

***MINUTES OF THE JANUARY 14, 2016 CHARLOTTE COUNTY
TRANSPORTATION DISADVANTAGED LOCAL COORDINATING BOARD
ANNUAL PUBLIC HEARING***

Vice Chair Alan Skavroneck opened the annual Public Hearing at 10 a.m. in compliance with the requirements of the Florida Commission of the Transportation Disadvantaged (CTD).

Vice Chair Skavroneck called for any Public Comment. No member of the public wished to speak.

David Wilson moved to close the Public Hearing, and Joseph Sabatino seconded the motion. The motion to close the Public Hearing carried unanimously.

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**CHARLOTTE COUNTY TRANSPORTATION DISADVANTAGED
LOCAL COORDINATING BOARD (LCB)**

Minutes of a regular meeting held on January 14, 2016 at the East Port Environmental Campus, Training Room A, 25550 Harbor View Road, Port Charlotte, Florida 33980

MEMBERS PRESENT

Alan Skavroneck, *Local Private for Profit Transportation Industry Representative (Vice Chair)*

Debi Stevens, *FDOT, Transit Liaison, alternate*

M. Suzanne Roberts, *Virginia B. Andes Volunteer Community Clinic (Medical Community Representative)*

Vikki Carpenter, *Florida Department of Elder Affairs*

Naomi Manning, *Elderly Representative*

Cindy Montgomery, *Regional Workforce Development*

David Wilson, *Disabled Representative*

Dianna Bello, *Economically Disadvantaged Representative*

Angela Hemstreet, *Children-at-Risk Representative*

Maria A. Perez, *Department of Children & Families*

Joseph Sabatino, *Citizen Advocate*

Joseph Martinez, *Agency for Health Care Administration (AHCA)*

Albert B'Sales, *Division of Blind Services*

ABSENT MEMBERS

Commissioner Ken Doherty, *Charlotte County Commissioner, (LCB Chair)-excused*

Jill Mead, *Public Education-School Transportation*

Cathy Colford, *Citizen Advocate-User*

Dave Rockow, *Veterans Affairs*

STAFF

Bob Herrington, *MPO Director*

Wendy Scott, *MPO Planner*

Gene Klara, *MPO Planner*

OTHERS IN ATTENDANCE

Cody Vaughn-Birch, *Assistant Attorney, Charlotte County Attorney's Office*

Rick Kolar, *Fleet and Transit Division Manager (CTC)*

Pam Barr, *Transit Division Financial Analyst*

Michelle Edwards, *Transit Division Coordinator*

Pamela Kirchner, *Fiscal Services Manager*

Kim Correll, *Citizen, Project Starfish*

1. Call to Order & Roll Call

Vice Chair Alan Skavroneck called the meeting to order at 10:00 a.m. He asked that each person state his/her name, and whom they represent.

2. **Pledge of Allegiance**

The Pledge of Allegiance was recited by those in attendance.

3. **Public Comments on Agenda Items**

There were no public comments.

4. **Consent Agenda:**

A. Approval of Minutes: November 12, 2015 Meeting

David Wilson made a motion to approve the Minutes from the November 12, 2015 meeting. Naomi Manning seconded the motion. The motion carried unanimously.

5. **Election of the Vice Chair**

Vice-Chair Alan Skavroneck ceded the gavel to MPO Director Bob Herrington to run the election. Mr. Herrington stated that the LCB Bylaws require the election of a Vice Chair at the first scheduled meeting of the calendar year. He also noted that the Vice Chair serves a term of one year and during the absence of the Chair, the Vice-Chair exercises all of the Chair's duties. Mr. Herrington called for nominations for the position of 2016 LCB Vice Chair.

Joseph Martinez nominated Alan Skavroneck to serve as LCB Vice Chair. Suzanne Roberts seconded the nomination. There being no other nominations, Alan Skavroneck was by acclamation elected to serve as the LCB Vice Chair for 2016.

At this point in the meeting Agenda Item # 6-Sunshine Law Presentation was moved and was presented after Agenda Item Number 8-Overview of the LCB Process (Annual Training Requirement).

