Florida Commission for the

Transportation Disadvantaged

GLADES-HENDRY JOINT TRANSPORTATION DISADVANTAGED LOCAL COORDINATING BOARD BYLAWS

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ARTICLE I: PREAMBLE

The following sets forth the By-Laws which shall serve to guide the coordination of transportation services provided to the transportation disadvantaged through the Transportation Disadvantaged Programs of Glades and Hendry Counties. The intent is to provide procedures and policies for fulfilling the requirements of Chapter 427, Florida Statutes, (*F.S.*) Rule 41-2, Florida Administrative Code (FAC), and subsequent laws setting forth requirements for the coordination of transportation services to the transportation disadvantaged.

ARTICLE II: NAME AND PURPOSE

The name of the Coordinating Board shall be the GLADES-HENDRY JOINT TRANSPORTATION DISADVANTAGED LOCAL COORDINATING BOARD serving the joint service area of Glades County and Hendry County, hereinafter referred to as the Joint LCB or as the Joint Board.

The primary purpose of the Joint Board is to assist the SOUTHWEST FLORIDA REGIONAL PLANNING COUNCIL (SWFRPC) in identifying local service needs and providing information, advice and direction to the Community Transportation Coordinator, hereinafter "Coordinator", on the coordination of services to be provided to the transportation disadvantaged pursuant to Chapter 427.0157, F.S. and Rule 41-2, FAC. In general, the Local Coordinating Board is considered an advisory body.

ARTICLE III: ADMINISTRATION OF THE LOCAL COORDINATING BOARD

A. Planning Agency Responsibilities

The Southwest Florida Regional Planning Council (SWFRPC) or Designated Official Planning Agency (DOPA), also uniformly referred to as the Planning Agency, shall provide the Joint Local Coordinating Board with sufficient staff support and resources to enable the Joint Local Coordinating Board to fulfill its responsibilities as set forth in Chapter 427, Florida Statutes, Rule 41-2, Florida Administrative Code, Commission policies and the Program Manual for Transportation Disadvantaged Planning Related Services as revised on May 14, 2013. This responsibility includes providing sufficient staff to manage and oversee the responsibilities of the Joint Local Coordinating Board. This includes, but is not limited to, assistance in the scheduling of meetings; training board members; evaluating cost effectiveness; reviewing the local Transportation Disadvantaged Service Plan; preparing, duplicating and distributing meeting packets; and other necessary administrative duties as required by the Joint Board within the limits of available resources.

B. Regular Meetings

The Joint Board shall meet as often as necessary in order to meet its responsibilities. However, the Joint Board shall meet at least quarterly as required by Chapter 427.0157, F.S. All meetings, including committee meetings, shall be conducted pursuant to "Government in the Sunshine Law". All meetings will provide opportunity for public comments on the agenda. The public may make input to the Joint Board by filling out a "Request To Speak" form indicating their desire to address an issue and shall be heard under the appropriate agenda item.

C. Full Board Meeting Notices

Planning Agency staff shall give two (2) weeks' notice via e-mail of the date, time, location and proposed agenda for the Joint Local Coordinating Board meetings to the Joint Local Coordinating Board members and

the appropriate Commission for the Transportation Disadvantaged Regional Project Manager, other interested parties and the news media.

Planning Agency staff shall prepare and submit the Notice of Meeting to the News-Press no later than twenty-one (21) days before the scheduled meeting which will be published in the News-Press at least fourteen (14) days before the scheduled meeting.

Planning Agency staff shall prepare and submit the Notice of Meeting to the Glades County Democrat four (4) weeks before the scheduled meeting which will be published in the Glades County Democrat at least fourteen (14) days before the scheduled meeting.

Planning Agency staff shall prepare and submit the Notice of Meeting for publication in the Florida Administrative Weekly four (4) weeks before the scheduled meeting and will be published at least fourteen (14) days before the scheduled meeting.

The agenda will be posted on the SWFRPC website a minimum of eight (8) days prior to the scheduled meeting.

Agenda packets will be sent out fourteen (14) days before the scheduled meeting.

An eight (8) day notice should be given for the cancellation, rescheduling or relocation of regular meetings.

