Funds/Summary of Fiscal Impact:

C. Departmental Fiscal Review: *Suzanne McIntyre for John Murphy*

III. REVIEW COMMENTS

A. OFMB Fiscal and/or Contract Dev. and Control Comments:
 There is no fiscal impact associated with this item.

John Dink 4-10-07
 4/10/07 OFMB *Cnt 44-7*

[Signature]
 Contract Dev. and Control 4/11/07

B. Legal Sufficiency:

[Signature] 4/12/07
 Assistant County Attorney

C. Other Department Review:

 Department Director

RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF PALM BEACH COUNTY, FLORIDA, AMENDING RESOLUTION NO. R 2001-2241, AS AMENDED BY RESOLUTION NOS. R2002-0485, R-2003-1582 AND R-2004-0949; REVISING MEMBERSHIP CRITERIA; PROVIDING AN EFFECTIVE DATE.

WHEREAS, the Board of County Commissioners adopted Resolution No. R2001-2241 which created the Palm Tran Service Board (also referred to herein as the "PTSB"); and

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

WHEREAS, the Board of County Commissioners adopted Resolution No. R2003-1582 to remove the sunset date established for the PTSB in its entirety, and thereafter adopted Resolution No. R2004-0949 to allow for a citizen at large position; and

WHEREAS, the Board of County Commissioners wishes to further amend Resolution No. R2001-02241, as previously amended, to revise the PTSB membership criteria so as to allow one member of the PTSB to be employed by a paratransit transportation provider providing services to Palm Beach County and further requiring that such member have extensive experience dealing with the consumers of paratransit transportation services in Palm Beach County.

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

1. Section 7 of Resolution No. R2001-2241, as amended by Resolution Nos. R2002-0485, R2003-1582 and R2004-0949 is amended to add subparagraph f. which shall provide as follows:

f. The member selected to represent the certified paratransit user category described in Section 7.e.8 above may be employed by a paratransit transportation provider providing services to Palm Beach County; provided, however, that if the member's occupation is in the area of provider of paratransit transportation services, than such member shall have extensive experience dealing with the consumers of paratransit transportation services in Palm Beach County.

2. This resolution shall take effect upon its adoption.

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

Commissioner Addie Greene	<u>Aye</u>
Commissioner John F. Koons	<u>Aye</u>
Commissioner Karen T. Marcus	<u>Aye</u>
Commissioner Warren H. Newell	<u>Aye</u>
Commissioner Mary McCarty	<u>Absent</u>
Commissioner Burt Aaronson	<u>Aye</u>
Commissioner Jess R. Santamaria	<u>Aye</u>

The Chairperson thereupon declared the resolution duly passed and adopted this 1st day of May, 2007.

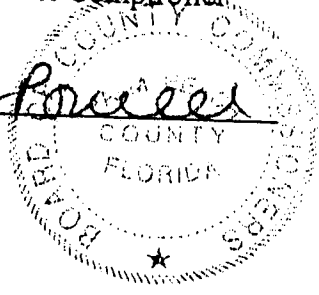
APPROVED AS TO FORM AND LEGAL SUFFICIENCY

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

Sharon R. Bock, Clerk & Comptroller

By: [Signature]
County Attorney

By: [Signature]
Deputy Clerk



II. FISCAL IMPACT ANALYSIS

A. Five Year Summary of Fiscal Impact:

Fiscal Years	2008	2009	2010	200-	200-
Capital Expenditures					
Operating Costs					
External Revenues					
Program Income (County)					
In-Kind Match (County)					
NET FISCAL IMPACT	0	0			
# ADDITIONAL FTE POSITIONS (Cumulative)	0	0			

Is Item Included In Current Budget? Yes ___ No ___ NA X
 Budget Account No.: Fund ___ Dep't. ___ Unit ___ Object ___
 Program _____