7. **Overview of the LCB Process (Annual Training Requirement)**

Wendy Scott reviewed with members the 2016 Transportation Disadvantaged Local Coordinating Board Training document included in the agenda packet. She highlighted that the Commission for the Transportation Disadvantaged (CTD) is established by Florida Statutes (F.S.) Chapter 427 and the Florida Administrative Code, Chapter 41-2. She noted that the CTD is comprised of seven (7) members and eight (8) non-voting, Ex Officio Advisors. She stated that the greatest portion of the TD Trust Fund originates with the \$1.50 license plate fee collected as a part of the costs in registering a vehicle in Florida. Ms. Scott reminded members and their constituents to consider adding the \$1.00 voluntary contribution to the Transportation Disadvantaged Trust Fund, when renewing vehicle registrations. Ms. Scott noted that coordination involves strategies that result in more trips for more riders to provide services that are cost effective and efficient. She stated that the majority of TD trips are educational/training related and now surpass medically related trips in 2015.

Ms. Scott described the makeup of the LCB Board, the required LCB annual products and submittal schedule, examples of voting member conflict of interest, and funding sources for the local and State TD programs. Also provided was a review of the names and job titles of staff for the MPO and County Budget and Administrative Services Department including the Transit Division. Ms. Scott thanked LCB members for all of their efforts, noting that the LCB received the Transportation Disadvantaged Commission's 2015 Outstanding Coordinating Board Award, which was largely due to the LCB Members' dedication, hard work and support of the local transit delivery system.

A question arose regarding delineation of Charlotte County's rural/urban boundaries. Rick Kolar stated that he would electronically send to members a map defining rural/urban boundaries within the County. Another question centered on the need for future Annual Operating Reports (AORs) to include data from the previous year's AOR report data. This trend data could aid members in their understanding of cost per ride, rider unduplicated head counts and ridership rate over an extended period of time. Pam Barr noted these suggestions and stated that this trend data will be included in the next AOR report and will presented to members at the September 8, 2016 LCB meeting.

8. Review/Endorsement of Charlotte Country's Section 5310 Grant Application and Section 5311 Grant Application

Rick Kolar stated that the Section 5310 (enhanced mobility for seniors and individuals with disabilities) and Section 5311 (individuals living in rural areas) Grant Applications are being applied for by the Charlotte County Transit Division.

He stated that his Division is also applying for a Section 5339 Rural Areas Capital Assistance Grant to aid in funding the construction of a new Transit Division Office. Mr. Kolar stated that the new transit facility would be at the current County JB Yard on Kenilworth Avenue (off Veterans Blvd.) in Port Charlotte. He noted that overall project costs are estimated at nearly \$ 2.5 million dollars and would take two to three years to complete construction and equipment transfer.

Joseph Sabatino made a motion to endorse the Section 5310 and 5311 Grant Applications. Vikki Carpenter seconded the motion. The motion carried unanimously.

6. Sunshine Law Presentation

Assistant County Attorney Cody Vaughn-Birch presented a video narrated by County Attorney Janette Knowlton describing Florida's Government in the Sunshine Law. In the video, Ms. Knowlton described the scope of the Sunshine Law, noting that there are three basic requirements of the Sunshine Law. The first requirement is that meetings of public Boards, Committees and Commissions must be open to the public. Secondly, reasonable notice of the meeting must be given and thirdly, that minutes of the meeting must be taken. She stated that the law also places restrictions on what communications Members may have with one another outside of their group's public meeting on any issue or matter on which foreseeable action will be taken by that body.

She noted that the Law does not apply to a meeting between individuals who are members of different voting bodies or to members of the public. Ms. Knowlton then described the methods of communication (verbal, telephone, e-mail or other written correspondence).that are covered by the Sunshine Law, including prohibition on “daisy chaining,”

After the video presentation, Cody Vaughn-Birch clarified and provided information on questions asked by some members concerning the Sunshine Law. He noted that a seven (7) day public notice is considered sufficient for public meeting notification, except in emergency situations. Mr. Vaughn-Birch also stated that public Boards should take reasonable steps to ensure that facilities where the meeting will be held will accommodate the anticipated turnout. Additionally, he noted that the meeting facility must meet standards required by the Americans with Disabilities Act (ADA), and that the use of video technology is appropriate in aiding and providing opportunities for public participation at Board meetings.

