



## The Joint Orange, Osceola, and Seminole Counties Transportation Disadvantaged Local Coordinating Board

### ARTICLE I: Preamble

The following sets forth the bylaws which shall serve to guide the proper functioning of the coordination of transportation services provided to the transportation disadvantaged through the Transportation Disadvantaged Local Coordinating Board. The intent is to provide procedures and policies for fulfilling the requirements of Chapter 427, Florida Statutes and Rule 41-2, Florida Administrative Code, and subsequent laws setting forth requirements for the coordination of transportation services to the transportation disadvantaged.

### ARTICLE II: Name and Purpose

#### **SECTION 1: NAME**

The name of the Coordinating Board shall be the Joint Orange, Osceola, and Seminole Counties Transportation Disadvantaged Local Coordinating Board, hereinafter referred to as the "TDLCB".

#### **SECTION 2: PURPOSE**

The purpose of each TDLCB is to develop local service needs and to provide information, advice, and direction to the Community Transportation Coordinator (CTC) on the coordination of services to be provided to the transportation disadvantaged within their local service area. In general, the TDLCB is considered an advisory body. (Section 427.0157, Florida Statutes).

### ARTICLE III: Local Coordinating Board Membership

#### **SECTION 1: VOTING MEMBERS**

In accordance with Section 41-2.012, Florida Administrative Code, all members of the TDLCB shall be appointed by the designated official planning agency which is the Orlando Urban Area Metropolitan Planning Organization (MPO) dba MetroPlan Orlando.

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

1. An elected official from each service area, appointed by the planning agency;
2. A local representative of the Florida Department of Transportation;
3. A local representative of the Florida Department Children and Family Services;
4. A 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;
5. 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;
6. A person who is recognized by the Veterans Service Office representing the veterans in the county;
7. A person who is recognized by the Florida Association for Community Action (President) representing the economically disadvantaged in the service area;

8. A person over sixty representing the elderly in the service area;
9. A person with a disability representing the disabled in the service area;
10. Two citizen advocate representatives in the county; one who must be a person who uses the transportation service(s) as their primary means of transportation;
11. A local representative for children at risk;
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 CTC. In cases where no private for-profit or private non-profit representatives are available in the service area, this position will not exist on the TDLCB;
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, Florida Statutes; 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 department or other home and community-based services, etc.

#### SECTION 2: ALTERNATE MEMBERS

Agency 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.

1. Each alternate may vote only in the absence of that member on a one-vote-per-member basis.
2. Alternates for a TDLCB member who cannot attend a meeting must be a representative of the same interest as the primary member.

#### SECTION 3: TECHNICAL ADVISORS - NON-VOTING MEMBERS

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

The following agencies or individuals shall be represented on the TDLCB as non-voting members:

1. The chairperson or designee of the selected Community Transportation Coordinator (CTC);
2. The Chair or other elected designee from the LYNX Transit Advisory Committee;
3. The Chair or other designee from the SunRail Customer Advisory Committee; and
4. A representative from Emergency Medical Services in Orange, Seminole, or Osceola County.

#### SECTION 4: TERMS OF APPOINTMENT

Except for the Chairperson and state agency representatives, the members of the TDLCB shall be appointed for three-year staggered terms with initial memberships being appointed equally for one, two and three years to avoid a significant turnover during a particular period (41-2.012(4) FAC). The Chairperson shall serve until their elected term of office has expired or otherwise replaced by the Designated Official Planning Agency.

#### SECTION 5: TERMINATION OF MEMBERSHIP

Any member of the TDLCB may resign at any time, by notice in writing, to the Planning Agency. Unless otherwise specified in such notice, such resignation shall take effect upon receipt thereof by the Planning Agency.

## SECTION 6: ATTENDANCE

The Planning Agency shall review, and consider rescinding, the appointment of any member of the TDLCB who fails to attend three consecutive meetings without representation. The TDLCB shall notify the TD Commission if any state agency voting member or their alternate fails to attend three consecutive meetings. The Planning Agency must complete an attendance report for each local coordinating board meeting.

## ARTICLE IV: Officers and Duties

### SECTION 1: APPOINTMENTS

The Planning Agency shall appoint an elected official to serve as the official Chairperson and Vice Chairperson for all TDLCB meetings.

### SECTION 2: CHAIRPERSON

The Planning Agency shall appoint one of its members, who is an elected official, to serve as the official Chairperson to preside at all TDLCB meetings. The Chairperson shall be an elected official from one of the counties involved. The Chairperson shall preside at all meetings, and in the event of his/her absence; the Vice Chairperson shall assume the powers and duties of the Chairperson.

