

**PALM BEACH COUNTY
BOARD OF COUNTY COMMISSIONERS**

AGENDA ITEM SUMMARY

Meeting Date: July 7, 2015 Consent Regular
 Ordinance Public Hearing

Department: Palm Tran

I. EXECUTIVE BRIEF

Motion and Title: Staff recommends motion to adopt: a Resolution of the Board of County Commissioners of Palm Beach County, Florida, reestablishing and continuing the Palm Tran Service Board, addressing terms, powers and duties; including uniform policies and procedures requirements of the County for advisory boards; repealing resolution Nos. R-2001-2241, R-2002-0485, R-2003-1582, R-2004-0949, R-2007-0711, and R-2008-1568; providing for an effective date.

Summary: The Palm Tran Service Board (PTSB) was established December 18, 2001, and is currently comprised of 13 At-Large voting members from 13 categories. The PTSB acts as an advisory board to the Board of County Commissioners (BCC) 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. The changes to this Resolution include clarification of Seat 4: Elected municipal official of a municipality located in Palm Beach County, as an *ex officio* office of the elected municipal official appointed to that seat, as well as repeals Resolution No. R-2001-2241, and all of its amending Resolution Nos. R-2002-0485, R-2003-1582, R-2004-0949, R-2007-0711, and R-2008-1568, and to adopt, one (1) all inclusive resolution reestablishing the Palm Tran Service Board (PTSB). All other PTSB provisions remain unchanged. Countywide (DR)

Background and Justification: The BCC adopted Resolution No. R-2001-2241 on December 18, 2001, which created the PTSB. On February 5, 2013 the BCC adopted Resolution No. R-2013-0193 which consolidated and updated uniform policies and procedures for County advisory boards, committees, and commissions such as the Code of Ethics, Travel Policy, and Absences. This amendment will provide clarification to Seat 4, adopt one (1) all inclusive resolution, conform with the requirements of Resolution No. R-2013-0193, and continue the PTSB as described without lapse in its authority or effect.

Attachments:

1. Resolution
2. Summary of changes by Resolution
3. R-2001-2241 (created PTSB)
4. R-2002-0485 (amended manner in which members are appointed)
5. R-2003-1582 (removed sunset date)
6. R-2004-0949 (established citizen at large)
7. R-2007-0711 (modified membership criteria)
8. R-2008-1568 (expanded from 11 to 13 voting members)
9. R-2013-0193 - Countywide (consolidating/updating policies & procedures)

Recommended by:  Assistant Director Date _____

Approved By:  Assistant County Administrator 7/21/15 Date

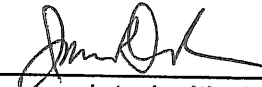
II. FISCAL IMPACT ANALYSIS

A. Five Year Summary of Fiscal Impact:

Fiscal Years	20_____	20_____	20_____	20_____	20_____
Capital Expenditures	_____	_____	_____	_____	_____
Operating Costs	_____	_____	_____	_____	_____
External Revenues	_____	_____	_____	_____	_____
Program Income (County)	_____	_____	_____	_____	_____
In-Kind Match (County)	_____	_____	_____	_____	_____
NET FISCAL IMPACT	_____	_____	_____	_____	_____
No. ADDITIONAL FTE POSITIONS (Cumulative)	_____	_____	_____	_____	_____



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

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

C. Departmental Fiscal Review: 
 There is no fiscal impact associated with this item

III. REVIEW COMMENTS

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

 AK AK 6/29 6/29 OFMB	 6/30/15 Contract Dev. and Control 6-29-15 B Wheeler
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B. Legal Sufficiency:

 7/1/15
 Assistant County Attorney

C. Other Department Review:

 Department Director

RESOLUTION NO. R-2015-

RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF PALM BEACH COUNTY, FLORIDA, REESTABLISHING AND CONTINUING THE PALM TRAN SERVICE BOARD; ADDRESSING TERMS, POWERS AND DUTIES; INCLUDING UNIFORM POLICIES AND PROCEDURES REQUIREMENTS OF THE COUNTY FOR ADVISORY BOARDS; REPEALING RESOLUTION NOS. R-2001-2241, R-2002-0485, R-2003-1582, R-2004-0949, R-2007-0711 AND R-2008-1568; PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the Board of County Commissioners (Board) adopted Resolution No. R-2001-2241 which created the Palm Tran Service Board (PTSB); and

WHEREAS, the PTSB was created to act as an advisory body to the Board of County Commissioners regarding the County's provision of fixed route public transportation and paratransit services, except that it was authorized to hold public hearings and make determinations regarding adjustments to Palm Tran's fixed route public transportation services; and

WHEREAS, the Board of County Commissioners adopted Resolution No. R-2013-0193 establishing uniform policies and procedures for Palm Beach County advisory boards; and

WHEREAS, the requirements of Resolution No. R-2013-0193 may be waived upon a majority vote of the Board of County Commissioners; and

WHEREAS, the Board of County Commissioners has previously waived the requirements of Resolution No. R-2013-0193 which limit the maximum number of members that may serve on a County board and which require all board members to be residents of the County; and

WHEREAS, the Board of County Commissioners desires to repeal Resolution No. R-2001-2241, and all of its amending resolutions, and to adopt in their stead, a resolution reestablishing the Palm Tran Service Board in conformity with the requirements of Resolution No. R-2013-0193, except as such requirements have been waived by the Board of County Commissioners, and continuing the PTSB as further described herein, without lapse in its authority or effect; and

WHEREAS, the Palm Tran Service Board has been and shall continue to be a mechanism for the participation of individuals with disabilities in the continued development and assessment of public transit services to individuals with disabilities.

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

Section 1. Repeal of Resolutions - Resolutions Nos. R-2001-2241, R-2002-0485, R-2003-1582, R2004-0949, R-2007-0711 and R-2008-1568 of the Board of County Commissioners of Palm Beach County, Florida are hereby repealed.

Section 2. Reestablishment of the Palm Tran Service Board - The Board of County Commissioners of Palm Beach County, Florida does hereby reestablish and continue the "Palm Tran Service Board" (PTSB), without lapse in its authority, effect, or membership. Its purpose, functions and actions shall be advisory in nature, except for the exercise of authority granted to it in Section 4 below.

Section 3. 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 Section 9, except when exercising the authority described in Section 4 and paragraphs a. and b. of Section 9 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.