B. Recommended Sources of Funds/Summary of Fiscal Impact:

C. Departmental Fiscal Review: John Murphy
 John Murphy, Finance Manager

III. REVIEW COMMENTS

A. OFMB Fiscal and/or Contract Dev. and Control Comments:
 There is no fiscal impact associated with this agenda item.

Adwillhite 8-27-08
 8/27/08 OFMB 8/27/08

Contract Dev. and Control 8/28/08
 8/28/08

B. Legal Sufficiency:

Assistant County Attorney 8/29/08
 Assistant County Attorney

C. Other Department Review:

 Department Director

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RESOLUTION NO. R- 2008-1568

RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF PALM BEACH COUNTY, FLORIDA, AMENDING RESOLUTION NO. R 2001-2241, AS AMENDED BY RESOLUTION NOS. R2002-0485, R2003-1582, R2004-0949, AND R2007-0711; EXPANDING THE MEMBERSHIP OF THE PALM TRAN SERVICE BOARD TO THIRTEEN MEMBERS; REVISING THE CRITERIA FOR MEMBERSHIP; AMENDING THE QUORUM REQUIREMENTS; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the Board of County Commissioners adopted Resolution No. R2001-2241 which created the Palm Tran Service Board (also referred to herein as the PTSB); and

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

WHEREAS, the Board of County Commissioners adopted Resolution No. R2003-1582 to remove the sunset date established for the PTSB, and thereafter adopted Resolution No. R2004-0949 to establish a citizen at-large position; and

WHEREAS, the Board of County commissioners adopted Resolution 2007-0711 modifying the membership criteria so as to allow one (1) member of the PTSB to be an employee of a paratransit service provider as long as that member has extensive experience dealing with the consumers of paratransit transportation services in Palm Beach County; and

WHEREAS, the Board of County Commissioners wishes to further amend Resolution No. R2001-2241, as previously amended, to increase the membership of the PTSB from eleven (11) to thirteen (13) members, to require that the twelfth member have extensive experience dealing with the consumers of paratransit transportation services and the thirteenth member be a resident of the Glades/Lake Region, and to increase the number of members who must be present to constitute a quorum of the PTSB from six (6) to seven (7) members.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY

1 **COMMISSIONERS OF PALM BEACH COUNTY, FLORIDA, that:**

2 1. Section 6. Composition, of Resolution No. R2001-2241, as amended, is amended
3 to provide as follows:

4 Section 6. Composition - The PTSB shall be composed of ~~eleven (11)~~ thirteen
5 (13) voting members who shall be residents of Palm Beach County. The Board of
6 County Commissioners shall appoint each member who shall serve at-large and at
7 the pleasure of the Board of County Commissioners.

8 2. Section 7. Terms, of Resolution No. R2001-2241, as amended, is amended to
9 provide as follows:

10 Section 7. Terms -

11 a. The terms of all PTSB members shall be for two (2) years, and there shall
12 be no limit upon the number of terms any member may serve.

13 b. In order to achieve a staggering of terms, the initial terms held by the
14 members appointed to serve as representatives from the categories described in
15 Section 7.e.1), 3), 5), 7), 9), ~~and 11)~~ and 13) shall be for two (2) years. The initial
16 terms held by the members appointed to serve as representatives from the
17 categories described in Section 7.e.2), 4), 6), 8), ~~and 10)~~ and 12) shall be for one
18 (1) year.

19 c. Any member may be removed, for any reason whatsoever, with or without
20 cause, by the Board of County Commissioners.

21 d. Notwithstanding anything contained herein, a member's appointment shall
22 terminate and the member shall be automatically removed, with or without the
23 action of the Board of County Commissioners, for lack of attendance. Lack of
24 attendance is defined as a failure to attend three (3) consecutive meetings or three
25 (3) meetings within a one (1) year period regardless of the reason for the
26 absences.