The Chairperson shall serve a term of one (1) year or until a successor is appointed by the Designate Official Planning Agency. The Planning Agency shall replace or reappoint the Chairperson at the end of his/her term.

### SECTION 3: VICE CHAIRPERSON

The TDLCB shall hold an annual organizational meeting for the purpose of electing a Vice-Chairperson (41-2.012(2) FAC). The Vice Chairperson shall be elected by a majority vote of a quorum of the members of the TDLCB. The Vice Chairperson shall serve a term of one year starting with the first meeting after the election. For a multi-county board, an elected official, not serving as the Chairperson, shall serve as Vice Chairperson. 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.

In the absence of all the TDLCB's elected officials, the Chairperson of the Quality Assurance Task Force (QATF) shall conduct the meeting.

## ARTICLE V: Administration of the Local Coordinating Board

### SECTION 1: REGULAR MEETINGS

The TDLCB shall meet at least quarterly. All meetings, including committee meetings, will function under the "Government in the Sunshine Law." All meetings will provide an opportunity for public comments on their agenda.

Meetings may also be held in a hybrid virtual environment as long as a physical in-person quorum is met as applicable by Florida Sunshine laws. Upon establishment of a physical, in -person quorum, TDLCB members joining remotely may participate (and vote) action items.

### SECTION 2: MEETING NOTICES

All TDLCB meetings, public hearings, committee meetings, etc., shall be advertised, at a minimum, in the largest general circulation newspaper in the designated service area prior to the meeting.

Meeting notices shall include date, time, and location, general nature/subject of the meeting, and a contact person and number to call for additional information and/or to request meeting information in accessible formats.

Planning Agency staff shall provide the agenda and meeting package to the TD Commission, TDLCB members and all other interested parties prior to the meeting. Special consideration to the advanced delivery time of certain technical or detailed documents, such as the Transportation Disadvantaged Service Plan (TDSP), shall be given for additional review time. The agenda shall include a public participation opportunity.

### SECTION 3: QUORUM

At all meetings of the TDLCB, the presence in person of a majority of the voting members shall be necessary and sufficient to constitute a quorum for the transaction of business.

In situations where a quorum is not obtained, the members present may elect to either:

1. Cancel the meeting and reschedule the meeting at a later date or,
2. Continue to meet and discuss agenda items for informational purposes only. Agenda items that need formal action shall be presented at a future meeting where a quorum is present.

### SECTION 4: VOTING

At all meetings of the TDLCB at which a quorum is present, all matters, except as otherwise expressly required by law or these Bylaws, shall be decided by the vote of a majority of the members of the TDLCB present.

1. Voting Procedures. Voting shall be by voice unless a member specifically requests a roll call vote on a particular matter. In instances where dissenting votes are cast, a roll call must be conducted.
2. Code of Ethics. Members, Officers, and Employees are required to comply with Florida Statute 112, Part III, Code of Ethics for Public Officers and Employees. Members are expected to abide by the ethical rules which govern their service on the organization they represent.

All members (designated or alternates) shall avoid any professional conflict of interest and prevent the appearance of undue influence. Any member who becomes aware of any type of conflict or attempt to influence shall make it known to the staff liaison and either excuse himself/herself from the proceedings, and/or file a conflict-of-interest form into the record.

### SECTION 5: BYLAWS AND PARLIAMENTARY PROCEDURES

The TDLCB shall develop and adopt a set of bylaws. The bylaws shall state that the TDLCB will conduct business using parliamentary procedures according to the most recent edition of Robert's Rules of Order, unless stated otherwise in the bylaws. The bylaws shall be reviewed, updated (if necessary), and adopted annually. Approved bylaws shall be submitted to the Commission for Transportation Disadvantaged.

### SECTION 6: PLANNING AGENCY RESPONSIBILITIES

The metropolitan planning organization (MPO) shall provide the TDLCB with sufficient staff support and resources to enable the TDLCB to fulfill its responsibilities as set forth in Chapter 427, Florida Statutes. These responsibilities include providing sufficient staff to manage and oversee the duties of the TDLCB. 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 (TDSP); preparing, duplicating, and distributing meeting packets; and other necessary administrative duties and costs, as appropriate.

