

CHARLOTTE COUNTY TRANSPORTATION DISADVANTAGED

LOCAL COORDINATING BOARD (LCB)

BYLAWS

ADOPTED

SEPTEMBER 6, 2018

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1. PURPOSE

The purpose of the Charlotte County Transportation Disadvantaged Local Coordinating Board (LCB) is to confer with and advise the Community Transportation Coordinator (CTC) on the coordinated transportation in Charlotte County.

Other functions of the LCB shall include, but are not limited to the following:

- (a) To find solutions to enhance the CTC operations to provide for a cost effective, rider convenient, viable and reliable method of transportation.
- (b) To provide a focal point for transportation disadvantaged information that can be used and coordinated with other planning efforts.
- (c) To provide a forum for development, discussion, and interchange of ideas to be utilized for the provision of transportation disadvantaged services.
- (d) To make recommendations regarding any grievances pertaining to transportation disadvantaged services which are not resolved by the CTC, and to assist in resolving those grievances as required.
- (e) To identify and develop responses to local service needs.

2. DEFINITIONS

- CCTD Charlotte County Transit Division of the Charlotte County Board of County Commissioners (BCC).
- CPT-HSTP Coordinated Public Transit-Human Services Transportation Plan – a plan developed using the core TDSP and enhanced with additional information as required for service delivery of Federal Section 5310 and Section 5311 programs.
- CTC Community Transportation Coordinator - The Charlotte County Board of County Commissioners (BCC) through the CCTD functions as the CTC for Charlotte County.
- CTD Commission for the Transportation Disadvantaged - The Agency created by Chapter 427 F.S., whose purpose under law is to accomplish the coordination of transportation services provided to the transportation disadvantaged.

- LCB Charlotte County Transportation Disadvantaged Local Coordinating Board - defined under Section 427.011(7), F.S., as “an advisory entity in each designated service area composed of representatives appointed by the Metropolitan Planning Organization (MPO) Board, or Official Planning Agency (OPA), to provide assistance to the Community Transportation Coordinator (CTC) relative to the coordination of transportation services.”
- MOA Memorandum of Agreement - The state contract included in the Transportation Disadvantaged Service Plan (TDSP) for transportation disadvantaged service purchased by federal, state, or local government transportation disadvantaged funds.
- MPO The Charlotte County-Punta Gorda Metropolitan Planning Organization - The MPO functions as the OPA for Transportation Disadvantaged Services in Charlotte County.
- OPA Official Planning Agency - The body selected to plan for Transportation Disadvantaged Services in a given service area, including staffing the LCB.
- TDSP Transportation Disadvantaged Service Plan - A five-year implementation plan, with annual updates developed by the CTC and the MPO which contains the provisions of service delivery in the coordinated transportation system.

3. MEMBERSHIP

In accordance with Section 427.0157, F.S., all members of the LCB shall be appointed by the MPO Board. In making these appointments, the MPO Board shall attempt to appoint individuals who have positions of responsibility within their agency at a level high enough to allow them to adequately represent their agency during Board discussions and when votes are being taken.

A. Voting Members

In addition to the Chair, the following agencies or other groups shall be represented on the Board as voting members:

1. A local representative of the Florida Department of Transportation;
2. A local representative of the Florida Department of Children and Family Services;
3. 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;

4. A local representative of the Florida Division of Vocational Rehabilitation or the Division of Blind Services, representing the Florida Department of Education;
5. A person who is recognized by the Florida Department of Veterans Affairs as a representative of the veterans in the county;
6. A person who is recognized by the Florida Association for Community Action (President), representing the economically disadvantaged in the county;
7. A person over sixty (60) years of age representing the elderly in the county;
8. A person with a disability representing individuals who are disabled in the county;
9. Two (2) citizen advocate representatives in the county; one who must use the transportation service(s) of the system as a primary means of transportation;
10. A local representative for children at risk;
11. A local representative of the Florida Department of Elder Affairs (through the Area Agency on Aging);
12. An experienced representative of the local private for profit transportation industry;
13. A local representative of the Florida Agency for Health Care Administration;
14. A representative of the Regional Workforce Development Board established in Chapter 445, F.S.; and
15. 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 service.

