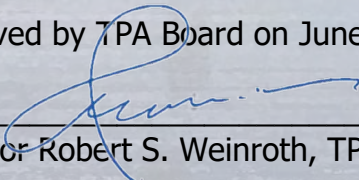




# PALM BEACH Transportation Planning Agency

## Operating Procedures

Approved by TPA Board on June 16, 2022

  
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Mayor Robert S. Weinroth, TPA Chair



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# Section 1. General Information

## 1.1 Purpose

The Palm Beach Transportation Planning Agency (TPA) Operating Procedures facilitate efficient conduct by the TPA as it collaboratively plans, prioritizes and funds a safe, efficient, connected, and multimodal transportation system for all of Palm Beach County.

## 1.2 Authority

The federal government, under the authority of Title 23 United States Code (USC) §134 and Title 49 USC §5303, requires each metropolitan area, as a condition for the receipt of federal capital or operating assistance, to designate a Metropolitan Planning Organization (MPO) to conduct a continuing, cooperative, and comprehensive transportation planning process that results in transportation plans and programs consistent with the comprehensively planned development of the metropolitan area. Pursuant to Titles 23 USC §134(d), 49 USC §5303, 23 CFR §450.310(b), and Section 339.175(2), Florida Statutes (F.S.), the Palm Beach MPO, d/b/a the Palm Beach TPA is designated by Interlocal Agreement to serve as the federally mandated MPO for that part of the Miami Urbanized Area Transportation Management Area (TMA) within Palm Beach County (PBC).

## 1.3 Definitions

The following terms when used in these Operating Procedures 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 that part of the Miami Urbanized Area Transportation Management Area (TMA) within Palm Beach County.
- B. Interlocal Agreement - The agreement executed by the Governor and units of general purpose local government representing at least 75 percent of the affected population in the Palm Beach County urbanized area which formally designates the TPA, as it may be amended from time to time.
- C. 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.
- D. 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.
- E. Governing Board Representative - An elected official appointed by a Governing Board Member to exercise its voting membership on the TPA Governing Board.

- F. Governing Board Alternate - An elected official appointed by a Governing Board Member to exercise its voting membership on the TPA Governing Board in the event the Representative is not in attendance.
- G. TAC Member - A local government, airports, seaports, public transit agencies, the school superintendent or designee, and other entities as deemed appropriate by the TPA Governing Board.
- H. 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.
- I. 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.
- J. 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.
- K. VZAC Member – A local government, law enforcement and fire rescues services, school district, health department, active transportation advocacy groups, or other entity as deemed appropriate by the TPA Governing Board.
- L. VZAC Representative - An individual nominated by the VZAC Member and appointed by the TPA Governing Board to represent the VZAC Member at VZAC meetings. If a VZAC Member has a Representative and Alternate, these terms are used interchangeably.
- M. VZAC Alternate - An individual nominated by the VZAC Member and appointed by the TPA Governing Board to represent the VZAC Member at VZAC meetings in the event the VZAC Representative is not in attendance.
- N. Quorum – A quorum of the TPA Board or any of its committees shall be constituted by a majority of Representatives (or Members, for the CAC). Only designated Representatives physically present shall count toward establishing a quorum unless the TPA is operating under Section 6. Emergency Powers.
- O. Robert's Rules of Order - Roberts Rules of Order, Newly Revised (10th Edition).
- P. Communications Media Technology - the electronic transmission of printed matter, telephone, audio, computer, full-motion video, freeze-frame video, compressed video, and digital video by any method available.

## **1.4 Interpretations**

If any provision of these Operating Procedures conflicts with the Interlocal Agreement that designates the TPA, the Interlocal Agreement shall control. Furthermore, all provisions contained in these Operating

Procedures shall be interpreted to be consistent with applicable state and federal law and the TPA's Public Participation Plan (PPP). In the event of a conflict, state or federal law shall control.

