



**THE JOINT ORANGE, OSCEOLA AND SEMINOLE COUNTIES
TRANSPORTATION DISADVANTAGED LOCAL COORDINATING BOARD
BY-LAWS FY2014-2015**

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 Board.

Section 2: Purpose

The purpose of each LCB 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 LCB is considered an advisory body. (Section 427.0157, Florida Statutes).

ARTICLE III: Local Coordinating Board Membership

Section 1: Voting Members

In accordance with Chapter 427.0111, Florida Statutes, all members of the Board shall be appointed by the designated official planning agency which is the Orlando Urban Area Metropolitan Planning Organization (MPO).

The following agencies or groups shall be represented on the Board 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 LCB;
14. A local representative of the Florida Agency for Health Care Administration;
15. A representative of the Regional Workforce Development Board established in Chapter 445, Florida Statutes; and
16. 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 LCB 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 LCB, technical advisors may be approved for the purpose of providing the LCB with technical advice as necessary.

The following agencies or individuals shall be represented on the Board 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 Transportation Advisory Committee; and
3. A representative from Orange County Emergency Medical Services

Section 4: Terms of Appointment

Except for the Chairperson and state agency representatives, the members of the LCB 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 Designate Official Planning Agency.

Section 5: Termination of Membership

Any member of the Board 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 LCB who fails to attend three consecutive meetings. The LCB shall notify the Commission if any state agency voting member or their alternate fails to attend three consecutive meetings. The Planning Agency must complete attendance roster for each local coordinating board meeting.

LCB Members can participate (and vote) in meetings via conference call, however, a physical quorum must be present to vote on action items.

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 LCB 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 LCB 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, or at his/her discretion; the Vice Chairperson shall assume the powers and duties of the Chairperson.

The Chairperson shall serve until their elected term of office has expired or otherwise replaced 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 LCB 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 LCB members. 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 Board's elected officials, the QATF Chair would conduct the meeting.

ARTICLE V: Administration of the Local Coordinating Board

Section 1: Regular Meetings

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

LCB Members can participate (and vote) in meetings via conference call, however, a physical quorum must be present to vote on action items.

Section 2: Meeting Notices

All LCB 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 notice shall include date, time, and location, general nature/subject of the meeting, and a contact person and number to call for additional information and request accessible formats.

Planning Agency staff shall provide the agenda and meeting package to the Commission, LCB 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 TDSP, shall be given for additional review time. The agenda shall include a public participation opportunity.

Section 3: Quorum

At all meetings of the LCB, 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 Board 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.

Section 5: By-Laws and Parliamentary Procedures

The LCB shall develop and adopt a set of by-laws. The by-laws shall state that the LCB will conduct business using parliamentary procedures according to Robert's Rules of Order, unless stated otherwise in the by-laws. The by-laws shall be reviewed, updated (if necessary), and adopted annually. Approved by-laws shall be submitted to the Commission.

Section 6: Planning Agency Responsibilities

The Metropolitan Planning Organization (MPO) shall provide the LCB with sufficient staff support and resources to enable the LCB 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 LCB. 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 LCB shall:

- A. Review and make recommendations regarding the approval of the Memorandum of Agreement between the newly recommended CTC and the Commission.
- B. Annually review, make recommendations and approve the Transportation Disadvantaged Service Plan (TDSP). The LCB 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 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. 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.
- D. In cooperation with the CTC, review and provide recommendations to the 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 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. 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 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 Hearing for the purpose of receiving input regarding 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 held in conjunction with a regular business meeting of the Coordinating Board (immediately following or prior to the LCB meeting). A public hearing held jointly with the Commission 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 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

Appoint a Committee represented by at least five (5) members from the TDLCB to discuss TD issues or any other problems related to service quality. Member alternates may serve in 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 position. A Chairman shall be selected by the members appointed to the Task Force.

Section 2: Grievance Committee

When needed, 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. Members appointed to the committee shall be voting members of the LCB. (41-2.012(5)(c), FAC).

Section 3: Others

Other Committees shall be designated by the Chairman, as necessary, to investigate and report on specific subject areas of interest to the Board 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 and every calendar year.

ARTICLE IX: Communication with Other Agencies and Entities

Section 1: General

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

Section 1: General

The By-Laws 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.

ARTICLE XI: Certification

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 By-Laws of this Board as adopted by the Joint Orange, Osceola and Seminole Counties Transportation Disadvantaged Local Coordinating Board on the 12th day of February 2015.

Honorable Viviana Janer, Chairperson,
Joint Orange, Osceola, and Seminole Counties
Transportation Disadvantaged Local Coordinating Board.