## ARTICLE VII: Local Coordinating Board Duties

### SECTION 1: BOARD DUTIES

The TDLCB shall:

- A. Review and make recommendations regarding the approval of the Memorandum of Agreement between the newly recommended CTC and the TD Commission.
- B. Annually review, make recommendations, and approve the Transportation Disadvantaged Service Plan (TDSP). The TDLCB shall ensure that the TDSP has been developed by involving all appropriate parties in the process.
- C. Annually, provide the MPO 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 TDLCB 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. The TDLCB shall utilize the TD Commission's Quality Assurance Performance Evaluation Tool to evaluate the performance of the CTC. This evaluation Tool and Summary will be submitted to the TD Commission upon approval by the TDLCB.
- D. In cooperation with the CTC, review and provide recommendations to the TD Commission and the MPO 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), FS). The accomplishment of this requirement shall include the development and implementation of a process by which the TDLCB 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. The process should include at least:
  1. The 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 regulations.
  2. Notify the TD 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, working hours and types of service in an effort to increase ridership to a broader population (427.0157(5) FS). 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. 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).
- H. Annually hold, at a minimum, one public meeting or workshop for the purpose of receiving input regarding unmet needs or any other areas that relate to the local transportation services. The public meeting or workshop will be held at a place and time that is convenient and accessible to the public. In order that additional funding is not used or needed to accommodate this requirement, it is recommended that the meeting be held in conjunction with a regular business meeting of the Coordinating Board (immediately following or prior to the TDLCB meeting). A public meeting or workshop held immediately before or after the TDLCB meeting will satisfy this annual requirement.
- I. All coordinating board members should be trained on and comply with the requirements of Section 112.3143, Florida Statutes, concerning voting conflicts of interest (41-2.012(5)(d) FAC).
- J. Work cooperatively with regional workforce boards established in Chapter 445, F.S. to provide assistance in the development of innovative transportation services for participants in the welfare transition program (427.0157(7), FS).
- K. Evaluate multi-county or regional transportation opportunities (427.0157(6), FS).

## ARTICLE VIII: Committees

### SECTION 1: QUALITY ASSURANCE TASK FORCE

A Quality Assurance Task Force, "committee," represented by at least five (5) members from the TDLCB, shall be established to discuss TD issues or any other problems related to service quality. Member alternates may serve on the QATF, however may only vote if the regular member is not present at the meeting. This task force will review and develop recommendations concerning the CTC Evaluation process. It shall ensure that the most cost-effective, non-duplicated, efficient, and accountable transportation service is offered to the Transportation Disadvantaged population. The Task Force may also consider, under its purview, activities that support the improvement of TD operations such as limited research or studies. The Task Force will also select new or replacement members for vacancies from eligible applicants within the tri-county region for non-agency mandated positions. A Chairperson shall be selected by the members appointed to the Task Force.

### SECTION 2: GRIEVANCE COMMITTEE

Annually, a Grievance Committee shall be established to serve as a mediator to hear and investigate grievances, from agencies, users, transportation operators, potential users of the system, and the CTC in the designated service area, and make recommendations for the local Coordinating Board or to the TD Commission, when local resolution cannot be found, for improvement of service.

The TDLCB 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 TD Commission's Local Grievance Guidelines. Members appointed to the committee shall be voting members of the TDLCB. (41-2.012(5)(c), FAC).

### SECTION 3: OTHERS

Other committees may be designated by the Chairman, as necessary, to investigate and report on specific subject areas of interest to the TDLCB and to deal with administrative and legislative procedures. Members

appointed to the committees shall be voting members of the Coordinating Board. Committee members shall elect all committee chairpersons each calendar year.

**ARTICLE IX: Communication with Other Agencies and Entities**

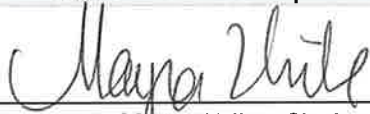
The Local Coordinating Board may communicate directly with other agencies and entities, as necessary, to carry out its duties and responsibilities in accordance with Rule 41-2 Florida Administrative Code.

**ARTICLE X: Amendments**

The Bylaws may be amended by a two-thirds 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.

**CERTIFICATE**

The undersigned hereby certifies that he/she is the Chairperson of the Joint Orange, Osceola, and Seminole Counties Transportation Disadvantaged Local Coordinating Board and that the foregoing is a full, true and correct copy of the Bylaws of this Board as adopted by the Joint Orange, Osceola and Seminole Counties Transportation Disadvantaged Local Coordinating Board.



Honorable Mayra Uribe, Chairperson

**Passed and duly adopted by the Joint Orange, Osceola and Seminole Counties Transportation Disadvantaged Local Coordinating Board at its meeting on the 15<sup>th</sup> day of February 2024.**

ATTEST:



Rachel Frederick, Board Services Coordinator