## **Section 2. TPA Governing Board**

### **2.1 Membership**

- A. Number of Governing Board Members - The number of Governing Board Members for the TPA shall be as determined by the Interlocal Agreement, as amended.
- B. Representatives - Each Governing Board Member shall designate a Representative and notify the TPA in writing of this designation. The qualifications of Representatives shall be as specified in the Interlocal Agreement.
- C. Alternates - Each Governing Board Member shall designate an Alternate(s) and notify the TPA in writing of this designation. The Alternate must meet the same qualifications as a Representative. An Alternate may serve as a Representative for the Governing Board Member during any meeting or portion of a meeting where that Governing Board Member's Representative is not in attendance.
- D. Term of Office - Representatives and Alternates shall serve until the TPA has been notified in writing of a new designation by the Governing Board Member or until their earlier death, resignation, disqualification, incapacity to serve, or removal in accordance with the law.

### **2.2 Officers**

- A. Officers - The officers of the TPA shall consist of a Chair, a Vice Chair, and three at-large Representatives of the Governing Board. Together, the officers shall be referred to as the Executive Committee. Not more than two of the officers may be County Commissioners.
- B. Elections - The officers shall be elected annually at the last regularly scheduled meeting of the calendar year or earlier if desired by the TPA Governing Board. The newly elected officers shall take office on the first day of the following calendar year or earlier if desired by the TPA Governing Board. Additional elections may be held as necessary if an officer cannot carry out said officer's duties and complete the remainder of the appointed term.
- C. Officer Criteria - The Chair must have served on the TPA Governing Board as a Representative for a minimum of one year prior to taking office. All officers must have completed the MPOAC Institute training program for elected officials, attended a national Association of MPOs (AMPO) Conference, or received similar training. The training criteria can be waived by majority vote of the TPA Governing Board.
- D. Terms of Office - The term of office for officers shall be until their successors take office as provided in Section 2.2.B.
- E. Duties of the Chair - The Chair shall call and preside at TPA Governing Board meetings, set the order of business for each meeting and sign official documents for the TPA. 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 Representatives 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 their duties for the remainder of the term, the Vice Chair shall automatically become Chair and a new Vice Chair shall be elected from the remaining Representatives, including the at-large members of the Executive Committee, for the remainder of the term.

- F. Duties of the Executive Committee – The Executive Committee shall:
1. Meet annually to review and recommend updates to the TPA’s Strategic Plan for consideration by the Governing Board;
  2. Meet as necessary to review and recommend content related to other TPA initiatives (e.g., the 561 Mobility Plan, the Vision Zero Action Plan, transportation surtax funding strategies, and other plans and strategies) for consideration by the Governing Board;
  3. Meet as necessary to review and recommend updates to TPA policies and procedures as requested by the Executive Director;
  4. Meet as necessary to participate in TPA procurement selection committees as requested by the Executive Director;
  5. Meet as necessary to facilitate the process of hiring a new Executive Director, including but not limited to refining the job profile, evaluating candidates, recommending a candidate, negotiating an employment agreement for Board consideration, and recommending an interim director for Board consideration; and
  6. Undertake other tasks as may be assigned by the Governing Board.
- G. Agency clerk - The TPA Executive Director shall act as the Agency Clerk pursuant to Section 339.175(2)(e), F.S.

## 2.3 Meetings

- A. Regular Meetings - Meetings will be held on the third Thursday of each month, except as noted on the meeting calendar published to the public on the TPA website. The Chair may cancel regular meetings should there be insufficient business on the TPA's tentative 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. Workshops - Workshops may be called from time to time and shall not require a quorum; however, all workshops shall be noticed in the same manner as regular meetings of the TPA Governing Board. No official actions may be taken at a workshop.
- D. Attendance - Each Representative shall be expected to attend each regular meeting. It shall be the obligation of the Representative to provide at least 24-hours advance notice to the TPA when the Representative will not be attending a meeting. It shall be the obligation of a Representative to provide reasonable notice to the Alternate when the Representative will not be attending a meeting. An absence without advance notice or without having an Alternate in attendance will be considered unexcused.

