



**By-Laws for the
Transportation Disadvantaged Local Coordinating Board (TDLCB)**

**Indian River County MPO
1801 27th Street
Vero Beach, FL 32960**

Updated 5/23/2019

I hereby certify that the Bylaws have been reviewed in entirety by the Indian River County Transportation Disadvantaged Local Coordinating Board.

Coordinating Board Chairperson's Signature

Section 101	Short Title
Section 102	Authority
Section 103	Jurisdiction
Section 104	Effective Date
Section 105	Preamble
Section 106	Purpose & Functions
Section 107	Membership
Section 108	Appointment, Qualifications and Terms of Office
Section 109	Officers and Duties
Section 110	Regular TDLCB Meetings
Section 111	Special TDLCB Meetings
Section 112	Emergency TDLCB Meetings
Section 113	Public Hearings and Workshops
Section 114	TDLCB Meeting Agenda
Section 115	TDLCB Motions
Section 116	Conduct of TDLCB Meetings
Section 117	Subcommittees
Section 118	Administration

Section 101 **Short Title**

This chapter, the terms and provisions contained herein, shall be known as the "By-laws for the Transportation Disadvantaged Local Coordinating Board (TDLCB)" of Indian River County, Florida.

Section 102 **Authority**

- (1) These by-laws are adopted pursuant to the authority contained in Chapter 427, Florida Statutes and Rule Chapter 41-2, Florida Administrative Code.
- (2) Whenever any provision of these by-laws refer to or cite a section of Chapter 427, Florida Statutes or Rule Chapter 41-2, Florida Administrative Codes it shall be deemed to refer to those sections, as amended.

Section 103 **Jurisdiction**

These by-laws shall be effective throughout Indian River County. Indian River County includes the unincorporated area as well as the municipalities.

Section 104 **Effective Date**

The provisions in this chapter were adopted on February 21, 1991 and became effective on same.

Section 105 Preamble

The Local Coordinating Board has been created pursuant to Chapter 427, Florida Statutes and Rule Chapter 41-2, Florida Administrative Code. The following sets forth the by-laws, policies and procedures which shall serve to guide the proper functioning of the Local Coordinating Board (TDLCB). The intent is to provide guidance for the operation of the TDLCB to ensure the accomplishment of transportation disadvantaged planning and development of tasks to create an efficient and safe public transportation system.

Section 106 Purpose and Functions

- (1) The citizens of the area shall be involved in the transportation disadvantaged planning process by the establishment of a Local Coordinating Board. The purpose of the TDLCB shall be to identify 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 population.
- (2) The Board shall meet at least quarterly and shall perform the following duties:
 - (a) Maintain official meeting minutes, including an attendance roster, reflecting official action and provide a copy of same to the State Commission for the Transportation Disadvantaged and the Chairperson of the Designated Official Planning Agency (DOPA).
 - (b) Review and approve the Memorandum of Agreement including the Transportation Disadvantaged Service Plan.
 - (c) On a continuing basis, evaluate services provided under the designated service plan. Annually, prior to the Coordinator's annual evaluation, provide the Metropolitan Planning Organization (MPO) or Designated Official Planning Agency (DOPA) with an evaluation of the Coordinator's performance in general and relative to the State Transportation Disadvantaged Commission standards and the completion of the annual service plan. Recommendations relative to performance and the renewal of the Coordinator's contract shall be included in the report.
 - (d) In cooperation with the CTC, review and provide recommendations to the Commission and the MPO or DOPA 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.
 - (e) Review coordination strategies for 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. Such strategies should also encourage multi-county and regional transportation service agreements between area Community Transportation Coordinators and consolidation or adjacent designated service areas when it is appropriate and cost effective to do so.

- (f) Appoint a Grievance Subcommittee as outlined in the TDSPlan to process, investigate and resolve complaints and make recommendations to the Local Coordinating Board for improvement of service from agencies, users or potential users of the system in the designated service area. The TDLCB shall establish procedures to provide regular opportunities for issues to be brought before such subcommittee and to resolve them in a timely manner.
- (g) In coordination with the CTC, jointly develop applications for funds that may become available.
- (h) Review and approve the Coordinator's Annual Operating Report, outlining the accomplishments and activities or other areas of interest to the Commission and the MPO or DOPA for the most recent operating year period.
- (i) Develop and maintain a vehicle inventory and utilization plan of those vehicles purchased with transportation disadvantaged funds for inclusion in the Board Annual Report to the Commission.

