

*BY-LAWS OF THE
BREVARD COUNTY
LOCAL COORDINATING BOARD
FOR THE
TRANSPORTATION DISADVANTAGED*

2018

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ARTICLE I: PREAMBLE

Section 1: Preamble: The following sets forth the by-laws which shall serve to guide the proper functioning of the coordination of transportation services provided to the transportation disadvantaged through the Transportation Disadvantaged Coordinating Board. The intent is to provide procedures and policies for fulfilling the requirements of Chapter 427, Florida Statutes, 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

Section 1: Name: The name of the Coordinating Board shall be the LOCAL COORDINATING BOARD FOR THE TRANSPORTATION DISADVANTAGED, hereinafter referred to as the Board.

Section 2: Purpose: The primary purpose of the Board is to assist the Designated Official Planning Agency in identifying local service needs and providing information, advice, and direction to the Community Transportation Coordinator on the coordination of services to be provided to the transportation disadvantaged pursuant to Chapter 427.0157, Florida Statutes.

**ARTICLE III: MEMBERSHIP, APPOINTMENT, TERM OF OFFICE,
AND TERMINATION OF MEMBERSHIP**

Section 1: Voting Members. In accordance with Chapter 427.0157, Florida Statutes, all members of the Board shall be appointed by the designated official planning agency, which is the Space Coast Transportation Planning Organization (TPO).

All agency members shall be recommended in writing to the TPO Chair or Staff Director. All non-agency member appointments shall be recommended by the Non-Agency Member Selection Sub-committee to the TPO Chair or Staff Director.

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

1. An elected official appointed by the TPO (The TPO shall appoint one of these elected officials as the Chair);
2. A local representative of the Florida Department of Transportation;

3. A local representative of the Florida Department of Children and Family Services;
4. 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;
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 recommended by the local Veterans Service Office representing the veterans of the county;
7. A person who is recognized by the Florida Association for Community Action (President), representing the economically disadvantaged in the county;
8. A person over sixty representing the elderly in the county;
9. A person with a disability representing the disabled in the county;
10. Two citizen advocate representatives in the county; one who must be a person who uses the transportation service(s) of the system as their primary means of transportation;
11. A local representative for children at risk;
12. 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;
13. A local representative of the Florida Department of Elderly Affairs;
14. 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;
15. A local representative of the Florida Agency for Health Care Administration;
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. Each member of the Board shall have an alternate. Each represented agency shall appoint an alternate, non-agency alternates shall be appointed by the TPO. Alternates for a board member who cannot attend a meeting must be representative of the same interest as the member. Each alternate may vote only in the absence of that member on a one-vote-per-member basis. Each member must provide written declaration of his or her designated alternate.

Section 3: Non-Voting Members. Additional non-voting members may be appointed by the TPO.

Section 4: Terms of Appointment. Consistent Rule 41-2.012(5), except for the Chair, the members of the Board shall be appointed for three-year staggered terms with initial membership being appointed equally for one, two, and three years. The Chair shall serve until replaced by the TPO.

Section 5: Termination of Membership. Any member of the Board 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. Each member of the Board is expected to demonstrate his/her interest in the Board's activities through attendance of the scheduled meetings, except for reasons of an unavoidable nature. In each instance of an unavoidable absence, the absent member should ensure that his/her alternate will attend. The TPO may review, and consider rescinding the appointment of any voting member of the Board who fails to attend three (3) consecutive meetings.

Section 6: Technical Advisors. Upon majority vote of a quorum of the Coordinating Board, Technical Advisors may be approved for the purpose of providing the Coordinating Board with technical advice as necessary. The technical advisors shall not be allowed to vote.

ARTICLE IV: OFFICERS AND DUTIES

Section 1: Number. The officers of the Board shall be a Chair and a Vice-Chair.

Section 2: Chair. The Space Coast Transportation Planning Organization shall appoint an elected official, to serve as the official Chair to preside at all Coordinating Board meetings. The Chair shall preside at all meetings, and in the event of his/her absence, or at his/her discretion; the Vice-Chair shall assume the powers and duties of the Chair. The Chair shall serve until replaced by the TPO.

Section 3: Vice-Chair. The Board 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 Board present and voting at the organizational meeting. The Vice-Chair shall serve a term of one year starting with the next meeting. The nominations for the Vice-Chair shall be taken from members present at the organizational meeting.