D. Emergency Meeting Notices and Committee Meeting Notices

Planning Agency staff shall give Joint Local Coordinating Board members and others one (1) week notice, if possible, of the date, time, location and proposed agenda for the Joint Local Coordinating Board committee meetings and emergency meetings. Meeting materials shall be provided as early as possible.

E. Minutes

Planning Agency staff is responsible for maintaining an official set of minutes for each Joint Local Coordinating Board meeting. The minutes shall include an attendance roster indicating what agency, organization or position each member represents and reflect a summary of official actions taken by the Joint Local Coordinating Board.

The record of official actions shall include who made and seconded the motion, as well as who voted for and against motions. Copies of the minutes shall be sent to the Regional Project Manager of the Commission for the Transportation Disadvantaged and the Chairperson of the Planning Agency. Committee meeting minutes may be in the form of a brief summary of these points, discussions, decisions and recommendations to the full board.

F. Quorum

At all meetings of the Joint Board, the presence of a majority of the voting members shall be necessary and sufficient to constitute a quorum for the transaction of business. In the absence of a quorum, those present may function as a Committee of the Whole. The Committee of the Whole may review the agenda items and make recommendations to the Joint Board. These recommendations may be reviewed for adoption by the Joint Board at its next meeting where there is a quorum present.

G. Voting

At all meetings of the Joint Board at which a quorum is present, all matters shall be decided by the vote of a majority of the members of the Joint Board present and voting.

H. Meeting Location and Chairpersonship

Meetings shall alternate between Glades County and Hendry County. The Chairperson or Vice-Chairperson shall conduct the meeting.

I. Reversion to Separate Boards

The Joint Board shall have the opportunity to revert to separate Local Coordinating Boards at any time, upon a majority vote of each County's County Commission and based upon a recommendation by the Joint Board.

ARTICLE IV: LOCAL COORDINATING BOARD MEMBERSHIP

A. Officers

The officers of the Joint Board shall be a Chairperson and a Vice-Chairperson.

1. Chairperson

The Planning Agency shall appoint an elected official from one of the counties involved to serve as the official Chairperson for all Joint Local Coordinating Board meetings. The Chairperson shall communicate the Joint Board's interests and desires to the SWFRPC. The Chairperson shall preside at all meetings, and in the event of his/her absence, or at his/her direction; the Vice-Chairperson shall assume the powers and duties of the Chairperson. The Chairperson shall be appointed to serve for a two-year term (or less if the individual is no longer in office) and the Planning Agency shall replace or reappoint the Chairperson at the end of his/her term.

The Joint Board shall hold an organizational meeting at its last regularly scheduled meeting of the year in December for the purpose of electing a Chairperson.

2. Vice-Chairperson

According to Chapter 41-2.012 Coordinating Board Structure and Duties, the Joint Board shall have as a representative an elected official from each county, one of whom shall be elected Vice-Chairperson.

The Joint Board shall hold an organizational meeting at its last regularly scheduled meeting of the year in December for the purpose of electing a Vice-Chairperson. The Vice-Chairperson shall be the other county commissioner who shall serve a term of one year starting with the following meeting. In the event of the Chairperson's absence, the Vice Chairperson shall assume the duties of the Chairperson and conduct the meeting. The Vice-Chairperson may serve more than one term.

B. Voting Members

In accordance with Chapter 427.0157, F.S., all members of the Joint Board shall be appointed by the Designated Official Planning Agency. The Designated Official Planning Agency for the joint service area of Glades and Hendry County is the Southwest Florida Regional Planning Council (SWFRPC).

The following agencies or groups shall be represented on the Board as voting members:

- ☐ An elected official from the service area serving as the Chairperson;
- ☐ An elected official from the service area serving as the Vice-Chairperson;
- ☐ A local representative of the Florida Department of Transportation (FDOT);
- ☐ A local representative of the Florida Department of Children and Families (DCF);
- ☐ 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;
- ☐ In areas where they exist, a local representative of the Division of Vocational Rehabilitation Services or the Division of Blind Services, representing the Department of Education;
- ☐ A person recommended by the local Veterans Service Office, representing Veterans of the county;
- ☐ A person recognized by the Florida Association for Community Action representing the economically disadvantaged;
- ☐ A person representing the Elderly in the county;
- ☐ A person with a disability representing the disabled in the county;
- ☐ [One of Two] Citizen Advocates in the County;
- ☐ [One of two] Citizen Advocates - this must be a person who uses the transportation service(s) of the system as their primary means of transportation;
- ☐ A local representative for children at risk;
- ☐ In areas where they exist, the Chairperson or designee of the local mass transit or public transit system's board, except in cases where they are also the Community Transportation Coordinator;
- ☐ A local representative of the Florida Department of Elder Affairs;
- ☐ 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;