Section 4. Authorization to hold Public Hearings and Meetings - The Board of County Commissioners does hereby expressly authorize the PTSB to exercise 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 or disapprove the implementation thereof. All route and schedule adjustments, for which there will be an increase in the cost of services, must be funded in Palm Tran's annual budget approved by the Board of County Commissioners. All 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, the approval of all solicitations, contracts and purchases, and the establishment of all Palm Tran policies and procedures.

Section 5. Application of the County's Uniform Policies and Procedures for Palm Beach County Advisory Boards - The PTSB and its members shall be subject to the uniform policies and procedures established by the Board of County Commissioners in Resolution No. R-2013-0193, as it may be amended or replaced by action of the Board of County Commissioners from time to time, except to the extent the application of such policies has been waived by the Board of County Commissioners. As of the date of this resolution, the Board of County Commissioners has waived the limitation on the maximum number of members that may constitute a board as set forth in Section 11 of Resolution No. R-2013-0193. This waiver shall remain in effect until extinguished or removed by the Board of County Commissioners by amendment to this resolution or the adoption of a resolution or enactment of an ordinance that rescinds or extinguishes prior waivers granted by the Board of County Commissioners.

Section 6. PTSB Appointments - The PTSB and its members shall be subject to the procedure for at-large and district appointments to advisory boards established by PPM CW-O-023, as it may be amended or replaced from time to time, so as to ensure consistency with agenda submittal and review procedures.

Section 7. Composition - The PTSB shall be composed of thirteen (13) voting members who must be residents of Palm Beach County, unless such residency requirement is waived by the Board of County Commissioners. Each member shall serve at-large and at the pleasure of the Board of County Commissioners.

Section 8. Terms -

a. The term of office for each member of the PTSB holding office at the time this Resolution is adopted shall remain in effect except that each member's term shall be modified to end on September 30th of the year in which the member's term is to expire. Thereafter, the terms of office for all members shall be three (3) years, and all terms shall begin on the 1st of October and end on the 30th of September. No member shall serve more than three (3) consecutive three (3) year terms. This limitation shall not be applied retroactively to include the terms or portions thereof served by a member appointed to the PTSB prior to the adoption of R-2013-0193, and shall not be applied so as to prevent a member from serving a maximum of three (3) consecutive terms or nine (9) additional years from the date of the adoption of R-2013-0193.

b. All members serve at the pleasure of the Board of County Commissioners and may be removed, for any reason whatsoever, with or without cause, by a majority vote of the Board of County Commissioners.

c. Notwithstanding anything contained herein, a member's appointment shall terminate and the member shall be automatically removed, with or without the action of the Board of County Commissioners, for lack of attendance. Lack of attendance is defined as a failure to attend three (3) consecutive meetings or a failure to attend more than one-half ($\frac{1}{2}$) of the meetings scheduled during a calendar year. Participation for less than three-fourths ($\frac{3}{4}$) of a meeting shall be the same as a failure to attend a meeting. Members removed pursuant to this paragraph shall not continue to serve on the PTSB and such removal shall create a vacancy.

d. 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 thirteen (13) members to serve on the PTSB,

except that Seat 4 must be filled by an elected municipal official. Except as to the category assigned to Seat 4, it is the goal of the Board of County Commissioners to have one (1) member appointed to the PTSB from each of the remaining categories:

- Seat 1. Transportation experience
- Seat 2. Disability advocate
- Seat 3. Environmental advocate
- Seat 4. Elected municipal official of a municipality located in Palm Beach County
- Seat 5. Business community representative
- Seat 6. Representative with multi-cultural experience
- Seat 7. Senior citizen
- Seat 8. Certified paratransit user
- Seat 9. Regular fixed route bus passenger
- Seat 10. Fixed route bus operator
- Seat 11. Citizen at-large
- Seat 12. Paratransit expertise
- Seat 13. Resident of the Glades/Lake Region of Palm Beach County

Seat 4 is designated as an *ex officio* office of the elected municipal official appointed to that seat. The duties imposed upon the member appointed to Seat 4 are and shall be deemed to be additional *ex officio* duties of his or her municipal office. The Board of County Commissioners may request the Palm Beach County League of Cities, Inc. to select and recommend to the Board of County Commissioners, an elected municipal official from a city located within Palm Beach County, to be appointed to perform the *ex officio* duties of Seat 4.

Section 9. 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 a formal public hearing need not be held.

b. To consider all public comments received regarding proposed route adjustments and to approve or reject proposed changes to fixed routes and schedules after concluding its public hearing or public meeting comment process.

c. To hold regular meetings and special meetings as convened by the Chair of the PTSB or upon the request of the Executive Director of Palm Tran.

d. To consider the input and recommendation of its standing subcommittees. All standing subcommittees shall be solely advisory bodies to the PTSB. The following standing subcommittees are established to assist the PTSB in the performance of its duties:

- 1. Paratransit
- 2. Planning

e. All standing subcommittees shall meet as frequently as deemed necessary by the PTSB, except that the Paratransit Standing Subcommittee shall meet at least six (6) times per calendar year.

f. To provide summary minutes of each meeting of the PTSB to the Board of County Commissioners.

g. To make a presentation to the Board of County Commissioners upon the request of the Executive Director of Palm Tran, the County Administrator or the Board of County Commissioners.

h. To make recommendations to the Board of County Commissioners concerning paratransit services and public transportation projects within Palm Beach County, upon the request of the Board of County Commissioners, County Administrator, or the Executive Director.

i. To make recommendations to the Board of County Commissioners regarding the activities of the South Florida Regional Transportation Authority (SFRTA) or the Palm Beach Metropolitan Planning Organization, upon the request of the Board of County Commissioners, the County Administrator, or the Executive Director.

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. To approve or disapprove the recommendations for fixed route service adjustments made by the Executive Director or his or her designee. The PTSB may not change or modify the Executive Director's recommendations for fixed route service adjustment without the consent of the Executive Director or his or her designee. In the event the PTSB shall not approve a recommendation made by the Executive Director and the Executive Director determines that a change or modification suggested by the PTSB is not appropriate, the Executive Director shall take no action on the recommended adjustment but may, at any time, resubmit the matter to the PTSB, for its consideration and approval.

l. Submit an annual narrative report to the County's Agenda Coordinator in conformity with applicable procedures or policies established by the County.

m. To perform such other duties, of an advisory nature, requested by the Executive Director.

