



Please be advised that the Volusia Transportation Planning Organization (TPO) Bylaws Subcommittee will be meeting on:

DATE: Tuesday, November 13, 2012
TIME: 10:00 a.m.
PLACE: Volusia TPO Executive Conference Room
2570 W. International Speedway Blvd., Suite 100
Daytona Beach, Florida 32114

Agenda

I. CALL TO ORDER

II. BUSINESS

- A. Review and Discussion of Potential Updates to the Existing Volusia TPO Bylaws
(Contact: Lois Bollenback) (Enclosures)

Sample bylaws and operating procedures from four organizations are included for review. Additional material will be made available as needed.

III. STAFF COMMENTS

IV. MEMBER COMMENTS

V. ADJOURNMENT

Bylaws Subcommittee Members:

Council Member Patricia Northey
Council Member Joshua Wagner
Commissioner Marshall Shupe
Commissioner Rick Basso

cc: Volusia TPO Board members
Mary Schoelzel, FDOT
Jim Brown, FDOT
Darla Zakaluzny, Volusia County Council Office
Camilla Grasso, Volusia County Council Office
Penny Overstreet, Flagler Beach City Clerk
Nancy Wilson, Lake Helen City Clerk
Press

Beverly Beach
Daytona Beach
Daytona Beach Shores
DeBary

DeLand
Deltona
Edgewater
Flagler Beach

Holly Hill
Lake Helen
New Smyrna Beach
Oak Hill

Orange City
Ormond Beach
Pierson
Ponce Inlet

Port Orange
South Daytona
Volusia County

VOLUSIA TRANSPORTATION PLANNING ORGANIZATION

PREAMBLE

The following sets forth the bylaws, policies, and procedures which shall serve to guide the proper functioning of the Urban Transportation Planning Process for the Volusia Transportation Planning Organization (formerly known as the Volusia County MPO) which is the designated Metropolitan Planning Organization for all of Volusia County and a portion of Flagler County. The intent is to provide procedures and policies for the TPO and its Standing Committees for fulfilling the requirements of the Federal Highway Act of 1962, as amended, and subsequent laws setting forth requirements for transportation planning for all modes of travel and to insure the accomplishment of the planning tasks within a cooperative framework properly related to comprehensive planning on a continuous basis.

SECTION 1.0: BYLAWS OF THE VOLUSIA TRANSPORTATION PLANNING ORGANIZATION (TPO)

- A. The Governor, under Section 339.175 of the Florida Statutes, has designated and apportioned the membership of the TPO. The governing body of each governmental entity so designated shall appoint the appropriate number of members to the TPO. The designated local governmental entities and their appointment by the Governor are stipulated by the most recently approved Volusia TPO (hereafter referred to as the TPO) apportionment plan incorporated into this document by reference.

SECTION 1.1: MEMBERSHIP APPOINTMENT, QUALIFICATION, AND TERMS OF OFFICE

- A. The TPO members shall serve at the pleasure and discretion of the member local governments. Membership shall terminate upon the member leaving his/her elective or appointive office for any reason, or by a majority vote of the total membership of a county or city governing body represented by the member. Vacancies shall be filled by the original appointing body.
- B. For an individual meeting of the TPO, a qualified member of the TPO may designate in writing to an officer of the TPO an alternate who may exercise full membership powers in the absence of the TPO member. Said alternate must be a

locally elected official capable of representing the interests of the unit of government represented by the absent member of the TPO, and said alternate may serve for only that meeting for which he or she is designated.

- C. Non-voting members of the TPO include the FDOT District V Secretary or his/her designee, a representative from the Volusia County School Board, the Chairman of the Technical Coordinating Committee, the Chairman of the Citizens' Advisory Committee, and the Chairman of the Bicycle/Pedestrian Advisory Committee. Non-voting members may not be a TPO Officer or member of the TPO Executive Committee. Non-voting members may serve on TPO Subcommittees as appointed by the TPO Chairman.
- D. The following narrative describes the methodology used to determine the voting structure for the TPO:
- 1) There shall be nineteen (19) voting members on the TPO. This is the maximum number of voting members currently allowed under Section 339.175 of the Florida Statutes. The voting members of the TPO are:

Volusia County Representation

Existing County representation would remain at 6 seats = 1/3 of vote of full Board.

Municipal Representation

Municipalities would be broken down into large cities (ten) and groups of small cities (three).

Large Cities (in order of population size):

<u>City</u>	<u># Seats</u>
Deltona	1
Daytona Beach	1
Port Orange	1
Ormond Beach	1
DeLand	1
New Smyrna Beach	1
Edgewater	1
DeBary	1
South Daytona	1
<u>Holly Hill</u>	<u>1</u>
Total Seats	10

Small City Groups:

<u>Group</u>	<u>City</u>	<u># Seats</u>
1	Lake Helen Pierson Orange City	1
2	Daytona Beach Shores Oak Hill Ponce Inlet	1
3	Beverly Beach Flagler Beach	1

- 2) The vote of each municipality shall be weighted in the following manner:
 - 33.3% shall be divided equally among the six (6) Volusia County representatives;
 - 66.7% shall be divided among the ten (10) large cities and three (3) city groups in Volusia County and Flagler County as a percentage of each municipality's population. Population percentages shall be determined annually by using the most current data available from the Bureau of Economic and Business Research (BEBR) of the University of Florida. (BEBR data will be updated annually, within 30 days after the information has been finalized and becomes officially available).
- 3) With respect to the arrangement to rotate one vote among the three (3) small city groups, the following policy shall apply:
 - If the voting city representative of one group is absent from the meeting, then the city representative from the next city in line from that group who is present at the meeting shall vote on behalf of the group.
 - If the city next in line to hold the voting seat declines the opportunity, then the next city in line to vote will hold the voting seat for a period of two years.
 - If the small city groups would like to hold coordination meetings to review and discuss the TPO agendas prior to the monthly TPO Board

meetings, the TPO staff shall make all appropriate arrangements to ensure that these meetings are held, including providing proper notice of said meetings to the press and public.

SECTION 1.2: OFFICERS AND DUTIES

- A. The Chairman shall have the authority to appoint members to committees and sub-committees of the TPO Board except where the membership of said committees is specifically delineated in these Bylaws, and for the appointment of representation on the MPO Advisory Council and the three members and one alternate to the Central Florida MPO Alliance. The Chairman shall appoint a Nominating Committee of five TPO members at the October (May) meeting, for the purpose of making nominations for Chairman, 1st Vice-Chairman/Treasurer, and 2nd Vice-Chairman/Secretary. The Nominating Committee member appointments shall be confirmed by the TPO Board.
- B. Nominations shall be presented at the June meeting for the following officers: 1. Chairman and 2. 1st Vice-Chairman/Treasurer, and 2nd Vice-Chair/Secretary, after which elections shall take place.
- C. Officers shall be elected by a majority of the members present at the organizational meeting and shall serve a term of one year, starting with the July meeting. TPO Officers cannot serve a consecutive term for the same office.
- D. The Chairman shall preside at all meetings and in the event of his/her absence or at his/her direction, the 1st Vice-Chairman/Treasurer shall assume the powers and duties of the Chairman.
- E. The 1st Vice-Chairman/Treasurer shall be the Chairman of the TPO's Budget Committee and shall be responsible for reviewing and commenting on the Annual Audit and for making periodic reports on the current status of the TPO's operating budget.
- F. The 2nd Vice-Chairman/Secretary shall be the Chairman of the TPO's By-laws Subcommittee.

SECTION 1.3: MEETINGS

- A. Regular meetings of the TPO shall be held on the fourth Tuesday of each month at a time and place to be designated by the Chairman. Regular meeting dates and times may be changed by action of the TPO to accommodate desirable changes because of holidays and/or other reasons.
- B. Members desiring items to be placed on the agendas must present those items to the staff by the Thursday before the regularly scheduled Executive Committee meeting. This will ensure that those items have been thoroughly discussed and approved by this committee prior to being placed on the agenda.

If there are items to go in the agenda packet for informational purposes only, members may provide staff with the appropriate number of copies on, or before, the Thursday before the Executive Committee meeting.

Nothing in this section shall abridge the concurrent privileges, duties, and obligations of the TPO members stated within any other section of the Policy Manual: Metropolitan Planning Organization for Volusia County.

- C. Special meetings may be called by the Chairman or by written request of two or more members delivered to an officer. Reasonable notice must be provided to the members and alternates and to the public for special meetings.
- D. A majority of voting members on the TPO shall constitute a quorum for the transaction of business.
- E. The 2nd Vice-Chair/Secretary is responsible for the minutes of the meetings and for all notices and agendas for future meetings. The Director shall furnish a Recording Secretary for all TPO meetings. The Director will further assist the 2nd Vice-Chair/Secretary in the preparation, duplication, and distribution of all printed materials necessary for TPO meetings.
- F. Notices and tentative agendas shall be sent to members and alternates **at least five (5) working days** prior to the regular meeting dates.
- G. Request for agenda changes must be received by the Chairman at least three (3) working days prior to the regular meetings or one (1) working day prior to special meetings.

- H. Meetings will be open to the public and press.
- I. All items approved by the TPO that will affect the Bylaws shall be automatically included within the Bylaws.
- J. If the Bylaws do not address a particular issue that comes before the Board, and if the Statute that the TPO is operating under does not cover said item, then *Robert's' Rule of Order* shall take precedence

SECTION 1.4: RESPONSIBILITIES AND FUNCTIONS OF THE TPO

- A. The TPO is charged with the overall responsibility for preparation, approval, and implementation of the urban transportation planning and programming process for the Metropolitan Planning Area served by the Volusia-Flagler TPO and all plans and programs that are developed through the process. The TPO is responsible for defining transportation related goals and objectives and ensuring that the transportation planning process embodies these goals and objectives.
- B. The TPO's Public Involvement Process:
 - 1. The TPO shall follow the procedures and processes as laid out in the TPO's most recently adopted Public Participation Plan
 - 2. The TPO shall provide the opportunity at each of its meetings for citizens to comment or be heard on any matter pertinent to the urban transportation planning process. Request for Public Comment forms shall be provided at each meeting and those members of the public who wish to be heard shall submit a completed form to the meeting secretary prior to the commencement of the meeting.

SECTION 1.5: STANDING COMMITTEES

- A. The TPO shall have five (5) standing committees which are: the Executive Committee, the Technical Coordinating Committee, the Citizens' Advisory Committee, the Bicycle/Pedestrian Advisory Committee, and the Transportation Disadvantaged Local Coordinating Board. These committees shall each meet on a regular basis and perform the functions identified below.

- 1) Executive Committee:
An Executive Committee consisting of the Chairman, TPO Past-Chairman, 1st Vice-Chairman/Treasurer, and 2nd Vice Chair/Treasurer and three (3) TPO members appointed by the TPO Chairman, to serve a one-year term, is hereby created and empowered to meet separately to establish the TPO agenda. The Executive Committee shall also be empowered to establish the meeting schedule of the TPO Board for the upcoming year, to have limited budget authority to move funds from task to task within the adopted Unified Planning Work Program and adopted Budget, and to authorize the execution of contracts for services delineated within the adopted UPWP or items approved within the adopted Budget. In addition, the Executive Committee shall have the authority to take ministerial or administrative actions on behalf of the TPO in the ordinary course of business of the TPO. The Executive Committee shall meet no less than ten (10) times per calendar year (meetings will not be scheduled for the months of July and December unless a special meeting is called). For those months in which an Executive Committee meeting is scheduled, at the beginning of the year, the newly appointed Committee shall set the date and time it meets for that year. On an annual basis the Executive Committee shall be responsible for the evaluation of the Executive Director and shall make a recommendation to the TPO regarding the renewal or termination of the Executive Director's contract.
- 2) Technical Coordinating Committee:
The TCC is responsible for coordinating transportation planning and programming; for review of all transportation studies, reports, and plans and/or programs; and for making recommendations to the TPO that are pertinent to the subject document. The TCC shall assist the TPO by providing technical resources as requested. Subcommittees, Task Forces and Working Groups shall be designated by the TCC as necessary to investigate and report on specific subject areas of interest to the TCC
- 3) Citizens' Advisory Committee:
The CAC is responsible for providing citizen input and provide recommendations to the TPO concerning transportation planning and programming; for review of all transportation studies, reports, and plans and/or programs; and for making recommendations to the TPO that are pertinent to the subject document. Subcommittees, Task Forces and Working Groups shall be designated by the CAC as necessary to investigate and report on specific subject areas of interest to the CAC

- 4) Bicycle/Pedestrian Advisory Committee:
The BPAC is responsible for reviewing plans, policies, and procedures as relates to bicycle and pedestrian issues in the TPO Planning Area. In addition, the BPAC is responsible for the review and ranking of bicycle and pedestrian project applications submitted on an annual basis
- 5) Transportation Disadvantaged Local Coordinating Board
The primary purpose of the TDLCB 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

SECTION 1.6: SUBCOMMITTEES

Subcommittees shall be designated by the TPO as necessary to investigate and report on specific subject areas of interest to the TPO or to address administrative and/or legislative issues. These may include but are not limited to:

1. Airports
2. Highways
3. Mass Transit
4. Transportation needs of "transportation disadvantaged" groups
5. Directions for future growth (local Comprehensive Plan reviews)
6. Bylaws
7. Nominating Committee
8. Legislative Issues
9. Budget

SECTION 2.0: GENERAL POLICIES OF THE TPO

General Policies shall apply to all committees and participants of the TPO.

- A. The adoption and/or acceptance of reports, studies, plans, and programs must be by resolution of the TPO after review and recommendation by the TCC and CAC and/or the BPAC or TDLCB
- B. Only published data and/or reports may be released, either to individuals or agencies. Unpublished data and/or reports require specific approval by

the TPO Executive Committee. Requests for information and/or data made to participating jurisdictions and/or agencies, prepared by these agencies, shall be released according to the policies of the agency generating or collecting the data originally

- C. Recommended changes in the Bylaws require a simple majority vote of the members at any meeting, providing that all members have received written copies of proposed amendments at least ten (10) days prior to the meeting
- D. All committees shall maintain a broad perspective covering the range of all modes of transportation and associated facilities in all recommended planning work programs so that proper study and evaluation of transportation needs shall result in a multi-modal transportation system plan, balanced with respect to areawide needs and properly related to areawide comprehensive plan goals and objectives

SECTION 3.0: TPO EXECUTIVE DIRECTOR & AGENCY STAFF

- A) **Executive Director:**
The Executive Director shall be selected and appointed by TPO Board and shall serve at their discretion
- B) The Executive Director, under the general policy direction of the TPO Board, has the authority to perform the highest level managerial and administrative functions related to the TPO including, but not limited to, the following:
 - 1. Implementing the mission of the TPO
 - 2. Providing leadership in planning and promoting and integrated, intermodal transportation system
 - 3. Working with the TPO and its committees to develop strategies, goals, objectives and plans related to transportation and related land use issues
 - 4. Developing positive working relationships with member local governments and building consensus among stake holders
 - 5. Procuring funding and developing funding sources
 - 6. Evaluating plans and strategies which promote the goals and objectives of the TPO

7. Overseeing the general administrative functions of the TPO by providing direction to staff
- c) **TPO Staff:**
TPO Staff shall be composed of various level planners, a Chief Financial Officer, and other specialists and support staff as needed. The Executive Director is responsible for hiring and supervising staff

SECTION 4.0: LRTP AND NETWORK UPDATE PROCEDURE AND POLICY

The Volusia Transportation Planning Organization has developed a draft LRTP amendment procedure. The procedure identifies three basic categories of amendments: Project Addition, Project Removal, and Project Substitution.

Two basic criteria must be met before the amendment process may proceed:

1. Any amendments to the LRTP must conform to the overall cost estimates associated with the LRTP as adopted by the TPO – ***unless additional funding has been identified***; and
2. Any costs associated with amending the LRTP (i.e. modeling, traffic studies, land use updates, public hearings, etc.) will be borne by the requesting jurisdiction.