When a Representative or Alternate for a Governing Board Member does not attend three (3) consecutive regular meetings, the TPA Executive Director will send a letter to the chief elected officer of the Governing Board Member indicating the number of absences and requesting reaffirmation or reappointment of the Governing Board Member's Representative.

- E. Agenda - The Executive Director, in consultation with the Chair, shall create a published list of items for decision (consent and action items), discussion (special presentations, reports, and information items), and receipt without discussion (administrative items) at a meeting. The agenda and any backup material for a TPA Governing Board meeting shall be published on the TPA website seven (7) days prior to the meeting or as early as practicable. Only when extenuating circumstances warrant, a Representative, Alternate, or the TPA Executive Director may propose an additional item or a modification to the agenda at the commencement of a given meeting, subject to approval by a majority of the Representatives/Alternates at the meeting; provided that consideration of such item(s) is consistent with the TPA's PPP noticing requirements.

TPA advisory committee requests to add an item to a TPA Governing Board meeting agenda or to furnish work product (*e.g.*, written report, video, *etc.*) of a specific topic to the TPA Governing Board shall first be approved by the committee in the manner and format in which the matter should be presented.

Organizations wishing to make a presentation to the TPA Governing Board must contact the Executive Director at least ten (10) days prior to the meeting. The Executive Director shall consult with the Chair to determine if the presentation should take place during the public comment period or be added as a regular agenda item. Presentations added to the regular agenda shall be limited to ten (10) minutes or as allowed by the Chair.

Members of the public wishing to add an item to a future agenda must first request the item during a Board meeting by submitting a public comment. The Board will determine whether to add the item to a future meeting.

- F. Voting Procedures - The Chair and any Representative may call for a vote on any issue, provided that it is seconded and within the purposes set forth on the agenda. Representatives must be physically present to vote unless a Representative is approved to participate remotely by the physically present Representatives. At any given meeting, if a Representative(s) is absent, the 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 Representative/Alternate. A Roll Call vote shall be held upon the request of the Chair, a Representative, or the TPA Executive Director. Pursuant to Section 339.175(13) F.S. a recorded roll call vote shall be taken for the Long Range Transportation Plan (LRTP), the Transportation Improvement Program (TIP), and any corresponding amendments. A tie vote shall be interpreted as a failure to pass.

Any 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 completed by the next regularly scheduled meeting and cannot be undone. A Representative desiring to request reconsideration of a matter shall advise the Executive Director no less than ten (10) days prior to the meeting. The Executive Director shall endeavor to provide notice of the request to the TPA Governing Board Members

prior to the meeting. Any Representative 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 present at the meeting.

Board Representatives/Alternates may not abstain from voting, unless the Representative/Alternate has a voting conflict of interest as defined by Section 112.3143, F.S., or unless the matter is quasi-judicial in nature and the abstention is to avoid prejudice or bias as provided in Section 286.012, F.S. If a Representative/Alternate abstains from voting, the Representative/Alternate must declare the conflict at the introduction of the item 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 Agency Clerk within 15 days after the abstention occurs.

In the absence of any direction from these Operating Procedures or other duly adopted voting procedures pursuant to certain approval actions, Robert's Rules of Order will designate procedures governing voting over any TPA Governing Board, advisory committee, subcommittee or ad hoc committee meeting. In the interest of efficiency or flexibility, a majority consensus of the TPA Governing Board may approve departures from Robert's Rules of Order.

Proxy and absentee voting are not permitted.

