



PALM BEACH
Transportation
Planning Agency

CITIZEN ADVISORY COMMITTEE (CAC)
BY-LAWS

Approved by the TPA
May 17, 2018

1. PURPOSE

Pursuant to Florida Statutes s. 339.175(6)(e), the Palm Beach Transportation Planning Agency (TPA) Governing Board has created the Citizen's Advisory Committee (CAC) to review and make recommendations regarding items to be considered by the TPA Governing Board. These by-laws facilitate efficient conduct by the CAC as it serves in its advisory capacity to the TPA Governing Board. In the event of a conflict between these by-laws and the TPA Governing Board's By-laws, the TPA Governing Board's By-laws shall control. In the event of a conflict between these by-laws and the foregoing referenced Florida Statutes, the statutes shall control.

The CAC responsibilities to the TPA Governing Board are to provide comments and recommendations with respect to the concerns of the various segments of the community regarding their transportation needs. It shall be the function of the CAC to:

Assist the TPA Governing Board in formulation of their goals and objectives.

Provide citizens' review of the preliminary findings and make recommendations to the TPA regarding:

- Public participation programs
- Proposed Transportation Improvement Program (TIP), Unified Planning Work Program, Long Range Transportation Plan (LRTP) and Air Quality Planning and amendments
- Position statements regarding general plan proposals and means to implement plans
- The effect of transportation plans, as proposed, upon the various segments of the population
- Review the TPA's Public Participation Plan (PPP)
- Regional transportation projects that involve Miami-Dade, Broward and Palm Beach counties.

These recommendations and findings shall be transmitted to the TPA Governing Board for consideration through the TPA Executive Director.

2. DEFINITIONS

The following terms when used in these by-laws shall be defined as set forth below, unless the context of usage affirmatively dictates to the contrary:

A. TPA - The Palm Beach Transportation Planning Agency (TPA), which serves as the Metropolitan Planning Organization (MPO) for part of the Miami Urbanized Area Transportation Management Area (TMA).

B. TPA Governing Board - The policy-making body for the TPA responsible for coordinating the cooperative decision-making process of the TPA's actions and taking required actions as the TPA.

C. Governing Board Member - A unit of General Purpose Local Government or an agency that operates or administers a major mode of transportation with voting membership, on the TPA pursuant to the most current Interlocal Agreement (and any amendment thereto) creating the TPA.

D. CAC Member - An individual nominated by a TPA Governing Board Member and appointed by the TPA Governing Board to represent the citizenry of Palm Beach County at CAC meetings.

E. Quorum - A quorum of the CAC shall be constituted by the physical presence of a majority of the CAC Members at the site of the CAC meeting.

F. Robert's Rules of Order - *Roberts Rules of Order, Newly Revised (10th Edition)*

3. MEMBERSHIP

A. Number of CAC Members

The Citizens Advisory Committee (CAC) is comprised of up to twenty-one (21), and no less than eleven (11) CAC Members, representing a diverse segment of Palm Beach County's citizenry.

B. CAC Members

Each TPA Governing Board Member may nominate one CAC Member via submittal of a written request to the TPA along with a concise summary of the nominee's credentials for consideration and approval by the TPA Governing Board. When nominating CAC Members, TPA Governing Board members shall ensure adequate representation for minorities, the elderly and the handicapped in accordance with F.S. 339.175, Section (6)(e)1. Additionally, TPA Governing Board member nominations shall promote representation for environmental issues, business interests, the construction and development industry, the freight and goods movements industry, and private transportation providers as well as the general public. All CAC Members shall be residents and electors of Palm Beach County. A CAC Member cannot be an elected official or directly employed by an elected official. No advisory committee member may serve on more than one advisory committee to the TPA Governing Board at any time.

The TPA Governing Board shall have the authority to grant waivers to the CAC membership and governance requirements.

C. Term Limits for CAC Members

CAC Members shall serve at the pleasure of the TPA Governing Board for a three (3) year term. CAC Members may be reappointed by the TPA Governing Board.

4. OFFICERS

A. Officers Defined

The officers of the CAC shall consist of a Chair and a Vice-Chair.

B. Elections

The officers shall be elected annually at the last regularly scheduled meeting of the calendar year. The newly elected officers shall take office at the first regularly scheduled meeting of the following calendar year. Additional elections may be held as necessary if an officer cannot carry out his/her duties and complete the remainder of the appointed term.

C. Terms of Office

The term of office for officers shall be one (1) calendar year.