Section 107 **Membership**

- (1) TDLCB voting membership may be attained in the following ways:
 - (a) An elected official may be chosen by his peers to serve as Chair;
 - (b) A representative may be selected by a state or local agencies and be recommended to the Designated Official Planning Agency to serve on the Board.
- (2) The TDLCB membership shall include the following voting members:
 - (a) Chairperson - Representative of the Designated Official Planning Agency (DOPA);
 - (b) A representative of the Florida Department of Transportation (FDOT);
 - (c) A representative of the Florida Department of Children and Families (FDC&F);
 - (d) A representative of the Public Education Community;
 - (e) A representative of the Florida Division of Vocational Rehabilitation (FDVR);
 - (f) A person who is recognized by the Florida Department of Veterans Affairs, representing the veterans in the county;
 - (g) A person who is recognized by the Florida Association for Community Action, representing the economically disadvantaged in the county;
 - (h) A person over sixty, representing the elderly in the county;
 - (i) A handicapped person, representing the handicapped in the county;

- (j) Two citizen advocate representatives in the county; one who must be a user of the system;
 - (k) A representative of the Florida Department of Elder Affairs (FDEA);
 - (l) A representative for children at risk;
 - (m) A representative of the Florida Agency for Health Care Administration (FAHCA);
 - (n) A representative of the Regional Workforce Development Board;
 - (o) 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;
 - (p) A representative of the Agency for Persons with Disabilities
 - (q) A representative of the Private Transportation Industry; and
 - (r) A representative of the Mass/Public Transit industry, if applicable.
- (3) Additionally, the DOPA may appoint persons who apply for non-voting membership appointments. Should the county have a public mass transit operator he or she shall be appointed as a non-voting member by the DOPA.
- (4) Non-voting members shall sit with same rights and privileges as other members, except that non-voting members shall not have the right to present motions or second same, or to vote upon any motion of the TDLCB.

Section 108 **Appointment, Qualifications and Terms of Office**

- (1) The TDLCB shall encourage affected state/local agencies, the DOPA and interested citizens in Indian River County to nominate representatives to serve as voting members on the TDLCB.
- (2) Each TDLCB member is expected to demonstrate his or her interest in the TDLCB activities through regular attendance at scheduled TDLCB meetings. If any voting member misses three (3) consecutive meetings for unexcused reasons, the TDLCB Chairman shall review and determine if a recommendation for removal should be provided to the DOPA. If that voting member is an agency representative rather than a citizen member, the DOPA shall send written communication to the agency head to report the three consecutive un-excused absences, and request a recommendation for a replacement to be appointed by that agency.
- (3) In the event a member resigns, such member shall submit his/her resignation in writing to the DOPA. The resignation shall take effect upon receipt of the letter.
- (4) TDLCB members shall be appointed to terms as follows:
- (a) Except for the Chair, and state agency representatives, the members of the Board shall be appointed for three (3) year staggered terms with initial membership being appointed equally for one, two and three years. The Chair shall serve until replaced by the DOPA.

- (5) Vacancies shall be filled in the same manner as the initial appointment.
- (6) The DOPA shall recommend that alternates be nominated by the agency representatives to serve in their place should they be absent.
- (7) Each member of the TDLCB may request that the DOPA recognize one designated alternate who may vote in the absence of that member on a one-vote-per-member basis.

Section 109 **Officers and Duties**

- (1) The TDLCB voting membership shall hold an organizational meeting as part of their first meeting of each year for the purpose of electing a Vice Chair from its voting membership. The TDLCB will also confirm the yearly calendar of meetings at the January meeting.
- (2) The Chair shall accept nominations either in written or verbal form at the meeting specified in Section (1) above.
- (3) If a quorum (one-half of the total membership, plus one) is in attendance, Vice Chair shall be elected by a majority of the members present at the organizational meeting and shall serve a term of one year.
- (4) The Chair shall preside at all meetings. In the event of his or her absence, or at his or her direction, the Vice Chair shall preside.
- (5) In the event of the permanent incapacitation or removal from the TDLCB of the Chair or Vice Chair, a new Chair will be chosen from his or her peers of elected officials and named by the DOPA, or a new Vice Chair elected from the membership at the next scheduled meeting.
- (6) The Chair shall sign all appropriate forms and letters.

Section 110 **Regular TDLCB Meetings**

- (1) TDLCB meetings shall be held at least quarterly or on an as-needed basis at a date, time and place to be designated by the Chair. Regular meeting dates and times may be changed by the Chair or Vice Chair to accommodate holidays or for other reasons.
- (2) In the event that the Chair or Vice Chair wishes to cancel or change the meeting time and/or date of a regular meeting, advance notice of such cancellation or change shall be given at least seven (7) working days before such meeting was to have taken place.
- (3) No less than fourteen (14) working days prior to a regular TDLCB meeting, notice and tentative agendas shall be sent to the members of the TDLCB and local media services.

