

**PALM BEACH COUNTY
BOARD OF COUNTY COMMISSIONERS**

BOARD APPOINTMENT SUMMARY

Meeting Date: June 7, 2011
Submitted By: Palm Tran
Advisory Board Name: Palm Tran Service Board

I. EXECUTIVE BRIEF

Motion and Title: Staff recommends motion to approve: Reappointment of three (3) at-large members from the following categories to the Palm Tran Service Board.

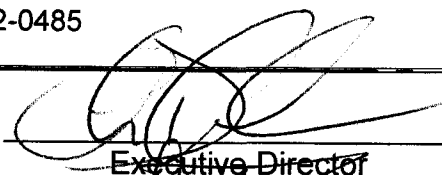
<u>Nominee</u>	<u>Category & Seat Number</u>	<u>Term to Expire</u>	<u>Nominated By</u>
Terry Brown	Representative with Transportation Experience Seat No. 1	6/28/2012	Comm. Abrams Comm. Burdick Comm. Taylor
Charles Falana	Representative of the Diverse Communities Seat No. 6	6/6/2013	Comm. Burdick Comm. Taylor
Jayne King	Fixed Route Bus Rider Seat No. 9	6/6/2013	Comm. Abrams Comm. Marcus Comm. Santamaria

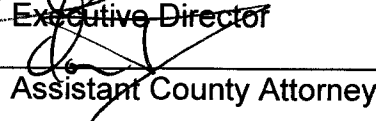
Summary: The Palm Tran Service Board (PTSB) was established December 18, 2001 (R2001-2241), as amended April 2, 2002 (R2002-0485), and is currently comprised of thirteen (13) at-large voting members from thirteen (13) categories appointed by the Palm Beach County Board of County Commissioners. Members may serve two (2) year terms with no limit on reappointments. The above individuals have been on the PTSB in good standing, and have indicated their desire to continue to serve subsequent terms. Staff is recommending a realignment of these individuals to the named seats as it is a better fit for the board and the members. A memo dated April 21, 2011 was circulated to the Board of County Commissioners along with the Board Appointment Nomination Forms. This same memo also requested nominations for several various seats that are open at this time. Countywide (DR).

Background and Justification: This board was delegated the authority to approve fixed route service adjustments and serves only as an advisory board in all other aspects of the County's public transportation system. Agenda Resolution R2001-2241 was amended April 2, 2002 (R2002-0485), and again amended by R2003-1582 on September 23, 2003 to remove the sunset date, further amended by R2004-0949 on May 18, 2004, designating a seat allocated to the Mini-Grace Commission to a "Citizen At Large" seat. Membership criteria were once again amended with R2007-0711 on May 1, 2007. R2008-1568 further amended the membership criteria on September 8, 2008, increasing the number of members to thirteen (13), with one category specifically for a member from the Lake Region/Glades area. The PTSB has eight (8) seats currently filled and a diversity count of White: 6 (75%) and Black: 2 (25%). The gender ratio (male: female) is 5:3.

Attachments:

- | | |
|--|------------------------------|
| 1. Board Appointment Information Form | 5. Resolution R2003-1582 |
| 2. Copy of Memo to Board of County Commissioners, dated April 21, 2011 | 6. Resolution R2004-0949 |
| 3. Resolution R2001-2241 | 7. Resolution R2007-0711 |
| 4. Resolution R2002-0485 | 8. Resolution R2008-1568 |
| | 9. Current list of members |
| | 10. Member Attendance Record |

Recommended by:  _____ Date: May 21, 2011

Legal Sufficiency:  _____ Date: June 2, 2011

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

ATTACHMENT 1

Page 1 of 14

The information provided on this form will be used by County Commissioners and/or the entire Board in considering your nomination. This form MUST BE COMPLETED IN FULL. Answer "none" or "not applicable" where appropriate. Further, please attach a biography or resumé to this form.

Part I (to be filled out by Department): (Please Print)

Board Name: PALM TRAN SERVICE BOARD

At Large Appointment or District Appointment

Term of Appointment: 2 Years. From: 6/7/2011 To: 6/28/2012

Seat Requirement: Representative with Transportation Experience Seat #: 1

*Reappointment or New Appointment

or to complete the term of Charles Falana Due to: resignation other
Completion of term to expire on: 6/28/2012 Moving to vacated seat #6

***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 _____

Part II (to be filled out and signed by Applicant): (Please Print)

APPLICANT, UNLESS EXEMPTED, MUST BE A COUNTY RESIDENT

Name: BROWN TERRY
Last First Middle

Occupation/Affiliation: Retired

Business Name: _____

Business Address: _____

City & State _____ Zip Code: _____

Residence Address: 23 Harbour Drive South

City & State Ocean Ridge, FL Zip Code: 33435

Home Phone: (561-436-3539) Business Phone: () Ext. _____

Cell Phone: (561-436-3539) Fax: ()