CORPUS CHRISTI METROPOLITAN PLANNING ORGNIZATION BYLAWS & OPERATION PROCEDURES

AMENDED SEPTEMBER 6, 2012



**Bylaws and Operation Procedures
of the
Corpus Christi Metropolitan Planning Organization**

**APPROVED BY THE
TRANSPORTATION POLICY COMMITTEE - APRIL 1995**

AMENDED

MAY 24, 1995 | APRIL 3, 1997 | APRIL 1, 1999 | JANUARY 3, 2002
SEPTEMBER 7, 2006 | DECEMBER 4, 2008 | DECEMBER 3, 2009 | SEPTEMBER 6, 2012

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Si usted desea que nosotros explicar esta información o si desea esto en español, por favor llámenos en (361) 884-0687 o pongase en contacto con nosotros por correo electronico a ccmpo@cctxmpo.us.

CHAPTER I

OVERVIEW

Study Organization and Management:

The Corpus Christi Metropolitan Planning Organization (MPO) requires involvement of policy makers, technical staff, and the citizens to address various facets of the transportation planning process. The geographic extent of the MPO is shown on the Corpus Christi Metropolitan Study Area map.

In July 1973, the State of Texas, the Cities of Corpus Christi and Portland, and Counties of Nueces and San Patricio agreed to participate in a continuing, comprehensive, and cooperative transportation planning process for the Corpus Christi Urban Transportation Study Area. The 1973 and subsequent agreements established the two-committee organization pursuant to Section 134 of Chapter 1 of Title 23 U.S.C. for the Corpus Christi Metropolitan Planning Organization (MPO). Since its establishment, the City of Corpus Christi performed the administrative functions of the MPO. In 1988, the Governor of Texas designated the City of Corpus Christi as the Metropolitan Planning Organization (MPO) to develop the transportation planning process with the guidance from the committee structure established pursuant to Section 134 of Chapter 1 of Title 23 U.S.C.

In April 2000, the Transportation Policy Committee adopted a resolution to change the MPO designation from the City of Corpus Christi to the Transportation Policy Committee. On June 28, 2000, an agreement was signed by the State of Texas and the elected officials of the cities and counties on the Transportation Policy Committee redesignating the Transportation Policy Committee as the MPO for the Corpus Christi Metropolitan Planning Area. The Transportation Policy Committee composed of four elected officials and three appointed officials, is the policy making governing body and provides a forum for cooperative decision-making for the transportation planning process.

The Transportation Planning activities of the MPO are concentrated in the Urbanized Areas of Nueces and San Patricio Counties. This area is also known as the Corpus Christi Metropolitan Area. The Corpus Christi Metropolitan Area and encompasses more than 348 square miles. Based on the 2010 Census, almost the entire population of the MPO area resides within the incorporated limits of the cities of Corpus Christi, Gregory, and Portland.

The two-committee organizational structure of the Corpus Christi Metropolitan Planning Organizations consists of the Transportation Policy Committee and the Technical Advisory Committee.

Participant Roles:

Currently, the public jurisdictions that are included in the study area include the City of Corpus Christi, the City of Gregory, the City of Portland, Nueces County, and San Patricio County as well as the Regional Transportation Authority, the Port Authority of Corpus Christi and the Texas Department of Transportation. The MPO Transportation Policy Committee shall hire a transportation Planning Director and provide the resources for an adequate staff to perform all appropriate MPO activities required by law. The Transportation Planning Director is responsible to the MPO Transportation Policy Committee.

A majority of the technical and administrative activities dealing with the conduct of the MPO are accomplished by the staff. Technical support services are performed by the Planning and Programming Division of the Texas Department of Transportation (TxDOT). Coordination of the MPO activities is provided by the Corpus Christi District of the Texas Department of Transportation by virtue of representation on the Technical Advisory Committee and the Transportation Policy Committee.

The Corpus Christi Regional Transportation Authority (RTA) provides mass transportation service for a major portion of the metropolitan area. The RTA participates in the transportation planning process by representation on the Technical Advisory and the Transportation Policy Committees. The Port of Corpus Christi Authority is also represented on both committees.

Organizational Structure:

The Corpus Christi Metropolitan Planning Organization shall comprise:

1. Transportation Policy Committee
2. Technical Advisory Committee
3. Transportation Planning Director and MPO Staff
4. Other Advisory Committees

CHAPTER II

RESPONSIBILITIES OF THE METROPOLITAN PLANNING ORGANIZATION

Transportation Policy Committee:

The policy body of the organization is the Transportation Policy Committee composed of the elected officials of the general purpose local government entities and appointed officials of the providers of transportation in the metropolitan area. This Committee provides the forum for cooperative decision-making and has the following responsibilities:

1. Approve goals and objectives of the transportation planning process.
2. Review and adopt changes in transportation planning concepts.
3. Review and approve the Unified Planning Work Program (UPWP).
4. Review and adopt the Transportation Improvement Program (TIP) including project priorities and approve any changes in the priority schedule.
5. Review and adopt the Metropolitan Transportation Plan (MTP) and its revisions.
6. Ensure the efficient and effective use of the Federal Highway Administration (FHWA) Section 112 and the Federal Transit Administration (FTA) Section 5303 planning funds.
7. Encourage the development, implementation, and surveillance of plans to reduce transportation generated air pollution within the study area.
8. Serve as liaison representatives between various governmental units in the study area to obtain optimum cooperation of all governmental units in implementing various elements of the plan.
9. Ensure citizen participation in the transportation planning process through a proactive policy.
10. Hire, terminate, evaluate, and supervise the Transportation Planning Director.
11. Establish for the MPO staff the salary, salary range, annual or more frequent personnel performance reviews and salary increases based on performance and cost of living indices.
12. Adopt personnel policies and procedures adapted from the personnel policies and procedures of Nueces County for the conduct, rights, and responsibilities of the MPO Staff.

Technical Advisory Committee:

Each Transportation Policy Committee member appoints a person from the organization being represented by the Transportation Policy Committee member to assist in decision making process. Each member is appointed based on the technical ability needed to perform transportation planning activities of the MPO. Currently, this seven-member committee, known as the Technical Advisory Committee is the technical body of the organization.

The Technical Advisory Committee reports directly to the Transportation Policy Committee and works closely with the MPO staff. The Technical Advisory Committee has the following responsibilities:

1. Assist the Transportation Policy Committee with technical tasks associated with developing the Unified Planning Work Program (UPWP) and recommend its adoption by the Transportation Policy Committee.
2. Review transportation related studies within the Corpus Christi Metropolitan Planning Area and make recommendations to the Transportation Policy Committee and other agencies.
3. Provide technical support in the preparation of Metropolitan Transportation Plan and recommend its adoption by the Transportation Policy Committee.
4. Review the Transportation Improvement Program (TIP) and other high priority projects. Recommend its adoption by the Transportation Policy Committee.
5. Advise the Transportation Policy Committee on technical matters and, if specifically authorized by the Transportation Policy Committee, on the policy matters with accompanying recommendations and supporting rationale.

Transportation Planning Director and MPO Staff:

The Transportation Planning Director shall:

1. Take planning policy directions from and be responsible to the designated Transportation Policy Committee.
2. Supervise (hire, terminate, and evaluate) all MPO Staff as identified in the Unified Planning Work Program (UPWP). Maintain necessary staff to continually execute the transportation planning responsibilities required to keep the study up to date.
3. Administer and coordinate Metropolitan Planning Organization activities with signatories of the MPO and the Texas Department of Transportation.
4. Assure compliance with the Federal and State Transportation Planning Regulations by providing reports and certifications to the sponsoring organizations.
5. Develop and revise, with cooperation of TxDOT, RTA, and other participants in the MPO activities, and obtain approval of the Metropolitan Transportation Plan for the Corpus Christi Metropolitan Area.
6. Develop the Transportation Improvement Program (TIP) for the Corpus Christi Metropolitan Area with cooperation of TxDOT, RTA, and other participants in the MPO activities. Obtain approval of the TIP and amendments to the TIP, as needed.
7. Develop and obtain approval of the Unified Planning Work Program (UPWP) for the Corpus Christi Metropolitan Area.
8. Prepare Expenditure Reports and submit those to TxDOT for reimbursement of expenditures.
9. Prepare and submit for approval the annual report summarizing the progress of the UPWP.

10. Assist applicants in preparing applications for the Statewide Transportation Enhancement program.
11. Provide staff support to the Transportation Policy Committee and the Technical Advisory Committee. Prepare the meeting agenda and distribute it to the Committee members no later than one (1) week prior to any scheduled meeting.
12. Members desiring an item to be included on a meeting agenda shall notify the Transportation Planning Director no later than two (2) weeks prior to the meeting.

Other Advisory Committees:

Since the Transportation Policy Committee is responsible for the policy decisions regarding transportation planning, it may appoint additional advisory committees on an as required or as needed basis.

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CHAPTER III

BYLAWS AND OPERATING PROCEDURES OF THE TRANSPORTATION POLICY COMMITTEE

Name:

The name of this committee shall be the Transportation Policy Committee for the Corpus Christi Metropolitan Planning Organization.

Composition:

The present voting membership of this Committee, outlined in the Metropolitan Planning Organization Designation Agreement signed on June 28, 2000, is as follows:

Voting Members:

1. Mayor, City of Corpus Christi
2. Mayor, City of Portland
3. County Judge, Nueces County
4. County Judge, San Patricio County
5. An Official Designated by the, Corpus Christi Regional Transportation Authority
6. An Official Designated by the, Port of Corpus Christi Authority
7. An Official Designated by the District Engineer, Texas Department of Transportation, Corpus Christi District

Non-Voting Members:

1. One representative of the Federal Highway Administration
2. One representative of the Federal Transit Administration
3. One representative of the Coastal Bend Council of Governments
4. One representative of the Corpus Christi Air Quality Committee -Texas Natural Resource Conservation Commission (TNRCC)
5. Any State Legislators, or United States Congressmen, whose districts include the study area and who desire to serve

Organization:

1. The Transportation Policy Committee shall elect a Chairperson and a Vice Chairperson from among its voting members. Such election shall be by a majority of that voting membership.
2. Elections shall take place on the first meeting of the calendar year.

3. An officer may succeed with no limitation to number of terms, except that such term will not continue in the event an officer becomes ineligible for membership on the Transportation Policy Committee.
4. The term of office shall be one year, from January to January or until such time new officers are elected.
5. The Chairperson or Vice Chairperson may be removed from office by a vote of the majority of all voting members of the Transportation Policy Committee.

Duties of the Chairperson:

1. The Chairperson shall preside at all meetings of the Transportation Policy Committee. During the absence of the Chairperson, the Vice Chairperson shall preside over meetings and shall exercise all the duties of the Chairperson.
2. The Chairperson shall authenticate, by signature, all resolutions adopted by the Transportation Policy Committee.
3. The Chairperson shall serve as chief policy advocate for the Transportation Policy Committee.
4. The Chairperson shall represent the committee at hearings, conferences, and other events as required or designate another member of the Committee, Chairperson of the Technical Advisory Committee, or the Transportation Planning Director to represent the Chairperson.

Meetings:

1. The regular meeting day of the Transportation Policy Committee shall be the first Thursday of each month, or as established by a majority vote.
2. The Transportation Policy Committee shall meet for the purpose of reviewing the plan and actions, which may materially affect the plan and its implementation.
3. The meetings will be held in accordance with the Texas Open Meetings Law.
4. The Transportation Planning Director, as the Secretary to this Committee, may cancel a regularly scheduled meeting or call an additional meeting with the consent of the Chairperson and, at least, three other voting members.
5. In the absence of the Chairperson and Vice Chairperson from a regular or special meeting of the Committee at which a quorum is present, the remaining members present shall elect a presiding officer who shall serve until the conclusion of that meeting or until the arrival of the Chairperson or Vice Chairperson.
6. Opportunities for public comments shall be provided subject to guidelines of the Transportation Policy Committee, shown as Attachment A.
7. The Transportation Planning Director shall serve as the Secretary to the Transportation Policy Committee.

Quorum:

In order for business to be transacted, there must be a recognized quorum of voting members. Fifty-one percent (51%) or greater of the total committee voting membership shall constitute a quorum for the transaction of business at all meetings.

Minutes:

Minutes of all meetings shall be kept and recorded by the MPO Staff.

Administrative Support:

The MPO Staff shall provide administrative support to the Transportation Policy Committee.

Committees:

The Transportation Policy Committee may create ad hoc committees or other technical subcommittees on the advice of the Technical Advisory Committee.

Conflict of Interest:

The Transportation Policy Committee members will conduct business in compliance with Chapter 472 of the Texas Transportation Code and Chapter 171 of the Texas Local Government Code.

Pursuant to Section 472.033 of the Texas Transportation Code, a Transportation Policy Committee member is considered to be a local public official for purposes of Chapter 171 of the Texas Local Government Code.

1. Pursuant to Section 171.004 of the Texas Local Government Code, if the Transportation Policy Committee Member has a substantial interest in a business entity or in real property, the official shall file, before a vote or decision on any matter involving the business entity or the real property, an affidavit stating the nature and extent of the interest and shall abstain from further participation in the matter if: (1) in the case of substantial interest (interest of more than 10 % of his/her or his/her parent's, child's or spouse's gross income for the previous year or 10% of the stock or the fair market value (or \$15, 000 or more) of a business entity that has work, business or a contract with the MPO), the action on the matter will have a special economic effect on the business entity that is distinguishable from the effect on the public; or (2) in the case of substantial interest in real property (interest in property having a fair market value of \$2500 or more) it is reasonably foreseeable that the action will have a special economic effect on the value of the property distinguishable from its effect on the public. The affidavit must be filed with the Transportation Planning Director. A business entity means: sole proprietorship, partnership, firm, corporation, holding company, joint-stock company, receivership, trust, or any other entity recognized by law.
2. Pursuant to Section 472.034 of the Texas Transportation Code, a Transportation Policy committee member or employee of the MPO may not: (1) accept or solicit any gift, favor, or service that might reasonably tend to influence the member or employee in the discharge of official duties or that the member or employee knows or should know is being offered with the intent to influence the member's or employee's official conduct; (2) accept other employment

or engage in a business or professional activity that the member or employee might reasonably expect would require or induce the member or employee to disclose confidential information acquired by reason of the official position; (3) accept other employment or compensation that could reasonably be expected to impair the member's or employee's independence of judgment in the performance of the member's or employee's official duties; (4) make personal investments that could reasonably be expected to create a substantial conflict between the member's or employee's private interest and the public interest; or (5) intentionally or knowingly solicit, accept, or agree to accept any benefit for having exercised the member's or employee's official powers or performed the member's or employee's official duties in favor of another.

2.1 An employee who violates the foregoing provisions is subject to termination of the employee's employment or another employment-related sanction.

3. This ethics policy will be given to each new employee and each new Transportation Policy Committee member no later than the third business day after the date the employee begins employment or the member qualifies for office.

Rules of Order:

The Transportation Policy Committee shall generally conduct business as prescribed in Roberts' Rules of Order in all areas of parliamentary procedures or any voting member may invoke the rules, as necessary.

Amendments to Bylaws:

These bylaws may be amended by a two-thirds majority vote at any duly called meeting wherein an official quorum is present. A bylaw change shall be presented for consideration at a regular scheduled meeting of the Transportation Policy Committee. However, voting shall be deferred until the regular scheduled meeting following the meeting at which the bylaws change was proposed unless an emergency is declared.

Chapter IV

BYLAWS AND OPERATING PROCEDURES OF THE TECHNICAL ADVISORY COMMITTEE

Name:

The name of this committee shall be the Technical Advisory Committee for the Corpus Christi Metropolitan Planning Organization.

Composition:

Each Transportation Policy Committee member appoints a person from the organization being represented by the Transportation Policy Committee member to assist in the decision making process. Each member is appointed based on the technical ability needed to perform transportation planning activities of the MPO. Currently, this seven member committee, known as the Technical Advisory Committee is the technical body of the organization. The Technical Advisory Committee reports directly to the Transportation Policy Committee and works closely with the MPO staff.