Section 10. Qualification as a Candidate - PTSB members shall not be prohibited from qualifying as a candidate for elected office.

Section 11. 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 matter 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 Chair of the PTSB shall appoint all standing subcommittee members and the chairs of all standing subcommittees. All standing subcommittee chairs shall be members of the PTSB. Any citizen may be appointed to serve on a standing subcommittee. Standing subcommittees shall elect a vice-chair from among its members. All standing subcommittees shall be solely advisory bodies to the PTSB and shall serve at the pleasure of the Chair of the PTSB. All standing subcommittee members shall comply with the requirements of the Palm Beach County Code of Ethics applicable to officials of advisory boards. The attendance requirements set forth in Section 8.c. of this Resolution shall also be applicable to all standing subcommittee members. Standing subcommittee members may be automatically removed for lack of attendance, with or without action of the Chair. The Executive Director or his or her designee shall be responsible for monitoring the attendance of the members of any standing subcommittee and for notifying the PTSB and its Chair of the automatic removal of a member for lack of attendance, and for monitoring standing subcommittee members' compliance with the Palm Beach County Code of Ethics.

d. The primary purpose of the Paratransit Standing Subcommittee is to create a forum for individuals with disabilities to participate in the continued development and assessment of services to individuals with disabilities. This standing subcommittee will meet no less than six (6) times a calendar year and at least once each quarter, 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 or requested by the Executive Director. This standing subcommittee shall report directly to the PTSB and shall forward to the PTSB the comments, information, facts and opinions it has obtained or gathered.

e. The PTSB may establish temporary 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 the members of all

such special 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.

Section 12. Maximum Number of Boards - The maximum number of boards that an individual appointed by the Board of County Commissioners may serve on at one time shall be three (3), except that no individual may serve on more than one (1) board if doing so would violate Article II, Section 5(a) of the Florida Constitution, which prohibits dual-office holding.

Section 13. PTSB Chair - The PTSB shall elect a chair and a vice-chair from among its members. The chair and the vice-chair shall each serve for a term of one (1) year. There shall be no limit on the number of terms an individual may be elected as chair or vice-chair.

Section 14. Quorum and Meetings -

a. A quorum of the PTSB's membership must be physically present in order to hold any public hearing or meeting, to conduct any business or take any action. A quorum shall consist of a majority of the appointed members of the PTSB.

b. The PTSB shall endeavor to meet on a monthly basis and may meet more or less frequently as it deems appropriate or as requested by the Executive Director.

c. Meetings of the PTSB shall be governed by Roberts' Rules of Order. The PTSB may, however, establish its own rules of procedure for the conduct of its meetings.

Section 15. Noninterference - Members of the PTSB shall not contact Palm Tran staff, for any reason, other than the Executive Director of Palm Tran or his or her 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. All actions of the PTSB or of its members must be in accordance with the provisions of this resolution.

Section 16. Vacancies - Vacancies occurring during a term shall be filled for the unexpired term.

Section 17. Sunshine Law and State Code of Ethics - The PTSB and its members are subject to and shall comply with Florida's Sunshine Law and the State of Florida's Code of Ethics. Appointees to the PTSB that are required to submit a Statement of Financial Interests to the State of Florida Commission on Ethics will be notified that the failure to submit a Statement of Financial interests within thirty (30) days of appointment shall result in invalidation of the appointment. Reasonable public notice of all PTSB meetings shall be provided. All meetings of the PTSB shall be open to the public at all times and minutes shall be taken at each meeting. All meetings shall comply with the applicable requirements of Chapter 286, F.S.

Section 18. Palm Beach County Code of Ethics - PTSB members and the members of its standing subcommittees are to comply with the applicable provisions of the Palm Beach County Code of Ethics as codified in Sections 2-254 through 2-260 of the Palm Beach County Code.

Section 19. Conflict with Federal or State Law or County Law - Any Federal, State or County law in conflict with this resolution shall prevail.

Section 20. Effective Date - The provisions of this resolution shall become effective upon its approval by the Board of County Commissioners.

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

Commissioner Shelley Vana, Mayor	-	_____
Commissioner Mary Lou Berger, Vice Mayor	-	_____
Commissioner Hal R. Valeche	-	_____
Commissioner Paulette Burdick	-	_____
Commissioner Steven L Abrams	-	_____
Commissioner Melissa McKinlay	-	_____
Commissioner Priscilla A. Taylor	-	_____

The Mayor thereupon declared the Resolution duly passed and adopted this _____ day of
_____, 2015.

Palm Beach County, Florida by its
Board of County Commissioners

Sharon R. Bock, Clerk & Comptroller

By: _____
Deputy Clerk

Approved as to Form and
Legal Sufficiency

By: _____
County Attorney

SUMMARY OF CHANGES BY RESOLUTION Palm Tran Service Board (PTSB)

Agenda item 3AA1 July 7, 2015:

- Clarification on Seat 4: Elected municipal official of a municipality located in Palm Beach County; as an *ex officio* office of the elected municipal official appointed to that seat.
- Motion to adopt: one (1) all inclusive resolution repealing Resolution No. R-2001-2241, and all of its amending Resolution Nos. R-2002-0485, R-2003-1582, R-2004-0949, R-2007-0711, and R-2008-1568.