Email Address: barefootvilla@aol.com

Mailing Address preference: Business Residence

Have you ever been convicted of a felony: Yes _____ No _____
If Yes, state the court, nature of offense, disposition of case and date: _____

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 type="checkbox"/> WF (Caucasian Female) | <input checked="" type="checkbox"/> WM (Caucasian Male) |

Applicant's Signature: Terry Brown Date: 4/11/2011

Part III (to be filled out by Commissioner):

Appointment to be made at BCC Meeting on: _____

Commissioner's Signature: Steven L. Abrams Date: 4/27/11

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

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*Reappointment or New Appointment

or to complete the term of Charles Falana Due resignation other to: Moving to vacated seat #6
Completion of term to expire on: 6/28/2012

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 Number of previously disclosed voting conflicts during the previous term

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Name: BROWN TERRY
Last First Middle

Occupation/Affiliation: Retired

Business Name: _____

Business Address: _____

City & State _____ Zip Code: _____

Residence Address: 23 Harbour Drive South

City & State Ocean Ridge, FL Zip Code: 33435

Home Phone: (561-436-3539) Business Phone: () Ext. _____

Cell Phone: (561-436-3539) Fax: ()

Email Address: barefootvilla@aol.com

Mailing Address preference: Business Residence

Have you ever been convicted of a felony: Yes _____ No
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Minority Identification Code:

IF (Native-American Female) IM (Native-American Indian Male)
 AF (Asian-American Female) AM (Asian-American Male)
 BF (African-American Female) BM (African-American Male)
 HF (Hispanic-American Female) HM (Hispanic-American Male)
 WF (Caucasian Female) WM (Caucasian Male)

Applicant's Signature: Terry Brown Date: 7/1/2011

Part III (to be filled out by Commissioner):

Appointment to be made at BCC Meeting on: _____

Commissioner's Signature: Paula H. Burdick Date: 4/25/2011

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

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Page 3 of 14

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Name: BROWN TERRY
Last First Middle

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Business Address: _____

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- WF (Caucasian Female)
- IM (Native-American Indian Male)
- AM (Asian-American Male)
- BM (African-American Male)
- HM (Hispanic-American Male)
- WM (Caucasian Male)

Applicant's Signature: Terry Brown Date: 4/11/2011

Part III (to be filled out by Commissioner):

Appointment to be made at BCC Meeting on: _____

Commissioner's Signature: [Signature] Date: 4/26/2011



TO: CURRENT OR POTENTIAL ADVISORY BOARD MEMBERS
FROM: ROBERT WEISMAN
COUNTY ADMINISTRATOR
RE: PALM BEACH COUNTY CODE OF ETHICS

Effective May 1, 2010, contractual relationships between Palm Beach County government and advisory board members, their employers, or businesses, are prohibited conflicts of interest as set forth in the Palm Beach County Code of Ethics, Ordinance 2009-051. This conflict of interest must be waived by an affirmative vote of five (5) members of the Board of County Commissioners upon full disclosure at a public meeting in order to accept appointment to an advisory board. In the space provided below, please identify any such contractual relationships, or verify that none exist at this time. The Ordinance (2009-051) and the training requirement can be found on the web at:

<http://www.palmbeachcountyethics.com/training.htm>
Click on the Code of Ethics Employee and Official Training Video

<u>Type of Contract</u>	<u>Which Department/Division</u>	<u>Effective Date</u>	<u>Term</u>
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____

_____ Yes, submit a wavier to the Board of County Commissioners, since I or my employer have/has the above named contract(s);

OR

At this time, I nor my employer have contract(s) with the Board of County Commissioners

As a (current or potential) advisory board member you are required to receive training on the PBC Code of Ethics and acknowledge that you have read and understand the PBC Code of Ethics Ordinance.

If you are unable access the training and/or Ordinance on the web, please contact Sue Carames, at 561-841-4342 for other arrangements.

Acknowledgment of Receipt

NAME: TERRY BROWN
Print or Type

FIRM/COMPANY/ORGANIZATION: NONE - RETIRED

ADVISORY BOARD(S): Palm Tran Service Board

I acknowledge that I have taken the required training; and read and understand the Palm Beach County Code of Ethics Ordinance, the provisions of which are effective May 1, 2010. I understand that as an advisory board member of the above-mentioned board(s) that I am bound by it.

Signature: [Signature] Date: 4/1/2011

Please sign and return this FORM to Sue Carames, 3201 Electronics Way, West Palm Beach, FL 33407. A self-addressed envelope has been provided for your convenience.

TO: ADVISORY BOARD MEMBERS

**FROM: ROBERT WEISMAN
COUNTY ADMINISTRATOR**

**RE: STATE GUIDE TO THE SUNSHINE AMENDMENT &
CODE OF ETHICS**

As an appointee to a Palm Beach County Advisory Board, you must familiarize yourself with the State Guide to the Sunshine Amendment and Code of Ethics. The purpose of this guide is to ensure adherence to the highest standards of ethics, protect the integrity of County government and foster public confidence.