Voting Members:

1. Assistant City Manager for Public Works & Utilities, City of Corpus Christi
2. City Manager, City of Portland
3. County Engineer, Nueces County
4. County Commissioner, San Patricio County
5. Chief Executive Officer, Corpus Christi Regional Transportation Authority
6. Deputy Director of Engineering Services, Port of Corpus Christi Authority
7. Director of Transportation Planning and Development, Texas Department of Transportation, Corpus Christi District

Membership in the Technical Advisory Committee is by virtue of the expertise concurrent with the position held and as such, attendance is of the utmost importance. Therefore, more than three (3) absences of regular scheduled meetings by a member or their designated alternate during a calendar year, shall be reported by the Chairperson to the Transportation Policy Committee.

Non-Voting Members:

1. One representative of the Federal Highway Administration
2. One representative of the Federal Transit Administration
3. One representative of the Coastal Bend Council of Governments
4. One representative of the Corpus Christi Air Quality Committee

Alternate Members:

Each voting member may have a designated alternate member, who may otherwise be a non-voting member, may serve at any Technical Advisory Committee meeting in the voting member's absence. An alternate member must be appointed in the same manner as the voting member. Appointed alternate members will have the voting rights and privileges of members when serving in the absence of the Technical Advisory Committee voting member.

Organization:

1. The Technical Advisory Committee shall elect a Chairperson and a Vice Chairperson from among its voting members. Such election shall be by a majority vote of that voting membership.
2. Elections shall take place on the first month of the calendar year.

Duties of the Chairperson:

1. The Chairperson shall preside at all meetings of the Technical Advisory Committee. During the absence of the Chairperson, the Vice Chairperson shall preside over meetings and shall exercise all the duties of the Chairperson.
2. The Chairperson shall authenticate, by signature, all resolutions adopted by the Technical Advisory Committee.
3. The Chairperson shall represent the committee at hearings, conferences, and other events as required or designate another member of the Committee to represent the Chairperson.
4. During the absence or disability of the Chairperson, or in the event that a vacancy occurs in the office of the Chairperson, the Vice Chairperson shall preside over meetings of the Committee and shall exercise all of the duties of the Chairperson.

Meetings:

1. The regular meeting day of the Technical Advisory Committee shall be the third Thursday of each month or as established by a majority vote.
2. The Technical Advisory Committee shall meet for the purpose of reviewing the plan and actions, which may materially affect the plan and its implementation.
3. The Transportation Planning Director, as the Secretary to this Committee, may cancel a regularly scheduled meeting or call an additional meeting with the consent of the Chairperson and, at least, three other voting members.
4. In the absence of the Chairperson and Vice Chairperson from a regular or special meeting of the Committee, the Transportation Planning Director shall elect a presiding officer who shall serve until the conclusion of that meeting or until the arrival of the Chairperson or Vice Chairperson.
5. Opportunities for public comments shall be provided subject to guidelines of the Transportation Policy Committee, shown as Attachment A.
6. Summary of all meetings shall be kept and recorded by the MPO Staff.

7. A quorum would consist of four (4) eligible voting members.

Administrative Support:

The MPO Staff shall provide administrative support to the Technical Advisory Committee.

Committees:

The Technical Advisory Committee may create ad hoc committees or technical subcommittees.

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ATTACHMENT A

ATTACHMENT A

PROCEDURES FOR PUBLIC COMMENTS

The Corpus Christi Metropolitan Planning Organization encourages public comments on any and all matters relevant to metropolitan transportation planning. To assure fair and equitable opportunities for all citizens desiring to address the MPO Committee meetings, the following public comment procedures have been established:

Public Comments on Agenda Items:

Public comments related to agenda items will be allowed as particular matters are being acted upon or discussed. Comments will be limited to three (3) minutes and the applicant must sign up at least five (5) minutes before the start of the meeting. Persons wishing to address more than one agenda item may do so during their allotted time.

An agenda and sign-up sheet will be made available at the meeting place at least ten (10) minutes prior to the start of the meeting.

Other Public Presentations:

Groups or individuals desiring to make presentations to the Transportation Policy Committee will be advised by the Transportation Planning Director to make their presentation first to the Technical Advisory Committee. Notwithstanding the advice of the Transportation Planning Director, the group or individual can make presentation to the Transportation Policy Committee. The Transportation Policy Committee, after hearing the presentation, will direct the MPO Staff for any further action.

Requests for public presentations not related to business indicated on the agenda must be submitted to the Chairperson ten (10) business days in advance of the regular meeting and will be added to the agenda at the Chairperson's discretion. If approved as an agenda item, the presentation will be limited to ten (10) minutes.

Requests to deliver such a presentation should be submitted in writing to:

Chairperson
Transportation Policy Committee
C/O Transportation Planning Director
Corpus Christi Metropolitan Planning Organization
5151 Flynn Parkway, Suite 404
Corpus Christi, Texas 78411

The citizens may use the following E-mail address, Fax, or Phone numbers for submitting material for presentation.

E-mail: ccmpo@cctxmpo.us
Fax: (361) 884-8529
Phone: (361) 884-0687

Written Comments:

The Corpus Christi Metropolitan Planning Organization welcomes written comments relating to agenda items or other metropolitan transportation concerns. For written comments exceeding three (3) standard 8 ½" X 11" pages, twenty-five (25) copies must be provided. Written comments should be sent to the Transportation Policy Committee Chairperson address on page 15.

Invited Comments:

The Chairperson may at any time during the meeting invite comments from the audience.

Information Required:

The following information will be required of all persons making either oral or written comments:

1. Full Name
2. Affiliation (if applicable)
3. Mailing Address
4. Agenda Item(s) or Topic to be addressed

APPENDIX A

APPENDIX A

AMENDMENT NOTES

May 24, 1995 Meeting:

The Alternate Member Section of the Bylaws for the Transportation Policy Committee has been found illegal according to the ruling of the Attorney General that reads, “. . . that a metropolitan planning organization, acting on its own, does not have authority to provide for alternate members.” This section was deleted from the Bylaws.

April 3, 1997 Meeting:

On April 3, 1997, the MPO staff requested the Transportation Policy Committee to amend the Voting Members Section of the Transportation Policy Committee. The proposal was to allow the designated persons by respective city councils, county courts, and boards to replace mayors, judges, and chairpersons to be the members of the Transportation Policy Committee. The designated member would remain a member of the Transportation Policy Committee until replaced by the respective organization.

The Transportation Policy Committee unanimously decided to keep the current composition of the voting members. However, the Transportation Policy Committee provided the flexibility that an organization can designate another member of their respective city councils, county courts, and boards to be a member of the Transportation Policy Committee, if necessary.

April 1, 1999 Meeting:

The Transportation Policy Committee decided to amend the bylaws as follows:

1. **Chapter I, Participant Roles**

Delete the sentence “A Senior Planner is designated as a “Transportation Planning Director” to administer the program, and also take out quotes from “Transportation Planning Director” from the next sentence to read, the Transportation Planning Director is responsible to the designated MPO Transportation Policy Committee.

2. **Chapter II, Transportation Policy Committee**

Add a sentence to read, The Transportation Policy Committee decided to amend any reference to the title “Transportation Policy Committee” to include the definition of the word “Committee” as synonymous with the word “Board” or “Body.”

3. **Chapter II, Transportation Planning Director and MPO Staff**

Item 1, to read, The Transportation Planning Director shall:

Take planning policy directions from and be responsible to the designated MPO Transportation Policy Committee.

January 3, 2002 Meeting:

The Transportation Policy Committee decided to amend the bylaws as follows:

1. Chapter I, Study Organization and Management

Added paragraphs two to five in this section.

2. Chapter I, Organizational Structure

Changed item 4 to read Other Advisory Committees instead of Other Committees and Sub-Committees. Deleted the paragraph following item 4.

3. Chapter II, Transportation Policy Committee

Deleted the paragraph reading: The Transportation Policy Committee decided to amend any reference to the title "Transportation Policy Committee" to include the word "Committee" as synonymous with the word "Board" or "Body."

Added the paragraph reading: The policy body of the organization is the Transportation Policy Committee composed of the elected officials of the general purpose local government entities and appointed officials of the providers of transportation in the metropolitan area. This Committee provides the forum for cooperative decision-making and has the following responsibilities.

Deleted the line reading: The Transportation Policy Committee have the following responsibilities:

Added item 6 in the Transportation Policy Committee Responsibilities to read: Ensure the efficient and effective use of the Federal Highway Administration (FHWA) Section 112 and the Federal Transit Administration (FTA) Section 5303 planning funds.

Added item 7 in the Transportation Policy Committee Responsibilities to read: Encourage the development, implementation, and surveillance of plans to reduce transportation generated air pollution within the study area.

Added item 11 in the Transportation Policy Committee Responsibilities to read: Establish for the MPO staff the salary, salary range, annual or more frequent personnel performance reviews and salary increases based on performance and cost of living indices.

Amended item 12 to replace the reference of City of Corpus Christi personnel policies to the Nueces County personnel policies.

4. Chapter II, Technical Advisory Committee

Added the paragraphs reading: Each Transportation Policy Committee member appoints a person from the organization being represented by the Transportation Policy Committee member to assist in the decision making process. Each member is appointed based on the technical ability needed to perform transportation planning activities of the MPO. Currently, this seven-member committee, known as the Technical Advisory Committee is the technical body of the organization.

The Technical Advisory Committee reports directly to the Transportation Policy Committee and works closely with the MPO staff. The Technical Advisory Committee has the following responsibilities:

Deleted the line reading: The Technical Advisory Committee shall have the following responsibilities:

Added in item 1 the phrase “the Transportation Policy Committee” after the word “Assist.”

Added in item 2 the phrase “transportation related studies” after the word “Review” and deleted the phrase “other studies related to transportation.”

Added in item 4 the phrase “and other high priority projects. Recommend its adoption by the Transportation Policy Committee” after the word “TIP” and deleted the phrase “including reviewing projects and making recommendations to the Transportation Policy Committee.”

Added in item 6 the phrase “if specifically authorized by the Transportation Policy Committee, on” after the words “on technical matters and,.”

Deleted item 8 that was reading: Prepare the Quarterly Performance Reports and Expenditure Reports and submit those to TxDOT for reimbursement of expenditures.

Added item 8 to read: Prepare Expenditure Reports and submit those to TxDOT for reimbursement of expenditures.

Added item 9 to read: Prepare and submit for approval the annual report summarizing the progress of the UPWP.

Modified item 10 by deleting the phrase “and Section 16 [(b)(2)] program to provide assistance in meeting needs of elderly and/or disabled persons” after the phrase “Statewide Transportation Enhancement program.”

5. Chapter II, Other Advisory Committees

Deleted the title “Other Committees and Subcommittee” and associated paragraph and added the title “Other Advisory Committees” and the associated paragraph.

6. Chapter III, Composition

Deleted the paragraph reading: The Transportation Policy Committee shall be composed of officials of participating governmental jurisdictions.

Added the paragraph reading: The present voting membership of this Committee, outlined in the Metropolitan Planning Organization Designation Agreement signed on June 28, 2000, is as follows.

7. Chapter III, Amendment to Bylaws

Added the phrase “Transportation Policy” after the phrase “regular scheduled meeting of the” and capitalized “h” to read “H” for splitting the original sentence into two sentences.

8. Chapter IV, Composition

Added the paragraph to read: Each Transportation Policy Committee member appoints a person from the organization being represented by the Transportation Policy Committee member to assist in decision making process. Each member is appointed based on the technical ability needed to perform transportation planning activities of the MPO. Currently, this seven-member committee, known as the Technical Advisory Committee is the technical body of the organization. The Technical Advisory Committee reports directly to the Transportation Policy Committee and works closely with the MPO staff.

Deleted the paragraph reading: The Technical Advisory Committee shall be composed of key staff members of participating governmental jurisdictions.

Deleted item 6 of the Voting Members that was reading, Director of Engineering Services, Port of Corpus Christi Authority.

Added item 6 of the Voting Members to read: Deputy Director of Engineering Services, Port of Corpus Christi Authority.

Modified item 10 by deleting the phrase "Greater Corpus Christi Business Alliance" and adding the phrase "Transportation Committee of the Corpus Christi Chamber of Commerce" after the phrase "One representative of the."

9. Procedure for Public Comments

Added MPO E-mail address, Fax and Phone numbers.

September 7, 2006 Meeting:

On September 7, 2006, the Transportation Policy Committee amended the bylaws. The MPO staff updated committee title designations in the Participant Roles in Chapter I and Composition sections of Voting and Non-Voting members in Chapters III and IV.

December 4, 2008 Meeting:

On December 4, 2008, the Transportation Policy Committee amended the bylaws. Policy was written to prevent a member of the Transportation Policy Committee from having a Conflict of Interest in the business before the MPO under the Texas Local Government Code in Chapter III.

December 3, 2009 Meeting:

On the December 3, 2009, the Transportation Policy Committee amended the bylaws. Ethics policy was added to Chapter III - Conflict of Interest, paragraphs 2, 2.1, and 3 under the Texas Transportation Code.

September 6, 2012 Meeting:

On September 6, 2012, the Transportation Policy Committee amended Chapter I - Overview, by updating "2000 Census" to "2010 Census" in the fourth sentence of paragraph 3, it reads: "Based on the 2010 Census, almost the entire population of the MPO area resides within the incorporated limits of the cities of Corpus Christi, Gregory, and Portland".

Tables of Contents - Inserted "Limited English Proficiency" (LEP) statement to provide language assistance to persons with limited English proficiency.

Chapter IV - Technical Advisory Committee: Under Voting Members, changing the Corpus Christi Regional Transportation Authority title to Chief Executive Officer.

Updating the list of Non-Voting Members list with "One representative of the Federal Highway Administration; One representative of the Federal Transit Administration; One representative of the Coastal Bend Council of Governments; and One representative of the Corpus Christi Air Quality Committee".

Deleting "Director, Department of Planning and Development, City of Corpus Christi; City Traffic Engineer, City of Corpus Christi; Director of Aviation, Corpus Christi Airport; Transportation Planner, Texas Department of Transportation, Corpus Christi District; One representative of the Planning and Programming Division, Texas Department of Transportation; One representative of the Coastal Bend Council of Governments; One representative of the Federal Highway Administration; One representative of the Federal Transit Administration; One representative of the Transportation Committee of the Corpus Christi Chamber of Commerce".

Deleting the Advisory Resource Representatives: "One Representative each of the Railroads serving the area; One Representative each of Traffic Police Department within the area; One Representative each of School Districts within the area; One Representative each of Texas A&M University - Corpus Christi; One Representative each of Del Mar College, Corpus Christi; Representative of federal, state and tribal agencies responsible for land use, natural resources and other environmental issues".

Attachment A - Procedures For Public Comment: Under Other Public Presentations, changed email address from ccmpo@swbell.net to ccmpo@cctxmpo.us.



metroplan orlando
A REGIONAL TRANSPORTATION PARTNERSHIP

MetroPlan Orlando
Internal Operating Procedures

- I. Statement of Agency Organization and Operation
- II. Vision and Mission Statements
- III. Membership, Appointments, Terms of Office and Vacancies
- IV. Officers
- V. Executive Director
- VI. Organizational Units of MetroPlan Orlando
- VII. Operating Procedures
- VIII. Procedures for Public Involvement Process
- IX. Procedures for Amending the Long Range Transportation Plan and the Transportation Improvement Program (TIP)
- X. Procedures for Revising Orlando Urban Area Boundary
- XI. Minority Business Enterprise Program
- XII. Title VI Complaint Procedure

I. **STATEMENT OF AGENCY ORGANIZATION AND OPERATION**

1. The Orlando Urban Area Metropolitan Planning Organization, d/b/a MetroPlan Orlando/A Regional Transportation Partnership is created under the provisions of 23 USC §134 et.seq and Section 339.175, Florida Statutes, and is charged in cooperation with the State of Florida to develop transportation plans and programs for the Orlando metropolitan area. Such plans and programs must provide for the development of transportation facilities that will function as an intermodal transportation system for the metropolitan area. The process for developing such plans and programs shall be continuing, cooperative, and comprehensive to the degree appropriate based on the complexity of the transportation problems.