- G. Public Comment Procedures - All TPA Governing Board 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 Executive Director or designee prior to the commencement of the meeting. Members of the public are allowed to speak on agenda items following presentation of the item to the TPA Governing Board but prior to Representative discussion, by providing a Speaker Card to the Executive Director or designee prior to the presentation of the item. Public comment shall be limited to three (3) minutes. The deadlines for submitting a Speaker Card and time limits for public comment may be waived by the Chair.
- H. Florida's Open Meetings Law - Every Representative/Alternate shall comply with the State's Open Meetings Law. This includes not discussing current board items or other matters that may foreseeably come before the TPA Governing Board for action with other members outside of a noticed meeting.

## 2.4 TPA Board Committees

As necessary, the TPA Governing Board may establish a committee of Representatives and/or Alternates to investigate and report on specific subject areas of interest to the TPA Governing Board.

A TPA Board Committee shall consist of at least three (3) Representatives and/or Alternates. A majority of the committee members must be physically present for the committee to take formal action. The committee shall meet and establish a chair and vice chair. The chair or vice chair shall report to the TPA Governing Board at its next regular meeting on the committee's activities.

A TPA Board Committee's authority shall be limited to making recommendations regarding items to be considered by the TPA Governing Board.



## 2.5 TPA Advisory Committees and Ad Hoc Committees

The TPA Governing Board relies on the standing advisory committees as outlined below to review and make recommendations regarding items to be considered by the TPA Governing Board. No advisory committee member may serve on more than one advisory committee to the TPA Governing Board at any time; however, advisory committee members may serve on more than one ad hoc committee in addition to serving on an advisory committee.

- A. Technical Advisory Committee (TAC) - The TAC is comprised of representatives of local governments, airports, seaports, public transit agencies, the school superintendent or designee, and other entities as deemed appropriate by the TPA Board pursuant to Section 339.175(6)(d), F.S.
- B. Citizen's Advisory Committee (CAC) - The CAC is responsible for providing the TPA Governing Board with a "citizen's eye" view of ongoing transportation issues in Palm Beach County. Members are appointed by the TPA Governing Board according to required special designations in accordance with Section 339.175(e.)1., F.S. and other categories as identified by the TPA Governing Board.
- C. Vision Zero Advisory Committee (VZAC) – The VZAC is comprised of county and municipal planners, law enforcement and fire rescues services, school district, health department, active transportation advocacy groups, or other entity as deemed appropriate by the TPA Governing Board to advance those elements of the TPA’s Vision Zero Action Plan oriented around pedestrian and bicycle safety.

From time to time, an advisory committee or the Executive Director may form an ad hoc committee for the purpose of investigating specific subject areas of interest. Ad hoc committees shall report to the advisory committee(s) on their activities at the next available meeting.

## 2.6 Transportation Disadvantaged Local Coordinating Board (LCB)

The TPA Governing Board is the Designated Official Planning Agency (DOPA) for the Palm Beach County Transportation Disadvantaged (CTD) program, as designated by the Florida Commission for the Transportation Disadvantaged. In accordance with Section 427.0157, F.S., all members of the LCB shall be appointed by the DOPA. Membership and conduct are established by separate by-laws adopted by the LCB.

The LCB is an advisory body to the CTD and identifies local service needs and provides information, advice and direction to the Palm Beach County Community Transportation Coordinator (CTC) on the coordination of services to be provided to the transportation disadvantaged through the Florida Coordinated Transportation System.

# Section 3. Technical Advisory Committee (TAC)

## 3.1 Role and Function

Pursuant to Section 339.175(6)(d), F.S., the TAC provides technical review, comments and recommendations regarding items to be considered by the TPA Governing Board, including transportation plans, programs, studies, and other appropriate documents and regional transportation issues. The TAC addresses other matters and concerns when directed by the TPA Governing Board. It shall be the function of the TAC to provide technical review and make recommendations to the TPA Governing Board regarding:

- Long Range Transportation Plans (LRTP) goals, objectives, performance measures, targets and desired and cost feasible projects and programs;
- Priority Project Lists, Transportation Improvement Programs (TIP), and Unified Planning Work Programs (UPWP);
- Objective Scoring system used to rank project applications submitted for funding through the annual Local Initiatives (LI) Program and State Road Modifications Program (SRM);
- Other TPA-led transportation plans, studies and reports;
- Transportation plans, studies, reports, and project designs presented to the TPA by partner agencies (FDOT, PBC Engineering, Municipalities, SFRTA, Palm Tran, Seaport, Airport, etc.);
- Regional transportation plans, studies, reports, and projects; and
- Proposed TPA policy or position statements.