This guide addresses conflict of interest, disclosure, acceptance and reporting of gifts, use of position or property, voting conflicts, political activities, prohibition against misuse of the code, and enforcement. This Guide also addresses conflicts, prohibitions on doing business with the County or having conflicting employment or contractual relationships. The Guide can be found on the web at: <http://www.pbcgov.com/ethics/advisory.htm>

Please read and make yourself familiar with the Guide and **return the acknowledgment form below** to: Sue Carames, 3201 Electronics Way, West Palm Beach, FL 33407. If you cannot access this document on the web, please contact Sue Carames at 561-841-4342 for other arrangements.

Acknowledgment of Receipt

NAME: TERRY BROWN
Print or Type

ADVISORY BOARD(S): Palm Tran Service Board

I acknowledge that I have read the State of Florida Guide to the Sunshine Amendment and the Code of Ethics. I understand that as an advisory board member of the above-mentioned board(s) that I am bound by it.

Signature: Terry Brown Date: 5/4/2011

Please sign and return to Administration in self-addressed envelope provided.
Revised 3/15/10

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

ATTACHMENT 1

Page 7 of 14

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Term of Appointment: 2 Years. From: 6/7/2011 To: 6/6/2013

Seat Requirement: Representative of the Diverse Communities of Palm Beach County Florida Seat #: 6

*Reappointment or New Appointment

or to complete the term of _____ Due resignation other to: _____
Completion of term to expire on: _____ Moving to vacated seat #6

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Number of previously disclosed voting conflicts during the previous term _____

Part II (to be filled out and signed by Applicant): (Please Print)

APPLICANT, UNLESS EXEMPTED, MUST BE A COUNTY RESIDENT

Name: FALANA CHARLES A.
Last First Middle

Occupation/Affiliation: Program Manager

Business Name: Riviera Beach Family Resource Center, Inc.

Business Address: 8039 Via Hacienda

City & State: Riviera Beach, FL Zip Code: 33418-7856

Residence Address: _____

City & State: _____ Zip Code: _____

Home Phone: (561-371-4704) Business Phone: () Ext. _____

Cell Phone: (561-371-4704) Fax: ()

Email Address: Cfalana3420@bellsouth.net

Mailing Address preference: Business Residence

Have you ever been convicted of a felony: Yes _____ No X

If Yes, state the court, nature of offense, disposition of case and date: _____

Minority Identification Code:

- IF (Native-American Female) IM (Native-American Indian Male)
 AF (Asian-American Female) AM (Asian-American Male)
 BF (African-American Female) BM (African-American Male)
 HF (Hispanic-American Female) HM (Hispanic-American Male)
 WF (Caucasian Female) WM (Caucasian Male)

Applicant's Signature: _____ Date: 4/4/11

Part III (to be filled out by Commissioner):

Appointment to be made at BCC Meeting on: _____

Commissioner's Signature: _____ Date: 4/20/2011



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COUNTY ADMINISTRATOR
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<u>Type of Contract</u>	<u>Which Department/Division</u>	<u>Effective Date</u>	<u>Term</u>
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____

_____ Yes, submit a wavier to the Board of County Commissioners, since I or my employer have/has the above named contract(s);

OR

At this time, I nor my employer have contract(s) with the Board of County Commissioners

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Acknowledgment of Receipt

NAME: Charles A. Falana
Print or Type

FIRM/COMPANY/ORGANIZATION: _____

ADVISORY BOARD(S): Palm Tran Service Board

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Signature: Date: 4/4/11

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Acknowledgment of Receipt

NAME: Charles A. Falana
Print or Type

ADVISORY BOARD Palm Tran Service Board

I acknowledge that I have read the State of Florida Guide to the Sunshine Amendment and the Code of Ethics. I understand that as an advisory board member of the above-mentioned board(s) that I am bound by it.

Signature:  Date: May 6, 2011

Please sign and return to Administration in self-addressed envelope provided.
Revised 3/15/10

PALM BEACH COUNTY
BOARD OF COUNTY COMMISSIONERS **ATTACHMENT** 1
ADVISORY BOARD NOMINEE INFORMATION FORM **Page** 10 **of** 14

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Board Name: Palm Tran Service Board

At Large Appointment or District Appointment

Term of Appointment: 2 Years. From: 6/7/2011 To: 6/6/2013

Seat Requirement: Fixed Route Bus Rider Seat #: 9

*Reappointment or New Appointment

or to complete the term of _____ Due resignation other to: _____

Completion of term to expire on: _____

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Number of previously disclosed voting conflicts during the previous term _____

Part II (to be filled out and signed by Applicant): (Please Print)

APPLICANT, UNLESS EXEMPTED, MUST BE A COUNTY RESIDENT

Name: King Jayne
Last First Middle

Occupation/Affiliation: Retired Educator

Business Name: _____

Business Address: _____

City & State: _____ Zip Code: _____

Residence Address: 3400 Place Valencay

City & State: Delray Beach, FL Zip Code: 33445

Home Phone: 561-865-7512 Business Phone: Ext.