Additional information concerning MetroPlan Orlando may be obtained from the Interlocal Agreement creating MetroPlan Orlando, and the organization's website, www.metroplanorlando.com.

2. AGENCY CLERK. The Clerk of MetroPlan Orlando is the Senior Board Services Coordinator, whose address is c/o MetroPlan Orlando, 315 East Robinson Street, Suite 355, Orlando Florida 32801, and telephone number (407) 481-5672 extension 307. The duties of the Clerk include, but are not limited to, assisting the Executive Director and the MetroPlan Orlando Board Members in the day-to-day operations of MetroPlan Orlando.

II. VISION AND MISSION STATEMENTS

(1.) The vision of MetroPlan Orlando is a regional transportation system that safely and efficiently moves people and goods through a variety of options that support the region's vitality.

(2.) The mission of MetroPlan Orlando is to provide leadership in transportation planning by engaging the public and fostering effective partnerships. MetroPlan Orlando shall achieve this mission by:

- (a) Preparing and maintaining up-to-date regional transportation plans
- (b) Setting priorities for investing transportation resources to implement adopted regional plans
- (c) Shaping and communicating a regional perspective on transportation issues
- (d) Competing nationally and statewide for additional financial resources
- (e) Identifying and advocating alternative local funding issues

(f) Building strong alliances with the business community and residents of the region

(g) Coordinating planning efforts with federal, state and local governments and other transportation agencies

(h) Recruiting and retaining top quality staff and consultants.

III. MEMBERSHIP, APPOINTMENTS, TERMS OF OFFICE AND VACANCIES

(1.) In accordance with Section 339.175, Florida Statutes, the designation of MetroPlan Orlando and the composition of its Board shall be accomplished by agreement between the Governor and units of general purpose local government within the Orlando metropolitan area, consistent with the specific requirements of federal and state laws and on the basis of an equitable population distribution. The governing body of each governmental entity so designated appoints the appropriate number of members to the MetroPlan Orlando Board from eligible officials. The Chairpersons of the Transportation Technical Committee, Citizens' Advisory Committee, Bicycle and Pedestrian Advisory Committee, Municipal Advisory Committee, and Kissimmee Gateway Airport serve as non-voting advisors of MetroPlan Orlando. Other non-voting advisors may also be appointed as deemed necessary by MetroPlan Orlando. In addition, the District Secretary of the Florida Department of Transportation is a non-voting advisor to the MetroPlan Orlando Board. All non-voting advisors may attend and participate fully in governing board meetings, but shall not have a vote and shall not be members of the governing board.

(2.) MetroPlan Orlando, as designated by the Governor of Florida and by Interlocal Agreement, consists of members who are representatives of:

(a) City of Orlando

- Office of Mayor (1)
- City Commission (1)
- (b) Orange County (6)
- (c) Orlando-Orange County Expressway Authority (1)
- (d) City of Altamonte Springs
Office of Mayor (1)
- (e) Seminole County (2)
- (f) Osceola County (1)
- (g) City of Apopka
Office of Mayor (1)
- (h) City of Kissimmee
Office of Mayor (1)
- (i) City of Sanford
Office of Mayor (1)
- (j) Central Florida Regional Transportation Authority (1)
- (k) Greater Orlando Aviation Authority (1)
- (l) Sanford Airport Authority (1)

(3.) A MetroPlan Orlando member entity may appoint, by action taken at an official meeting of the entity, an alternate for one or more of its appointed MetroPlan Orlando members.

(a.) An alternate voting member's term shall be for no longer than the term of the voting member they represent as specified in Section 339.175(3)(b), Florida Statutes.

(b.) A MetroPlan Orlando member entity shall notify MetroPlan Orlando, in writing, that the appointed individual may act as a regular alternate member in accordance with Section 339.175(3)(a), Florida Statutes, if the regular

member cannot attend a meeting the alternate member may be designated for one or more specific meetings, at the discretion of the MetroPlan Orlando member entity.

IV. **OFFICERS**

(1.) The last scheduled meeting of each calendar year shall be known as the Annual Meeting of MetroPlan Orlando and shall be for the purpose of electing new officers and conducting such other business as may come before the members. MetroPlan Orlando shall elect from its voting membership a Chairman, Vice Chairman and Secretary-Treasurer.

(2.) Each officer shall be from a different local government or transportation agency.

(3.) Each member so elected shall serve for one (1) year or until he/she is reelected or until his/her successor is elected. The Chairman, Vice Chairman and Secretary-Treasurer's terms of office shall be limited to two (2) consecutive one (1) year terms and neither shall be eligible again until two (2) additional years have elapsed, nor shall either be succeeded by a member from the same local government or agency for his/her respective office.

(4.) The newly elected officers shall be declared installed and shall assume the duties of office at the first scheduled meeting of the new calendar year, or as designated by the board.

(5.) The Chairman shall preside at all meetings of MetroPlan Orlando and perform all duties as may be prescribed by MetroPlan Orlando.

(6.) The Vice Chairman will assume the duties and responsibilities of the Chairman in the Chairman's absence.

(7.) The Secretary-Treasurer shall be responsible for ensuring the minutes and records of MetroPlan Orlando are kept in proper order.

(8.) All official contracts, agreements and other documents approved for action by MetroPlan Orlando shall be signed by the Chairman or a designee approved by the Board, or either of the other two (2) officers.

V. **EXECUTIVE DIRECTOR**

(1.) The Executive Director is selected and appointed by MetroPlan Orlando members and serves at their discretion and pleasure.

(2.) The Executive Director, under the general policy direction of MetroPlan Orlando and within its adopted guidelines, has the authority to perform the highest level leadership, managerial and administrative functions related to MetroPlan Orlando, including, but not limited to the following:

(a.) Implementing the vision and mission of MetroPlan Orlando by providing the necessary leadership in planning and promoting a comprehensive intermodal surface transportation system.

(b.) Working with MetroPlan Orlando in the development of strategies, goals, objectives and plans for growth management.

(c.) Developing positive working relationships with all constituents, coordinating entities and elected officials.

(d.) Building consensus among all stakeholders.

(e.) Procuring funding.

(f) Developing and creating funding sources.

(g) Evaluating plans and strategies to assure the highest level of results for Central Florida.

VI. **ORGANIZATIONAL UNITS OF METROPLAN ORLANDO**

(1.) MetroPlan Orlando has established the following Board committees within the nineteen (19) member MetroPlan Orlando governing body:

(a) The Executive Committee consists of the Chairman, Vice Chairman, Secretary-Treasurer, the immediate past-Chairman, and four other members approved by the Board. It meets as deemed necessary by the Board Chairman. The purpose of this Committee is to discuss issues and develop recommendations before they are presented to the full governing Board and other matters of general interest that are brought before it by the Chairman and the Executive Director.

(b) The Personnel Committee consists of the Chairman, Vice Chairman, the immediate past-Chairman and one other member approved by the Board. The purpose of this Committee is to address personnel-related issues.

(c) The Transportation Systems Committee consists of the Chairman, the Board members representing the region's transportation operating agencies (the Orlando-Orange County Expressway Authority, Central Florida Regional Transportation Authority, Greater Orlando Aviation Authority, and Sanford Airport Authority) and eight other members approved by the Board. The advisor from the Kissimmee Gateway Airport may also be appointed to serve on this

Committee. The purpose of this Committee is to review particular transportation issues as may be brought before it by the Chairman or the Executive Director.

(d) The Finance Committee consists of the Chairman, Vice Chairman, Secretary-Treasurer and three other members approved by the Board. The purpose of this Committee is to address financial issues associated with the organization and methods for generating additional funding sources to meet regional transportation needs.

(2.) MetroPlan Orlando shall establish the following standing committees:

(a) A Transportation Technical Committee (TTC) composed of planners, engineers and other appropriate disciplines from agencies and governments within the Orlando Urbanized Area. The voting membership of the TTC shall be as follows:

(1.) The allocation of voting representation of the Technical Committee shall be based on the following criteria:

a. Local jurisdictions with a population of 100,000 or more (based on current published University of Florida estimates) shall be allocated three (3) votes each.

b. Local jurisdictions with a population between 50,000 and 99,999 (based on current published University of Florida estimates) shall be allocated two (2) votes each.

c. Local jurisdictions with a population between 5,000 and 49,999 (based on current published University of Florida estimates) shall be allocated one (1) vote each.

d. Local transportation agencies/authorities and school districts shall be allocated one (1) vote each.

(2.) The voting representation is three (3) voting representatives from each of the following:

- (a) Orange County
- (b) Osceola County
- (c) Seminole County
- (d) City of Orlando

(3.) The voting representation is two (2) voting representatives from each of the following:

- (a) City of Kissimmee
- (b) City of Sanford

(4.) The voting representation is one (1) voting representative from each of the following:

- (a) City of Altamonte Springs
- (b) City of Apopka
- (c) City of Belle Isle
- (d) City of Casselberry
- (e) City of Lake Mary
- (f) City of Longwood
- (g) City of Maitland
- (h) City of Ocoee
- (i) City of Oviedo
- (j) City of St. Cloud
- (k) City of Winter Garden
- (l) City of Winter Park
- (m) City of Winter Springs

(5.) The voting representation is one (1) voting representative from each of the following transportation agencies/authorities and school districts:

- (a) Central Florida Regional Transportation Authority/Lynx
- (b) East Central Florida Regional Planning Council
- (c) Greater Orlando Aviation Authority
- (d) Kissimmee Gateway Airport

- (e) Orlando- Orange County Expressway Authority
- (f) Reedy Creek Improvement District
- (g) Sanford Airport Authority
- (h) Seminole County Public School District
- (i) Orange County Public School District
- (j) Osceola County Public School District
- (k) Osceola County Expressway Authority

(6.) Upon written petition to the Transportation Technical Committee, additional advisory, non-voting members may be appointed to the Technical Committee with the recommendation of the Technical Committee and the concurrence of the MetroPlan Orlando Board.

(7.) In addition there shall be a liaison representative from each of the following agencies: the Florida Department of Transportation District 5 and the Florida's Turnpike Enterprise.

(b) A Citizens' Advisory Committee (CAC) composed of lay citizens within the Orlando metropolitan area. The voting membership of the CAC shall be as follows:

- (1.) Seven (7) at-large representatives from Orange County;
- (2.) Seven (7) at-large representatives from Seminole County;
- (3.) Two (2) at-large representatives from Osceola County;
- (4.) One (1) representative each from the Cities of Altamonte Springs, Apopka, Belle Isle, Casselberry, Kissimmee, Lake Mary, Longwood, Maitland, Ocoee, Orlando, Oviedo, St. Cloud, Sanford, Winter Garden, Winter Park, and Winter Springs. The membership of the CAC may be expanded to include representatives from

environmental groups, minority communities, the elderly, people with disabilities, civic organizations, and others as deemed appropriate by the CAC and the MetroPlan Orlando Board.

(c) A Bicycle and Pedestrian Advisory Committee (BPAC) composed of both representatives from local governments as well as representatives from local bicycling, walking, skating and running organizations and interested citizens. The voting membership of the BPAC shall be as follows:

(1.) One (1) representative from each local government participating in MetroPlan Orlando's Bicycle and Pedestrian Program and shall represent at least one of the following agencies:

- (a.) Engineering
- (b.) Planning
- (c.) Education System
- (d.) Law Enforcement
- (e.) Public Works
- (f.) Parks and Recreation

(2.) In addition, the MetroPlan Orlando Board shall appoint seven (7) at-large members who are representatives from local bicycling clubs, running clubs, walking clubs, bicycle shops, safety organizations, interested citizens, etc.

(3.) Additional non-voting members may be appointed to the Bicycle and Pedestrian Advisory Committee with the

recommendation of the BPAC and the concurrence of the MetroPlan Orlando Board. In addition, there shall be a liaison representative from the Florida Department of Transportation District 5.

(3.) The purpose and functions of these standing Committees shall be as follows:

(a) Transportation Technical Committee:

(1.) Be responsible for the development and review of transportation studies, reports, plans and/or programs and recommending action pertinent to the subject documents to MetroPlan Orlando.

(2.) Develop priority recommendations to MetroPlan Orlando or other agencies responsible for plan and program implementation based upon the needs as determined by technical studies.

(3.) Be responsible for assisting MetroPlan Orlando with coordinating public information activities concerning the studies.

(4.) Serve as an advisory committee for the completion of all required transportation studies, plans development, and programming recommendations required under the public laws pertaining to all modes of transportation and transportation support facilities.

(5.) Serve as an advisory committee to any and all duly constituted area-wide transportation authorities or boards, as well

as area-wide planning boards or councils for physical development, health, social or comprehensive planning upon direct request of such authorities, boards or councils.

(6.) Assist in other functions as deemed desirable by MetroPlan Orlando.

(b) Citizens' Advisory Committee:

(1.) Advise MetroPlan Orlando on public opinion in formulating goals and objectives for shaping the urban environment.

(2.) Participate in public information programs.

(3.) Provide an effective citizens' review of the preliminary findings and recommendations for continuing study.

(4.) Assist in other functions as deemed desirable by MetroPlan Orlando.

(c) Bicycle and Pedestrian Advisory Committee:

(1.) Review, amend, comment and recommend bicycle and pedestrian facilities implementation plans to MetroPlan Orlando to guide in making road construction and improvement decisions.

(2.) Study, pursue and encourage public and private funding for future bicycle and pedestrian related projects to further the implementation of the bicycle and pedestrian plans.

(3.) Develop programs based on the four "E's" of bicycle and pedestrian planning (Engineering, Education, Enforcement and

Encouragement) to encourage and foster the increased use of bicycling and walking as transportation throughout the Orlando Urban Area.

(4.) Carry out bicycle and pedestrian related tasks requested by MetroPlan Orlando.

(4.) Both the Transportation Technical Committee and the Citizens' Advisory Committee shall maintain a broad perspective covering the range of all modes of transportation and associated facilities in all recommended planning work programs, so that proper study and evaluation of transportation needs shall result in a multi-modal transportation system plan, balanced with respect to area wide needs and properly related to area wide comprehensive plans, goals and objectives.

(5.) MetroPlan Orlando shall establish a special purpose committee known as the Municipal Advisory Committee (MAC). The purpose and function of the MAC shall be to involve those municipalities that are not voting members of MetroPlan Orlando in the transportation planning process, and to provide a forum for those municipalities to assess reaction to transportation planning proposals and to provide comment to the MetroPlan Orlando Board with respect to the concerns of the various municipalities' transportation needs. The MAC will consist of Mayors, or Mayors' designee, of such municipalities. The Chairman of the MAC will be a non-voting advisor to the MetroPlan Orlando Board. The MAC may adopt bylaws. The voting membership of the MAC shall be the Mayor or Mayor's designee as follows:

- (a) City of Bay Lake
- (b) City of Belle Isle

- (c) City of Casselberry
- (d) Town of Eatonville
- (e) City of Edgewood
- (f) City of Lake Buena Vista
- (g) City of Lake Mary
- (h) City of Longwood
- (i) City of Maitland
- (j) Town of Oakland
- (k) City of Ocoee
- (l) City of Oviedo
- (m) City of St. Cloud
- (n) Town of Windermere
- (o) City of Winter Garden
- (p) City of Winter Park
- (q) City of Winter Springs

Every effort should be made for the Mayor or a member of the City Commission or Council to represent the membership on the Committee. However, where this is not feasible senior staff may be designated to serve.

(6.) Reports, studies, plans and programs and databases shall be approved or endorsed by the MetroPlan Orlando Board after review by the Transportation Technical Committee, Citizens' Advisory Committee, Bicycle and Pedestrian Advisory Committee, and Municipal Advisory Committee, as appropriate. A resolution may be noted as officially adopted by the MetroPlan Orlando Board and placed into effect upon signature

by the MetroPlan Orlando Chairman without waiting for the minutes of the entire meeting to be officially approved at the next MetroPlan Orlando board meeting.

VII. OPERATING PROCEDURES

(1.) MetroPlan Orlando shall meet at least four times a year at a time and location designated by MetroPlan Orlando and at such other times as the Chairman may determine necessary.

