Palm Beach County Transportation Disadvantaged Local Coordinating Board

FY 2026 By-Laws

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Approved by: _____ Date: August 27, 2025

Uyen Dang, Vice Chair
Palm Beach County Local Coordinating Board

Section 1. General Information

1.1 Purpose

The following sets forth the by-laws that shall serve to guide the proper functioning of the coordination of transportation services provided to the transportation disadvantaged in Palm Beach County through the Transportation Disadvantaged (TD) Local Coordinating Board (LCB).

The purpose of the LCB is to identify local service needs and to provide 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.

1.2 Authority

Florida Statutes (F.S.) Chapter 427, Florida Administrative Code (FAC) Rule 41-2, and subsequent laws set forth requirements for the coordination of transportation services to the transportation disadvantaged.

The LCB is an advisory body that is established in section 427.0157, F.S., to advise the Commission and the CTC about local concerns and issues. Florida Statutes define an advisory body as: a body created by specific statutory enactment and appointed to function on a continuing basis for the study of the problems arising in a specified functional or program area of state government and to provide recommendations and policy alternatives.

The Designated Official Planning Agency for the Palm Beach County Transportation Disadvantaged program, as designated by the Commission, shall be the Palm Beach Metropolitan Planning Organization (MPO) doing business as the Palm Beach Transportation Planning Agency (TPA).

1.3 Definitions

A. Commission for the Transportation Disadvantaged - An independent state agency created to accomplish the coordination of transportation services provided to the transportation disadvantaged population.

B. Community Transportation Coordinator ("CTC" or "Coordinator") - A transportation entity recommended by the appropriate planning agency as provided for in Section 427.015(1), F.S., and approved by the Commission, to ensure that coordinated transportation services are provided to serve the transportation disadvantaged population in a designated service area.

C. Designated Official Planning Agency (DOPA) - The official body or agency designated by the Commission to fulfill the functions of transportation disadvantaged planning in areas not covered by a Metropolitan Planning Organization. The Metropolitan Planning Organization shall serve as the planning agency in areas covered by such organizations.

D. Non-sponsored Trip – A trip which is not subsidized in part or in whole by any local, state, or federal government funding source, other than the Transportation Disadvantaged Trust Fund.

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

F. Sponsored Trip - A passenger trip that is subsidized in part or in whole by a local, state, or federal government funding source (not including monies provided by the TD Trust Fund).

G. Transportation Disadvantaged - Those persons who because of physical or mental disability, income status, or age are unable to transport themselves or to purchase transportation and are, therefore, dependent upon others to obtain access to health care, employment, education, shopping, social activities, or other life-sustaining activities, or children who are disabled or high-risk or at-risk as defined in Section 411.202, F.S.

H. Transportation Disadvantaged Service Plan (TDSP) - A five-year implementation plan, with annual updates developed by the CTC and the planning agency which contains the goals the CTC plans to achieve and how they plan to achieve them. The plan shall be approved and used by the Coordinating Board to evaluate the coordinator.

I. Transportation Disadvantaged Trust Fund (TDTF) - A fund administered by the Commission for the Transportation Disadvantaged in which all fees collected for the transportation disadvantaged program shall be deposited. The funds deposited will be appropriated by the legislature to the Commission to carry out the Commission's responsibilities. Funds that are deposited may be used to subsidize a portion of a transportation disadvantaged person's transportation costs which are not sponsored by an agency.

J. Transportation Operator - One or more public, private for profit, or private non-profit entities contracted by the Community Transportation Coordinator to provide service to transportation disadvantaged persons pursuant to a coordinated transportation service plan.

K. 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 Ethical Obligations

Advisory boards are subject to State ethics laws. Two provisions of the Code of Ethics apply to LCB members: Standards of Conduct and Voting Conflicts.

A. Standards of Conduct: LCB members may NOT:

1. Solicit or accept gifts;
2. Do business with one's agency;
3. Collect unauthorized compensation;
4. Misuse the public position;
5. Hold conflicting employment or contractual relationships; or
6. Disclose or use certain information.