27 e. To the extent deemed possible by the Board of County Commissioners,
28 the criteria set forth below will be used in the selection and appointment of
29 members to serve on the PTSB. It is the goal of the Board of County
30 Commissioners to have one (1) representative from each of the following ~~eleven~~

- 1 (~~11~~) thirteen (13) categories appointed to the PTSB:
- 2 1) Transportation experience
- 3 2) Disability advocate
- 4 3) Environmental advocate
- 5 4) ~~Municipal representative~~ Elected municipal official of a municipality
- 6 located in Palm Beach County
- 7 5) Business community representative
- 8 6) Representative of the diverse communities of Palm Beach County
- 9 7) Senior citizen
- 10 8) a ~~e~~Certified paratransit user
- 11 9) a ~~r~~Regular fixed route bus passenger
- 12 10) a ~~f~~Fixed route bus operator
- 13 11) a Citizen at-large
- 14 12) Paratransit expertise
- 15 13) Resident of the Glades/Lake Region of Palm Beach County

16 f. The member selected to represent the certified paratransit user category
17 described in Section 7.e.8 above may be employed by a paratransit transportation
18 provider providing services to Palm Beach County; provided, however, that if the
19 member’s occupation is in the area of paratransit transportation services, than
20 such member shall have extensive experience dealing with the consumers of
21 paratransit transportation services in Palm Beach County.

22 3. Section 8. PTSB Chairperson, of Resolution No. R2001-2241, as
23 amended, is amended to provide as follows:

24 8. PTSB Chairperson - The PTSB shall elect a chairperson and a vice-
25 chairperson from among its ~~eleven (11)~~ thirteen (13) members. The chairperson
26 and the vice-chairperson shall each serve for a term of one year.

27 4. Section 9. Quorum and Meetings, of Resolution No. R2001-2241, as
28 amended, is amended to provide as follows:

29 9. Quorum and Meetings –
30 a. A quorum of the PTSB’s membership must be physically present in order

- 1 to conduct any business or take any action. A quorum shall consist of ~~six (6)~~
- 2 seven (7) of the ~~eleven (11)~~ thirteen (13) members.
- 3 b. The PTSB shall endeavor to meet on a monthly basis and may meet more
- 4 or less frequently as it deems appropriate.
- 5 c. The PTSB shall conduct its meetings according to Robert's Rules of Order
- 6 and may establish rules of procedure for the conduct of its meetings.
- 7 This resolution shall take effect upon its adoption.

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

Commissioner Addie Greene	<u>Aye</u>
Commissioner Jeff F. Koons	<u>Aye</u>
Commissioner Karen T. Marcus	<u>Absent</u>
Commissioner Robert J. Kanjian	<u>Aye</u>
Commissioner Mary McCarty	<u>Absent</u>
Commissioner Burt Aaronson	<u>Nay</u>
Commissioner Jess R. Santamaria	<u>Aye</u>

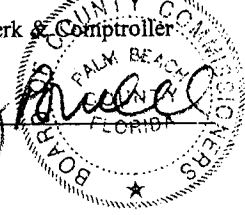
The Chairperson thereupon declared the resolution duly passed and adopted this 9th day of September, 2008.

APPROVED AS TO FORM AND LEGAL SUFFICIENCY

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

By: [Signature]
County Attorney

Sharon R. Bock, Clerk & Comptroller
By: [Signature]
Deputy Clerk



RESOLUTION NO. R-

RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF PALM BEACH COUNTY, FLORIDA, AMENDING RESOLUTION NO. R 2001-2241, AS AMENDED BY RESOLUTION NOS. R2002-0485, R2003-1582, R2004-0949, AND R2007-0711; EXPANDING THE MEMBERSHIP OF THE PALM TRAN SERVICE BOARD TO TWELVE MEMBERS; REVISING THE CRITERIA FOR MEMBERSHIP; MODIFYING THE ROLE OF THE CHAIRPERSON; AMENDING THE QUORUM REQUIREMENTS; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the Board of County Commissioners adopted Resolution No. R2001-2241 which created the Palm Tran Service Board (also referred to herein as the PTSB); and