ARTICLE V: BOARD MEETING

Section 1: Regular Meetings. The Board shall meet as often as necessary in order to meet its responsibilities. However, as required by Chapter 427.0157, Florida Statutes, the Board shall meet at least quarterly.

Section 2: Notice of Meetings. Notices and tentative agendas shall be sent to all Board members, other interested parties, and the news media within a reasonable amount of time prior to the Board meeting. Such notice shall state the date, time, and the place of the meeting.

Section 3: Quorum. At all meetings of the Board 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 the absence of a quorum, those present may, without notice other than by announcement at the meeting, recess the meeting from time to time, until a quorum shall be present. At any such recessed meeting, any business may be transacted which might have been transacted at the meeting as originally called, but no action may be taken until 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: Parliamentary Procedures. The Board will conduct business using parliamentary procedures according to Robert's Rules of Order (most recently revised), except when in conflict with these by-laws.

ARTICLE VI: STAFF

Section 1: General. The TPO shall provide the Board or arrange for sufficient staff support and resources to enable the Board to fulfill its responsibilities as set forth in Chapter 427.0157, Florida Statutes. These responsibilities include providing sufficient staff to manage and oversee the operations of the Board and assist in the scheduling of meetings, preparing meeting agenda packets, and other necessary administrative duties.

ARTICLE VII: BOARD DUTIES

Section 1: Board Duties. The Board shall perform the following duties as specified in Rule 41-2, FAC.

1. Maintain official meeting minutes, including an attendance roster, reflecting official actions and provide a copy of same to the Transportation Disadvantaged Commission and the Chair of the TPO.
2. Review and approve the Memorandum of Agreement including the Transportation Disadvantaged Service Plan.

3. Evaluate all services provided by the Community Transportation Coordinator under the designated service plan. On an annual basis provide the TPO with an evaluation of the Coordinator's performance. This evaluation shall be based on state Transportation Disadvantaged Commission standards, the annual service plan, and should include recommendations regarding renewal of the Community Transportation Coordinator's contract.
4. In cooperation with the Coordinator, review and provide recommendations to the Transportation Disadvantaged Commission and the TPO on all applications for local, State, or Federal funds relating to transportation disadvantaged in the county. This is to ensure that any transportation disadvantaged expenditure within the county, provides service in the most effective and efficient manner.
5. Review coordination strategies, for service provision to the transportation disadvantaged in the county 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 also encourage multi-county and regional transportation service agreements between area Coordinator and consolidation of adjacent counties, when it is appropriate and cost effective to do so.
6. In coordination with the Coordinator, jointly develop applications for funds that may become available.
7. Prepare by October 1st an Annual Report, to be consolidated with the Coordinator's Annual Operating Report, outlining the accomplishments and activities or other areas of interest to the State Commission and the County Commission for the most recent operating year period.
8. Assist the TPO in preparing a Transportation Disadvantaged Element in their Transportation Improvement Program (TIP).

ARTICLE VIII: SUBCOMMITTEES

Section 1: Grievance Subcommittee. The Coordinating Board shall appoint a Grievance Subcommittee to process, investigate, resolve complaints that cannot be solved by Coordinator or Operator, and make recommendations to the Board for improvement of service from agencies, users, or potential users of the system in the county. This subcommittee shall be made up of three (3) Coordinating Board Members and any number of alternates. The Grievance Subcommittee shall meet as often as necessary to resolve grievances in a timely manner.

Section 2: Others. Other subcommittees shall be designated by the Chair, as necessary, to investigate and report on specific subject areas of interest to the Board and to deal with administrative and legislative procedures.

**ARTICLE IX: COMMUNICATION WITH OTHER
AGENCIES AND ENTITIES**

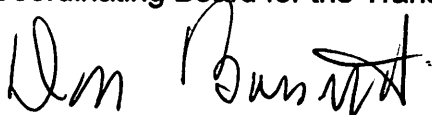
Section 1: General. The TPO authorizes the Board to communicate directly with other agencies and entities, as necessary, to carry out its duties and responsibilities in accordance with Rule 41-2 FAC.

ARTICLE X: AMENDMENTS

Section 1: General. The by-laws may be amended by a two-thirds (2/3) vote of members present, if a quorum exists, provided 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 Chair of the Transportation Disadvantaged Coordinating Board and that the foregoing is a full, true, and correct copy of the By-laws of this Board as adopted by the Brevard County Local Coordinating Board for the Transportation Disadvantaged the 13th Day of November 2017.



Deputy Mayor Don Boisvert, Chair
Local Coordinating Board