B. Voting Conflicts: No member of a board or commission who is present at any meeting of the board or commission at which an official decision, ruling, or other official act is to be taken or adopted may abstain from voting. The member's vote must be recorded or counted as with each member present, except when, with respect to any such member, there is, or appears to be, a possible conflict of interest under the Code of Ethics (Section 112.3143, F.S.).

LCB members are NOT required to file financial disclosure forms with the Florida Ethics Commission.

1.5 Government in the Sunshine

A. The Sunshine Law prohibits the LCB from holding meetings at any facility or location that discriminates on the basis of sex, age, race, creed, color, origin, or economic status or that operates in such a manner as to unreasonably restrict public access to such a facility. Section 286.26, F.S., directly addresses accessibility to public meetings for the physically disabled.

B. LCB's must follow the Government-In-The-Sunshine Law (Chapter 286, F.S.). The law provides a right of access to governmental proceedings at both the state and local levels. It applies to elected and appointed boards and to any gathering of two or more members of the same board to discuss some matter which will foreseeably come before that board for action.

C. The basic elements of the Sunshine law that the LCB must follow include:

1. Meetings of boards must be open to the public;
2. Reasonable notice of such meetings must be given; and
3. Minutes of the meeting must be taken.

1.6 Americans with Disabilities Act

The LCB must adhere to the Americans with Disabilities Act (ADA) that prohibits the discrimination of disabled citizens in employment, public services, transportation, public accommodations and telecommunications.

Title II of the ADA prohibits qualified individuals with a disability from being excluded from participation in or be denied the benefits of the services, programs, or activities of a public entity. The LCB must ensure that communications with participants and members of the public with disabilities are as effective as communications with others.

1.7 Communication with Other Agencies and Entities

The LCB may communicate directly with other agencies and entities as necessary to carry out its duties and responsibilities in accordance with Rule 41-2, FAC.

Section 2. Local Coordinating Board

2.1 Role and Function

The Board shall perform the following duties as specified in the adopted Local Coordinating Board By-Laws and pursuant to the CTD Program Manual::

A. Review and make recommendations regarding the approval of the Memorandum of Agreement (MOA) between the newly recommended CTC and the Commission;

B. Annually review, make recommendations and approve the TDSP. The LCB shall ensure that the TDSP has been developed by involving all appropriate parties in the process, to include, but not be limited to, the public, planning agency staff, and CTC;

C. Annually, provide the TPA with an evaluation of the CTC's performance in general and relative to Insurance, Safety Requirements and Standards as referenced in Rule 41-2.006, FAC, and the performance results of the most recent TDSP (41- 2.012(5)(b) FAC). As part of the CTC's performance, the LCB shall also set an annual percentage goal increase (or establish a percentage) for the number of trips provided within the system to be on public transit where such services are available. The LCB shall utilize the Commission's Quality Assurance Performance Evaluation Tool to evaluate the performance of the CTC. This evaluation Tool and Summary will be submitted to the Commission upon approval by the LCB. In areas where a planning agency serves as the CTC, the planning agency shall abstain from any official actions that represent a conflict of interest, especially in the evaluation process of the CTC;

D. In cooperation with the CTC, review and provide recommendations to the Commission and the TPA or Designated Official Planning Agency, on all applications for local government, state or federal funds relating to transportation of the transportation disadvantaged in the designated service area to ensure that any expenditures within the designated service area are provided in the most cost effective and efficient manner (427.0157(3), F.S.). The accomplishment of this requirement shall include the development and implementation of a process by which the Coordinating Board and CTC have an opportunity to become aware of any federal, state or local government funding requests and provide recommendations regarding the expenditure of such funds. Such funds may include expenditures for operating, capital or administrative needs. Such a process should include at least:

1. Review of applications to ensure that they are consistent with the TDSP. This review shall consider:
    a. The need for the requested funds or services;
    b. Consistency with local government comprehensive plans;
    c. Coordination with local transit agencies, including the CTC;
    d. Consistency with the TDSP;
    e. Whether such funds are adequately budgeted amounts for the services expected; and,
    f. Whether such funds will be spent in a manner consistent with the requirements of coordinated transportation laws and requirements.
    g. Notify the Commission of any unresolved funding requests without delays in the application process.