Cell Phone: (954) 232-2139 Fax: ()

Email Address: jaynenote@yahoo.com

Mailing Address preference: Business Residence

Have you ever been convicted of a felony: Yes _____ No

If Yes, state the court, nature of offense, disposition of case and date: _____

Minority Identification Code:

- | | |
|---|---|
| <input type="checkbox"/> IF (Native-American Female) | <input type="checkbox"/> IM (Native-American Indian Male) |
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| <input checked="" type="checkbox"/> WF (Caucasian Female) | <input type="checkbox"/> WM (Caucasian Male) |

Applicant's Signature: Jayne King Date: 8/30/10

Part III (to be filled out by Commissioner):

Appointment to be made at BCC Meeting on: _____

Commissioner's Signature: Steven H. Abrams Date: 9-16-10

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

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Page 11 of 17

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Name: King Jayne
Last First Middle

Occupation/Affiliation: Retired Educator

Business Name: _____

Business Address: _____

City & State _____ Zip Code: _____

Residence Address: 3400 Place Valencay

City & State Delray Beach, FL Zip Code: 33445

Home Phone: 561-865-7512 Business Phone: Ext.

Cell Phone: (954) 232-2139 Fax: ()

Email Address: jaynote@yahoo.com

Mailing Address preference: Business Residence

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 HF (Hispanic-American Female) HM (Hispanic-American Male)
 WF (Caucasian Female) WM (Caucasian Male)

Applicant's Signature: Jayne King Date: 8/30/10

Part III (to be filled out by Commissioner):

Appointment to be made at BCC Meeting on: _____

Commissioner's Signature: Cindy R. DeFleppa for Date: 9/14/10
Comm. Karen E. Marcus

PALM BEACH COUNTY
BOARD OF COUNTY COMMISSIONERS **ATTACHMENT 1**
ADVISORY BOARD NOMINEE INFORMATION FORM **Page 12 of 14**

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Name: King Jayne _____
Last First Middle

Occupation/Affiliation: Retired Educator

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City & State _____ Zip Code: _____

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City & State Delray Beach, FL Zip Code: 33445

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| <input checked="" type="checkbox"/> WF (Caucasian Female) | <input type="checkbox"/> WM (Caucasian Male) |

Applicant's Signature: Jayne King Date: 8/30/10

Part III (to be filled out by Commissioner):

Appointment to be made at BCC Meeting on: _____

Commissioner's Signature: [Signature] Date: 9/14/10



TO: CURRENT OR POTENTIAL ADVISORY BOARD MEMBERS
FROM: ROBERT WEISMAN
COUNTY ADMINISTRATOR
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_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____

_____ Yes, submit a wavier to the Board of County Commissioners, since I or my employer have/has the above named contract(s);

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At this time, I nor my employer have contract(s) with the Board of County Commissioners

As a (current or potential) advisory board member you are required to receive training on the PBC Code of Ethics and acknowledge that you have read and understand the PBC Code of Ethics Ordinance.

If you are unable access the training and/or Ordinance on the web, please contact Sue Carames, at 561-841-4342 for other arrangements.

Acknowledgment of Receipt

NAME: Jayne King
Print or Type

FIRM/COMPANY/ORGANIZATION: _____

ADVISORY BOARD(S): Palm Tran Service Board

I acknowledge that I have taken the required training; and read and understand the Palm Beach County Code of Ethics Ordinance, the provisions of which are effective May 1, 2010. I understand that as an advisory board member of the above-mentioned board(s) that I am bound by it.

Signature: Jayne King Date: 8/30/10

Please sign and return this FORM to Sue Carames, 3201 Electronics Way, West Palm Beach, FL 33407. A self-addressed envelope has been provided for your convenience.



TO: ADVISORY BOARD MEMBERS
FROM: ROBERT WEISMAN COUNTY ADMINISTRATOR
RE: STATE GUIDE TO THE SUNSHINE AMENDMENT & CODE OF
ETHICS

As an appointee to a Palm Beach County Advisory Board, you must familiarize yourself with the State Guide to the Sunshine Amendment and Code of Ethics. The purpose of this guide is to ensure adherence to the highest standards of ethics, protect the integrity of County government and foster public confidence.

This guide addresses conflict of interest, disclosure, acceptance and reporting of gifts, use of position or property, voting conflicts, political activities, prohibition against misuse of the code, and enforcement. This Guide also addresses conflicts, prohibitions on doing business with the County or having conflicting employment or contractual relationships. The Guide can be found on the web at: <http://palmbeachcountyethics.com/training.htm>

Please read and make yourself familiar with the Guide and **return the acknowledgment form below** to: Sue Carames, 3201 Electronics Way, West Palm Beach, FL 33407. If you cannot access this document on the web, please contact Sue Carames at 561-841-4342 for other arrangements.