LISTED BELOW: SUMMARY OF ALL PRIOR RESOLUTIONS

- ❖ December 18, 2001: Resolution No. R-2001-2241
 - Creation of Palm Tran Service Board (PTSB), whose function shall be advisory in nature.
 - BCC delegated authority to PTSB to conduct all public meetings/hearings, to consider public comments, as required prior to implementation of any adjustment where 25% of route miles are affected.
 - Create subcommittees as needed, as well as a standing subcommittee on paratransit.
 - Make a least one (1) presentation to the BCC per year.
 - PTSB shall be composed of eleven (11) voting members, each County Commissioner shall appoint one (1) member, the additional four (4) members shall serve at-large.
 - PTSB members terms are for two (2) years, no limit on number of terms, should try to achieve staggering terms for PTSB.
 - Member's appointments shall terminate, for lack of attendance.
 - Each County Commissioner shall appoint one (1) representative from their district, from the seven (7) specified categories, and four (4) at-large members from remaining categories.
 - PTSB shall elect a chairperson and vice-chairperson from the eleven (11) members, serving a one year term.
 - Quorum consist of six (6) of the eleven (11) members.
 - PTSB shall not contact Palm Tran staff, shall not invoice themselves in or interfere with day-to-day operations.
 - Sunset - December 31, 2002.
- ❖ April 2, 2002: Resolution No. R-2002-0485
 - Replaced the seven (7) district appointments, to seven (7) at-large appointments with the specific category requirements.
 - Extended sunset date to September 30, 2003.
- ❖ September 23, 2003: Resolution No. R-2003-1582
 - Remove sunset date
- ❖ May 18, 2004: Resolution No. R-2004-0949
 - Amended the eleven (11) categories, to designate a seat as "Citizen At Large".
- ❖ May 1, 2007: Resolution No. R-2007-0711
 - Revised membership criteria to include "Certified paratransit user" which could include an employee of a paratransit service provider.
- ❖ September 9, 2008: Resolution No. R-2008-1568
 - Increase voting members from eleven (11) to thirteen (13) residents of Palm Beach County.
 - Criteria/Categories used in the selection of members:
 - ◆ Seat 1. Transportation experience
 - ◆ Seat 2. Disability advocate
 - ◆ Seat 3. Environmental advocate
 - ◆ Seat 4. Elected municipal official of a municipality located in Palm Beach County
 - ◆ Seat 5. Business community representative
 - ◆ Seat 6. Representative with multi-cultural experience
 - ◆ Seat 7. Senior citizen
 - ◆ Seat 8. Certified paratransit user
 - ◆ Seat 9. Regular fixed route bus passenger
 - ◆ Seat 10. Fixed route bus operator
 - ◆ Seat 11. Citizen at-large
 - ◆ Seat 12. Paratransit expertise
 - ◆ Seat 13. Resident of the Glades/Lake Region of Palm Beach County
 - Quorum increased from six (6) to seven (7).

II. FISCAL IMPACT ANALYSIS

A. Five Year Summary of Fiscal Impact:

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

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

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

C. Departmental Fiscal Review: _____

III. REVIEW COMMENTS

A. OFMB Fiscal and/or Contract Dev. and Control Comments:
 No Fiscal Impact.

Elizabeth Brown ^{12/10/01}
 OFMB ^{12/10/01} N/A
 Contract Dev. and Control

B. Legal Sufficiency:

[Signature] ^{12/12/01}
 Assistant County Attorney

C. Other Department Review:

 Department Director

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

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

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

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

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

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

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

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

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

4. **Purpose** - The PTSB shall act as an advisory board to the Board of County Commissioners regarding Palm Tran's fixed route and paratransit programs and services, and in its performance of the duties set forth in paragraph 5, except when exercising the authority expressly delegated to it by the Board of County Commissioners described in paragraph 3 above and paragraphs 5.a. and b. below. The PTSB shall provide an ongoing mechanism for the participation of individuals, with and without disabilities, in the continued development, implementation and assessment of all Palm Tran services

5. **Duties** - The duties of the PTSB are limited to the following:
- a. To hold all public hearings for fixed route service adjustments in those instances where twenty-five percent (25%) or more of the route miles are affected by a proposed change. Public hearings must be noticed at least ten (10) days in advance in a newspaper of general circulation in Palm Beach County. In those instances where a proposed fixed route adjustment impacts less than twenty-five (25%) of the route miles of a route, those changes shall be approved at a public meeting after public comments, but without a formal public hearing.
 - b. To consider all public comments received regarding proposed route adjustment and to approve or reject proposed changes to fixed routes and schedules after concluding its public hearing or public comment process.
 - c. To hold regular meetings and special meetings as convened by the Chair of the PTSB or requested by the Executive Director of Palm Tran.

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

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

7. Terms -

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

7) Senior citizen

f. To the extent deemed possible by the Board of County Commissioners, it will use the criteria set forth below in its selection and appointment of at-large members to the PTSB. It is the goal of the Board of County Commissioners to have one (1) representative of each of the following four (4) categories appointed to the PTSB:

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

8. **PTSB Chairperson** - The PTSB shall elect a chairperson and a vice-chairperson from among its eleven (11) members. The chairperson and the vice-chairperson shall each serve for a term of one (1) year.

9. **Quorum and Meetings** -

- a. A quorum of the PTSB's membership must be physically present in order to conduct any business or take any action. A quorum shall consist of six (6) of the eleven (11) members.
- b. The PTSB shall endeavor to meet on a monthly basis and may meet more or less frequently as it deems appropriate.
- c. The PTSB shall conduct its meetings according to Roberts' Rules of Order and may establish rules of procedure for the conduct of its meetings.

10. **PTSB Actions** -

- a. The PTSB shall not undertake any action(s) unless a motion for such action has been approved by a majority of the members physically present casting their votes in favor of the motion.
- b. Motions must be made and voted upon during the course of regular or special meetings. Within any particular meeting, the PTSB will not take any action on any issue which has not been placed on the agenda for that meeting, unless the PTSB finds special conditions or circumstances exist which require immediate action.
- c. The PTSB shall establish a standing committee consisting of individuals with disabilities and other interested citizens. The primary purpose of this subcommittee

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

- d. The PTSB may establish special subcommittees on an "ad-hoc" basis in order to enable it to more efficiently carry out its duties. The chair of the PTSB shall name all members of all subcommittees and the individual who will serve as the chair of any special subcommittee. Members of the PTSB may also serve on any special subcommittee.
11. **Noninterference** - Members of the PTSB shall not contact Palm Tran staff, for any reason, other than the Executive Director of Palm Tran or his designee. Members shall not involve themselves in or interfere with the day-to-day operations of Palm Tran or the actions or activities of its employees and the employees of the Board of County Commissioners.
 12. **Conflict** - The provisions of this resolution shall prevail over Resolution No. 95-1806, to the extent of any conflict.
 13. **Sunset** - Except for the repeal of Resolution No. R2000-1221, the provisions of this Resolution shall sunset on December 31, 2002.

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

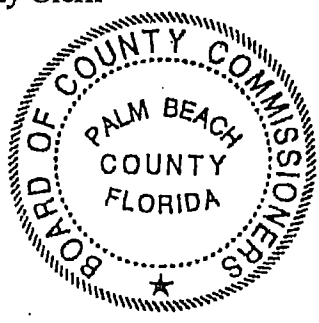
APPROVED AS TO FORM AND LEGAL SUFFICIENCY

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

DOROTHY H. WILKEN, CLERK

By: [Signature]
County Attorney

By: [Signature]
Deputy Clerk



ADD ON

Agenda Item #: 602

PALM BEACH COUNTY BOARD OF COUNTY COMMISSIONERS AGENDA ITEM SUMMARY

Meeting Date: April 2, 2002 [] Consent [X] Regular [] Workshop [] Public Hearing

Department:

Submitted By: Palm Tran Submitted For: Palm Tran

R-2002-0485 Mc/R 5-0 A/Mc abs.