E. When requested, assist the CTC in establishing eligibility guidelines and trip priorities.

F. Review coordination strategies or service provision to the transportation disadvantaged in the designated service area to seek innovative ways to improve cost effectiveness, efficiency, safety, operating hours and types of service in an effort to increase ridership to a broader population (427.0157(5) F.S.). Such strategies should include:
    1. Supporting inter- and intra-county agreements to improve coordination as a way to reduce costs for service delivery, maintenance, insurance, or other identified strategies; and
    2. Seeking the involvement of the private and public sector, volunteers, public transit, school districts, elected officials and others in any plan for improved service delivery.

G. Appoint a Grievance Committee to serve as a mediator to hear and investigate grievances, from agencies, users, transportation operators, potential users of the system, and the CTCs in the designated service area, and make recommendations for the Local Coordinating Board or to the Commission, when local resolution cannot be found, for improvement of service. The LCB shall establish a process and procedure to provide regular opportunities for issues to be brought before such committee and to address them in a timely manner in accordance with the Commission's Local Grievance Guidelines. Rider brochures or other documents provided to users or potential users of the system shall provide information about the complaint and grievance process including the publishing of the Commission's TD Helpline service when local resolution has not occurred. All materials shall be made available in accessible format, upon request by the citizen. Members appointed to the committee shall be voting members of the LCB. (41- 2.012(5)(c), FAC).

H. Annually review coordination contracts to advise the CTC whether the continuation of said contract provides the most cost effective and efficient transportation available (41- 2.008(3) FAC).

I. Annually hold at a minimum, one public workshop for the purpose of receiving input regarding unmet needs or any other areas that relate to the local transportation services. The public workshopwill be help at a place and time that is convenient and accessible to the general public. In order that additional funding is not used or needed to accommodate this requirement, it is recommended that the public workshop be held in conjunction with a regular business meeting of the coordinating Board (immediately following or prior to the LCB meeting).

    NOTE: This must be completely separate meeting not simply an opportunity to provide public comment during the quarterly LCB meeting. The public meeting/workshop must be noticed as a separate meeting, have its own agenda and minutes. A public meeting/workshop held jointly with the Commission will satisfy this annual requirement.

J. All coordinating board members should be trained on and comply with the requirements of Section 112.3143, F.S., concerning voting conflicts of interest (41-2.012(5)(d) FAC).

K. Work cooperatively with regional workforce development boards established in chapter 445 to provide assistance in the development of innovative transportation services for participants in the welfare transition program (427.0157(7), F.S.); and

L. Evaluate multi county or regional transportation opportunities (427.0157(6), F.S.).

2.2 Membership

A. In accordance with Chapter 427.012 F.S., all members of the LCB shall be appointed by the Designated Official Planning Agency, hereinafter referred to as the "DOPA". The following agencies or groups shall be represented on the LCB as voting members, pursuant to Rule 41-2.012(3) (a-p), FAC:

1. A local representative of the Florida Department of Transportation;
2. A local representative of the Florida Department of Children and Families;
3. A local representative of the Public Education Community which could include, but not be limited to, a representative of the District School Board, School Board Transportation Office, or Headstart Program in areas where the School District is responsible;
4. In areas where they exist, a local representative of the Florida Division of Vocational Rehabilitation or the Division of Blind Services, representing the Department of Education;
5. A person recommended by the local Veterans Service Office representing the veterans in the county;
6. A person who is recognized by the Florida Association for Community Action (President), representing the economically disadvantaged in the county;
7. A person over sixty representing the elderly in the county;
8. A person with a disability representing the disabled in the county;
9. Two citizen advocate representatives in the county; one who must be a person who uses the transportation services(s) of the system as their primary means of transportation;
10. A local representative representing children at risk;
11. In areas where they exist, the Chair or designee of the local Mass Transit or Public Transit System's board, except in cases where they are also the Community Transportation Coordinator;
12. A local representative of the Florida Department of Elder Affairs;
13. An experienced representative of the local private for profit transportation industry. In areas where such representative is not available, a local private non- profit representative will be appointed, except where said representative is also the Community Transportation Coordinator;
14. A local representative of the Florida Agency for Health Care Administration;
15. A local representative of the Agency for Persons with Disabilities
16. A representative of the Regional Workforce Development Board established in Chapter 445, F.S.; and
17. A representative of the local medical community, which may include, but not be limited to, kidney dialysis centers, long term care facilities, assisted living facilities, hospitals, local health departments or other home and community based services, etc.