## 3.2 Membership

- A. Number of TAC Members - The number of TAC Members shall be as determined 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 Section 339.175(6)(d), F.S. If FDOT seeks membership on the TAC, their Representative and Alternate would serve as a non-voting adviser.
- B. TAC Representatives - Each TAC Member shall nominate a TAC Representative by submitting a written nomination and a description of the individual's credentials 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 MPO 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) by submitting a written nomination and a description of the individual's credentials 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.

### 3.3 Officers

- A. Officers - 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. 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 their 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 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 Representatives 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 their 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.

### 3.4 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 TPA staff, in consultation with the Chair, shall create a published list of items for decision (consent and action items), discussion (special presentations, reports, and information items), and receipt without discussion (administrative 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.

In the event a TAC member desires to have an item added to a TAC meeting agenda or to furnish work product (*e.g.*, written report, video, *etc.*) of a specific topic to the TAC, it shall first be approved by the TAC. The item or work product may be added as an agenda item to a future TAC meeting agenda by a TAC member first making the request at a TAC meeting during the member comments section. The TAC will determine whether to add the item or work product to a future meeting and the manner and format in which the matter should be presented.

Organizations wishing to make a presentation to the TAC, 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 Section 112.3143, F.S. or unless the matter is quasi-judicial in nature and the abstention is to avoid prejudice or bias as provided in Section 286.012, F.S.

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.

- 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 authorizes 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.

## **Section 4. Citizen's Advisory Committee (CAC)**

### **4.1 Role and Function**

Pursuant to Section 339.175(6)(e), F.S., the CAC reviews and makes recommendations regarding items to be considered by the TPA Governing Board 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 provide citizen's review and make recommendations to the TPA Governing Board regarding:

- Public Participation Plan (PPP) development, implementation and modification;
- Policies and/or Projects contained within the TPA's Long Range Transportation Plans (LRTP), Priority Project Lists, Transportation Improvement Programs (TIP), and Unified Planning Work Programs (UPWP);
- Other TPA-led transportation plans, studies and reports;
- Transportation plans, studies, reports, and project designs presented to the TPA by partner agencies (FDOT, PBC Engineering, Municipalities, SFRTA, Palm Tran, Seaport, Airport, etc.);
- Regional transportation plans, studies, reports, and projects; and
- Proposed TPA policy or position statements.

## 4.2 Membership

- A. Number of CAC Members - The 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.

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 requirements.

- B. 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.

## 4.3 Officers

- A. Officers - 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 their 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 and 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 their 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.

## 4.4 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.

Additionally, when a CAC Member does not attend three (3) consecutive meetings for any reason, the TPA will send a letter to the CAC Member indicating the number of absences and requesting reaffirmation of the CAC Member's intent to serve on the committee.

- D. Agenda - The TPA staff, in consultation with the Chair, shall create a published list of items for decision (consent and action items), discussion (special presentations, reports, and information items), and receipt without discussion (administrative 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.

In the event a CAC member desires to have an item added to a CAC meeting agenda or to furnish work product (*e.g.*, written report, video, *etc.*) of a specific topic to the CAC, it shall first be approved by the CAC. The item or work product may be added as an item to a future CAC agenda by a CAC member first making the request at a CAC meeting during the member comments section. The CAC will determine whether to add the item or work product to a future meeting agenda and the manner and format in which the matter should be presented.