(2.) Advance notification of all meetings, both regular business and special, shall be provided as required by applicable law.

(3.) A quorum shall consist of a majority of those members entitled to vote. A majority shall consist of one-half the voting members plus one.

(4.) MetroPlan Orlando members must be present to cast a vote. Any business transacted by MetroPlan Orlando must be approved by not less than a majority of the votes cast.

(5.) Voting shall be by voice. A roll call vote shall be held to adopt and/or amend the Long Range Transportation Plan and Transportation Improvement Program and in all instances where a voice vote is other than unanimous on all other items. All other questions or procedures shall be governed by the most recent edition of Robert's Rules of Order.

(6.) Code of Ethics. Members, Officers, and Employees are required to comply with Florida Statute 112, Part III, Code of Ethics for Public Officers and Employees.

Members are expected to abide by the ethical rules which govern their service on the organization they represent.

(1.) All MetroPlan Orlando Board and committee meetings will be open to the public.

(2.) The public may obtain information or make submissions or requests concerning MetroPlan Orlando matters to the Office of the Executive Director, MetroPlan Orlando, 315 E. Robinson Street, Suite 355, Orlando, Florida 32801, by calling (407) 481-5672, or emailing info@metroplanorlando.com.

(3.) The procurement of goods and services shall be conducted in accordance with applicable federal and state law and Resolution No. 05-01, Resolution Adopting the Procedures for Purchases, Sales, Services, and Contracts of MetroPlan Orlando, and as amended from time to time. Procedures for the resolution of protests arising from any contract bidding process are also provided in Resolution No. 05-01.

VIII. PROCEDURES FOR PUBLIC INVOLVEMENT PROCESS

(1.) The Safe, Accountable, Flexible, Efficient, Transportation, Equity, Act: A Legacy for Users, or SAFETEA-LU requires all Metropolitan Planning Organizations to establish a public involvement process in conjunction with the overall transportation planning process occurring within their respective urban areas. MetroPlan Orlando's public involvement policy, as outlined in the organization's Public Involvement Plan, shall ensure that the requirements and criteria established under the SAFETEA-LU legislation are met. The SAFETEA-LU legislation states that public involvement processes be proactive and provide complete information, timely public notice, full access to key decisions, and opportunities for early and continuing involvement of the public in developing plans and Transportation Improvement Programs.

(2.) In complying with the SAFETEA-LU public involvement requirements listed above, MetroPlan Orlando shall specifically implement the following procedures for Federal-aid highway and transit programs:

(a) All meetings of MetroPlan Orlando, the Municipal Advisory Committee (MAC), Transportation Technical Committee (TTC), Citizens' Advisory Committee (CAC), Bicycle and Pedestrian Advisory Committee (BPAC), and other Committees as may be established, shall be open to the public and opportunities for public comments shall be provided. All public meetings and hearings shall be held in locations that are accessible to people with disabilities.

(b) MetroPlan Orlando's public involvement process shall provide for early and continuing involvement in the transportation planning and programming process to all segments of the community. As specifically stated in the SAFETEA-LU legislation, these segments are freight shippers, users of public transit, citizens, providers of transportation, affected public agencies, representatives of transportation agency employees, other interested parties, and segments of the community affected by transportation plans, programs, and projects. The process shall also provide for seeking out and considering the needs of those traditionally underserved by existing transportation systems, such as low income and minority households which may face challenges accessing employment and other amenities.

(c) Prior to the adoption of the Long Range Transportation Plan, at least one public hearing on the Plan shall be held within the Orlando metropolitan area. Public hearing notices shall be published in the Orlando Sentinel, as well as

in other local newspapers published for minority communities. The comments received from the public hearing process shall be taken into consideration by MetroPlan Orlando before the Long Range Transportation Plan is adopted.

(d) A public hearing shall be held in conjunction with the preparation of the Transportation Improvement Program (TIP). Any comments received from the public will be taken into consideration by MetroPlan Orlando before the TIP is adopted.

(e) The final adopted TIP shall be made available for review by the public at the MetroPlan Orlando staff offices and on the organization's website at www.metroplanorlando.com. Copies of notices of the public hearings referred to herein and notices of the plans and reports referred to herein shall be provided to all persons, including private providers of transportation who have requested to be provided with copies of such notices, proposed plans and reports.

(f) The MetroPlan Orlando staff shall make presentations to various groups, civic organizations, Chambers of Commerce, etc. regarding the transportation plans and programs occurring within the Orlando Urbanized Area.

(g) An annual report will be produced and distributed to provide information on transportation-related activities occurring in the Orlando Urbanized Area.

(h) From time to time, surveys may be conducted to obtain a sample of public opinions on the transportation related issues affecting the Orlando Urbanized Area, and to help MetroPlan Orlando determine what goals and

objectives to pursue in planning for the future development of the Orlando Urbanized Area's transportation system.

(i) Periodic newsletters on transportation issues may be published and distributed by MetroPlan Orlando.

(j) MetroPlan Orlando may provide various means for the public to obtain information regarding transportation planning activities. These means may include, but not be limited to, the Internet, published advertisements, TV and radio advertisements, participation at community expositions and events, public information videos, public service announcements, display boards in public buildings, and brochures.

(k) In accordance with the provisions of SAFETEA-LU, public meetings that are part of the public participation plan will be conducted at convenient and accessible locations at convenient times. In addition, MetroPlan Orlando will utilize visualization techniques to describe the plans and make public information available, when possible, in an electronically accessible format.

(l) MetroPlan Orlando's procedures for complying with federal requirements associated with Title VI of the Civil Rights Act of 1964 are outlined in the organization's Title VI Plan and Limited English Proficiency Plan. Additionally, more information on the Title VI Complaint Procedure is contained in Section XII of these operating procedures.

IX. PROCEDURES FOR AMENDING THE LONG RANGE TRANSPORTATION PLAN (LRTP) AND THE TRANSPORTATION IMPROVEMENT PROGRAM (TIP)

(1.) The process for amending the adopted Orlando Urbanized Area Long Range Transportation Plan is established as follows:

(a) Amendments to the LRTP may be requested for consideration by MetroPlan Orlando at any time. To the extent feasible, amendments shall coincide with the adoption of the Transportation Improvement Program (TIP) by the MetroPlan Orlando Board in July of each year. MetroPlan Orlando staff will work with applicants who believe they are not able to comply with the amendment schedule.

(b) Amendments shall be requested in writing and shall be addressed to the MetroPlan Orlando Executive Director or Deputy Executive Director.

(c) Projects subject to the amendment request and review process:

(1.) Any transportation project which involves a major improvement and funded either entirely or in part by Federal or State funds that are proposed to be added to or deleted from the adopted Long Range Transportation Plan shall be subject to the amendment request and review process.

(2.) Any proposed transportation project that is of a new or prototype technology, and will impact the adopted Long Range Transportation Plan, shall be subject to the amendment request and review process.

(3.) Any non-Federal or non-State funded proposed regionally significant (23 CFR 450.104) transportation project (including privately-funded projects) shall be reported to MetroPlan Orlando for addition into the Long Range Transportation Plan through the amendment request and review process.

(d) Who may submit an amendment request:

(1.) Amendment requests may be initiated by a government agency such as the State, a city, county or a transportation authority.

(2.) Amendment requests originating from the private sector shall be sponsored by the local government of jurisdiction.

(e) Action upon submittal of an amendment request.

(1.) MetroPlan Orlando staff shall screen the amendment request to determine if there is a major impact upon the transportation system and if a detailed analysis of the project, as defined in the following paragraphs, is needed.

(2.) Projects that have a total construction cost of less than \$4 million are to be considered a minor transportation improvement and a detailed analysis will not be required.

(f) If a detailed analysis is required, the amendment request shall describe the project and its location and shall include an analysis of the project impacts, as follows:

(1.) Traffic.

(a.) Current year and future year consistent with current adopted Long Range Transportation Plan.

(b.) Average daily traffic (ADT) and peak-hour.

(c.) Directional traffic load.

(d.) Level of Service and roadway capacity.

(2.) Environmental and social impacts.

(a.) Minimal, moderate, or major impact on air quality.

(b.) Minimal, moderate, or major impact on wetlands displaced.

(c.) Minimal, moderate, or major impact on homes and businesses displaced.

(d.) Minimal, moderate, or major impact on public facilities.

(3.) Compatibility with all applicable local comprehensive plans and programs.

(a.) Existing and future land use.

(b.) Capital Improvement Programs.

(c.) Traffic Circulation and Transit Elements; and,

(d.) Bicycle & Pedestrian Plans.

(4.) Compatibility with MetroPlan Orlando adopted Long Range Transportation Plan and East Central Florida Regional Planning Council (ECFRPC) Strategic Regional Policy Plan.

(5.) Financial impact.

- (a.) Project capital cost subdivided according to preliminary engineering and design, right-of-way acquisition, and construction.
 - (b.) Identification of the funding source, time period and impact on other projects.
 - (c.) Annual Operations and Maintenance costs.
- (6.) Contribution to implementation of multi-modal transportation system.
- (a.) Potential for inclusion of future bus and rail transit facilities.
 - (b.) Proximity to existing or proposed transit routes, transit centers and/or multi-modal facilities, and major activity centers.
 - (c.) Inclusion of transit passenger amenities.
 - (d.) Inclusion of bicycle and pedestrian facilities based on the following criteria:
 - (1.) Expected facility usage.
 - (2.) Contribution to regional bicycle and pedestrian systems.
 - (3.) Accident reduction.
 - (4.) Linkage with other transportation modes.
 - (5.) Improvement to school access.

(6.) Inclusion in adopted Growth Management Plans.

(g) Process of Evaluation:

(1.) The following checklist of evaluation criteria developed by MetroPlan Orlando will be utilized to evaluate each amendment request:

(a.) Have the categories of information stipulated below been provided in sufficient detail?

(1.) Traffic.

(2.) Environmental and Social Impacts.

(3.) Compatibility with Local Comprehensive Plans.

(4.) Compatibility with ECFRPC Strategic Policy Plan and MetroPlan Orlando currently adopted Long Range Transportation Plan.

(5.) Financial Impact.

(6.) Contribution to implementation of multi-modal transportation system.

(b.) Has an adequately-sized impact area been identified which includes the major transportation facilities affected?

(c.) Has the applicant used officially adopted Levels of Service tables (FDOT) in preparing its report on traffic impacts?

- (d.) Has the applicant assumed various transportation projects which may be of benefit to its project to be funded and constructed in the immediate time period when there may be no commitments for doing so?
 - (e.) Has the applicant used an acceptable method for measuring impacts to air quality?
 - (f.) Will the applicant prepare a mitigation plan for environmental impacts?
 - (g.) Has the applicant identified not only the project costs, but also the sources of funding?
 - (h.) Has the applicant provided evidence of funding commitments, both from itself and other parties if involved?.
 - (i.) Does the project incorporate mobility improvements that address capacity or concurrency improvements?
 - (j.) If it is a transit project, is it compatible with the adopted Transit Development Plan or Regional Transit Systems Concept Plan?
 - (k.) Does the project add to the connectivity of the current transportation system, and/or enhance the movement toward a seamless transportation system?
- (h) Who shall approve an amendment request:

(1.) The Transportation Technical Committee shall review the requested amendment based upon a technical evaluation of its merit and shall make recommendations to MetroPlan Orlando.

(2.) The Citizens' Advisory Committee shall review the requested amendment and shall make recommendations to MetroPlan Orlando.

(3.) The Bicycle and Pedestrian Advisory Committee shall review the requested amendments that impact existing or proposed bicycle and pedestrian facilities and shall make recommendations to MetroPlan Orlando.

(4.) The Municipal Advisory Committee shall review the requested amendment and shall make recommendations to MetroPlan Orlando.

(5.) MetroPlan Orlando Board shall consider the recommendations of its subsidiary committees and shall exercise final approval or disapproval of the amendment request.

(6.) Within 30 days of receipt of the amendment request, the MetroPlan Orlando staff shall review the amendment request to determine if a detailed analysis is needed or if it contains sufficient information upon which to process the amendment.

(a.) If the MetroPlan Orlando staff finds that the amendment request contains insufficient information upon which to rule, the staff shall identify and request in writing from the applicant, prior

to the expiration of the 30 day examination period, the additional information needed.

(b.) If the MetroPlan Orlando staff finds that the amendment request contains sufficient information upon which to rule, the staff shall notify the applicant in writing that the amendment request has been accepted for review.

(7.) Upon determination that the amendment request contains sufficient information upon which to rule, the MetroPlan Orlando staff shall distribute the amendment request and all other relevant information to the LRTP subcommittee. The MetroPlan Orlando staff, with input from the LRTP subcommittee, shall complete an analysis of the amendment request prior to formal action being requested of the Transportation Technical Committee, Citizens' Advisory Committee, Bicycle and Pedestrian Advisory Committee and Municipal Advisory Committee.

(8.) The applicant and the MetroPlan Orlando staff will present the amendment request and the staff analysis findings to the Transportation Technical Committee, Citizens' Advisory Committee, Bicycle and Pedestrian Advisory Committee and Municipal Advisory Committee. The applicant will be advised in writing by MetroPlan Orlando when the amendment request has been placed on the MetroPlan Orlando Board meeting agenda.

(9.) The applicant and MetroPlan Orlando staff will also present the amendment request and the staff analysis findings to the MetroPlan

Orlando Board, at least one month prior to the regularly scheduled meeting at which MetroPlan Orlando will take formal action on the amendment request. The applicant will be advised in writing by MetroPlan Orlando when the amendment request has been placed on the MetroPlan Orlando Board meeting agenda for final action.

(10.) Upon approval of the requested amendment, the MetroPlan Orlando staff will initiate appropriate network changes to the Long Range Transportation Plan.

(i) The process for amending the adopted Orlando Urban Area Transportation Improvement Program (TIP) is established as follows:

(1.) When amendments may be requested:

(2.) Amendments involving Federal and/or State funded projects may be accomplished at any time.

(3.) Projects funded locally are included in the TIP for information purposes and may be amended at any time by the local government or transportation agency.

(j) Amendments requesting additions, deletions or rescheduling must be requested in writing and shall be addressed to the MetroPlan Orlando Executive Director or Deputy Executive Director.

(k) Project Requirements:

(1.) If the amendment request involves a major improvement, it must also be included as part of MetroPlan Orlando's adopted Long Range

Transportation Plan and an amendment to the Long Range Transportation Plan must be requested in accordance with this rule.

(2.) If the amendment request involves a Transportation Systems Management (TSM) improvement, it must have had a:

(a.) Traffic Study completed, if it is a turning lane project, or

(b.) Signal Warrant completed, if it is a signalization project.

(3.) Amendment requests must include the project's location, description, the reason for its addition, deletion or rescheduling, source of funds and its impact on other projects.

(l) Process for approval:

(1.) Upon receipt of an amendment request, the MetroPlan Orlando staff shall include the request on the agenda of the next regularly scheduled meeting of the Transportation Technical Committee, Citizens' Advisory Committee, Bicycle and Pedestrian Advisory Committee, Municipal Advisory Committee and the MetroPlan Orlando Board.

(2.) The Transportation Technical Committee, Citizens' Advisory Committee, Bicycle and Pedestrian Advisory Committee and Municipal Advisory Committee shall review the requested amendment at their next regularly scheduled meeting and shall recommend approval or disapproval to MetroPlan Orlando.

(3.) Upon MetroPlan Orlando Board approval of requested amendments involving highway transportation projects, the MetroPlan Orlando staff will send copies of the MetroPlan Orlando action to FDOT

for submittal to the Florida Department of Economic Opportunity (DEO) and the Federal Highway Administration (FHWA).

(4.) Upon MetroPlan Orlando Board approval of requested amendments involving transit projects, the MetroPlan Orlando staff will send copies of the MetroPlan Orlando action to FDOT for submittal to the Florida Department of Economic Opportunity and the Federal Transit Administration (FTA).

(5.) Upon MetroPlan Orlando approval of requested amendments involving transit projects, the MetroPlan Orlando staff will send copies of the MetroPlan Orlando action directly to all private providers of transportation in the Central Florida area who have requested to be placed on the mailing list for such copies.