B. Alternates - Each eligible LCB member may nominate an Alternate by submitting a written nomination and a description of the individual's credentials to the DOPA for consideration and approval by the TPA Governing Board. The Alternate must meet the same qualifications as a LCB

Representative. No alternates will be appointed for non-agency representative members of the LCB.

C. Technical Advisors - With a majority vote of a quorum of the LCB, technical advisors may be approved for the purpose of providing the LCB with technical advice as necessary.

D. Term of Office - Pursuant to Rule 41-2.012(4) FAC, except for the Chair, the non-agency members of the LCB shall be appointed for three-year staggered terms with initial membership being appointed equally for one, two, and three years.

E. Termination of Membership - Any members of the LCB may resign at any time by notice in writing to the Chair. Unless otherwise specified in such notice, such resignation shall take effect upon receipt thereof by the Chair.

2.3 Officers

A. Officers - The officers of the LCB shall be a Chair and a Vice Chair.

B. Chair - The DOPA appoints an elected official to serve as the official Chair for all LCB meetings. The Chair shall be appointed to serve until the elected term of office has expired or is otherwise replaced by the DOPA. The DOPA shall replace or reappoint the Chair at the end of their term.

C. Vice Chair - The LCB shall hold an organizational meeting each year for the purpose of electing a Vice Chair. The Vice Chair shall be elected by a majority vote of a quorum of the members of the LCB present and voting at the organizational meeting. The Vice Chair shall serve a term of one year starting with the next meeting. The Vice Chair may serve more than one term.

D. Duties of Officers - The Chair shall call and preside at LCB meetings, set the order of business for each meeting and sign official documents for the LCB. 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.

2.4 Meetings

A. Regular Meetings - The LCB shall meet as often as necessary in order to meet its responsibilities. However, as required by Chapter 427.0157 F.S., the LCB shall meet at least quarterly.

B. Special Meetings - The Chair may convene emergency/special meetings of the LCB as deemed necessary provided that proper notice is given to all members of the LCB, and other interested parties within a reasonable amount of time prior to the special meeting.

C. Attendance - LCB members are expected to attend scheduled meetings on a regular basis. LCB membership appointment shall be automatically rescinded for lack of attendance. Lack of attendance is defined as an unexcused absence at three (3) consecutive meetings. Any member who intends to be absent from an LCB meeting shall notify the DOPA of their intended absence at least one business day prior to the meeting; absence at a meeting without prior notification shall be considered an unexcused absence. The LCB shall notify the Commission if any state agency voting member or their alternate fails to attend three consecutive meetings.

D. Quorum - At all meetings of the Board, the in-person presence of at least one-third (1/3) of the voting members, or their alternates, shall be necessary and sufficient to constitute a quorum for the transaction of business, unless the TPA is operating under Section 3. Emergency Powers. A minimum of three (3) voting members must be present to hold a meeting. Positions on the Board, as specified in Section 2.1, which are temporarily vacant, shall not be included in the number of persons required to be present in order to constitute a quorum.

