MEETING NOTICE

Please be advised that a meeting of the River to Sea Transportation Planning Organization (R2CTPO) Transportation Disadvantaged Local Coordinating Board (TDLCB) **QUALITY ASSURANCE COMMITTEE (QAC)** and **GRIEVANCE COMMITTEE** will be held on:

Date: **Wednesday, July 8, 2015**
Time: **10:30 A.M.**
Place: **Volusia County Mobility Management Center (Votran)**
950 Big Tree Road
South Daytona, FL 32119

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AGENDA

I. CALL TO ORDER

II. BUSINESS

Open Quality Assurance Committee Meeting

A. Quality Assurance Committee's Annual Review of the Bylaws of the TDLCB

Close Quality Assurance Committee meeting

Open Grievance Committee Meeting

A. Grievance Committee's Annual Review of the Grievance Procedures of the River to Sea TPO's TDLCB

Close Grievance Committee meeting

III. ADJOURNMENT

Distribution:

Joshua Wagner
Judy Craig
DeWeece Ogden
Mary Ellen Ottman
Pat Antol
Heather Blanck
Press

NOTE: Individuals covered by the Americans with Disabilities Act of 1990 in need of accommodations for this public meeting should contact the River to Sea TPO office, 2570 W. International Speedway Blvd., Suite 100, Daytona Beach, Florida 32114-8145; (386) 226-0422, extension 20416, at least five (5) working days prior to the meeting date.

GRIEVANCE PROCEDURES
OF THE
RIVER TO SEA -TPO
TRANSPORTATION DISADVANTAGED LOCAL COORDINATING BOARD

ARTICLE I: PREAMBLE

SECTION 1: PREAMBLE

The following sets forth the grievance procedures which shall serve to guide the River to Sea TPO Transportation Disadvantaged Local Coordinating Board (TDLCB), serving to assist the Community Transportation Coordinator (CTC). The intent is to provide procedures and policies for fulfilling the requirements of Chapter 427, Florida Statutes, Rule 41-2.012 of the Florida Administrative Code (FAC), and subsequent laws setting forth requirements for the establishment of grievance procedures. Grievance Committee procedures are designed to address issues raised by agencies, users, potential users, sub-contractors, and other interested parties which cannot be resolved through the CTC. This procedure does not cover the competitive bid process; including Request for Proposals (RFPs).

ARTICLE II: GRIEVANCE COMMITTEE NAME AND PURPOSE

SECTION 1: NAME

The name of the committee to resolve grievances for the River to Sea TPO Transportation Disadvantaged Local Coordinating Board shall be a Subcommittee of the TDLCB Quality Assurance Committee, but will hereinafter be referred to as the Grievance Committee.

SECTION 2: PURPOSE

The primary purpose of the Grievance Committee is to process, investigate and make recommendations with respect to unresolved complaints to the Local Coordinating Board for improvement of service. This procedure is made available to agencies with Purchase of Service Agreements (POS) contracts, users, or potential users of the system in Volusia to hear complaints and provide a mechanism for issues to be brought before the Grievance Committee which shall meet as often as necessary to address unresolved complaints in a timely manner.

ARTICLE III: DEFINITIONS

SECTION 1: DEFINITION OF COMPLAINT

"A complaint is an oral (in person/telephone) or written statement of dissatisfaction which is presented to Votran, Volusia County's CTC."

SECTION 2: DEFINITION OF FORMALGRIEVANCE

"A formal grievance is a written complaint to document any concerns or unresolved service complaints regarding the operation or administration of TD services by the Transportation Operator, Community Transportation Coordinator, the designated official planning agency (DOPA) or the local coordinating board. The Grievant in their formal complaint should demonstrate or establish their concerns as clearly as possible."

ARTICLE IV: FILING OF COMPLAINTS AND GRIEVANCES

SECTION 1: PROCESS OF FILING A COMPLAINT

Any user, agency (with POS contract) or potential user may register a verbal/written complaint with the CTC in accordance with the policies and procedures of Votran.