I. EXECUTIVE BRIEF

Motion and Title: Staff recommends motion to adopt: a Resolution amending Resolution R-2001-2241, which created the Palm Tran Services Board (PTSB), replacing the seven (7) district appointments with seven (7) at-large appointments and extending the sunset date from December 31, 2002 to September 30, 2003.

Summary: On December 18, 2001, the BCC approved Resolution R-2001-2241 which created the Palm Tran Services Board (PTSB). When staff attempted to coordinate the district appointments utilizing seven (7) specific categories: transportation experience, disability advocate, environmental advocate, municipal representative, business community representative, representative with multi-cultural experience, and senior citizen; it became apparent that the commissioners may not want to be restricted to a specific category. In order for this service board to succeed and be effective, it is necessary to maintain these categories in order to have a cross representation of the transit community. The seven (7) district appointments would be replaced by seven (7) at-large appointments with the specific category requirements. The original four (4) at-large appointments will remain unchanged, making a total of eleven (11) members.

Background and Policy Issues: For several years Palm Tran had two advisory boards, the Transportation Citizens' Advisory Board (TCAB) and the Palm Tran Accessibility Advisory Board (PTAAB). Each board functioned independently of the other. While the TCAB ceased to function in 1997, the PTAAB continued to function as Palm Tran's only advisory board focusing primarily on transportation for the disabled. This board was not efficient and was abolished, and was replaced by the Palm Tran Citizens Advisory Board (PTCAB). Its purpose was to address all public transportation issues, as well as, issues relating to transportation for persons with disabilities.

In 2001, the PTCAB established a Governance Subcommittee which recommended that the PTCAB be abolished and a Palm Tran Services Board be created in its stead. This concept was approved by the full PTCAB. The BCC considered this recommendation at a workshop on August 28, 2001 and directed staff to prepare a resolution to establish a new advisory board. The BCC approved Resolution R-2001-2241 on December 18, 2001 which created a Palm Tran Services Board. The PTSB will be responsible for holding public hearings for major service adjustments to the fixed route bus system within Palm Tran's BCC approved operating budget. The PTSB will also serve as a forum for individuals with disabilities to participate in the continued development and assessment of public transit service to individuals with disabilities required by federal regulations.

Attachments: 1. Amended Resolution

Recommended by: Perry Mauld/1512 Department Director 3/28/02 Date Approved By: Vincent J. Bernante Assistant County Administrator 3/28/02 Date

II. FISCAL IMPACT ANALYSIS

A. Five Year Summary of Fiscal Impact:

Fiscal Years	19__	19__	20__	20__	20__
Capital Expenditures	_____	_____	_____	_____	_____
Operating Costs	_____	_____	_____	_____	_____
External Revenues	_____	_____	_____	_____	_____
Program Income (County)	_____	_____	_____	_____	_____
In-Kind Match (County)	_____	_____	_____	_____	_____
NET FISCAL IMPACT	=====	=====	=====	=====	=====
# ADDITIONAL FTE POSITIONS (Cumulative)	_____	_____	_____	_____	_____

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

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

No fiscal impact.

C. Departmental Fiscal Review: N/A

III. REVIEW COMMENTS

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

No fiscal impact.

3.28.02 DM N/A VSB 3/28/02 JR 3/28/02 N/A VSB
 OFMB Contract Dev. and Control

B. Legal Sufficiency:

[Signature] 3/25/02
 Assistant County Attorney

C. Other Department Review:

N/A
 Department Director

RESOLUTION NO. R- 2002-0485

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

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

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

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

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

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

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

Section 7. **Terms** -

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

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

appointed to the PTSB:

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

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

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

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

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

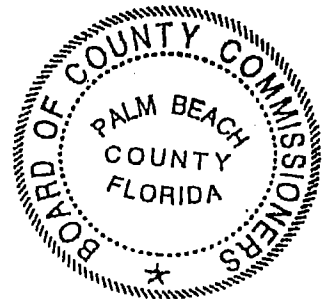
APPROVED AS TO FORM AND LEGAL SUFFICIENCY

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

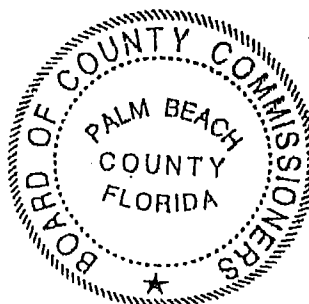
DOROTHY H. WILKEN, CLERK

By: [Signature]
County Attorney

By: [Signature]
Deputy Clerk



G:\eng\draney\RPTSBamend.pt



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

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

PALM BEACH COUNTY
BOARD OF COUNTY COMMISSIONERS

AGENDA ITEM SUMMARY

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

I. EXECUTIVE BRIEF

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

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

Background and Policy Issues: None..

Attachments: 1. Resolution
2. R 2001-2241

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

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

II. FISCAL IMPACT ANALYSIS

A. Five Year Summary of Fiscal Impact:

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

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

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

No fiscal impact.

C. Departmental Fiscal Review:

John Murphy, Finance Mgr

III. REVIEW COMMENTS

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

J. Bergeron 15 Aug 03 9/9 OFMB
8/14/03
8/16/03
8/15/03
9/19/03
 Contract Dev. and Control

B. Legal Sufficiency:

[Signature] 8/18/03
 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 NO. R2002-0485; REPEALING THE SUNSET DATE; PROVIDING AN EFFECTIVE DATE.