D. Duties of Officers

The Chair shall call and preside at CAC meetings, sign official documents for the CAC. In the Chair's absence, the Vice-Chair shall preside and complete all other duties of the Chair. In the absence of both the Chair and the Vice-Chair, the Members present shall elect a Chair Pro-Tem to preside and complete all other duties of the Chair.

In the event that the Chair is unable to carry out his/her duties for the remainder of the term, the Vice-Chair shall automatically become Chair and a new Vice-Chair shall be elected for the remainder of the term.

5. MEETINGS

A. Regular Meetings

Meetings will be held on the first Wednesday of each month, except as noted on the meeting calendar published to the public on the TPA website. A quorum is required to vote on issues for recommendation to the TPA Board. If a quorum cannot be established, action items on the agenda will receive a consensus, which will be forwarded to the TPA Board. The TPA Executive Director may cancel regular meetings should there be insufficient business on the CAC agenda or a lack of anticipated quorum.

B. Special Meetings

Special meetings may be called by the Chair with three (3) day notice. Whenever possible, at least seven (7) day notice shall be given.

C. Attendance

Each CAC Member shall be expected to attend each regular meeting. It shall be the obligation of the CAC Member to provide at least 24-hours advance notice to the TPA when the Member will not be attending a meeting. An absence without advance notice will be considered unexcused.

CAC Members are expected to attend scheduled meetings on a regular basis. CAC Members shall be automatically removed for lack of attendance. Lack of attendance is defined as unexcused absence at three (3) consecutive meetings.

D. Agenda

The agenda is a published list of items for consideration (action items) or discussion (information items) at a meeting. The agenda and any backup material for a CAC meeting shall be published for the public on the TPA website at least seven (7) days prior to the meeting, or as early as practicable. When good cause is shown in the judgment of the CAC a CAC Member, or the TPA Executive Director, may propose an additional item(s) be added to the agenda prior to adoption of the agenda for a given meeting. Additional of an item to the agenda is, subject to approval by a majority of the Members voting at the meeting; provided that consideration of such item(s) is consistent with the TPA's Public Involvement Plan noticing requirements.

CAC Members wishing to add an agenda item or organizations wishing to make a presentation to the CAC must contact the TPA Executive Director at least ten (10) days prior to the meeting.

E. Voting Procedures

The Chair and any CAC Member may call for a vote on any issue, provided that it is seconded and within the purposes set forth on the agenda.

Voting shall be by voice but the minutes shall contain sufficient detail to record the vote of each Member. A Roll Call vote shall be held upon the request of the Chair, a CAC Member, or the TPA Executive Director. A tie vote shall be interpreted as a failure to pass.

Any CAC Member who voted on the prevailing side may make a motion for reconsideration at the meeting during which the vote was taken or at the next regularly scheduled meeting unless the action for which the vote was taken has been completed by the next regularly scheduled meeting and cannot be undone. A CAC Member desiring to request reconsideration of a matter shall advise the Executive Director no less than ten (10) days prior to the meeting. The TPA Executive Director shall endeavor to provide notice of the request to the CAC Members prior to the meeting. Any CAC Member who was not present at the meeting at which the vote was taken shall be deemed to be on the prevailing side unless the absence was unexcused. A motion to reconsider cannot be renewed if it has been voted on and defeated except by unanimous consent of those voting Members present at the meeting. Proxy and absentee voting are not permitted.

CAC Members may not abstain from voting, unless the Member has a voting conflict of interest as defined by Florida Statutes s. 112.3143, or unless the matter is quasi-judicial in nature and the abstention is to avoid prejudice or bias as provided in Florida Statutes s. 286.012.

If a CAC Member is going to abstain from voting, the member must declare the conflict at the beginning of the public meeting and not participate in the discussion of the item. The member must then submit a completed Florida Commission on Ethics - Form 8B to the TPA secretary within 15 days after the abstention occurs.

In the absence of any direction from these by-laws or other duly adopted voting procedures pursuant to certain approval actions, the TPA Governing Board's By-laws will control.

F. Public Comment Procedures

All CAC meetings shall be open to the public. Members of the public are permitted to speak on any topics not on the agenda during the General Public Comment period by providing a Speaker Card to the TPA Executive Director, or the Director's designee, prior to the commencement of, or during, the meeting. Members of the public may speak on agenda items following presentation of the item to the CAC by providing a Speaker Card to the TPA Executive Director, or the Director's designee. Public comment shall be limited to three (3) minutes.

G. Florida's Open Meetings Law

Every CAC Member shall comply with the State's Open Meetings Law. This includes not discussing current agenda items or other matters that may foreseeably come before the CAC for action with other CAC Members outside of a noticed meeting.