If the complainant is not satisfied with the action taken by the CTC, the user may file a formal written complaint within ten (10) working days after the CTC's decision.

Such written complaint shall include the following:

1. the name and address of the complainant;

2. a statement of the grounds for the complaint made in a clear and concise manner, supplemented by supporting documentation;
    a. Exact date/time of incident;
    b. Exact location of incident;
    c. Any witnesses to incident (including name and address); and
    d. Vehicle unit number, license number, color and type.

3. an explanation of the relief desired by the complainant; and

4. if the complainant is unable to submit a formal written complaint, Votran shall have the responsibility of obtaining an advocate who will be available to assist those individuals. The ten (10) working days needed by the customer to submit

their written complaint will not go into effect until the advocate has met with the customer.

A written complaint shall be addressed to:

Votran Bus System
Assistant General Manager
950 Big Tree Road
South Daytona, Fl. 32119

The CTC shall have ten (10) working days from the date of notification of the complaint to address or investigate the problem. Within that time, the CTC will respond to the complainant by telephone, if possible, and in writing within ten (10) working days of notification to the complainant as to what action was made.

SECTION 2: FILING OF A GRIEVANCE

If the complainant is dissatisfied with the corrective action taken by the CTC, an appeal to the Grievance Committee of the TDLCB may be filed. Such written appeal must be filed within ten (10) working days from the date of notification to the complainant of the final decision from the CTC. The written appeal shall include the following:

1. the name and address of the complainant;

2. a statement of the ground for the grievance made in a clear and concise manner, supplemented by supporting documentation;

3. demonstrate or establish a clear violation of a specific law, regulation, contractual arrangement, or circumstance thought to be unjust;

4. an explanation of the relief desired by the complainant;

5. specified areas of disagreement with the CTC decisions; and

6. if the complainant is unable to submit a formal written appeal to be filed, Votran shall have the responsibility of obtaining an advocate who will be available to assist those individuals. The ten (10) working days needed by the customer to submit a written appeal will not go into effect until the advocate has met with the customer.

An appeal to the Grievance Committee may only be filed after the complainant has sought satisfaction directly from the CTC.

The appeal must be addressed to:

River to Sea Transportation Planning Organization
Attn: Grievance Committee
2570 W. International Speedway Boulevard, Suite 100
Daytona Beach, Florida 32114

Once an appeal has been received, the Grievance Committee shall meet and render its recommendation within thirty (30) working days of the date the appeal was filed. The complainant shall be notified in writing of the mutually agreed upon date, time and place where the appeal shall be heard. This written notice shall be mailed at least ten (10) working days in advance of the meeting.

A written copy of the recommendation will be forwarded to the TDLCB and all parties involved within ten (10) working days from the date of the recommendation.

Written recommendations will include the following information:

1. a statement that a meeting was held in which the involved parties and/or their representatives were given an opportunity to present their positions;

2. a statement that clearly defines the issues discussed; and

3. Reasons for the recommendation based on the information provided.

If the complainant is dissatisfied with the recommendation of the Grievance Committee, he/she may continue the appeal process with the TDLCB.

ARTICLE V: APPEAL TO THE TRANSPORTATIONDISADVANTAGED LOCAL COORDINATING BOARD

Should the aggrieved be interested in filing an appeal with the TDLCB it must be filed within ten (10) working days from the date of receipt of the final recommendation of the Grievance Committee. The appeal should attempt to demonstrate or establish a clear violation of a specific law, regulation, contractual arrangement or circumstance thought to be unjust. An appeal to the TDLCB can only be filed after the aggrieved has sought satisfaction directly from the Grievance Committee. An appeal to the TDLCB must be addressed to:

River to Sea Transportation Planning Organization
Attn: TDLCB
2570 W. International Speedway Boulevard, Suite 100
Daytona Beach, Florida 32114

Once an appeal has been received, the TDLCB shall meet and render its recommendation within sixty (60) days of the date the appeal was filed. The aggrieved shall be notified in writing of the mutually agreed upon date, time and place where the appeal shall be heard. This written notice shall be mailed at least ten (10) working days in advance of the hearing.