Acknowledgment of Receipt

NAME: Jayne King
 Print or Type

ADVISORY BOARD(S): Palm Tran Service Board

I acknowledge that I have read the State of Florida Guide to the Sunshine Amendment and the Code of Ethics. I understand that as an advisory board member of the above-mentioned board(s) that I am bound by it.

Signature: Jayne King Date: 5/19/11

Please sign and return in envelope provided.



MEMORANDUM

TO: Karen T. Marcus, Chair and
The Board of County Commissioners,
Robert Weisman, County Administrator

FROM: Chuck Cohen, Executive Director

DATE: April 21, 2011

RE: Palm Tran Service Board

The Palm Tran Service Board (PTSB) is comprised of thirteen (13) members. Currently we have six vacancies and should any one member be absent for any reason, we will not have a quorum. Palm Tran staff is requesting your concurrence in reappointing and moving several members into different seats in order to quickly provide us with the ability to make a quorum on a regular basis:

- Ms. Jayne King from Seat #6, who is currently the Representative of the Diverse Communities of Palm Beach County, into Seat #9 the Fixed Route Bus Rider Seat (we have the nomination forms for Ms. King that have already been processed);
- Mr. Charles Falana from Seat #1 the Representative with Transportation Experience Seat into Seat # 6, the Representative of the Diverse Communities seat;
- Mr. Terry Brown who was in Seat #4, the Elected Municipal Official Seat but chose not to run for reelection, into Seat # 1. We ask that he be reappointed into the Representative with Transportation Experience Seat # 1.

Further, we are asking for nominations for the remaining five vacant positions on the Service Board:

- Seat # 4, Elected Official Representative
- Seat # 5, Business Community Representative
- Seat # 11, Citizen At Large
- Seat # 12, Representative with Extensive Paratransit Experience*
- Seat # 13, Resident of the Glades/Lake Region-Area of Palm Beach County

* The opening in Seat # 12 is the result of Tomas Boiton's vacancy on the PTSB due to the expiration of his term.

After signing, please return the forms to Ms. Sue Carames, our Palm Tran Service Board Coordinator.

c: Brad Merriman, Assistant County Administrator
Donna Raney, Assistant County Attorney

See R2002-0485

Agenda Item #: 5G-1

PALM BEACH COUNTY
BOARD OF COUNTY COMMISSIONERS
AGENDA ITEM SUMMARY

R. 2001-224
Mc/M 7-0

Meeting Date: December 18, 2001 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 A) create a Palm Tran Services Board (PTSB); and B) abolish the Palm Tran Citizens Advisory Board (PTCAB).

Summary: The Board directed staff to bring back a resolution to abolish the Palm Tran Citizens Advisory Board (PTCAB) and create a new Palm Tran Services Board (PTSB). Approval of this resolution will abolish the PTCAB and establish a new PTSB. The PTSB is recommended to be comprised of eleven (11) members: seven (7) district appointments and four (4) at-large appointments. The PTSB would be delegated the authority to approve fixed route service adjustments and would only serve as an advisory board in all other aspects of the County's public transportation system. The PTSB would also function as the federally mandated forum for persons with disabilities to participate in the development and assessment of services for persons with disabilities. Countywide (DR).

Background and Policy Issues:

Palm Tran had a Citizens Advisory Board for many years. The Board established a Palm Tran Accessibilities Advisory Board in 1996. Both advisory boards functioned independently until the PTCAB was abolished in 1999. During 1999 and 2000 the PTAAB functioned as Palm Tran's only citizen advisory board focusing primarily on transportation for the disabled. The PTAAB was abolished by the Board in late 2000. A new Palm Tran Citizens Advisory Board was established to address all public transportation issues, as well as, issues relating to transportation for persons with disabilities. The Palm Tran Citizens Advisory Board also fulfilled the public participation requirements contained in the Title 2 of the Americans with Disability Act.

The PTCAB established a Governance Subcommittee chaired by Mr. Sidney Dinerstein. The Governance Subcommittee recommended and the PTCAB approved a proposal to make a recommendation to the Board to abolish the PTCAB and to create a Palm Tran Citizens Advisory Board. The Board considered this recommendation at a workshop on August 28, 2001 and directed staff to prepare a resolution abolishing the PTCAB and establishing a new Palm Tran Services Board.

Attachments:

- A. Palm Tran Citizens Advisory Board (PTCAB) Resolution (old)
- B. Palm Tran Service Board (PTSB) Resolution (new)

Recommended by: *Rory Maul* 12/7/01
 Department Director Date

Approved By: *Vivian Bessuto* 12/7/01
 Assistant County Administrator 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><u>-0-</u></u>	<u>_____</u>	<u>_____</u>	<u>_____</u>	<u>_____</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 Pleas ^{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 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.