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

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

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

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

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

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

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

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

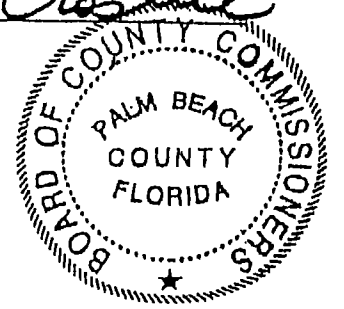
APPROVED AS TO FORM AND LEGAL SUFFICIENCY

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

DOROTHY H. WILKEN, CLERK

By: [Signature]
County Attorney

By: [Signature]
Deputy Clerk



RESOLUTION NO. R-2001-2241

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

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

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

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

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

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

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

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

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

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

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

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

7. Terms -

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

7) Senior citizen

f. To the extent deemed possible by the Board of County Commissioners, it will use the criteria set forth below in its selection and appointment of at-large members to the PTSB. It is the goal of the Board of County Commissioners to have one (1) representative of each of the following four (4) categories appointed to the PTSB:

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

8. **PTSB Chairperson** - The PTSB shall elect a chairperson and a vice-chairperson from among its eleven (11) members. The chairperson and the vice-chairperson shall each serve for a term of one (1) year.

9. **Quorum and Meetings** -

- a. A quorum of the PTSB's membership must be physically present in order to conduct any business or take any action. A quorum shall consist of six (6) of the eleven (11) members.
- b. The PTSB shall endeavor to meet on a monthly basis and may meet more or less frequently as it deems appropriate.
- c. The PTSB shall conduct its meetings according to Roberts' Rules of Order and may establish rules of procedure for the conduct of its meetings.

10. **PTSB Actions** -

- a. The PTSB shall not undertake any action(s) unless a motion for such action has been approved by a majority of the members physically present casting their votes in favor of the motion.
- b. Motions must be made and voted upon during the course of regular or special meetings. Within any particular meeting, the PTSB will not take any action on any issue which has not been placed on the agenda for that meeting, unless the PTSB finds special conditions or circumstances exist which require immediate action.
- c. The PTSB shall establish a standing committee consisting of individuals with disabilities and other interested citizens. The primary purpose of this subcommittee

shall be to create a forum for individuals with disabilities to participate in the continued development and assessment of services to individuals with disabilities.

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

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

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

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

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

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

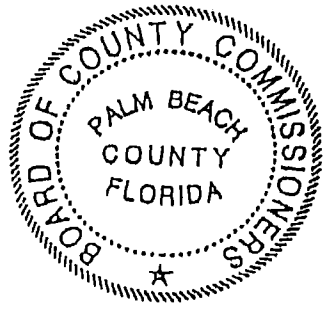
APPROVED AS TO FORM
AND LEGAL SUFFICIENCY

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

DOROTHY H. WILKEN, CLERK

By: [Signature]
County Attorney

By: Linda C. Hickman
Deputy Clerk



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

PALM BEACH COUNTY
BOARD OF COUNTY COMMISSIONERS

R-2004-0949

AGENDA ITEM SUMMARY

Ms/Mc 6-0

N abs.

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

Department:
Submitted By: Palm Tran

Submitted For: Palm Tran

I. EXECUTIVE BRIEF

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

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

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

Attachments: Resolution

Recommended by: *Perry Mann* 5.6.04
Department Director Date

Approved By: *Vinit J. Bonvato* 5/13/04
Assistant County Administrator Date

II. FISCAL IMPACT ANALYSIS

A. Five Year Summary of Fiscal Impact:

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

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

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

C. Departmental Fiscal Review:

John Murphy, Finance Manager

III. REVIEW COMMENTS

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

3 OFMB
11
5-11-04

5/12/04
Contract Dev. and Control
5/12/04

B. Legal Sufficiency:

5/13/04
 Assistant County Attorney

C. 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>

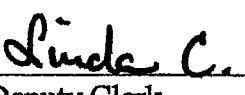
The Chair thereupon declared the resolution duly passed and adopted this 18 day of May, 2004.

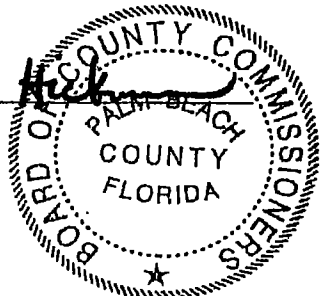
APPROVED AS TO FORM
AND LEGAL SUFFICIENCY

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

DOROTHY H. WILKEN, CLERK

By: 
County Attorney

By: 
Deputy Clerk



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.

[Signature] 4-10-07
 4/10/07 OFMB *CH 44-1*

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

B. Legal Sufficiency:

[Signature] 4/12/07
 Assistant County Attorney

C. Other Department Review:

 Department Director

RESOLUTION NO. R- 2007-0711

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

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

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

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

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

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

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

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

2. This resolution shall take effect upon its adoption.

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

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

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

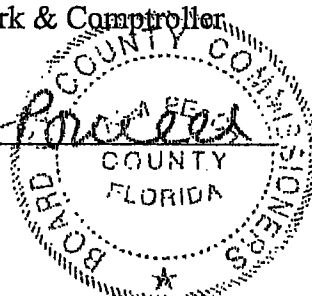
APPROVED AS TO FORM
AND LEGAL SUFFICIENCY

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

Sharon R. Bock, Clerk & Controller

By: [Signature]
County Attorney

By: [Signature]
Deputy Clerk



Agenda Item No.

6J1

PALM BEACH COUNTY
BOARD OF COUNTY COMMISSIONERS

JK/RK 4-1
A opposed
m/mc abs

AGENDA ITEM SUMMARY

R-2008-1568

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 _____

Department Director

Date

Approved By _____

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.

awillhite 8-27-08
 OFMB 8/27/08

John J. [Signature] 8/25/08
 Contract Dev. and Control

B. Legal Sufficiency:

[Signature] 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~~

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(11) thirteen (13) categories appointed to the PTSB:

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

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

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

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

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

- 9. Quorum and Meetings --
 - a. A quorum of the PTSB's membership must be physically present in order

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.

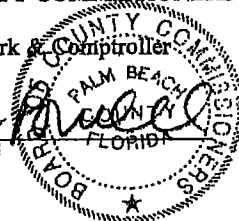
APPROVED AS TO FORM
AND LEGAL SUFFICIENCY

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

Sharon R. Bock, Clerk & Comptroller

By: [Signature]
County Attorney

By: [Signature]
Deputy Clerk



RESOLUTION NO. R-

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

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

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

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

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

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

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

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

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

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

Section 7. Terms –

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

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

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

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

- e. To the extent deemed possible by the Board of County Commissioners, the criteria set forth below will be used in the selection and appointment of members to serve on the PTSB. It is the goal of the Board of County Commissioners to have one (1) representative from each of the following twelve (12) categories appointed to the PTSB:

- 1) Transportation experience

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

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

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

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

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

9. Quorum and Meetings –

a. A quorum of the PTSB's membership must be physically present in

order to conduct any business or take any action. A quorum shall consist of seven (7) of the twelve (12) members. The chairperson shall be considered a member for purposes of determining whether a quorum is physically present, but shall vote only in the case of a tie vote, and shall cast the deciding vote.

b. The PTSB shall endeavor to meet on a monthly basis and may meet more or less frequently as it deems appropriate.

c. The PTSB shall conduct its meetings according to Robert's Rules of Order and may establish rules of procedure for the conduct of its meetings.