A written copy of the TDLCB's recommendation shall be forwarded to all parties involved within ten (10) working days from the date of the recommendation. . A written recommendation shall include the following information:

1. a statement that a hearing was held in which the involved parties, their representatives and/or witnesses were given an opportunity to present their positions;

2. a statement that clearly defines the issues discussed; and

3. reasons for the recommendation Votran based on the information provided.

If the complainant is dissatisfied with the recommendation of the TDLCB, he/she may continue the process with the TD Ombudsman Program by calling the following number(s): 1-800-983-2435. For hearing and speech impaired customers call, 711 (Florida Only) Florida Relay System or (850) 410-5708 for TTY or via written correspondence to:

Florida Commission for the Transportation Disadvantaged
Attn: Ombudsman Program
605 Suwannee Street, MS-49
Tallahassee, FL32399-0450

If the Commission is unable to resolve the grievance, the customer will be referred to the Office of Administrative Appeals or other legal venues as appropriate to the specific nature of the grievance.

All of the steps above must be attempted in the order listed before a complaint or grievance will move to the next step.

ARTICLE VI: MEDICAID FAIR HEARING

The Medicaid customer has the right to request a Medicaid fair hearing or go through the Grievance Procedures of the Florida Commission for the Transportation Disadvantaged's subcontracted transportation provider (STP) for Medicaid non-emergency transportation. The STP contact information in Volusia County may be obtained by calling the TD Commission Helpline at*:* 1-800-983-2435. For hearing and

speech impaired customers call, 711 (Florida Only) Florida Relay System or (850) 410-5708 for TTY.

ARTICLE VII: SCHEDULED MEETINGS

SECTION 1: GENERAL

The Grievance Committee shall be comprised of a minimum of five (5) TDLCB board members. The CTC shall not serve on the Grievance Committee. Each member shall serve at the discretion of the TDLCB.

When a meeting of the Grievance Committee is necessary, staff to the TDLCB shall schedule the meeting of the Grievance Committee to hear appealed grievances.

ARTICLE VIII: AMENDMENTS

SECTION 1: GENERAL

The Transportation Disadvantaged Local Coordinating Board Grievance Procedures may be amended by a two-thirds (2/3) vote of members present, if a quorum exists, providing the proposed change(s) is/are mailed to all members at least seven (7) working days in advance of the meeting.

SECTION 2: QUORUM

At all meetings of the Transportation Disadvantaged Local Coordinating 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.

ARTICLE IX: CERTIFICATION

The undersigned hereby certifies that he is the Chairman of the River to Sea TPO Transportation Disadvantaged Local Coordinating Board and that the foregoing is a full, true and correct copy of the Grievance Procedures of this Local Coordinating Board as adopted by the River to Sea TPO Transportation Disadvantaged Local Coordinating Board the ~~9thday~~ 8th day of **July ~~2014~~2015.**

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Joshua Wagner, Chairman
Transportation Disadvantaged Local Coordinating Board (TDLCB)

ATTEST:

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Pamela C. Blankenship, Recording Secretary
River to Sea Transportation Planning Organization

BYLAWS OF THE
RIVER TO SEA TRANSPORTATION PLANNING ORGANIZATION
TRANSPORTATION DISADVANTAGED LOCAL COORDINATING BOARD

ARTICLE I: PREAMBLE

The following sets forth the bylaws which shall serve to guide the proper functioning of the coordination of 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, 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 A: **Name.** The name of the Coordinating Board shall be the River to Sea Transportation Planning Organization TRANSPORTATION DISADVANTAGED LOCAL COORDINATING BOARD, hereinafter referred to as the Board.