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

WHEREAS, the Board of County Commissioners adopted Resolution No. R2003-1582 to remove the sunset date established for the PTSB, and thereafter adopted Resolution No. R2004-0949 to establish a citizen at-large position; and

WHEREAS, the Board of County commissioners adopted Resolution 2007-0711 modifying the membership criteria so as to allow one (1) member of the PTSB to be an employee of a paratransit service provider as long as that member has extensive experience dealing with the consumers of paratransit transportation services in Palm Beach County; and

WHEREAS, the Board of County Commissioners wishes to further amend Resolution No. R2001-2241, as previously amended, to increase the membership of the PTSB from eleven (11) to twelve (12) members, to require that the twelfth member have extensive experience dealing with the consumers of paratransit transportation services in Palm Beach County, to make the Chairperson of the PTSB a non-voting member, except in the case of a tie vote, and to increase the number of members who must be present to constitute a quorum of the PTSB from six (6) to seven (7) members.

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

1. Section 6. Composition, of Resolution No. R2001-2241, as amended, is amended to provide as follows:

Section 6. Composition - The PTSB shall be composed of twelve (12) voting members who shall be residents of Palm Beach County. The Board of County Commissioners shall appoint each member who shall serve at large and at the pleasure of the Board of County Commissioners.

2. Section 7. Terms, of Resolution No. R2001-2241, as amended, is amended to provide as follows:

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) shall be for two (2) years. The initial terms held by the members appointed to serve as representatives from the categories described in Section 7.e.2), 4), 6), 8), 10), and 12) shall be for one (1) year.
- c. Any member may be removed, for any reason whatsoever, with or without cause, by the Board of County Commissioners.
- 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, 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 the absences.
- e. To the extent deemed possible by 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 each of the following twelve (12) categories appointed to the PTSB:
 - 1) Transportation experience

- 2) Disability advocate
- 3) Environmental advocate
- 4) Elected municipal official of a municipality located in Palm Beach County
- 5) Business community representative
- 6) Representative of the diverse communities of Palm Beach County
- 7) Senior citizen
- 8) Certified paratransit user
- 9) Regular fixed route bus passenger
- 10) Fixed route bus operator
- 11) Citizen at-large
- 12) Paratransit expertise

f. The member selected to represent the certified paratransit user category described in Section 7.e.8 above may be employed by a paratransit transportation provider providing services to Palm Beach County; provided, however, that if the member's occupation is in the area of paratransit transportation services, than such member shall have extensive experience dealing with the consumers of paratransit transportation services in Palm Beach County.

3. Section 8. PTSB Chairperson, of Resolution No. R2001-2241, as amended, is amended to provide as follows:

8. PTSB Chairperson - The PTSB shall elect a chairperson and a vice-chairperson from among its twelve (12) members. The chairperson shall be a non-voting member except, in the case of a tie vote, the chairperson shall cast the deciding vote. The chairperson and the vice-chairperson shall each serve for a term of one year. In the event the chairperson is not present at a meeting, the vice-chairperson shall act as the chairperson and in such role shall be a non-voting member except, in the case of a tie vote, the acting chairperson shall cast the deciding vote.

4. Section 9. Quorum and Meetings, of Resolution No. R2001-2241, as amended, is amended to provide as follows:

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 seven (7) of the twelve (12) members. The chairperson shall be considered a member for purposes of determining whether a quorum is physically present, but shall vote only in the case of a tie vote, and shall cast the deciding vote.

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 Robert's Rules of Order and may establish rules of procedure for the conduct of its meetings.

This resolution shall take effect upon its adoption.

The foregoing resolution was offered by Commissioner _____, who moved its adoption. The motion was seconded by Commissioner _____.

and upon being put to a vote, the vote was as follows:

- Commissioner Addie Greene _____
- Commissioner Jeff F. Koons _____
- Commissioner Karen T. Marcus _____
- Commissioner Robert J. Kanjian _____
- Commissioner Mary McCarty _____
- Commissioner Burt Aaronson _____
- Commissioner Jess R. Santamaria _____

The Chairperson thereupon declared the resolution duly passed and adopted this ____ day of _____, 2008.