This resolution shall take effect upon its adoption.

The foregoing resolution was offered by Commissioner _____,

who moved its adoption. The motion was seconded by

Commissioner _____,

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

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

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

APPROVED AS TO FORM
AND LEGAL SUFFICIENCY

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

Sharon R. Bock, Clerk & Comptroller

By: 
County Attorney

By: _____
Deputy Clerk

Agenda Item #: **5A-2**

**PALM BEACH COUNTY
 BOARD OF COUNTY COMMISSIONERS**

AGENDA ITEM SUMMARY

T ISV 4-3
 S, PB, HV opposed
 R-2013-0193

Meeting Date: February 5, 2013 [] Consent [X] Regular
 [] Ordinance [] Public Hearing

Department:

Submitted By: County Administration

Submitted For: County Administration

Approved 3 year term limit
 HV IT 4-3
 MB, A, PB opposed

I. EXECUTIVE BRIEF

Motion and Title: Staff recommends motion to adopt: a Resolution of the Board of County Commissioners of Palm Beach County, Florida consolidating and updating the uniform policies and procedures for Palm Beach County advisory boards, committees, and commissions; repealing Resolutions R95-1806, R2002-1606, R2010-1941, and R2011-0946 respectively; and providing for an effective date.

Summary: This Resolution consolidates and updates the uniform policies and procedures for advisory boards; including Code of Ethics requirements, current and former County employee and Commissioner eligibility to serve, terms of service, travel policy and absences. In accordance with Board discussion on January 15, this proposal includes language providing for a two year waiting period before a former commissioner can be appointed to any board. It also sets standard 3 year terms of service (to match ethics training requirements), but without proposing a limit in the number of terms that can be served. If the Board chooses to set term limits, nine (9) years is recommended to conform to 3 year terms and ethics training requirements. Countywide (TKF)

Background and Policy Issues: In 1991, the BCC adopted a Resolution establishing a set of uniform policies and procedures for County advisory boards, committees and commissions. The last update to these policies and procedures was done in 1995. Under separate Resolutions, the BCC adopted an absentee policy (R2002-1606), a travel policy (R2010-1941), and a policy relative to County employee's eligibility to serve (R2011-0946). This Resolution consolidates these policies and updates other sections to bring them into alignment with new requirements such as the Code of Ethics and annual narrative report. Regarding terms limits, staff is concerned that limits will impact long serving, well thought of, appointees and that some boards will be unable to fill resulting vacancies.

Attachments:

1. Proposed Resolution
2. Resolution R95-1806 (uniform policies and procedures for advisory boards, etc.)
3. Resolution R2002-1606 (Absences)
4. Resolution R2010-1941 (Travel)
4. Resolution R2011-0946 (County employee's eligibility to serve)

Recommended by: _____
 Department Director Date

Approved By: [Signature] _____
 County Administrator Date 1/22/13

II. FISCAL IMPACT ANALYSIS

A. Five Year Summary of Fiscal Impact:

Fiscal Years	2013	2014	2015	2016	2017
Capital Expenditures	_____	_____	_____	_____	_____
Operating Costs	_____	_____	_____	_____	_____
External Revenues	_____	_____	_____	_____	_____
Program Income (County)	_____	_____	_____	_____	_____
In-Kind Match (County)	_____	_____	_____	_____	_____
NET FISCAL IMPACT	_____	_____	_____	_____	_____
No. ADDITIONAL FTE POSITIONS (Cumulative)	_____	_____	_____	_____	_____

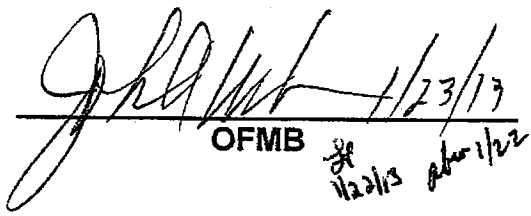
Is Item Included In Current Budget? Yes _____ No _____
 Budget Account No.: Fund _____ Department _____ Unit _____
 Object _____ Reporting Category _____

B. Recommended Sources of Funds/Summary of Fiscal Impact:
 There is no fiscal impact associated with this item

C. Departmental Fiscal Review:

III. REVIEW COMMENTS

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


 OFMB
 1/23/13
 12/13 1/22


 Contract Dev. and Control
 1/13/13

B. Legal Sufficiency:


 Assistant County Attorney
 1/28/13

C. Other Department Review:

 Department Director

Resolution No. 2013- 0193

RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF PALM BEACH COUNTY, FLORIDA, ESTABLISHING AND UPDATING THE UNIFORM POLICIES AND PROCEDURES FOR PALM BEACH COUNTY ADVISORY BOARDS, COMMITTEES, AND COMMISSIONS; REPEALING RESOLUTIONS R95-1806, R2002-1606, R2010-1941, AND R2011-0946 RESPECTIVELY; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the Board of County Commissioners of Palm Beach County, Florida, is served by a number of advisory boards, committees, commissions, task forces, and authorities which have been established by the Board of County Commissioners from time to time; and

WHEREAS, the Board of County Commissioners of Palm Beach County, Florida, adopted Resolution R95-1806, which established uniform policies and procedures for said advisory boards; and

WHEREAS, the Board of County Commissioners of Palm Beach County, Florida, adopted Resolution R2002-1606, which established attendance policies for said advisory boards; and

WHEREAS, the Board of County Commissioners of Palm Beach County, Florida, adopted Resolution R2010-1941, providing for approval authority to the County Administrator and Deputy County Administrator for advisory board member travel; and

WHEREAS, the Board of County Commissioners of Palm Beach County, Florida adopted Resolution R2011-0946, which modified the policy to allow a County employee to serve on said advisory board when County employee is an elected official within Palm Beach County; and

WHEREAS, it is desirable to repeal Resolutions R95-1806, R2002-1606, R2010-1941, and R2011-0946 and reestablish up-to-date policies into one all encompassing

document which includes specific procedures to ensure compliance with the Board of County Commissioners directives.

