



PALM BEACH
Transportation
Planning Agency

TECHNICAL ADVISORY COMMITTEE (TAC)
BY-LAWS

Approved by the TPA
June 21, 2018

1. PURPOSE

Pursuant to Florida Statutes s. 339.175(6)(d), the Palm Beach Transportation Planning Agency (TPA) Governing Board has created the Technical Advisory Committee (TAC) to review and make recommendations regarding items to be considered by the TPA Governing Board. These by-laws facilitate efficient conduct by the TAC 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 TAC responsibilities to the TPA Governing Board are to provide technical review, comments and recommendations on specific transportation plans, programs, studies, and other appropriate documents and regional transportation issues. The TAC shall address other matters and concerns when directed by the TPA Governing Board. It shall be the function of the TAC to:

- Assist the TPA Governing Board in formulation of their goals and objectives.
- Provide technical review of the preliminary findings and make recommendations to the TPA Governing Board regarding:
 - Mobility studies and reports proposed or underway;
 - 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;
 - Priority recommendations for program implementation based upon the needs as determined by technical studies, or upon the fiscal feasibility of projects;
 - Provide recommendations regarding any 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;
 - Safe access to schools, including coordination of actions with local school boards and other local programs and organizations within the metropolitan area which participate in school safety activities, such as locally established community traffic safety teams.

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 the Palm Beach County 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. **TAC Member** - A local government, aviation department, seaport department, public transit department/agency, the School District of Palm Beach County and other entities as deemed appropriate by the TPA Governing Board
- E. **TAC Representative** - An individual nominated by the TAC Member and appointed by the TPA Governing Board to represent the TAC Member at TAC meetings. If a TAC Member has a TAC Representative and TAC Alternate, these terms are used interchangeably.
- F. **TAC Alternate** - An individual nominated by the TAC Member and appointed by the TPA Governing Board to represent the TAC Member at TAC meetings in the event the TAC Representative is not in attendance.
- G. **Quorum** - A quorum of the TAC shall be constituted by the presence of a majority of TAC Representatives, or TAC Alternates in the absence of the TAC Representative, of the TAC Members. Only designated TAC Representatives, or TAC Alternates physically present at the TAC meeting site shall count toward establishing a quorum.
- H. **Robert's Rules of Order** - *Roberts Rules of Order, Newly Revised (10th Edition)*.

3. MEMBERSHIP

A. Number of TAC Members

The number of TAC Members for the TPA shall be as determined, from time to time, by the TPA Governing Board. An agency seeking membership on the TAC shall submit a written request to the TPA for consideration and approval by the TPA Governing Board. The TPA Governing Board has final approval of membership in accordance with F.S. 339.175, Section (6)(d). If the Florida Department of Transportation (FDOT) seeks membership on the TAC their Representative and Alternate would serve as a non-voting, adviser, and who is not a member of the TAC.

B. TAC Representatives

Each TAC Member shall nominate a TAC Representative with a description of the individual's credentials and submit the nomination in writing to the TPA for consideration and approval by the TPA Governing Board. No advisory committee Representative may serve on more than one advisory committee to the TPA Governing Board at any time. The membership of the technical advisory committee must include, whenever possible, planners; engineers; representatives of local aviation authorities, port authorities, and public transit authorities or representatives of aviation departments, seaport departments, and public transit departments of municipal or county governments, as applicable; the school superintendent of each county within the jurisdiction of the M.P.O. or the superintendent's designee; and other appropriate representatives of affected local governments.

C. TAC Alternates

Each TAC Member may nominate a TAC Alternate(s) with a description of the individual's credentials and submit the nomination in writing to the TPA for consideration and approval by the TPA Governing Board. The Alternate must meet the same qualifications as a TAC Representative. A TAC Alternate may serve as a TAC Representative for the TAC Member during any meeting, or portion of a meeting, where that TAC Representative is not in attendance. No advisory committee Alternate may serve on more than one advisory committee to the TPA Governing Board at any time.

D. Term Limits for TAC Representatives and Alternates

TAC Representatives and Alternates shall serve at the pleasure of the TPA Governing Board for a three (3) year term. TAC Representatives and TAC Alternates may be reappointed by the TPA Governing Board and are not required to submit an updated letter of request or credentials.

4. OFFICERS

A. Officers Defined

The officers of the TAC 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, or as soon thereafter as may be convenient to the TAC. The newly elected officers shall take office at the first regularly scheduled meeting of the following calendar year after their election occurs. 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, or until their successor is elected, whichever event occurs later in time.

D. Duties of Officers

The Chair shall call and preside at TAC meetings and sign official documents for the TAC. 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 TAC Representatives in attendance shall elect a Chair Pro-Tem to preside and complete all other duties of the Chair in the absence of the Chair and Vice 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 TAC agenda or an anticipated lack of quorum.

B. Special Meetings

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

C. Attendance

Each TAC Representative shall be expected to attend each regular meeting. It shall be the obligation of a TAC Representative to provide reasonable notice to the TAC Alternate when the TAC Representative will not be attending a meeting, and to provide at least 24-hours advance notice to the TPA when neither a TAC Representative nor TAC Alternate will be attending a meeting. An absence without advance notice and without having a TAC Alternate in attendance will be considered unexcused.

TAC Representatives shall be automatically removed for lack of attendance. Lack of attendance is defined as unexcused absence at three (3) consecutive meetings. Further, TAC Members that do not have a TAC Representative or TAC Alternate for three (3) consecutive meetings will be presented to the TPA Board for consideration and removal from the committee.

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 TAC 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 TAC, at the request of a TAC Representative, TAC Alternate, or the TPA Executive Director, an additional item(s) may be added to the agenda prior to adoption of the agenda for a given meeting. Addition of an item to the agenda is subject to approval by a majority of the TAC Representatives/Alternates voting at the meeting; provided that consideration of such item(s) is consistent with the TPA's Public Participation Plan noticing requirements.

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

E. Voting Procedures

The Chair and any TAC Representative may call for a vote on any issue, provided that it is seconded and within the purposes set forth on the agenda. At any given meeting, if a TAC Representative(s) is absent, the TAC Alternate(s), may vote in place of the absent Representative(s).

Voting shall be by voice but the minutes shall contain sufficient detail to record the vote of each TAC Representative/Alternate. A Roll Call vote shall be held upon the request of the Chair, a TAC Representative, or the TPA Executive Director. A tie vote shall be interpreted as a failure to approve the motion made.

Any TAC Representative 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 executed by the next regularly scheduled meeting and cannot be undone. A TAC Representative 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 TAC Members prior to the meeting. Any TAC Representative who was not in attendance 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 TAC Representatives present at the meeting. Proxy and absentee voting are not permitted.

TAC Representatives/Alternates may not abstain from voting, unless the Representative/Alternate 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 TAC Representative/Alternate 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 Representative/Alternate 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 TAC 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 Executive 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 TAC by providing a Speaker Card to the TPA Executive Director, or the Director's designee. Public comment shall be limited to three (3) minutes, unless the Chair or the TAC Representatives authorize an extension of time.

G. Florida's Open Meetings Law

Every TAC Representative/Alternate 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 TAC for action with other TAC Representatives outside of a noticed meeting.