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 Section 112.3143, F.S., or unless the matter is quasi-judicial in nature and the abstention is to avoid prejudice or bias as provided in Section 286.012, F.S.

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.

- 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 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 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 unless the Chair authorizes an extension of time.
- 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.

## **Section 5. Vision Zero Advisory Committee (VZAC)**

### **5.1 Role and Function**

The VZAC serves in an advisory capacity to the TPA Governing Board to advance those elements of the TPA's Vision Zero Action Plan oriented around pedestrian and bicycle safety, and to address other matters and concerns when directed by the TPA. It shall be the function of the VZAC to review and make recommendations to the TPA Governing Board regarding the non-motorized elements of:

- Objective Scoring system used to rank project applications submitted for funding through the annual Transportation Alternatives Program and project rankings;
- The TPA's Long Range Transportation Plans (LRTP), Priority Project Lists, Transportation Improvement Programs (TIP), and Unified Planning Work Programs (UPWP);
- Other TPA-led transportation plans, studies and reports;
- Transportation plans, studies, reports, and project designs presented to the TPA by partner agencies (FDOT, PBC Engineering, Municipalities, SFRTA, Palm Tran, Seaport, Airport, etc.);
- Regional transportation plans, studies, reports, and projects; and
- Other items of interest as determine by the TPA or the VZAC.



## 5.2 Membership

- A. Number of VZAC Members - The number VZAC Members for the TPA shall be as determined by the TPA Governing Board. An agency seeking membership on the VZAC 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. If FDOT seeks membership on the VZAC their Representative and Alternate would serve as a non-voting advisor. The membership of the VZAC shall include representatives of local governments, law enforcement and fire rescues services, school district, health department, active transportation advocacy groups, and other entities as deemed appropriate by the TPA Board to advance those elements of the TPA's Vision Zero Action Plan oriented around pedestrian and bicycle safety.
- B. VZAC Representatives - Each VZAC Member shall nominate a VZAC Representative by submitting a written nomination and a description of the individual's credentials 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.
- C. VZAC Alternates - Each VZAC Member may nominate a VZAC 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 VZAC Alternate must meet the same qualifications as a VZAC Representative. A VZAC Alternate may serve as a VZAC Representative for the VZAC Member during any meeting, or portion of a meeting, where that VZAC Member's 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 VZAC Representatives and Alternates - VZAC Representatives and VZAC Alternates shall serve at the pleasure of the TPA Governing Board for a three (3) year term. VZAC Representatives and Alternates may be reappointed by the TPA Governing Board and are not required to submit an updated letter of request or credentials.

## 5.3 Officers

- A. Officers - The officers of the VZAC 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 their duties and complete the remainder of the appointed term.
- C. Term 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 VZAC meetings and sign official documents for the VZAC. 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 their 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.

## 5.4 Meetings

- A. Regular Meetings - Meetings will be held on the first Thursday 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 VZAC 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 VZAC Representative shall be expected to attend each regular meeting. It shall be the obligation of a VZAC Representative to provide reasonable notice to the VZAC Alternate when the VZAC Representative will not be attending a meeting, and to provide at least 24-hours advance notice to the TPA when neither a Representative nor Alternate will be attending a meeting. An absence without advance notice and without having an Alternate in attendance will be considered unexcused.

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

- D. Agenda - The TPA staff, in consultation with the Chair, shall create a published list of items for decision (consent and action items), discussion (special presentations, reports, and information items), and receipt without discussion (administrative items) at a meeting. The agenda and any backup material for a VZAC 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 VZAC, at the request of a VZAC Representative, 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 VZAC Representatives/Alternates voting at the meeting; provided, that consideration of such item(s) is consistent with the TPA's Public Participation Plan noticing requirements.