(m) **Process for Approval of Emergency Amendments**

In cases where an amendment must be approved prior to the next board meeting for the amended project to receive funding, the MetroPlan Orlando Board Chairman is authorized to approve the amendment and sign the corresponding resolution on behalf of the board without having to call an emergency meeting of the board or committees. The chairman's approval of the amendment then must be ratified at the next regularly scheduled board meeting. To maintain the integrity of the public involvement process, whenever feasibly possible, the Citizens' Advisory Committee, Transportation Technical Committee, Bicycle and Pedestrian

Advisory Committee and Municipal Advisory Committee are asked to provide input prior to ratification by the board.

X. **PROCEDURES FOR REVISING ORLANDO URBAN AREA BOUNDARY**

(1.) The process for revising the Orlando Urban Area boundary is established as follows:

(a) When revisions may be requested:

(1.) MetroPlan Orlando may consider revisions to its urban area boundary during the 10 year interim period between each decennial census taken by the U.S. Census in order to include areas anticipated to become medium and high density residential developments within the 10 year period.

(2.) MetroPlan Orlando will consider requests for revision of an established urban area boundary for comprehensive plan purposes only.

(b) Who may submit a request for revision:

(1.) Requests for revisions to the urban area boundary may only be initiated by the local government having primary jurisdiction over the area to be added to or deleted from the urban area boundary.

(2.) The request for revision must have the endorsement of all other local governments within the area to be added to or deleted from the urban boundary prior to submittal to MetroPlan Orlando.

(c) Revisions shall be requested in writing and shall be addressed to the MetroPlan Orlando Executive Director or Deputy Executive Director.

(d) Process for approval of a request for revision:

(1.) Upon receipt of a requested revision, the MetroPlan Orlando staff shall include the request on the agenda of the next regularly scheduled meeting of the Transportation Technical Committee (TTC) and MetroPlan Orlando Board.

(2.) The TTC shall review the requested revision at its next regularly scheduled meeting and shall recommend the approval or disapproval to MetroPlan Orlando Board based upon a technical evaluation of its merit.

(3.) MetroPlan Orlando Board shall consider the recommendation of TTC and shall exercise final approval or disapproval of the requested revision.

(4.) Upon MetroPlan Orlando Board approval of the requested revision, the MetroPlan Orlando staff will send copies to the Florida Department of Transportation (FDOT).

(5.) Upon FDOT approval of the requested revision, the FDOT and FHWA shall prepare a revised urban boundary map in Mylar original for signature by the MetroPlan Orlando Chairman.

(2.) The urban boundary of the Orlando Urbanized Area may be revised to include the following types of land area:

(a) Territory that is made up of one or more contiguous census blocks having a population density of at least 1,000 persons per square mile and that is either:

(1.) Contiguous and directly connected by road to the existing urban area;

(2.) Non-contiguous with the existing urban area boundary but is within 1 1/2 road miles of the existing urban boundary and connected to it by one or more census blocks that are adjacent to the connecting road. The combination of these intervening census blocks with the census blocks within the territory to be added to the existing urban boundary must have an average total population density of at least 500 persons per square mile; or

(3.) Territory meeting the population density criterion but that is non-contiguous with the existing urban area boundary by reason of being separated by water or undevelopable territory. It must, however, be within five (5) road miles of the urban area boundary, those five (5) miles including no more than 1-1/2 miles of developable territory.

(b) The term “undevelopable territory” is defined by the U.S. Census as including only mud flats, marshlands, steep slopes, and other terrain on which development is virtually impossible because of physical limitations. To be classified as undevelopable, the territory must not contain any existing housing or commercial structures. Military installations, parks, and forest preserves shown on

the Census Bureau's maps at the time of the decennial or special census also may be classified as undevelopable territory. The land use zoning of an area is not considered when applying this criterion.

(c) Territory that has a population density of less than 1,000 persons per square mile provided that it either:

(1.) Eliminates an enclave of no more than five (5) square miles in the territory surrounding it when that surrounding territory qualifies for inclusion within the urban boundary on the basis of population density (i.e., the surrounding territory would have in excess of 1,000 persons per square mile), or:

(2.) Closes or eliminates an indentation in the urban boundary created when the contiguous territory around it qualifies on the basis of population density (i.e., 1,000 persons per square mile).

However, the indentation must:

(a.) Measure no more than one (1) mile across the open end,

(b.) Have a depth at least two times greater than the distance across the open end, and

(c.) Encompass no more than five (5) square miles.

(3.) The local government initiating the revisions to the urban area boundary shall provide the following information to MetroPlan Orlando and the Transportation Technical Committee:

(a) Physical Description:

- (1.) Size of the revision area in square miles.
 - (2.) Identification of the revision area boundary, generally roads, power line easements, or other easily recognizable physical features.
- (b) Demographic Characteristics:
 - (1.) Population within the revision area, both permanent and temporary, and a determination whether the population density of the revision area is greater or less than the current urban area as a whole.
 - (2.) Identification of the employment base size within the revision area.
- (c) Transportation System Characteristics:
 - (1.) Lane miles of functional classification changes and federal system changes specified in section 6 below and identified by specific links.
 - (2.) Identification of changes by specific links in Levels of Service ratings as a result of reclassification.
 - (3.) Identification of existing peak-hour and daily traffic volumes on the road links.
 - (4.) A comparison of the peak-hour to daily traffic volumes and a determination if they fall within the FDOT “K” factor utilized for that category of urban road facility.
- (d) Financial Considerations:

(1.) Identification of the effect that an urban boundary expansion will have on current federal aid funds.

(2.) Identification of the effect that an urban boundary expansion will have on current Federal Transit Act (FTA) Section 5303 and 5307 funds (because of reduced overall population density).

(e) Other Considerations:

(1.) Identify existing “planned” (within adopted Long Range Transportation Plan) and “programmed” (within current Transportation Improvement Program) transportation facility improvements.

(2.) Identify if a change to existing road improvement priorities is proposed as a result of the urban boundary revisions.

(4.) Territory that contains a large concentration of non-residential urban land use, such as an industrial park, office complex, or major airport, may not be used solely as justification for a requested revision to the urban area boundary unless the territory also will qualify under paragraph (2)(a) or (2)(b) above.

(5.) Urbanized Areas, as defined by the U.S. Census, is incorporated by reference herein.

(6.) Revising the urban area boundary also affects the categorization of road systems. When the urban area boundary is expanded, the following changes are mandatory to the highway system as it is presently categorized:

(a) Functional classification changes.

- (1.) Rural Minor and Rural Principal Arterials become Urban Minor and Urban Principal Arterials respectively.
 - (2.) Minor and Major Collectors become Urban Collectors.
- (b) Federal system changes.
 - (1.) Rural Federal Aid Interstate and Rural Federal Aid Primary become Urban Federal Aid Interstate and Urban Federal Aid Primary respectively.
 - (2.) Federal Aid Secondary becomes Federal Aid Urban.

XI. **MINORITY BUSINESS ENTERPRISE PROGRAM**

- (1.) Definitions and Purposes.
 - (a) Definitions. For the purpose of these procedures:
 - (1.) “Small Business” means an independently owned and operated business concern that employs 200 or fewer permanent full-time employees and that together with its affiliates, has a net worth of not more than \$5 million or any firm based in this state which has a Small Business Administration 8(a) certification, and as further defined in Section 288.703, Florida Statutes.
 - (2.) “Minority Business Enterprise” means any small business concern as defined in subsection (a) which is organized to engage in commercial transactions, which is domiciled in Florida, and which is at least 51 percent owned by minority persons who are members of an insular group that is of a particular racial, ethnic, or gender makeup or national origin, which has been subjected

historically to disparate treatment due to identification in and with that group resulting in an underrepresentation of commercial enterprises under the group's control, and whose management and daily operations are controlled by such persons, and as further defined in Section 288.703, Florida Statutes.

(3.) "Minority Person" means a lawful, permanent resident of Florida who is

- (a.) African-American
- (b.) Hispanic-American
- (c.) Asian-American
- (d.) Native-American
- (e.) American woman

all as further defined in Section 288.703, Florida Statutes.

(4.) For the purpose of these procedures the term "MBE" shall mean Minority Business Enterprises; the term "USDOT" shall mean the United States Department of Transportation; the term "FTA" shall mean the Federal Transit Administration; and the term "FHWA" shall mean the Federal Highway Administration.

(b) Purposes. It is the policy of MetroPlan Orlando that Minority Business Enterprises shall have the maximum opportunity to participate in all phases of its procurement activities and in contracting opportunities. MetroPlan Orlando will use its best efforts to ensure that disadvantaged business enterprises and women business enterprises are informed of current and future procurement

activity through contacts with print and electronic media, including minority focused media, assistance agencies and through direct contact. MetroPlan Orlando will provide special assistance, when requested to disadvantaged business enterprises and women business enterprises in providing instructions on the preparation of bid specifications, procurement policies, and general bid requirements. MetroPlan Orlando and its contractors shall not discriminate on the basis of race, color, national origin or sex in the award and performance of contracts.

(2.) Affirmative Action Techniques to Assure MBE Participation.

(a) The MBE Program Liaison Officer will be responsible for carrying out the following affirmative action techniques developed to assure MBE participation in all MetroPlan Orlando procurement activities:

- (1.) Solicitation arrangements, times for the presentation of bids, quantities and specifications and delivery schedules which shall be designed so as to facilitate MBE participation.
- (2.) Upon request, MBE firms may be referred for certification, financing or technical assistance to the appropriate agency.
- (3.) Information and communication programs on contracting opportunities and procedures will be carried out in a timely manner. Classified ads, in minority and majority focused media, will be used to keep minority owned and controlled businesses informed.

(b) When MetroPlan Orlando requires the regular purchase of goods and services, the MBE Program Liaison Officer will follow those bidding procedures listed in its Purchasing Policy defined in Resolution 05-01, or as subsequently amended.

(3.) MBE Certification and Directory. MetroPlan Orlando will utilize MBE certifications and Directories (“Directories”) developed by local governments and agencies for aiding its MBE procurement participation. These Directories are generally arranged by service and vendor reference, and include a note as to whether or not the vendor is a certified MBE and by what authority the vendor is certified. It shall be MetroPlan Orlando’s policy to obtain certification from all MBE vendors to grant evaluation criteria credits. MBE bid applicants will be encouraged to apply for certification through the Unified Certification Program (UCP), managed by FDOT as formally approved by the USDOT March 25, 2004.

(4.) Percentage Goals for the Dollar Value of Work to be Awarded to MBE When Federal Funds are not Used. MetroPlan Orlando has established an overall goal of twenty percent (20%) of the dollar value of work awarded for participation by minority business enterprises in contracting opportunities for goods and services that are bid in accordance with MetroPlan Orlando procurement policy. For contracting opportunities where evaluation criteria are established, MBE participation shall be a separate criterion and shall carry the weight of no more than 15 points out of 100. Points shall be awarded as follows:

MBE PARTICIPATION PERCENTAGE	EVALUATION POINTS EARNED
0 %	0
1% – 10%	5
11% – 19%	10
20% OR >	15

(5.) Identification of MBE by Competitors for Special Contracts.

(a.) MetroPlan Orlando will, in its solicitation of special contract bids, indicate separate goals for the use of firms owned and controlled by disadvantaged business enterprises and firms owned and controlled by women. All bidders will be required to submit a written assurance to make good faith efforts to meet the goals in their bids or proposals. The bid solicitation will also state that before a binding contract or agreement is signed with the apparent successful bidder, minority business participation information must be submitted to MetroPlan Orlando and that award of the contract is conditional upon satisfaction of MetroPlan Orlando's requirements. The apparent successful bidder shall provide the following information:

- (1.) The names and addresses of minority owned firms that will participate in the contract.
- (2.) A description of the work each participant firm will perform.
- (3.) The dollar amount of participation by each named minority owned firm.

(b) All proposed MBE subcontracts must be submitted to MetroPlan Orlando for approval. Upon approval, the successful contractor shall enter into each approved subcontract and shall neither terminate nor reduce the price to be paid under such contract without in each instance the prior consultation with and written approval of MetroPlan Orlando.

(c) MetroPlan Orlando will encourage joint ventures and subcontracts involving minority owned and controlled firms by assisting the prime contractor in identification of interested minority owned and controlled firms and making available the Directories.

(d) Pre-bid conferences for all special contracts will be held, if necessary, at a minimum of two weeks prior to bid opening dates, to discuss bid specifications of the project. The MBE Program Liaison Officer will play an integral role in all pre-bid conferences by answering questions on MBE policy and offering individual assistance when necessary.

7. Award Selection Procedures.

(a.) Contract Award- MBE Requirements

(1.) MetroPlan Orlando's procurement procedure is to formally advertise bids for all expenditures exceeding \$25,000.00 and to award or let to the lowest and best responsive bidder.

(2.) A responsive bidder is defined as a potential contractor who possesses potential ability to perform successfully under the terms and conditions of a proposed procurement. If it is

determined that a responsive bidder or contractor firm has the lowest bid and the best bid, but has not met the MBE Program contract goals, the bidder or contractor firm may still be awarded the contract.

(b.) To ensure that all obligations under contracts awarded to MBE firms are met, the contractor's MBE Program involvement efforts throughout the performance of the contract shall be reviewed. The contractor shall bring to MetroPlan Orlando's attention any situation in which regularly scheduled progress payments are not made to MBE subcontractors.

(c.) Contractors must make good faith efforts to replace a defaulting MBE subcontractor with another MBE firm. Any such substitution must be approved by MetroPlan Orlando before such subcontractor is signed. The contractor must first provide MetroPlan Orlando with copies of the new or amended contract and MBE certification forms from the substitute MBE firm.

(d.) There are no preconditions to subgrants or contracts pertaining to the use of MBE other than those previously stated in these Procedures.

Florida Department of Transportation Disadvantaged Business Enterprise Program Plan and the Florida Department of Transportation Methodology for Determining DBE Goal (49 CFR part 26.45) as adopted and amended from time to time is accepted as the umbrella under which MetroPlan Orlando will function in the award of any and all contracts incurring the expenditure of federal funds.

XII. TITLE VI COMPLAINT PROCEDURE

Any person who believes that he or she, or any specific class of persons, has been subjected to discrimination or retaliation prohibited by the Title VI of the Civil Rights Act of 1964, as amended, and related statutes, may file a written complaint. All written complaints received by the recipient shall be referred immediately by the recipient's Metropolitan Planning Organization (MPO) Title VI Specialist to the FDOT's District 5 Title VI Coordinator for processing in accordance with approved State procedures.

1. Verbal and non-written complaints received by the recipient shall be resolved informally by the recipient's MPO Title VI Specialist. If the issue has not been satisfactorily resolved through informal means, or if at any time the person(s) request(s) to file a formal written complaint, the recipient's MPO Title VI Specialist shall refer the Complainant to the FDOT's District 5 Title VI Coordinator for processing in accordance with approved State procedures.
2. The recipient's MPO Title VI Specialist will advise the FDOT's District 5 Title VI Coordinator within five (5) calendar days of receipt of the allegations. The following information will be included in every notification to the FDOT's District 5 Title VI Coordinator:
 - (a) Name, address, and phone number of the Complainant.
 - (b) Name(s) and address(es) of Respondent.
 - (c) Basis of complaint (i.e., race, color, national origin, sex, age, disability, religion, familial status or retaliation).