*→ Repealed, extending
* ~~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 **ATTACHMENT 3** who moved its adoption. The motion was seconded by Commissioner Marcus **Page 9 of 9** 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.

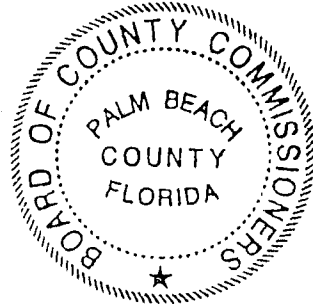
APPROVED AS TO FORM
AND LEGAL SUFFICIENCY

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

DOROTHY H. WILKEN, CLERK

By: [Signature]
County Attorney

By: Linda C. Hickman
Deputy Clerk



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.

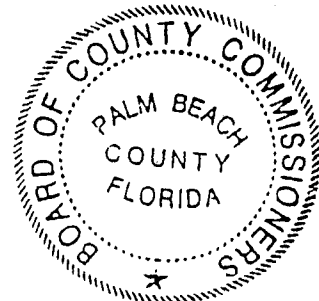
APPROVED AS TO FORM AND LEGAL SUFFICIENCY

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

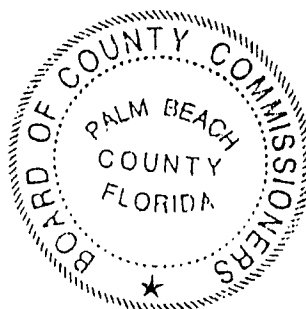
DOROTHY H. WILKEN, CLERK

By: [Signature]
County Attorney

By: [Signature]
Deputy Clerk



G:\eng\draney\RPSTSBamend.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

PALM BEACH COUNTY
BOARD OF COUNTY COMMISSIONERS

R-2003-1582
MS/K 5-0
GEN abs

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

Description 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

Five Year Summary of Fiscal Impact:

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

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

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. J... 8/15/03 Contract Dev. and Control
 8/19/03

Legal Sufficiency:

[Signature] 8/16/03
 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:

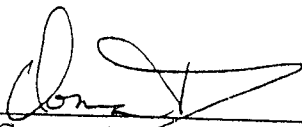
Commissioner Warren H. Newell	<u>Absent</u>
Commissioner Carol A. Roberts	<u>Aye</u>
Commissioner Karen T. Marcus	<u>Aye</u>
Commissioner Mary McCarty	<u>Aye</u>
Commissioner Burt Aaronson	<u>Aye</u>
Commissioner Tony Masilotti	<u>Aye</u>
Commissioner Addie L. Greene	<u>Absent</u>

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

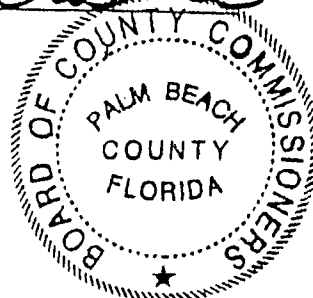
APPROVED AS TO FORM
AND LEGAL SUFFICIENCY

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

DOROTHY H. WILKEN, CLERK

By: 
County Attorney

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 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.

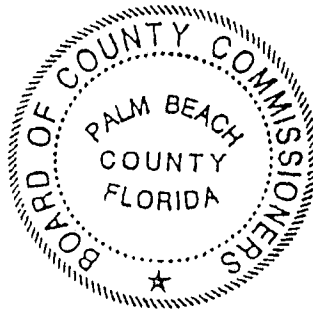
APPROVED AS TO FORM
AND LEGAL SUFFICIENCY

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

DOROTHY H. WILKEN, CLERK

By: [Signature]
County Attorney

By: [Signature]
Deputy Clerk



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

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

Department:
Submitted By: Palm Tran
Submitted For: Palm Tran

I. EXECUTIVE BRIEF

Description 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 seven 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

Recommended by: *Perry Mann* 5.6.04
Department Director Date

Approved By: *Vinit G. Bonvento* 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	_____	_____	_____	_____	_____
Internal Revenues	_____	_____	_____	_____	_____
Program Income (County)	_____	_____	_____	_____	_____
Kind Match (County)	_____	_____	_____	_____	_____
NET FISCAL IMPACT	<u><u>-0-</u></u>	<u><u>_____</u></u>	<u><u>_____</u></u>	<u><u>_____</u></u>	<u><u>_____</u></u>

ADDITIONAL FTE POSITIONS (Cumulative) -0- _____

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 Refugio, Finance Manager

III. REVIEW COMMENTS

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

J. Burgeron 11 May 04 J. J. Jacobson 5/12/04
 OFMB 5/11/04 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>

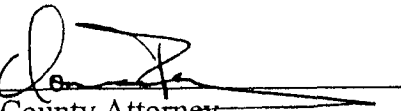
The Chair thereupon declared the resolution duly passed and adopted this 18 day of

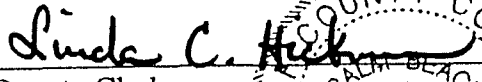
May, 2004.