In the event a VZAC member desires to have an item added to a VZAC meeting agenda or to furnish work product (*e.g.*, written report, video, *etc.*) of a specific topic to the VZAC, it shall first be approved by the VZAC. The item or work product may be added as an item to a future VZAC meeting agenda by a VZAC member first making the request at a VZAC meeting during the member comments section. The VZAC will determine whether to add the item or work product to a future meeting agenda and the manner and format in which the matter should be presented.

Organizations wishing to make a presentation to the VZAC must contact the TPA Executive Director at least ten (10) days prior to the meeting.

- E. Voting Procedures - The Chair and any VZAC 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 VZAC Representative(s) is absent, the VZAC 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 VZAC Representative/Alternate. A Roll Call vote shall be held upon the request of the Chair, a VZAC Representative, or the TPA Executive Director. A tie vote shall be interpreted as a failure to approve the motion made.

Any VZAC 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 VZAC 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 VZAC Members prior to the meeting. Any VZAC 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 VZAC Representatives present at the meeting. Proxy and absentee voting are not permitted.

VZAC Representatives/Alternates may not abstain from voting, unless the Representative/Alternate has a voting conflict of interest as defined by Section 112.3143, F.S., or unless the matter is quasi-judicial in nature and the abstention is to avoid prejudice or bias as provided in Section 286.012, F.S.

If a VZAC 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.

- F. Public Comment Procedures - All VZAC 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 VZAC 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 authorizes an extension of time.
- G. Florida's Open Meetings Law - Every VZAC 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 VZAC for action with other VZAC Representatives outside of a noticed meeting.

## **Section 6. Emergency Powers**

### **6.1 Applicability**

In the event that an emergency prevents the TPA from conducting a board or committee meeting consistent with these Operating Procedures, the following emergency powers are established.

## 6.2 Virtual Meetings

If the TPA Governing Board, or any of its committees, is permitted by law, executive order, or similar action to conduct a meeting with a quorum of the Governing Board or TPA committee established virtually, the TPA shall conduct these meetings utilizing communications media technology.

Public notice of these meetings shall be provided consistent with the TPA's PPP and with state law, shall include instructions to access the public meeting via communications media technology and shall name locations, if any, where communications media technology shall be available for use by the public.

The public meeting shall provide the opportunity for public comment, and all comments, evidence, testimony, or written submissions shall be afforded equal consideration. The notice of the public meeting shall include instructions regarding how members of the public may submit written documents, written comments, written questions before the meeting or verbal comments or questions to be presented during the public meeting.

## 6.3 Emergency Approvals

In the event that the TPA is not able to conduct a board meeting consistent with these Operating Procedures or using communications media technology, and the TPA is required to take an immediate action approving or amending one of its essential documents (LRTP, Priority Project List, TIP, UPWP, etc.) or executing an implementing agreement or application for one of its essential documents, the TPA Chair (or Vice Chair in the absence of the Chair), upon consultation with the Executive Director and TPA General Counsel, is hereby authorized to approve or amend the essential document and/or execute the implementing agreement or application on behalf of the TPA.

The TPA Executive Director is authorized to submit any documents approved under this emergency authority to the Florida Department of Transportation, Federal Highway Administration, and/or Federal Transit Administration as necessary along with documentation of the TPA's inability to conduct a TPA Board meeting consistent with these Operating Procedures or using communications media technology.

Any documents approved under this emergency authority shall be presented to the TPA Board at its next Board meeting for endorsement or modification, provided that the action taken using the emergency authority is able to be modified. The TPA will also provide opportunity for public review and comment at that time in a manner consistent with the PPP.

# Section 7. Amendments

These operating procedures may be amended at any meeting of the Governing Board by a majority vote of those Governing Board Representatives attending the meeting; provided, that the draft proposed amendment appears on the agenda and the draft proposal is included in the agenda package at least seven (7) days prior to the meeting. An amendment to a draft proposal taking place at a Governing Board meeting shall not require re-noticing of the proposal to amend these Operating Procedures.