In the absence of a quorum, the Chair or Vice Chair may, without notice other than by announcement at the meeting, recess the meeting until a quorum shall be present. Any such recessed meeting shall be then conducted as a "workshop". At any such workshop, items on the

agenda which were scheduled for Board action shall be deferred until either a quorum of voting members or their alternates arrives at the meeting, or until the next scheduled meeting of the Board. Board members present at a workshop may discuss agenda items for informational purposes only and may receive comments from any members of the general public in attendance, however no formal Board action can be taken on any such topics until such time as the Board meets with a full quorum.

E. Agenda - The DOPA shall give one week notice of the proposed agenda for the LCB meetings to the LCB members, the appropriate Commission Regional Manager, mailing lists/Committee Members list and on the Palm Beach TPA's website. Specific meeting dates will be advertised on the TPA Website and in The Palm Beach Post.

   The DOPA shall have the agenda materials available and delivered to the LCB members no less than one week in advance of the LCB meetings. Special consideration to the advanced delivery time of certain technical or detailed documents, such as the TDSP, shall be given. The agenda shall include a public participation opportunity. Meeting notices will include at a minimum, the name of the LCB, address of meeting place, type of meeting, time of meeting, and who to contact for special needs.

   For Special Meetings, the DOPA shall give LCB members and others one week notice, if possible, of the date, time location and proposed agenda for the emergency/special meeting. Meeting materials shall be provided as early as possible.

   If an agenda is not available with the notice of the meeting, then a summary of the subject matter of what will be discussed might be used, particularly if the item is controversial or one of critical public concern. The LCB should postpone taking action on any issue until it has been adequately noticed.

F. Voting Procedures - At all meetings of the LCB at which a quorum is present, all matters, except as otherwise expressly required by law or these by-laws, shall be decided by the vote of a majority of the members of the Board present. All members must vote; however, each alternate may vote only in the absence of that member on a one-vote-per-member basis.

   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 LCB Member, or the TPA Executive Director. A tie vote shall be interpreted as a failure to pass.

   LCB members may not abstain from voting, unless they have 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 LCB 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 LCB member 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 by-laws or other duly adopted voting procedures pursuant to certain approval actions, Robert's Rules of Order will designate procedures governing voting over any Board or subcommittee meeting. In the interest of efficiency or flexibility, a majority consensus of the Board may approve departures from Robert's Rules of Order.

   Proxy and absentee voting are not permitted.

G. Public Comments Procedures - All LCB 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 LCB but prior to member 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. Parliamentary Procedures - The Board will conduct business using parliamentary procedures according to Robert's Rules of Order.

2.5 LCB Advisory Committees

A. Grievance Committee - Rule 41-2, FAC, requires the LCB to appoint a Grievance Committee to process and investigate complaints from agencies, users, potential users of the system and the CTC in the designated service area. The Chair shall appoint LCB voting members to this committee.

B. Committees shall be designated by the Chair as necessary to investigate and report on specific subject areas of interest to the LCB. All committees can be assembled and dissolved as deemed necessary, with the exception of the Grievance. The Chair shall serve as an ex-officio member of all committees. Each committee shall elect a Chair from its membership.

2.6 Staff

The Palm Beach TPA, the Designated Official Planning Agency, provides staff for the LCB.

The TPA shall provide the LCB with sufficient staff support and resources to manage and oversee the responsibilities of the LCB as set forth in Chapter 427, F.S., Rule 41-2, FAC, Commission policies, and the Program Manual for Transportation Disadvantaged Planning Related Services as revised August, 2017. This includes, but is not limited to, assistance in the scheduling of meetings; training board members; evaluating cost effectiveness; reviewing the local TDSP; preparing, duplicating and distributing meeting packets; and, other necessary administrative duties as required by the Board within the limits of available resources.

Section 3. Emergency Powers

3.1 Applicability

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

3.2 Virtual Meetings

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

Public notice of these meetings shall be provided consistent with these by-laws 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.

3.3 Emergency Approvals

In the event the TPA is not able to conduct a board meeting consistent with these by-laws 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,

Annual Operating Report, 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.

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.

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.

Section 4. Amendments

The by-laws may be amended at any meeting of the LCB by a majority vote of members present, if a quorum exists, 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.