Section 111 **Special TDLCB Meetings**

- (1) A special meeting of the TDLCB may be called by the Chair or a majority of the voting members by a phone vote. Each voting and non-voting member of the TDLCB will receive a notification of such special meeting stating the date, hour and place of the meeting and the purpose for which such meeting is called, and no other business shall be transacted at that meeting.
- (2) No less than forty-eight (48) hours before such special meeting, the TDLCB shall give notice of the date, hour and place of the special meeting including a statement of the subject matter to be considered and public notice provided to the print media (press box at the Board of County Commissioners office) and posted at the site of the special meeting.

Section 112 **Emergency TDLCB Meetings**

- (1) An emergency meeting of the TDLCB may be called by the Chair when, in his or her opinion, an emergency exists which requires immediate action by the TDLCB. When such a meeting is called, each TDLCB member will be notified, stating the date, hour and place of the meeting and the purpose for which it is called, and no other business shall be transacted at that meeting. Every attempt shall be made to give a twenty-four (24) hour advance notice of such emergency meeting before the meeting is held.
- (2) If, after reasonable diligence, it becomes impossible to give notice to each member, such failure shall not affect the legality of the emergency meeting if a quorum (one-half of the voting membership, plus one) is present. The minutes of each emergency meeting shall show that proper notice was given to each member of the TDLCB, or shall show a waiver of notice.

Section 113 **Public Hearings and Workshops**

- (1) Public hearings and workshops may be called by the TDLCB and may be scheduled before or after regular meetings at the same meeting place or may be scheduled at other times and places, provided:
 - (a) The TDLCB shall give notice of the date, hour and place of the hearing or workshop including a statement of the general subject matter to be considered no less than ten (10) working days (or as required by Federal and State Regulations) before the event; and
 - (b) No formal business, for which notice has not been given, shall be transacted at such workshops or hearings.

Section 114 **TDLCB Meeting Agenda**

- (1) There shall be an official agenda for every meeting of the TDLCB, which shall determine the order of business conducted at the meeting.
- (2) Requests for agenda changes to any TDLCB meeting may be presented to the Chair at the meeting.
- (3) The TDLCB shall not take action upon any matter, proposal or item of business not listed on the official agenda, unless a majority of the voting members present shall have first consented to the presentation thereof for consideration and action; however, the Chair may add new business to the agenda under other business, or reports.
- (4) No agenda item listed on the agenda for public hearings or vote thereon may be deferred until a later time unless a majority of the voting members present shall vote in favor of such deferral.
- (5) The agenda shall be prepared by the County staff, except for special or emergency meetings.

Section 115 **TDLCB Motions**

- (1) All actions of the TDLCB shall be by motion. These actions may include but are not limited to:
 - (a) Endorsement of transportation disadvantaged plans and programs and amendments thereto;
 - (b) Endorsement of goals and objectives;
 - (c) Endorsement of policy directives;
 - (d) Approval of administrative matters including directives or authorizations of the Chairman, TDLCB Subcommittees, or the technical staff;
 - (e) Amendments to the TDLCB By-laws, subject to the approval of the DOPA; and
 - (f) Any other matters deemed by the TDLCB to be of sufficient importance to require a motion.
- (2) All official and formal motions of the TDLCB shall be recorded in the minutes and kept in the MPO's permanent files.

Section 116 **Conduct of TDLCB Meetings**

- (1) All TDLCB meetings will be open to the public and members of the press.
- (2) The procedures of Indian River County's Board of County Commissioners shall be used at all TDLCB meetings as set forth in Chapter 102 of the Indian River County Code.