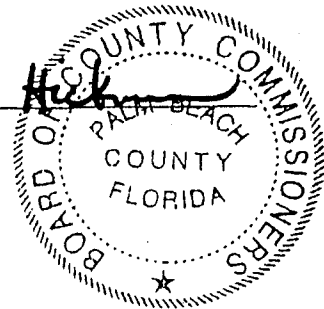
APPROVED AS TO FORM
AND LEGAL SUFFICIENCY

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 abs

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

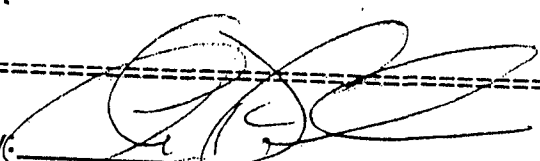
Motion and Title: Staff recommends motion to approve: a resolution amending Resolution No. 2001-2241 effectively revising membership criteria for the Palm Tran Service Board (PTSB).

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 *CD 4-4-07*

Dr. F. Jacob 4/11/07
 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>

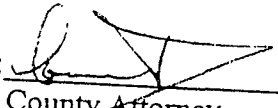
ATTACHMENT 7
Page 2 of 2

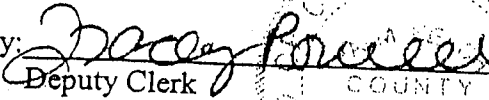
The Chairperson thereupon declared the resolution duly passed and adopted this 1st day of May, 2007.

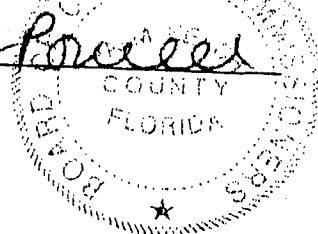
APPROVED AS TO FORM
AND LEGAL SUFFICIENCY

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

Sharon R. Bock, Clerk & Comptroller

By: 
County Attorney

By: 
Deputy Clerk



Agenda Item No. **6J1**
JK/RK 4-1
A opposed
m/mc abs
R-2008-1568

PALM BEACH COUNTY
BOARD OF COUNTY COMMISSIONERS

AGENDA ITEM SUMMARY

Meeting Date: September 9, 2008 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 adopt: Resolution amending Resolution No. 2001-2241 revising membership criteria for the Palm Tran Service Board (PTSB).

Summary: On December 18, 2001, the Board of County Commissioners adopted Resolution No. R2001-2241, which created the Palm Tran Service Board (PTSB). This Resolution will further amend the Resolution creating the Service Board by revising the PTSB membership criteria to: 1) change the membership from eleven (11) members to twelve (12) by adding a second member with transit experience; 2) change the Chairperson to a non-voting role except in the case of a tie vote or where the Chairperson's attendance is needed to create a quorum; and 3) change the definition of a quorum to seven (7) members.

The Palm Tran Service Board (PTSB) met on August 21, 2008, and discussed this proposed expansion. They recommend that the Board of County Commissioners consider two (2) additional seats, instead of one (1), with one (1) additional seat specifically dedicated to the Glades area, and that the PTSB Chairperson would remain a voting member of the PTSB. Countywide (DR)

Background and Justification: The Palm Tran Service Board (PTSB) was established December 18, 2001 and is currently comprised of eleven (11) at-large voting members from eleven (11) categories. The PTSB acts as an advisory board to the Board of County Commissioners and has been delegated authority by the BCC to conduct public hearings and make determinations regarding certain modifications to Palm Tran's fixed route service. It also provides a forum for public input relative to public transportation issues in Palm Beach County. At the direction of the Board of County Commissioners, this amendment would increase the membership to twelve (12) members. Additionally, this amendment would modify the duties of the Chairperson of the PTSB by making that position a non-voting member except if there were to be a tie vote among the other members or if the Chairperson were needed to create a quorum.

Attachment(s): Resolution

Recommended By: [Signature]
Department Director Date
Approved By: [Signature]
Assistant County Administrator Date 8/28/08

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.

Atwillhite 8.27.08
 8/27/08 OFMB 8/27/08
John F. Jans 8/28/08
 8/28/08 Contract Dev. and Control

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 (44) ~~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.