Mr. Vaughn-Birch described the penalties for Board members who are found guilty of violating the Sunshine Law noting that there are both civil and criminal penalties which may apply. A civil non-criminal infraction is punishable by a fine not exceeding \$500.00. Criminal penalties for any Board member who knowingly violates the Sunshine Law are a second degree misdemeanor punishable by a term of imprisonment not to exceed 60 days and/or a fine up to \$500.00. He also stated that if a court finds that a Sunshine Law violation has occurred, the court may assess attorney fees against the public Board.

Bob Herrington noted that social medial websites such as Facebook or LinkedIn are also methods of contact that are subject to the Sunshine Law.

9. Community Transportation Coordinator (CTC) Quarterly Report

Vice Chair Alan Skavroneck asked members if they had any questions or comments on this item. Joseph Sabatino noted the significant decrease in the number of complaints in the current quarter. Rick Kolar stated that the complaint total does not include approximately 6 weeks of data lost due to a former employee’s action. It was suggested that data gaps and omissions be noted in future reports with footnotes to explain the circumstance.

Mr. Kolar also noted the dismissal of a legal complaint filed by a transit rider. He stated that the plaintiff did not attend the complaint hearing, and potential credibility issues by the complainant led to the County prevailing in this matter.

10. Citizen Input

Kim Correll stated that her Project Starfish constituents find it difficult to use and plan trips with the current Charlotte County paratransit system. She noted that a fixed route system would greatly aid her members in the South County area.

11. Staff Comments

Wendy Scott stated that the Memorandum of Agreement (MOA) between the Charlotte County Board of County Commissioners (BCC) and the Florida Commission for the Transportation Disadvantaged must be executed by July 1, 2016. She described how the MPO Board at the December 7, 2015 meeting approved a resolution recommending that the Charlotte County BCC continue as the Community Transportation Coordinator (CTC) for the next 5 year period from July 1, 2016 to June 30, 2021. Ms. Scott stated that the next step in the CTC designation process is for the Official Planning Agency (OPA) to present the MPO CTC recommendation at the Florida Commission for the Transportation Disadvantaged (CTD) business meeting to be held on April 8, 2016 in Vero Beach.

Ms. Scott stated that the BCC will be holding a Transit Workshop next Tuesday, January 19, 2016, beginning at 9 a.m. in Room B106 at the Murdock Administrative Center. She noted that all are welcome to attend, but no public comments will be taken at the workshop.

Ms. Scott also mentioned the January 11, 2016 front page article in the *Charlotte Sun* describing that a lawsuit has been filed against Bluebird Mobility, a private transportation service offering rides to wheel-chair bound customers. Ms. Scott emphasized that Charlotte County Transit is not a part of this complaint, and it would be unfortunate if readers misinterpreted the article.

Gene Klara noted that the MPO's Public Participation Plan has been amended and will be taken to the MPO Board at the March 7, 2016 meeting for endorsement and approval. The revisions reflect that following adoption, the MPO will begin using the term Public Meeting in place of the term Public Hearing for items that require increased public involvement opportunities. Mr. Klara stated that discussions with FDOT have indicated that the use of the term Public Meeting allows the MPO to conduct public outreach activities that are more flexible and less costly to conduct. FDOT guidance implies that a court reporter, a transcript, and a script are generally required for Public Hearings, with Public Meetings serving the same public participation function on a less formal, less costly and more flexible level.

Rick Kolar showed members canvas carry bags now being distributed by County Transit to riders. The teal colored bags have the phone number and public transportation wording centered on the bag. Mr. Kolar encouraged attendees to take and use the bag. Mr. Kolar also noted that wheeled collapsible metal mesh package carts manufactured by *Easy Wheels* are now available on all County Transit vehicles. Mr. Kolar believes that these wheeled carts will greatly aid passengers who have a large number of shopping bags.

12. Member Comments

Naomi Manning commented that the County and the LCB need to be diligent in their understanding of the needs and concerns of the very elderly (over 85 years of age) in the community.

Debi Stevens thanked the Charlotte County Attorney's Office and the MPO for the very informative Sunshine Law presentation at today's meeting.

Joe Sabatino mentioned the St. Vincent de Paul "Walk for the Poor" event which will be held at the Sacred Heart Catholic Church on Saturday January 30, 2016.

13. Adjournment

Vice Chair Alan Skavroneck stated that the next meeting of the LCB is scheduled for May 12, 2016 and adjourned the meeting at 11:43 a.m.

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