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

Section 1. Repeal of Prior Resolutions

Resolutions R95-1806, R2002-1606, R2010-1941, and R2011-0946 are repealed in their entirety.

Section 2. Board Appointments

The procedure for at-large and district appointments to advisory boards, committees, commissions, task forces, and authorities (hereinafter referred to as "boards" shall be established by a Countywide Policy and Procedure Memorandum (hereinafter referred to as a "PPM") to ensure consistency with agenda submittal and review procedures. Included in the PPM shall be post-appointment procedures to make sure appointees are aware of the requirements of serving on the board. The provisions in this Resolution shall be applicable to boards created by the Board of County Commissioners and may be waived upon majority vote by the Board of County Commissioners.

Section 3. Maximum Number of Boards

The maximum number of boards that an individual appointed by the Board of County Commissioners may serve on at one time shall be three (3), except that no individual may serve on more than one (1) board if doing so would violate Article II, Section 5(a) of the Florida Constitution, which prohibits dual-office holding.

Section 4. Terms of Office

Terms of office for board members shall be three years. This term shall not apply to any board created by statute or other binding rule which specifies a different term.

Section 5. Vacancies

Vacancies occurring during a term shall be filled for the unexpired term.

Section 6. Number of Terms Served

There shall be a limit of three consecutive three year terms, unless dictated otherwise by statute or other binding rule.

Section 7. Removal

All at-large members of boards appointed by the Board of County Commissioners serve at the pleasure of the Board of County Commissioners and may be removed without cause upon majority vote by the Board of County Commissioners. All members of boards that are classified as District appointees serve at the pleasure of their district Commissioner and may removed without cause by the District Commissioner. This provision shall not apply if a statute or other binding rule provides for a different removal process.

Section 8. 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 a failure to attend more than one-half of the meetings scheduled during a calendar year. Participation for less than three-fourths of a meeting shall be the same as failure to attend a meeting. Members removed pursuant to this paragraph shall not continue to serve on the board and such removal shall create a vacancy, unless otherwise provided by statute or other binding rule.

Section 9. Qualification as a Candidate

Board members shall not be prohibited from qualifying as a candidate for elected office.

Section 10. Eligibility to Serve

County employees, other than Commissioners Aides, may not be appointed to boards except where technical/professional representation and county employee eligibility are specifically set forth in the document creating the board or where the County employee is an elected official within Palm Beach County and is nominated for inclusion on the board by an entity other than the Board of County Commissioners. Employees of other units of local government may **not** represent their respective governments on boards, unless otherwise provided by statute or other rule of law. Former Board of County Commission members may not be appointed to boards for at least two years following their last day in office as a County Commissioner.

Section 11. Number of Members

The preferred limit on the number of members on a board shall be nine (9), provided, and the maximum number of members shall not exceed eleven (11). This limitation shall not apply to any board created by statute or other binding rule requiring a different specified number of members.

Section 12. Residency Requirement

All board members must be residents of Palm Beach County at the time of appointment and while serving on the board. Exemptions to this requirement are allowed when circumstances warrant outside technical/professional representation, or if statute or other rule specifies.

Section 13. Sunshine Law and State Code of Ethics

All boards are to comply with the Sunshine Law and State Code of Ethics. Reasonable public notice of all board meetings shall be provided. All meetings of the board shall be open to the public at all times and minutes shall be taken at each meeting.

Section 14. Palm Beach County Code of Ethics

Board members are to comply with the applicable provisions of the Palm Beach County Code of Ethics as codified in Section 2-254 through 2-260 of the Palm Beach County Code.

Section 15. State Financial Disclosure

Appointees to boards that are required to submit a Statement of Financial Interests with the State of Florida Commission on Ethics will be notified that failure to submit a Statement of Financial Interests within 30 days of appointment shall result in invalidation of the appointment.

Section 16. Travel Expenses, Reimbursement and Approval Authority

Travel reimbursement is limited to expenses incurred only for travel outside Palm Beach County necessary to fulfill board member responsibilities when sufficient funds have been budgeted and are available as set forth in PPM CW-O-038. No other expenses are reimbursable except documented long distance phone calls to the liaison County department. Approval authority for pre-authorized board member travel is designated to the County Administrator and Deputy County Administrator and shall be in accordance with Countywide Policy and Procedures memoranda (PPM) CW-F-009.

Section 17. Annual Narrative Report

Each board listed in PPM CW-O-60, as may be amended from time to time, shall submit an annual narrative report to the Agenda Coordinator. The form, substance, and submittal dates for annual narrative reports are established by PPM CW-O-060. An Annual Narrative Report does not have to be submitted if the board is required to submit a report a least quarterly through ordinance, law, or some other legal document.

Section 18. Conduct of Meeting

A quorum must be present for the conduct of all board meetings. A majority of the members appointed shall constitute a quorum. All meetings shall be governed by Robert's Rules of Order.

Section 19. Conflict with Federal or State Law or County Charter

Any statutory or Charter provisions in conflict with this Resolution shall prevail.

Section 20. Effective Date

The provisions of this Resolution shall be effective March 1, 2013.

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

- | | | |
|--|---|------------|
| Commissioner Steven L. Abrams, Mayor | - | <u>Aye</u> |
| Commissioner Priscilla A. Taylor, Vice Mayor | - | <u>Aye</u> |
| Commissioner Hal R. Valeche | - | <u>Nay</u> |
| Commissioner Paulette Burdick | - | <u>Nay</u> |
| Commissioner Shelley Vana | - | <u>Aye</u> |
| Commissioner Mary Lou Berger | - | <u>Aye</u> |
| Commissioner Jess R. Santamaria | - | <u>Nay</u> |

The Chair thereupon declared the Resolution duly passed and adopted this 5th day of February, 2013.

Palm Beach County, Florida by its Board of County Commissioners

Sharon R. Bock, Clerk & Comptroller

BY: [Signature]
Deputy Clerk



Approved as to Form and Legal Sufficiency

By: [Signature]
Assistant County Attorney

STATE OF FLORIDA, COUNTY OF PALM BEACH
I, SHARON R. BOCK, Clerk and Comptroller
certify this to be a true and correct copy of the original
filed in my office on FEB 05 2013
dated at West Palm Beach, FL on FEB 05 2013
By: [Signature]
Deputy Clerk