Section B: **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, TERMS OF OFFICE, AND TERMINATION OF MEMBERSHIP

Section A: **Voting Members.** In accordance with Chapter 427.0157, Florida Statutes, all members of the Board shall be appointed officially by the River to Sea Transportation Planning Organization (TPO). Each prospective member shall have their organization designate in writing to the TPO their appointee to the TDLCB.

According to Florida Statute 427, Chapter 41-2.012, the following agencies or groups shall be represented on the Local Coordinating Board in every County as voting members:

1. An elected official of Volusia County, Florida shall serve as the official chairperson;

2. A representative of the Florida Department of Transportation;

3. A representative of the Florida Department of Children and Families;

4. A representative of the Public Education Community;

5. A representative of the Florida Department of Education;

6. A person who is recognized by the Florida Association for Community Action as representing the economically disadvantaged in the County;

7. A person who is recognized by the Florida Department of Veterans' Affairs as a representative of veterans in the County;

8. A person over sixty years of age representing the elderly in the County;

9. A handicapped person representing persons with disabilities in the County;

10/11. Two citizen advocate representatives in the County, one of whom must represent a user of the system;

12. A representative of the Council for Early Childhood Services;

13. Chairperson or designee of the local Mass Transit or Public Transit System's Board;

14. A representative of the Florida Department of Elder Affairs;

15. A representative of the local private for profit transportation industry;

16. A local representative of the Florida Agency for Health Care Administration;

17. A representative of the Regional Workforce Development Board; and

18. A representative of the local medical community.

Section B: **Alternate Members.** All members of the Board shall have their organization designate in writing to the TPO their alternate who may vote only in the absence of that member on a one vote per member basis. All members not representing an agency shall have an alternate appointed for them.

Section C: **Terms of Appointment.** Consistent with Rule 41 - 2.012(5), except for the chairperson and agency members, non-agency members of the Board shall be appointed for three year staggered terms with initial membership being appointed equally for one, two, and three years. Individuals can be appointed for more than one term. The Chairperson shall serve until replaced by the TPO.

Section D: **Termination of Membership.** Any non-agency members of the Board may resign at any time by notice in writing to the Chairperson. Unless otherwise specified in such notice, such resignation shall take effect upon receipt thereof by the Chairperson. 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 shall review, and consider rescinding the appointment of any voting non-agency member of the Board who fails to attend three (3) consecutive meetings. The staff of the Local Coordinating Board shall contact Department Supervisors of all members representing an agency who fail to attend two (2) consecutive meetings.

ARTICLE IV: OFFICERS AND DUTIES

Officers. The officers of the Board shall be Chairperson and Vice-Chairperson.

1. **Chairperson.** The designated official planning agency shall appoint one elected official, to serve as the official Chairperson for all Local Coordinating Board meetings. The Chairperson shall be from the County which the Local Coordinating Board serves. The Chairperson shall preside at all Local Coordinating Board 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 replaced by the TPO, in accordance with F.S. 427, Chapter 41-2.012.

2. **Vice-Chairperson.** The Board shall hold an organizational meeting each year for the purpose of electing a Vice-Chairperson. The Vice-Chairperson 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-Chairperson shall serve a term of one year starting with the next meeting. In such cases where the current Vice-Chairperson cannot complete the one year term, the Board shall hold an organizational meeting for the purpose of electing an interim Vice-Chairperson who shall serve the remainder of the previous Vice-Chairperson's term. In the event both the Chair and Vice Chair are absent, a Board member shall be nominated and approved by a majority of a quorum as Chair Pro Tem.

ARTICLE V: BOARD MEETINGS

Section A: **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 B: **Annual Public Hearing.** The Board shall hold a minimum of one public hearing annually for the purpose of receiving input on unmet needs or any other services that relate to the local transportation system in Volusia County.