- (3) One-half of the total membership of the TDLCB shall constitute a quorum. No official action shall be taken without a quorum. No motion shall be adopted by the TDLCB except upon the affirmative vote of a simple majority of the voting members present.
- (4) Should no quorum attend within fifteen (15) minutes after the hour appointed for the meeting of the TDLCB, the Chair or Vice Chair may adjourn the meeting. In that event, those members present may, by unanimous agreement, select another hour or day with provision of adequate notice. The names of the members present and their action at such meeting shall be recorded in the minutes.
- (5) All meetings of the TDLCB shall be conducted in accordance with the following:
 - (a) The Chair shall preside at all meetings at which he or she is present;
 - (b) In the absence of the Chair, the Vice Chair shall preside. If both the chair and the vice-chair are absent, the person designated by the chair shall preside;
 - (c) The Chair shall state every question coming before the TDLCB and announce the position of the TDLCB on all matters coming before it;
 - (d) A simple majority vote of the voting members present shall govern and conclusively determine all questions of order not otherwise covered. Individual dissent shall be recorded and represented as such;
 - (e) No individual member shall represent an individual opinion to the press, State, Federal or local officials or any other party as being the consensus/findings of the TDLCB unless previous discussion and a majority vote was taken at TDLCB meeting;
 - (f) The Chair shall call the TDLCB meeting to order at the appointed hour;
 - (g) In the absence of the Chair and Vice Chair, the County staff representative shall determine whether a quorum is present and in that event shall call for election of a temporary Chair. The temporary Chair shall preside at the meeting and relinquish the chair upon conclusion of the meeting;
 - (h) Any TDLCB member who must be absent from any TDLCB meeting shall notify the TDLCB secretary of the absence as soon as convenient;
 - (i) Any TDLCB member who is presented with a voting conflict of interest under Section 112.3143, Florida Statutes must file a "Form 8B Memorandum of Voting Conflict for County, Municipal and other Local Public Officers" and comply with the instructions contained therein. A voting conflict occurs when the measure to be voted on could inure to the TDLCB members special private gain or to the special gain of a principal (other than a governmental agency) by whom the Board member is retained. The secretary of the Board shall provide any member with form 8B upon request.
 - (j) Any TDLCB member who has disagreement with Committee or Board policies shall state same in a letter to the TDLCB Chair and the DOPA chair prior to seeking a resolution;
 - (k) The vote upon any resolution, motion or other matter shall be a voice vote, unless the Chair or any member requests that a roll call be taken;
 - (l) Upon every roll call vote, the TDLCB secretary shall call the roll, tabulate the votes, and announce the results;

- (m) The minutes of prior meetings may be approved by a majority of the voting members present, and upon approval shall become the official minutes;
- (n) Any citizen who is not a member of the TDLCB can be placed on an agenda upon prior written request of a regular meeting of the TDLCB and be heard concerning any matter within the scope of the jurisdiction of the TDLCB;
- (o) Any citizen who is not a member of the TDLCB shall not be permitted to address the TDLCB on any matter not appearing on the agenda, unless the TDLCB shall first grant permission to be heard by a majority of the voting members present;
- (p) Any citizen who is not a member of the TDLCB shall not be entitled as a matter of right to address the TDLCB on any matter listed on the official agenda which is not scheduled for public hearing, discussion or debate, unless the TDLCB shall first grant permission to be heard by the majority of the voting members present at the meeting.
- (q) Each person, other than the TDLCB members and County staff members who address the TDLCB shall give the following information for the minutes:
 - 1. Name;
 - 2. Address;
 - 3. Representing;
 - 4. Whether or not he or she is being compensated by the person(s) for whom he or she speaks; and whether he or she, or any member of his or her immediate family, has a personal financial interest in the pending matter.
- (r) Unless further time is granted by the TDLCB, each person shall limit his or her address to five (5) minutes; and
- (s) All remarks shall be addressed to the TDLCB as a body and not to any member thereof. No person, other than TDLCB members and the person having the floor, shall be permitted to enter into any discussion, either directly or through a member, without permission of the presiding officer. No question shall be asked of a TDLCB member except through the presiding Chair.

Section 117 **Subcommittees**

- (1) TDLCB Subcommittees shall be designated by the TDLCB as necessary to investigate and report on specific subject areas of interest to the TDLCB. These subcommittees shall include, but are not limited to:
 - (a) Paratransit, Intercounty travel and future public transportation development;
 - (b) Fare structure and service area needs assessment; and
 - (c) Directions for future growth and funding sources
- (2) TDLCB Subcommittees may be designated as necessary to deal with administrative and legislative procedures. These subcommittees may include, but are not limited to:
 - (a) Administrative matters (CTC evaluation, etc.);
 - (b) By-law amendments, and
 - (c) Grievance matters.

Section 118

Administration

- (1) The MPO staff director, or designee, shall be the direct liaison between the TDLCB Chair and the DOPA.
- (2) MPO staff, Community Development Department staff, BCC office staff, and Legal Department staff shall serve as the support staff of the TDLCB.
- (3) MPO staff is responsible for the minutes of all meetings and all notices and agendas for future meetings.
- (4) MPO staff shall furnish recording capability for all meetings.
- (5) MPO staff will assist the Chair in the preparation, duplication and distribution of all printed materials necessary for meetings.
- (6) All official actions of the TDLCB are to be recorded and kept in permanent minute files by MPO staff. These files shall be open to public inspection during regular office hours of the County staff office located at 1840 25th Street in Vero Beach, Florida.

Originally Adopted On February 21, 1991.