Additional non-voting members may be appointed by the MPO Board. The public mass transit operator shall be appointed as a non-voting member to the Board. The representative of the local private sector shall refrain from voting on any agenda item pertaining to contracts with operators, grievances filed against operators or such items as may be construed as a conflict of interest. No employee of the CTC shall serve as a voting member of the LCB.

B. Alternates

Each voting agency member of the LCB may name alternates who may vote in the absence of that member on a one-vote-per-member basis.

4. **OFFICERS**

A. Chair

The MPO Board shall appoint an elected official from any governmental entity in the county, to serve as the official Chair to preside at all LCB meetings. The Chair shall serve until his/her elected term of office has expired or he/she is replaced by the MPO Board.

The Chair shall preside at all meetings and shall be responsible for the conduct of all meetings. The Chair shall be responsible for pertinent Committee correspondence and information releases. The Chair shall also serve as a liaison between the LCB and the CTC whenever the need arises. Authority not specifically designated in this document is reserved to the Chair.

B. Vice Chair

The Board may hold an organizational meeting each year during the first scheduled meeting of the calendar 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 first meeting after the election. The Vice Chair may serve more than one term.

The Vice Chair shall, during the absence of the Chair or his/her inability to serve, have and exercise all of the duties and powers of the Chair. The Vice Chair shall also perform such other duties as may be assigned him/her by the Chair.

If both the Chair and Vice Chair are absent from a meeting, the meeting may be chaired by a voting member selected by vote.

5. **TERMS OF APPOINTMENT**

Except for the Chair and agency representatives, the members of the LCB shall be appointed for three years. Individuals can be reappointed for more than one term.

6. **ATTENDANCE**

The MPO shall consider rescinding the appointment of any member of the Board who fails to attend three consecutive meetings. The LCB may notify the CTD if any State agency representative or their alternate fails to attend three consecutive meetings.

7. STAFF SUPPORT

The MPO shall provide the LCB with sufficient staff support and resources to enable the LCB to fulfill its responsibilities as set forth in Chapter 427.0157, F.S., This responsibility includes providing sufficient:

- (a) Staff to manage and oversee the operations of the LCB; and
- (b) Staff to assist in the scheduling of meetings, preparation of meeting agenda packets, and other necessary administrative duties.

Staff will assist the Chair with the preparation, duplication, and distribution of all materials necessary for the LCB meetings.

8. MEETINGS

The LCB shall meet as often as necessary in order to meet its responsibilities. However, as required by Section 427.0157, F.S., the LCB shall meet at least quarterly. All meetings, including committee and subcommittee meetings, will function under the "Government in the Sunshine Law". All meetings will provide opportunity for public comments on agenda items.

One public meeting will be held each year for the purpose of receiving input on unmet needs or any other areas that relate to the local transportation disadvantaged services. The public meeting will be held at a place and time that is convenient and accessible to the general public. The public meeting may be incorporated with a regular business meeting of the LCB or a public meeting held jointly with the CTD will satisfy this annual requirement.

A two week notice shall be given for regular meetings. Agenda materials shall be made available and sent to the LCB no less than one week in advance of any regular meeting. Special meetings may be called by the Chair with a minimum of three (3) calendar days prior to any special or emergency meeting. Members may place items on the agenda by notification of staff.

Staff is responsible for maintaining an official set of Minutes for each LCB meeting. The Minutes shall include an attendance roster and reflect official actions taken by the LCB. Copies of all LCB Minutes shall be sent to the CTD and the Chair of the MPO Board. A quorum to conduct business shall be six (6) voting members.

9. STANDING GRIEVANCE COMMITTEE

- (A) There is hereby created a Charlotte County Transportation Disadvantaged Grievance Committee pursuant to Chapter 427, F.S., and Rule 41-2 of the Florida Administrative Code (FAC) and as referenced in the Memorandum of Agreement (MOA) between the CTC and the CTD. The body formed will hereinafter be referred to as the Grievance Committee.