APPROVED AS TO FORM AND LEGAL SUFFICIENCY

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

Sharon R. Bock, Clerk & Comptroller

By:  _____
County Attorney

By: _____
Deputy Clerk

**PALM TRAN SERVICE BOARD
MEMBERS AS OF January 2009**

ATTACHMENT 8
Page 1 of 1

<p>Leonard Tashman – Seat # 1 Representative with Transportation Experience 3339 Jog Park Drive Lake Worth, FL 33467-2076 PHONE: 561/964-5686 Email: harlen@bellsouth.net</p> <p align="right">Term Ends: 5/17/10</p>	<p>Terry Brown – Seat # 2 Disability Advocate 23 Harbour Drive, South Ocean Ridge, FL 33435 PHONE: 837-5517 HOME 369-2946 / CELL 436-3539 FAX: 561/837-5763 Email: Term Ends: 5/6/09</p>
<p>Seat #3 (Previously held by Trudy McConnell)</p>	<p>Maurice J. Jacobson – Seat # 4 Municipal Representative 3605 S. Ocean Boulevard #B202 South Palm Beach, FL 33480 PHONE: 561/585-4915 (home) 561/371-7424 (cell) USE THIS Email: mjfinal@aol.com</p> <p align="right">Term Ends: 7/7/09</p>
<p>Marta M. Suarez-Murias, Attorney – Seat # 5 Business Community Representative Moyle, Flanigan, Katz, Raymond, Krasker & White, P.A. P O Box 3888 West Palm Beach, FL 33402-3888 PHONE: 561/822-0335 Email: msuarez-murias@moylelaw.com</p> <p align="right">Term Ends: 5/17/10</p>	<p>Jayne King – Seat # 6 Representative with Multicultural Experience 3400 Place Valencay Delray Beach, FL 33445 HOME PHONE: 561/637-8896 Email: jaynenote@yahoo.com</p> <p align="right">Term Ends: 5/6/09</p>
<p>John Parsons – Seat # 7 Senior Citizen 141 Wooden Mill Terrace Jupiter, FL 33458 PHONE: 561/747-6748 Email: johno61@adelphia.net</p> <p align="right">Term Ends: 5/17/10</p>	<p>David Evans – Seat # 8 Certified Paratransit User 19601 Carolina Circle Boca Raton, FL 33434 PHONE: 561/482-5684 WORK: Email: DREVANS@bellsouth.net</p> <p align="right">Term Ends: 06/18/09</p>
<p>Seat # 9 (Previously held by Roberta Van Sickle)</p>	<p>Frank Stanzione – Seat # 10 Fixed Route Bus Operator 8582 Tourmaline Blvd. Boynton Beach, FL 33437 PHONE: 561/364-1265 Email: fstanz0314@bellsouth.net</p> <p align="right">Term Ends: 5/6/09</p>
<p>Sidney Dinerstein – Seat # 11 Citizen at Large 15 St. George Place Palm Beach Gardens, FL 33418 PHONE: 561/625-0129 Email: siddinerstein@yahoo.com</p> <p align="right">Term Ends: 5/17/10</p>	<p>Tomas Boiton – Seat #12 Second Member with Transportation Experience 1406 Flagler Blvd. Lake Park, FL 33403 PHONE: WORK: 561/249-4181 CELL: 561-818-0524 Email: tboiton@comcast.net</p> <p align="right">Term Ends: 09/10/2010</p>
<p>Sheila Chamberlain – Seat # 13 Member from the Glades/Lake Region-Area of Palm Beach County We Help Community Development Corporation 349 Southeast 3rd Street Belle Glade, FL 33430</p> <p align="right">Term Ends: 1/12/11</p>	