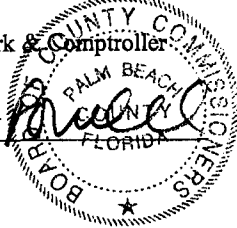
APPROVED AS TO FORM
AND LEGAL SUFFICIENCY

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

Sharon R. Bock, Clerk & Comptroller

By: [Signature]
County Attorney

By: [Signature]
Deputy Clerk



PALM TRAN SERVICE BOARD
 MEMBERS
 as of
 April 1, 2011

<p>PALM TRAN SERVICE BOARD – Seat # 1</p> <p>Representative with Transportation Experience</p> <p>Charles Falana 8039 Via Hacienda Riviera Beach, FL 33418-7856 PHONE: 561-371-4704 Email: cfalana3420@bellsouth.net</p> <p>Term Ends: 6/28/12</p>	<p>PALM TRAN SERVICE BOARD – Seat # 2</p> <p>Disability Advocate</p> <p>Roberta Van Sickle 4082 Chestnut Avenue Palm Beach Gardens, FL 33410-2146 PHONE: 561/691-8220 Email: rv51us@yahoo.com</p> <p>Term Ends: 08/17/11</p>
<p>PALM TRAN SERVICE BOARD – Seat # 3</p> <p>Environmental Advocate</p> <p>Kai Jones PBC Health Dept. 800 Clematis St. Rm. 416 West Palm Beach, FL 33401 PHONE HOME: 561-471-9447 WORK 561-837-5943 Email: kai_bonnerjones@doh.state.fl.us</p> <p>Term Ends: 06/28/12</p>	<p>PALM TRAN SERVICE BOARD – Seat # 4</p> <p>Elected Municipal Official of a Municipality located within Palm Beach County</p> <p>Vacant</p> <p>Term Ends: 08/17/11</p>
<p>PALM TRAN SERVICE BOARD – Seat # 5</p> <p>Business Community Representative</p> <p>Vacant</p>	<p>PALM TRAN SERVICE BOARD – Seat # 6</p> <p>Representative of the Diverse Communities of Palm Beach County</p> <p>Jayne King 3400 Place Valencay Delray Beach, FL 33445 HOME PHONE: 561/865-7512 Cell: 954-232-2139 Email: jaynenote@yahoo.com</p> <p>Term Ends: 5/6/11</p>
<p>PALM TRAN SERVICE BOARD – Seat # 7</p> <p>Senior Citizen</p> <p>Richard S. Herman 44 Burgundy A Delray Beach, FL 33484 PHONE: 561/498-4343 Email: dickh8644@comcast.net</p> <p>Term Ends: 06/28/12</p>	<p>PALM TRAN SERVICE BOARD – Seat # 8</p> <p>Certified Paratransit User</p> <p>David Evans 19601 Carolina Circle Boca Raton, FL 33434 PHONE: 561/482-5684 Email: drevans@bellsouth.net</p> <p>Term Ends: 06/18/11</p>

<p>PALM TRAN SERVICE BOARD – Seat # 9 Regular Fixed-Route Bus Passenger Vacant Term Ends: 5/17/10</p>	<p>PALM TRAN SERVICE BOARD – Seat # 10 Fixed Route Bus Operator Frank Stanzone 8582 Tourmaline Blvd. Boynton Beach, FL 33437 PHONE: 561/364-1265 Email: fstanz0314@bellsouth.net Term Ends: 5/6/11</p>
<p>PALM TRAN SERVICE BOARD – Seat # 11 Citizen at Large Vacant Term Ends: 6/28/12</p>	<p>PALM TRAN SERVICE BOARD – Seat # 12 Representative with Extensive Paratransit Experience Vacant</p>
<p>PALM TRAN SERVICE BOARD – Seat # 13 Resident of the Glades/Lake Region-Area of Palm Beach County Vacant</p>	

PALM TRAN
 SERVICE BOARD

ATTENDANCE RECORD - 2011

DATE	JAN 20	FEB 17	MAR 17	APR 21	MAY 19	JUN 16	JUL 21	AUG 18	SEP 15	OCT 20	NOV 17	DEC 15
NAME												
Terry Brown	✓	✓	A	A	Seat for Elected Official. That term ended in Mar 2011							
Dave Evans	✓	✓	A	✓								
Charles Falana	✓	✓	✓	A								
Janice Friebaum	✓	✓	A	A	Resigned April 2011							
Richard Herman	✓	✓	✓	✓								
Kai Jones	✓	✓	✓	✓								
Jayne King	✓	✓	✓	A								
Frank Stanzione	✓	✓	✓	✓								
Roberta Van Sickle	✓	✓	✓	✓								

RESOLUTION R2001-2241, DATED DECEMBER 18, 2001 IS THE RESOLUTION CREATING THE PALM TRAN SERVICE BOARD (PTSB). **RESOLUTION R-2002-1606** SPECIFICALLY ADDRESSES ABSENCES: **PART 1, RESOLUTION 95-1806 IS HEREBY AMENDED AS FOLLOWS (AND AGAIN IN RESOLUTION 2008-1568)**

SECTION 5. REMOVAL FOR LACK OF ATTENDANCE: MEMBERS OF BOARDS SHALL BE AUTOMATICALLY REMOVED 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.

PARTICIPATION FOR LESS THAN THREE-FOURTHS OF A MEETING SHALL BE THE SAME AS A FAILURE TO ATTEND A MEETING.