- (d) Date of alleged discriminatory act(s).
 - (e) Date of complaint received by the recipient.
 - (f) A statement of the complaint.
 - (g) Other agencies (state, local or Federal) where the complaint has been filed.
 - (h) An explanation of the actions the recipient has taken or proposed to resolve the allegation(s) raised in the complaint.
3. Within ten (10) calendar days, the recipient's MPO Title VI Specialist will acknowledge receipt of the allegation(s), inform the Complainant of action taken or proposed action to process the allegation(s), and advise the Complainant of other avenues of redress available, such as the FDOT's Equal Opportunity Office (EOO).
 4. Within sixty (60) calendar days, the recipient's MPO Title VI Specialist will conduct and complete a review of the verbal or non-written allegation(s) and based on the information obtained, will render a recommendation for action in a report of findings to the Head of the recipient.
 5. Within ninety (90) calendar days of the verbal or non-written allegation(s) receipt, the Head of the recipient will notify the Complainant in writing of the final decision reached, including the proposed disposition of the matter. The notification will advise the Complainant of his/her right to file a formal complaint with the FDOT's EEO, if they are dissatisfied with the final decision rendered by the recipient. The recipient's MPO Title VI Specialist will also provide the FDOT's District 5 Title VI Coordinator with a copy of this decision and summary of findings.

6. The recipient's MPO Title VI Specialist will maintain a log of all verbal and non-written complaints received by the recipient. The log will include the following information:
 - a. Name of Complainant.
 - b. Name of Respondent.
 - c. Basis of Complaint (i.e., race, color, national origin, sex, age, disability, religion, familial status or retaliation)
 - d. Date verbal or non-written complaint was received by the recipient.
 - e. Date recipient notified the FDOT's District 5 Title VI Coordinator of the verbal or non-written complaint.
 - f. Explanation of the actions the recipient has taken or proposed to resolve the issue raised in the complaint.


Executed copies of the Assurance of Compliance with Title VI of the Civil Rights Act of 1964 , Federal Transit Administration Civil Rights Assurance, Appendix A to Title VI Assurance, Assurance Concerning Nondiscrimination on the Basis of Handicap in Federally-Assisted Programs and Activities Receiving or Benefiting from Federal Financial Assistance, and Intergovernmental Review Certification, all dated February 14, 2007 are attached to these Internal Operating Procedures as 'Attachment A'.

These Internal Operating Procedures were formerly Rules 35I-1.005, 35I-1.006, 35I-1.012, 35I-2.001, 35I-2.002, 35I-2.003, 35I-2.004, 35I-2.005, 35I-2.006, 35I-2.007, 35I-2.008, 35I-2.009, Florida Administrative Code and are hereby readopted as Internal Operating Procedures of MetroPlan Orlando

Approved by MetroPlan Orlando this 11th day of July, 2012.



Lena Tolliver, Senior Board
Services and Recording Secretary



Brandon Arrington
Chairperson

(Supersedes previous revisions -. 02/2004, 04/2005, 6/2007)

Attachment 'A' Assurances

ASSURANCE OF COMPLIANCE WITH
TITLE VI OF THE CIVIL RIGHTS ACT OF 1964
(For Technical Studies Projects)

The Metropolitan Planning Organization for the Orlando Urban Area, d.b.a. METROPLAN ORLANDO (hereinafter referred to as the "Recipient") HEREBY AGREES THAT as a condition to receiving any Federal financial assistance from the Department of Transportation it will comply with Title VI of the Civil Rights Act of 1964, 78 Stat. 252, 42 U.S.C. 2000d-42 U.S.C. 2000d-4 (hereinafter referred to as the Act) and all requirements imposed by or pursuant to Title 49, Code of Federal Regulations, Department of Transportation, Subtitle A, Office of the Secretary, Part 21, Nondiscrimination in Federally-assisted Programs of the Department of Transportation - Effectuation of Title VI of the Civil Rights Act of 1964 (hereinafter referred to as the Regulations) and other pertinent directives, to the end that in accordance with the Act, Regulations, and other pertinent directives, no person in the United States shall on the grounds of race, color, or national origin be excluded from participation in, be denied the benefits of, or be otherwise subjected to discrimination under any program or activity for which the Recipient receives Federal financial assistance from the Department of Transportation, including the Federal Transit Administration (FTA), and HEREBY GIVES ASSURANCE THAT it will promptly take any measures necessary to effectuate this agreement. This assurance is required by subsection 21.7(a) of the Regulations.

More specifically and without limiting the above general assurance, the Recipient hereby gives the following specific assurance with respect to the project:

1. That the Recipient agrees that each "program" and each "facility", as defined in subsections 21.23(e) and 21.23(b) of the Regulations, will be (with regard to a "program") conducted or will be (with regard to a "facility") operated in compliance with all requirements imposed by, or pursuant to, the Regulations.
2. That the Recipient shall insert the following notification in all solicitations for bids for work or material subject to the Regulations and made in connection with all projects under the Federal Transit Act Amendments of 1991, and, in adapted form, in all proposals for negotiated agreements:

The Recipient, in accordance with Title VI of the Civil Rights Act of 1964, 78 Stat. 252, 42 U.S.C. 2000d to 2000d-4 and Title 49, Code of Federal Regulations, Department of Transportation, Subtitle A, Office of the Secretary, Part 21, Nondiscrimination in Federally-assisted Programs of the Department of Transportation issued pursuant to such Act, hereby notifies all bidders that it will affirmatively ensure that in regard to any contract entered into pursuant to this advertisement, minority business enterprises will be afforded full opportunity to submit bids in response to this invitation

and will not be discriminated against on the grounds of race, color, or national origin in consideration for an award.

3. That the Recipient shall insert the clauses of Appendix A of this assurance in every contract subject to the Act and the Regulations.
4. That this assurance obligates the Recipient for the period during which Federal financial assistance is extended to the project, except where the Federal financial assistance is to provide, or is in the form of, personal property, or real property of interest therein or structures or improvement thereon; in which case, the assurance obligates the Recipient or any transferee for the longer of the following periods: (a) The period during which the property is used for a purpose for which the Federal financial assistance is extended, or for another purpose involving the provision of similar services or benefits; or (b) the period during which the Recipient retains ownership or possession of the property.
5. The Recipient shall provide for such methods of administration for the program as are found by the Secretary of Transportation or the official to whom he/she delegates specific authority to give reasonable guarantee that it, other Recipients, subgrantees, contractors, subcontractors, transferees, in interest, and other participants of Federal financial assistance under such program will comply with all requirements imposed or pursuant to the Act, the Regulations, and this assurance.
6. The Recipient agrees that the United States has a right to judicial enforcement with regard to any matter arising under the Act, the Regulations, and this assurance.

This ASSURANCE is given in consideration of and for the purpose of obtaining any and all Federal grants, loans, contracts, property, discounts, or other Federal financial assistance extended after the date hereof to the Recipient by the Department of Transportation under the Federal Transit Administration Programs and is binding on it, other Recipients, subgrantees, contractors, subcontractors, transferees, successors in interest, and other participants in the Federal Transit Administration Programs. The person or persons whose signatures appear below are authorized to sign this assurance on behalf of the Recipient.

DATE: 02/14/2007

Metropolitan Planning Organization
For the Orlando Urban Area, d.b.a.
METROPLAN ORLANDO
(Recipient)

By: 

Linda Stewart, Chairperson

FEDERAL TRANSIT ADMINISTRATION

CIVIL RIGHTS ASSURANCE

The Metropolitan Planning Organization of the Orlando Urbanized Area HEREBY CERTIFIES THAT, as a condition of receiving Federal financial assistance under the Federal Transit Act Amendments of 1991, it will ensure that:

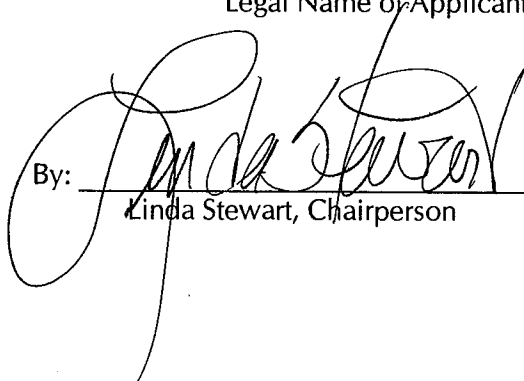
1. No person on the basis of race, color, or national origin will be subjected to discrimination in the level and quality of transportation services and transit-related benefits.
2. The Metropolitan Planning Organization of the Orlando Urbanized Area will compile, maintain, and submit in a timely manner Title VI information required by FTA Circular 4702.1 and in compliance with the Department of Transportation's Title VI regulation, 49 CFR Part 21.9.
3. The Metropolitan Planning Organization of the Orlando Urbanized Area will make it known to the public that those person or persons alleging discrimination on the basis of race, color, or national origin as it relates to the provision of transportation services and transit-related benefits may file a complaint with the Federal Transit Administration and/or the U.S. Department of Transportation.

The person or persons whose signature appears below are authorized to sign this assurance on behalf of the grant applicant or recipient.

Date: 02/14/2007

Orlando Urban Area Metropolitan
Planning Organization
d.b.a. METROPLAN ORLANDO
Legal Name of Applicant

By:


Linda Stewart, Chairperson

(APPENDIX A TO TITLE VI ASSURANCE)

During the performance of this contract, the contractor, for itself, its assignees and successors in interest (hereinafter referred to as the "contractor") agrees as follows:

- (1) Compliance with Regulations: The contractor shall comply with the Regulations relative to nondiscrimination in federally assisted programs of the Department of Transportation (hereinafter, "DOT") Title 49, Code of Federal Regulations, Part 21, as they may be amended from time to time, (hereinafter referred to as the Regulations), which are herein incorporated by reference and made a part of this contract.
- (2) Nondiscrimination: The contractor, with regard to the work performed by it during the contract, shall not discriminate on the grounds of race, color, or national origin in the selection and retention of subcontractors, including procurement of materials and leases of equipment. The contractor shall not participate either directly or indirectly in the discrimination prohibited by Section 21.5 of the Regulations, including employment practices when the contract covers a program set forth in Appendix B of the regulations.
- (3) Solicitations for Subcontracts, Including Procurement of Materials and Equipment: In all solicitations either by competitive bidding or negotiation made by the contractor for work to be performed under a subcontract, including procurement of materials or leases of equipment, each potential subcontractor or supplier shall be notified by the contractor of the contractor's obligations under this contract and the Regulations relative to nondiscrimination on the grounds of race, color, or national origin.
- (4) Information and Reports: The contractor shall provide all information and reports required by the Regulations or directives issued pursuant thereto, and shall permit access to its books, records, accounts, other sources of information, and its facilities as may be determined by the Recipient or the Federal Transit Administration to be pertinent to ascertain compliance with such regulations, orders and instructions. Where any information required of a contractor is in the exclusive possession of another who fails or refuses to furnish this information the contractor shall so certify to the Recipient, or the Federal Transit Administration as appropriate, and shall set forth what efforts it has made to obtain the information.

- (5) Sanctions for Noncompliance: In the event of the contractor's noncompliance with nondiscrimination provisions of this contract, the Recipient shall impose contract sanctions as it or the Federal Transit Administration may determine to be appropriate, including, but not limited to:
- (a) withholding of payments to the contractor under the contract until the contractor complies; and/or
 - (b) cancellation, termination, or suspension of the contract, in whole or in part.
- (6) Incorporation of Provisions: The contractor shall include the provisions of paragraphs (1) through (6) in every subcontract, including procurement of materials and leases of equipment, unless exempt by the Regulations, or directives issued pursuant thereto. The contractor shall take such action with respect to any subcontract of procurement as the Recipient or the Federal Transit Administration may direct as a means of enforcing such provisions including sanctions for noncompliance: provided, however, that, in the event a contractor becomes involved in, or is threatened with, litigation with a subcontractor or supplier as a result of such direction, the contractor may request the Recipient, and, in addition, the contractor may request the United States to enter into such litigation to protect the interests of the United States.

Assurance Concerning Nondiscrimination on the
Basis of Handicap in Federally-Assisted Programs
and Activities Receiving or Benefiting from
Federal Financial Assistance

(Department of Transportation)

The Orlando Urban Area Metropolitan Planning Organization, d.b.a. METROPLAN ORLANDO (the "Recipient") AGREES THAT, as a condition to that approval or extension of any Federal financial assistance from the United States Department of Transportation to construct any facility, or to participate in or obtain any benefit from any program administered by the Department, to which the Department's regulation set forth in Title 49, Code of Federal Regulations, Department of Transportation, Subtitle A, Office of the Secretary, Part 27- "Nondiscrimination on the Basis of Handicap in Programs and Activities Receiving or Benefiting from Federal Financial Assistance" (the "Regulation") applies, no otherwise qualified handicapped person shall, solely by reason of his handicap, be excluded from participation in, be denied the benefits of, or otherwise be subjected to discrimination under any program or activity that receives or benefits from Federal financial assistance administered by the Department of Transportation including the Federal Transit Administration, and GIVES ASSURANCE that it will conduct any program or operate any facility so assisted in compliance with all of the requirements imposed by the Regulation, or any directive issued pursuant to that Regulation.

Date: 02/14/2007

Orlando Urban Area Metropolitan
Planning Organization
d.b.a. METROPLAN ORLANDO
Legal Name of Applicant

By: 

Linda Stewart, Chairperson

INTERGOVERNMENTAL REVIEW CERTIFICATION

FTA CIRCULAR 9500.1

Certification is given by the recipient named herein, the Orlando Urban Area Metropolitan Planning Organization (MPO), with respect to its application for assistance pursuant to Section 8 of the Federal Transit Act Amendments of 1991, filed with the Federal Transit Administration (FTA), that the recipient has complied with the provision of 49 CFR 17, Intergovernmental Review of Department of Transportation Programs and Activities.

02/14/2007
(DATE)

Orlando Urban Area Metropolitan
Planning Organization d.b.a.

METROPLAN ORLANDO

Legal Name of Applicant

By: 

Linda Stewart, Chairperson

Statutory Authority for the Florida MPOAC

By statute the Florida Legislature established the Florida Metropolitan Planning Organization Advisory Council.

Section 339.175 (10) Metropolitan Planning Organization Advisory Council

(a) A Metropolitan Planning Organization Advisory Council is created to augment, and not supplant, the role of the individual M.P.O.s in the cooperative transportation planning process described in this section.

(b) The council shall consist of one representative from each M.P.O. and shall elect a chairperson annually from its number. Each M.P.O. shall also elect an alternate representative from each M.P.O. to vote in the absence of the representative. Members of the council do not receive any compensation for their services, but may be reimbursed from funds made available to the council members for travel and per diem expenses incurred in the performance of their council duties as provided in s. 112.061.

(c) The powers and duties of the Metropolitan Planning Organization Advisory Council are to:

1. Enter into contracts with individuals, private corporations, and public agencies.
2. Acquire, own, operate, maintain, sell, or lease personal property essential for the conduct of business.
3. Accept funds, grants, assistance, gifts, or bequests from private, local, state, or federal sources.
4. Establish bylaws and adopt rules pursuant to ss. 120.536(1) and 120.54 to implement provisions of law conferring powers or duties upon it.
5. Assist M.P.O.s in carrying out the urbanized area transportation planning process by serving as the principal forum for collective policy discussion pursuant to law.
6. Serve as a clearinghouse for review and comment by M.P.O.s on the Florida Transportation Plan and on other issues required to comply with federal or state law in carrying out the urbanized area transportation and systematic planning processes instituted pursuant to s. 339.155.
7. Employ an executive director and such other staff as necessary to perform adequately the functions of the council, within budgetary limitations. The executive director and staff are exempt from part II of chapter 110 and serve at the direction and control of the council. The council is assigned to the Office of the Secretary of the Department of Transportation for fiscal and accountability purposes, but it shall otherwise function independently of the control and direction of the department.
8. Adopt an agency strategic plan that provides the priority directions the agency will take to carry out its mission within the context of the state comprehensive plan and any other statutory mandates and directions given to the agency.

Rule Chapter 35-1

Metropolitan Planning Organization Advisory Council

35-1.001 Definitions. As used in this chapter, the following terms shall be defined as follows:

(1) "MPO" shall mean and refer to a metropolitan planning organization as provide for in 23 U.S.C. Section 134 and Section 339.175, Florida Statutes.

(2) "MPOAC" shall mean the State of Florida, Metropolitan Planning Organization Advisory Council as provided for in Section 339.175, Florida Statutes.