- ☐ A local representative of the Florida Agency for Health Care Administration;

- ☐ A representative of the Regional Workforce Development Board established in Chapter 445, Florida Statutes;

- ☐ A representative of the local medical community, which may include, but not be limited to, kidney dialysis centers, long term care facilities, hospitals, local health department or other home and community based services, etc.

It is the intent of the Commission for the Transportation Disadvantaged for the membership of every Joint Local Coordinating Board to not only consist of individuals who represent the appropriate governmental agencies or groups of people as defined above, but also for the membership to represent, to the maximum degree possible, a cross section of their local community.

No employee of a Community Transportation Coordinator shall serve as voting member of the Joint Local Coordinating Board. However, an elected official serving as Chairperson of the Coordinating Board, or other governmental employees that are not employed for the purpose of making provisions for transportation and are not directly supervised by the Community Transportation Coordinator shall not be precluded from serving as voting members of the Joint Local Coordinating Board.

C. Technical Advisors–Non-Voting Members

Upon a majority vote of a quorum of the Joint Local Coordinating Board, technical advisors may be approved for the purpose of providing the Joint Local Coordinating Board with technical advice as necessary.

D. Alternates

1. Alternates are to be appointed in writing to the Planning Agency by an agency representative. Non-agency alternates may be appointed by the Planning Agency, if desired.

2. Each alternate may vote only in the absence of that member on a one vote-per-member basis.

3. Alternates for a Joint Local Coordinating Board member who cannot attend a meeting must be a representative of the same interest as the primary member.

ARTICLE V: TERMS OF APPOINTMENT

Except for the Chairperson, Vice-Chairperson and state agency representatives, the non-agency members of the Joint Board shall be appointed for three (3) year staggered terms with initial memberships being appointed equally for one, two and three years in order that the Local Coordinating Board is not subject to a significant turnover in membership during a particular period.

The Chairperson and the Vice-Chairperson shall serve terms of two (2) years and one (1) year respectively with the Designated Official Planning Agency replacing or reappointing the Chairperson or Vice-Chairperson at the end of his/her term.

No non-agency member shall serve more than two consecutive three (3) year terms as a voting member. No non-agency member shall be reappointed to their second term of three (3) years until the Designated Official

Planning Agency (SWFRPC) has the chance to consider other nominees.

No employee of the Community Transportation Coordinator (CTC) shall serve as a voting member of the Joint Board. However, an elected official serving as Chairperson of the Joint Board, or other governmental employees who are employed for the purpose of making provisions for transportation and are not directly supervised by the Community Transportation Coordinator (CTC) may serve as voting members.

ARTICLE VI: ATTENDANCE

The Planning Agency shall review, and consider rescinding, the appointment of any member of the Local Coordinating Board who fails to attend three consecutive meetings. An updated membership attendance report shall be presented to the Joint Local Coordinating Board at their quarterly meetings. The Local Coordinating Board shall notify the Commission for the Transportation Disadvantaged if any state agency voting member or their alternate fails to attend three consecutive meetings.

ARTICLE VII: BY-LAWS AND PARLIAMENTARY PROCEDURES

The Local Coordinating Board shall develop and adopt a set of by-laws. The by-laws shall state that the Local Coordinating Board will conduct business using parliamentary procedures according to Robert's Rules of Order, unless stated otherwise in these guidelines.