- (B) The objective of the Grievance Committee shall be to develop rules and procedures to ensure quality control and to provide participating users, funding agencies and transportation providers with an impartial body to hear complaints and settle disputes concerning services rendered.
- (C) Membership of the Grievance Committee shall be the same as the membership of the voting members of the LCB as explained in Section 3 item A of these Bylaws and shall be concurrent with membership of the LCB.
- (D) The Vice Chair of the LCB will serve as Chair of the Grievance Committee. In the event the Vice Chair is the representative of the local private sector, then the Grievance Committee shall elect by majority vote a different Chair. In this case, the LCB Vice Chair will not Chair the Grievance Committee.
- (E) A quorum shall be present for any official action. Meetings shall be held at such times as the Grievance Committee may determine or as requested by the LCB.
- (F) The grievance process will be specified in the Grievance Procedures. These procedures will address complaints that may emanate from continued tardiness in pick up time window, driver behavior and deportment, passenger discomfort, irregularities in the system of delivery or decisions made to deny, reduce or terminate services will constitute grievances for users or funding agencies. This may also include complaints about charges or billing constituent grievances by a funding agency or transportation provider, and other complaints that may be heard at the discretion of the Grievance Committee.

10. DUTIES

According to Section 427.0157, F.S., the LCB has the following duties:

- A. Review and approve the coordinated Community Transportation Disadvantaged Service Plan (TDSP), following Memorandum of Agreement (MOA) execution, so that the document may be submitted to the CTD within 120 days after the MOA is signed. The TDSP functions also as the Coordinated Public Transit-Human Services Transportation Plan.
- B. Evaluate services provided in meeting the approved plan.
 - 1. The LCB shall conduct an annual performance evaluation of the CTC. This evaluation shall be conducted using evaluation criteria developed by the CTD. The evaluation of the CTC shall be both in general and relative to specific criteria as it pertains to obtainable goals listed in the TDSP and recommendations contained in the CTD's quality assurance reviews.

2. The results of this evaluation shall be forwarded to the MPO for its consideration as it develops its recommendation concerning the redesignation of the CTC. The results of this evaluation and the MPO's recommendation shall be forwarded to the CTD.
- C. In cooperation with the CTC in reviewing and providing recommendations to the CTD on funding applications affecting the transportation disadvantaged, the LCB shall:
 1. Request federal, state, or local government agencies to provide for LCB review of all applications or purchase of service requests for client services which contain funds for transportation disadvantaged services. Such funds may include expenditures for operating, capital or administrative needs.
 2. Present to the CTD any unresolved funding requests without delaying the application process.
- D. Assist the CTC in establishing priorities with regard to the recipients of non-sponsored TD services that are purchased with TD Trust Fund moneys.
- E. Review the coordination strategies of service provision to the transportation disadvantaged in the designated service area.
- F. Evaluate multi-county or regional opportunities.
- G. Work cooperatively with Regional Workforce Boards as established, chapter 445, F.S., to provide for the development of innovative transportation services for participants.

11. PARLIAMENTARY PROCEDURES

The Board will conduct business using parliamentary procedures according to the latest version of Robert's Rules of Order.

12. AMENDMENTS

These Bylaws may be amended by the affirmative vote of a majority of a quorum at any regular meeting. Whenever possible, proposed amendments shall be submitted to the membership one week prior to the meeting at which it is to be considered.

These Bylaws and any and all amendments to the Bylaws will become effective upon affirmative vote of a majority of a quorum.

These Bylaws for the Charlotte County Transportation Disadvantaged Local Coordinating Board (LCB) were originally adopted on August 2, 1990 by the LCB and subsequently amended as follows:

- November 16, 1993
- June 28, 1996
- January 14, 2000
- July 17, 2003
- September 10, 2009
- November 7, 2011
- November 15, 2012
- November 14, 2013
- September 11, 2014
- September 10, 2015
- September 8, 2016
- September 7, 2017
- September 6, 2018

PASSED AND DULY ADOPTED after motion, second and majority vote favoring same, this September 6, 2018.

CHARLOTTE COUNTY-PUNTA GORDA
METROPOLITAN PLANNING
ORGANIZATION

BY: Gary D. Harrell
Gary D. Harrell, Director

CHARLOTTE COUNTY
TRANSPORTATION DISADVANTAGED
LOCAL COORDINATING BOARD

BY: Kenneth Doherty
Kenneth Doherty, LCB Chair

APPROVED AS TO FORM
AND LEGAL SUFFICIENCY:

By: Janette S. Knowlton
Janette S. Knowlton, County Attorney