



Agenda Item 2.B

TPA By-Laws Update

April 16, 2020



Purpose of the Update

- Allow LCB meetings to be held via Communications Media Technology in the event that there is an emergency preventing the board from meeting in person
- Repeals previously adopted by-laws

Article 2, Section A: Definitions

J. 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.

Article 5, Section G: Quorum

At all meetings of the Board, the presence in person of at least one-third (1/3) of the voting members, or their alternatives, shall be necessary and sufficient to constitute a quorum for the transaction of business, unless the TPA is operating under Article 10: Emergency Powers. A minimum of three (3) voting members must be present to hold a meeting.

Article 6, Section A: General

~~The Palm Beach County Board of County Commissioners through the~~
The Palm Beach Transportation Planning Agency (TPA), the
Designated Official Planning Agency, provides staff for the LCB.

Article 10: Emergency Powers

Section A: Applicability

In the event that an emergency prevents the TPA from conducting an LCB meeting consistent with these by-laws, the following emergency powers are established.

Article 10: Emergency Powers

Section B: Virtual Meetings

If the TPA is permitted by law, executive order, or similar action to conduct a meeting with a quorum of the LCB establishes virtually, the TPA shall conduct these meetings utilizing Communications Media Technology.

Article 10: Emergency Powers

Section B: Virtual Meetings

Public notice of these meetings shall be provided consistent with Article 5, Section F 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.

Article 10: Emergency Powers

Section B: Virtual Meetings

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.

Article 10: Emergency Powers

Section C: 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 LCB is required to take an immediate action approving or amending one of its essential documents (TDSP, CTC Evaluation, By-Laws, Grievance Procedures, AOR, 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 LCB.

Article 10: Emergency Powers

Section C: Emergency Approvals

The TPA Executive Director is authorized to submit any documents approved under this emergency authority to the Commission as necessary along with documentation of the TPA's inability to conduct an LCB meeting consistent with these by-laws or using Communications Media Technology.

Article 10: Emergency Powers

Section C: Emergency Approvals

Any documents approved under this emergency authority shall be presented to the LCB at its next meeting for endorsement or modification, provided that the action taken using the emergency authority is able to be modified.

Article 11: Amendments

Article 101: Amendments

Section A: General

These by-laws may be amended by a majority vote of members present, if a quorum exists, providing the proposed change(s) is/are mailed to all members at least seven (7) days in advance of the meeting.

Article 12: Certification

Article 412: Certification

The undersigned hereby certifies that he is the Chair of the Local Coordinating Board and that the foregoing is a full, true and correct copy of the by-laws of this LCB as adopted on the 13th day of May, 2020.

Questions?