Section C: **Notice of Meetings.** Notices and agendas shall be sent to all voting Board members**.** Alternates and other interested parties, and the news media shall be sent notices only. Notices shall be mailed within ~~ten~~ five (~~10~~5) working days prior to the Board meeting and shall state the date, time, and the place of the meeting.

Section D: **Quorum.** At all meetings of the Board, the presence in person of nine (9) 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 recess the meeting until a quorum is present. At any meeting without a quorum, only discussion and or informational items may be transacted.

Section E: **Voting.** At all meetings of the Board at which a quorum is present, all matters, except as otherwise expressly required by law or these Bylaws, shall be decided by the vote of a majority of the members of the Board present.

Section F: **Parliamentary Procedures.** The Board will conduct business using parliamentary procedures according to Robert's Rules of Order, except when in conflict with these Bylaws.

ARTICLE VI: STAFF

Section A: **General.** The TPO shall provide the Board with 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 minutes, including an attendance roster and other necessary administrative duties.

Section B: **Budget and Finance.** Consolidate the actual expenditures report of local and direct federal government transportation disadvantaged funds and forward them to the Commission for the Transportation Disadvantaged.

ARTICLE VII: BOARD DUTIES

Board Duties. According to Chapter 427 of the Florida Statutes and Rule 41- 2 of the Florida Administrative Code, the Transportation Disadvantaged Local Coordinating Board members shall:

1. Meet at least quarterly.

2. Review and approve the Memorandum of Agreement and the Transportation Disadvantaged Service Plan with approved minimum guidelines, goals and objectives of the Local Coordinating Board.

3. Annually review and evaluate the Community Transportation Coordinator (CTC). The evaluation shall be conducted by using the evaluation criteria developed by the Commission for the Transportation Disadvantaged (CTD). A copy of the evaluation will be submitted to the Transportation Planning Organization (TPO) and the Commission for the Transportation Disadvantaged (CTD).

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 of the transportation disadvantaged in the county to ensure that any expenditures within the county are provided 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 services in an effort to increase ridership to a broader population. Evaluate multi-county or regional transportation opportunities between area Coordinators when it is appropriate and cost effective to do so.

6. In coordination with the (CTC), review and approve applications for funds that may become available.

7. Assist the TPO in preparing a Transportation Disadvantaged Element in their Transportation Improvement Program (TIP).

ARTICLE VIII: STANDING COMMITTEES

Section A: **Quality Assurance Committee.** This committee performs a dual role in that it serves as a mediator to process and investigate complaints from agencies, and users of the system in the designated service area and make recommendations to the Coordinating Board for improvement of service. The Committee also is responsible for the update of the TDLCB Bylaws and coordinates with Votran in reviewing and establishing standards to provide a more efficient system. Reviews include but are not limited to the Annual CTC Evaluation and the Annual Operating Report (AOR).

Section B: **Other.** Other committees shall be designated by the Chairman as deemed necessary to investigate and report on specific subject areas of interest to the Board and to deal with administrative and legislative procedures. Voting members or in their absence, their alternates may serve on the committees.

ARTICLE IX: COMMUNICATION WITH OTHER AGENCIES AND ENTITIES

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 Florida Administrative Code (FAC). Any written comments shall be approved by the Local Coordinating Board or Chairperson, or in his absence, his designee.

ARTICLE X: AMENDMENTS

The Bylaws may be amended by a two-thirds (2/3) vote of members present, if a quorum exists.

ARTICLE XI: CERTIFICATION

The undersigned hereby certifies that he/she is the Chairperson of the Volusia County Transportation Disadvantaged Local Coordinating Board and that the foregoing is a full, true and correct copy of the Bylaws of this Board as adopted by the Transportation Disadvantaged Local Coordinating Board this ~~9th~~ 8th day of **July** ~~2014~~ 2015.

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Joshua Wagner, Chairman
Transportation Disadvantaged Local Coordinating Board (TDLCB)

ATTEST:

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Pamela C. Blankenship, Recording Secretary
River to Sea Transportation Planning Organization