ARTICLE VIII: LOCAL COORDINATING BOARD DUTIES

The Local Coordinating Board shall:

A. Review and make recommendations regarding the approval of the Memorandum of Agreement and Transportation Disadvantaged Service Plan in the third quarter (January-March). In order to perform this duty, the Joint Local Coordinating Board shall review and develop recommendations concerning the Transportation Disadvantaged Service Plan. The Joint Local Coordinating Board shall ensure that the Transportation Disadvantaged Service Plan has been developed by involving all appropriate parties in the process. The final Transportation Disadvantaged Service Plan shall be approved by the Joint Local Coordinating Board by the May board meeting for submission to the Commission for the Transportation Disadvantaged no later than June 30th of each year. The five year update of the Transportation Disadvantaged Service Plan is to be completed and submitted to the Commission for the Transportation Disadvantaged 120 days after the CTC's Memorandum of Agreement has been signed.

B. Conduct an annual performance evaluation of the Community Transportation Coordinator by no later than February 20th of each year. This evaluation shall be conducted using evaluation criteria developed by the Commission for the Transportation Disadvantaged, as well as any other evaluation criteria approved by the Joint Local Coordinating Board. In areas where a planning agency serves as the Community Transportation Coordinator, the planning agency shall abstain from any official actions that represent a conflict of interest, especially in the evaluation process of the Community Transportation Coordinator.

C. The evaluation of the Community Transportation Coordinator's performance shall be both in general, and relative to specific criteria contained in the Transportation Disadvantaged Service Plan, and recommendations contained in the Commission's quality assurance reviews.

D. The results of the annual evaluation and recommendations relative to performance and the renewal of the Memorandum of Agreement of Transportation Disadvantaged Service Plan shall be forwarded to the Planning Agency and the Commission for the Transportation Disadvantaged for final disposition.

E. In cooperation with the Community Transportation Coordinator, review and provide recommendations to the Commission and the 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.

The accomplishment of this requirement shall include the development and implementation of a process by which the Joint Local Coordinating Board and Community Transportation Coordinator 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. The review of applications to ensure that they are consistent with the Transportation Disadvantaged Service Plan. 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 Community Transportation Coordinator;
   d) Consistency with the Transportation Disadvantaged Service Plan;
   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 regulations.

2. Notifying the Commission for the Transportation Disadvantaged of any unresolved funding requests without delays in the application process.

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, working hours and types of service in an effort to increase ridership to a broader population. 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.

3. Appoint a Grievance Committee to serve as a mediator to hear and investigate complaints, from agencies, users, potential users, Community Transportation Coordinators, subcontractors or other interested parties, and make recommendations for the Joint Local Coordinating Board for improvement of service from agencies, users, potential users of the system and the Community Transportation Coordinator in the designated service area.

G. Establish procedures to provide regular opportunities for issues to be brought before such committee and to address them in a timely manner. The Joint Local Coordinating Board process should complement the Community Transportation Coordinator's grievance process. Members appointed to the committee shall be voting members of the Joint Local Coordinating Board.

H. In coordinating with the Community Transportation Coordinator, jointly develop applications for funds that may become available.

I. Annually review coordination contracts to advise the Community Transportation Coordinator whether the continuation of said contract provides the most cost effective and efficient transportation available, consistent with Rule 41-2, Florida Administrative Code.

J. Annually hold a public hearing for the purpose of receiving input on unmet needs or any other areas that relate to the local transportation services. The public hearing will be held 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 hearing be incorporated with a regular business meeting of the Joint Local Coordinating Board. A public hearing held jointly with the Commission for the Transportation Disadvantaged will satisfy this annual requirement.

ARTICLE IX: SUBCOMMITTEES

Subcommittees shall be designated by the Chairperson as necessary to investigate and report on specific subject areas of interest to the Joint Board and to deal with administrative and legislative procedures.

ARTICLE X: COMMUNICATION WITH OTHER AGENCIES AND ENTITIES

The Joint Board shall communicate directly with other agencies and entities as necessary to carry out its duties and responsibilities in accordance with Rule 41-2 of the Florida Administrative Code.

ARTICLE XI: CERTIFICATION

The undersigned hereby certifies that he is the Chairperson of the Glades-Hendry Joint Transportation Disadvantaged Local Coordinating Board and that the foregoing is a full, true and correct copy of the By-laws of this Joint Board as adopted by the Glades-Hendry Joint Transportation Disadvantaged Local Coordinating Board this 4th day of September, 2013.

Date: 9-4-13

Donna Storter Long

Commissioner Donna Storter-Long
Chair