(3) "Record" shall include all documents, papers, letters, maps, books, tapes, photographs, films, sound recordings, or other material, regardless of physical form or characteristic, made or received pursuant to law or ordinance or in connection with the transaction of official business by the MPOAC. A record shall be as specified in Section 119.011, Florida Statutes, or as determined pursuant to judicial interpretation of Chapter 119, Florida Statutes.

35-1.002 Agency Functions and Responsibilities.

(1) The MPOAC Governing Board shall consist of one representative from each of the following metropolitan planning organizations:

Bay County TPO	Martin MPO
Space Coast TPO	METROPLAN Orlando
Broward MPO	Miami-Dade MPO
Capital Region TPO	North Florida TPO
Charlotte County-Punta Gorda MPO	Ocala/Marion County TPO
Collier County MPO	Okaloosa-Walton TPO
Florida-Alabama TPO	Palm Beach MPO
Gainesville MTPO	Pasco County MPO
Hernando County MPO	Pinellas County MPO
Hillsborough County MPO	Polk TPO
Indian River County MPO	Sarasota/Manatee MPO
Lake-Sumter MPO	St. Lucie TPO
Lee County MPO	Volusia County MPO

(2) Each metropolitan planning organization shall appoint one (1) representative and one (1) alternate representative to serve on the MPOAC. The term for a representative and an alternate representative shall be from January 1st to December 31st of each calendar year. By no later than December 31st of each calendar year, each metropolitan planning organization shall appoint its representative to the MPOAC to serve for the succeeding calendar year. No individual shall be eligible to vote on the MPOAC until the individual appointing metropolitan planning organization certifies in writing to the MPOAC that such individual is authorized to act as the representative or alternate representative of the certifying metropolitan planning organization. Each representative and each alternate representative of a metropolitan planning organization shall serve at the pleasure of the appointing metropolitan planning organization; provided, that a representative or an alternate representative on the MPOAC governing board must at all times be

a representative sitting on the governing board of the appointing metropolitan planning organization.

(3) The MPOAC is created to work in cooperation with the Florida Department of Transportation and each individual metropolitan planning organization created pursuant to Section 339.175, Florida Statutes, to assist the State and the MPOs in carrying out the continuing, cooperative, and comprehensive urbanized area transportation planning process.

(4) The powers of the agency and the governing board include:

(a) Entering into contracts with individuals, private corporations, and public agencies;

(b) Acquiring, owning, operating, maintaining, selling, or leasing personal property essential for the conduct of business;

(c) Accepting funds, grants, assistance, gifts, or bequests from private, local, state, or federal sources;

(d) Establishing bylaws and making rules to effectuate its powers, responsibilities, and obligations;

(e) Assisting metropolitan planning organizations in carrying out the urbanized area transportation planning process by serving as the principal forum for collective policy discussion pursuant to law; and

(f) Serving as a clearinghouse for review and comment by metropolitan planning organizations on the Florida Transportation Plan and on other issues required to comply with federal or state law in carrying out the urbanized area transportation and systematic planning instituted pursuant to statute.

Specific Authority 120.53(1)(a), 339.175(10) FS. Law Implemented 120.53(1)(a), 339.155(5), 339.175(10), FS. History NEW 7-6-94.

35-1.003 Description of the Agency Organization and Operational Procedures.

(1) The governing board of the MPOAC is composed of a twenty-five (25) member governing board. Each individual metropolitan planning organization selects one representative and one alternate representative to serve on the governing board. Alternate representatives shall vote, participate for the purpose of forming a quorum, make or second motions, and otherwise act as a member of the MPOAC governing board, only in the absence of the representative that the alternate has been appointed to serve in place of; provided, however, that alternate representatives may always attend governing board meeting and participate in debate.

(2) Advisory Committees; Executive Director; General Counsel; Agency Clerk. In addition to the governing board the MPOAC will be composed of one (1) advisory committee, and its subcommittees, to the governing board of the MPOAC and staffed by the MPOAC executive director, agency clerk, and general counsel.

(a) Advisory Committee. The advisory committee is the staff directors' advisory committee. The staff directors' advisory committee is responsible for providing guidance to the MPOAC regarding transportation issues and may assist in the preparation of the MPOAC agenda. In addition, the staff directors' advisory committee may serve as a forum for the discussion and formulation of recommendations to the governing board which will later be forwarded to appropriate governmental bodies or other individuals. Recommendations shall relate to statewide concerns regarding all transportation-related issues.

(b) Executive Director. The MPOAC Governing Board may appoint an executive director. The executive director shall be responsible for carrying out policy determinations and directives of the MPOAC governing board. The executive director shall serve as an ex officio

member of the staff directors' advisory committee and its subcommittees and shall assist and participate in their functions.

(c) Agency Clerk. The Executive Director shall also serve as the agency clerk. The address and telephone number of the agency clerk shall be the same as for the principal office of the MPOAC. The duties and responsibilities of the agency clerk shall be to: index and file orders and rules in a manner not inconsistent with applicable provision of Chapter 120, Florida Statutes, and the Florida Rules of Appellate Procedure; send notices of workshops and meetings; transcribe minutes of the governing board, committee, and subcommittee meetings and workshops; maintain all agency files and records; make certifications of true copies and actions; attest to the signature of MPOAC officers; and perform such other duties as determined by the MPOAC.

(d) General Counsel. The MPOAC governing board may employ a general counsel. The general counsel shall be responsible for assisting the MPOAC in legal matters and representation of the MPOAC in legal proceedings. The governing board shall also retain special legal counsel from time to time as necessary for the handling of specialized legal matters.

(3) Open Meetings. All meeting of the governing board, its advisory committee, and any sub-committee, will be open to the public, except as provided by Section 286.011 and 447.605, Florida Statutes, and applicable Federal law, if any.

(4) Records. All MPOAC records shall be open to the general public, unless such records are subject to an exemption from Chapter 119, Florida Statutes, or are confidential as required by law. The general public can review, or obtain copies of records (provided said public records are not non-reproducible pursuant to 17 U.S.C. Section 101 et seq.), unless said records are exempt or confidential pursuant to Section 119.07, Florida Statutes, or other provisions of Federal or Florida law. Charges for copies may be made pursuant to Section 119.07(1)(a) and 119.08, Florida Statutes. Public records shall be made available to the public for inspection at the principal office of the MPOAC.

(5) Principal office of the MPOAC. The principal office of the MPOAC is located at 605 Suwannee Street, Tallahassee, Florida. The office is open between the hours of 8:00 a.m. and 5:00 p.m. during regular business days. The official mailing address of the agency is 605 Suwannee Street - Mail Station 28B, Tallahassee, Florida, 32399-0450. The MPOAC executive director and agency clerk are located at the principal office. MPOAC official records shall be maintained in the principal office of the MPOAC. Interested parties may receive copies of agency records from the agency clerk at the principal office of the MPOAC.

Specific Authority 120.53(1)(a), 339.175(10) FS. Law Implemented 119.07, 119.08, 120.53(1)(a), 339.175(10) FS. History BNew 7-6-94, Amended 7-2-95.

35-1.004 Organization of the Governing Board

(1) The MPOAC governing board shall at its first meeting of the calendar year elect a chairperson and vice-chairperson, as its officers. The chairperson and vice-chairperson shall take office as of the time and date set for the MPOAC governing board meeting in July and shall serve until the time and date set for the beginning of the MPOAC governing board meeting in July of the next succeeding year, or until a successor is thereafter elected. The chairperson and vice-chairperson must at all times during their term of office be members of the MPOAC governing board. If a vacancy occurs in any office, the MPOAC governing board shall fill the vacancy, and the individual filling the vacancy shall serve until time set for the beginning of the July MPOAC governing board meeting, or until a successor is thereafter elected.

(2) Chairperson; Vice-Chairperson. The chairperson of the MPOAC shall call and preside at all meetings of the MPOAC governing board. The chairperson is authorized to execute on behalf of the MPOAC all documents which have been approved by the MPOAC governing board. The vice-chairperson shall serve as chairperson in the absence of the chairperson.

(3) Quorum. At least seven (7) of the voting members of the MPOAC governing board must be present for the MPOAC governing board to conduct business. All votes must pass by a vote of a majority of those members present or by five (5) votes, whichever number shall be greater.

(4) Procedures. Roberts Rules of Order as revised shall be used to govern proceedings of the MPOAC board.

(5) Meetings. The MPOAC shall meet no less often than on the fourth Thursday in the months of January, April, July, and October of each year, unless said meeting is cancelled by the chairperson. The chairperson shall be empowered to cancel any of the foregoing regular meetings, as necessary. Special meetings shall be called by the governing board chairperson or through a letter of petition from at least four (4) members; provided, that the notice requirements of Rule 35-1.006 are satisfied. This letter shall state the purpose of the special meeting.

Specific Authority 120.53(1)(a), 339.175(10) FS. Law Implemented 120.53(1)(a), 339.175(10) FS. History - New 7-6-94.

35-1.005 Staff Directors' Advisory Committee and Subcommittees.

(1) The MPOAC staff directors' advisory committee shall be comprised of one staff member from each of the metropolitan planning organizations listed in Rule 35-1.001. The staff directors' advisory committee consists of twenty-five (25) voting members. One (1) member to serve on the staff directors' advisory committee shall be designated by each metropolitan planning organization. In addition, each metropolitan planning organization that designates a representative to the staff directors' advisory committee shall also designate one (1) alternate representative. Alternate representatives shall vote, participate for the purpose of forming a quorum, make or second motions, and otherwise act as a member of the staff directors' advisory committee only in the absence of the representative that the alternate has appointed to serve in place of; provided, however, that alternate representatives may also attend committee meeting and participate in debate.

(2) The term of service on the staff directors' advisory committee shall be for a period of time beginning on January 1st and ending on December 31st of each year. Members and alternate members are eligible for reappointment. By no later than December 31st of each calendar year, each metropolitan planning organization shall designate its representatives and an alternate representative to the MPOAC.

(3) No individual shall be eligible to vote on the staff directors' advisory committee until the individual appointing metropolitan planning organization certifies in writing to the MPOAC that such individual is authorized to vote as the representative, or alternate, of the certifying entity. Each member and alternate member of the committee shall serve at the pleasure of the appointing metropolitan planning organization.

(4) Officers. The officers of the staff directors' advisory committee shall be the chairperson and the vice-chairperson. The chairperson and vice-chairperson shall be selected by a majority vote of the membership of the staff directors' advisory committee present and voting. The term of the chairperson and vice-chairperson shall coincide with the term of the chairperson and vice-chairperson of the MPOAC governing board. The chairperson and vice-chairperson shall be members of the staff directors' advisory committee.

(5) Chairperson; Vice-Chairperson. The chairperson of the staff directors' advisory committee shall call and preside at all meetings of the staff directors' advisory committee. The chairperson is authorized to implement on behalf of the staff directors' advisory committee all decisions which have been approved by the staff directors' advisory committee, and the chairperson is authorized to execute on behalf of the staff directors' advisory committee all documents which have been approved by the staff directors' advisory committee. The vice-chairperson shall serve as chairperson in the absence of the chairperson.

(6) Agenda preparation. The executive director is responsible for the preparation of agendas for future meetings.

(7) Quorum. At least seven (7) of the voting members of the staff directors' advisory committee must be present for the staff directors' advisory committee to conduct business. All votes must pass by a vote of a majority of those members present or by five (5) votes, whichever number shall be greater.

(8) Procedures. Roberts Rules of Order as revised shall be used to govern proceedings of the staff directors' advisory committee and its subcommittees.

(9) Meetings. Regular meetings of the staff directors' advisory committee shall be held at least once each calendar year quarter on the fourth Thursday of January, April, July, and October, unless cancelled by the chairperson. The chairperson may cancel a meeting as a result of a lack of business to bring to the committee. The chairperson shall set the time and location of regular meetings. Special meetings shall be called by the staff directors' advisory committee chairperson or through a letter of petition from at least four (4) members; provided, that the notice requirements of Rule 35-1.006 are satisfied. This letter shall state the purpose of the special meeting.

(10) Subcommittees may be established by the chairperson or by a majority vote of those voting at a staff directors' advisory committee meeting as necessary to assist the staff directors' advisory committee. Sub-committee members shall be appointed by the committee chairperson. *Specific Authority 339.175(10) FS. Law Implemented 339.175(10) FS. History BNew 7-6-94, Amended 7-2-95.*

35-1.006 Notice of Meetings and Workshops.

(1) MPOAC Governing Board Meetings.

(a) Except in the case of emergency meeting, the MPOAC agency clerk shall give written notice that will ensure receipt of said notice by all members and the general public at least seven (7) days prior to any non-emergency meetings or workshops. In addition, the MPOAC shall prepare and make available said notice: for distribution on request to any interested person who pays the reasonable cost for a copy of said notice; to any person named in said notice; and to any class of individuals to whom action is directed. Meeting notices shall be advertised in the Florida Administrative Weekly at least seven (7) days prior to any non-emergency meeting.

(b) Notices of regular meetings and travel and accommodation information shall be sent to governing board members thirty (30) days prior to the meeting date.

(c) The notice of meetings or workshops shall, at a minimum, provide:

1. The date, time, and place of the meeting or workshop.
2. A brief description of the purpose of the event.
3. The address where interested persons can write to obtain a copy of the agenda.

(d) The MPOAC shall utilize the following form for providing notice of meetings or workshops:

NOTICE OF PUBLIC MEETING OR WORKSHOP

The Metropolitan Planning Organization Advisory Council (MPOAC) announces a public meeting [or workshop] of governing board to which all interested person are invited.

DATE AND TIME:

PLACE:

GENERAL SUBJECT MATTER TO BE CONSIDERED:

A copy of the agenda may be obtained by writing to the Metropolitan Planning Organization Advisory Council [insert address], Florida, or appearing in person at the above address.

If a person decides to appeal any decision made by the agency with regard to any matter considered at such meeting or hearing, said person will need a record of the proceedings, and that, for such purpose, said person may need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based, s. 286.0105, F.S.

(2) Staff Directors ' Advisory Committee. The provisions of sub-sections (1)(a), (c) and (d) above shall apply to the staff directors ' advisory committee and its subcommittees. The form of notice for the staff directors ' advisory committee and its subcommittees shall be in the same form as that set forth above in sub-section (1)(d), except that the notice shall make reference to a meeting/workshop of the staff directors ' advisory committee or one of its subcommittees, as appropriate, rather than the MPOAC governing board.

Specific Authority 339.175(10), FS. Law Implemented 120.53(1)(d), 120.54(1)(a), 286.0105, 339.175(10) FS. History - New 7-6-94, Amended 7-2-95.

35-1.007 Agenda.

(1) At least fifteen (15) days prior to a meeting or workshop, the MPOAC executive director shall prepare, and the agency clerk shall make available an agenda for the MPOAC governing board, an advisory committee meeting, or a subcommittee meeting: for distribution on request by any interested person who pays the reasonable cost for a copy of said agenda; to any person named in said agenda; and to any class of individuals to whom the intended action is directed.

(2) The agenda shall list the items in the order they are to be considered; provided, however, that for good cause stated in the record by the person who is designated to preside at the event, items may be considered out of their listed order.

(3) The agenda shall be specific as to items to be considered. All matters involving the exercise of agency discretion and policy making shall be listed on the agenda. The agenda shall include a disclaimer as required pursuant to Section 286.0105, Florida Statutes. Any items added to any agenda as "old business," "new business," "other business," other matters which may come before the agency," or similar terms shall be for consideration of solely ministerial or internal-administrative matters, which do not affect the interests of the public generally.

(4) Any person desiring to have an item placed on the agenda of a meeting of the MPOAC governing board, an advisory committee, or a subcommittee, shall request in writing that the item be considered at the next regularly scheduled meeting of the MPOAC governing board, advisory committee, or a subcommittee, as appropriate; provided, however, that such request must be received thirty (30) days in advance of said regularly scheduled meeting. Written

requests for placing an item on the agenda must describe and summarize the item and shall be mailed or hand delivered to the MPOAC executive director.

35-1.008 Emergency Meeting

(1) The MPOAC, an advisory committee, or one of its subcommittees, may hold an emergency meeting, notwithstanding the provisions of Rules 35-1.006 and 35-1.007, for the purpose of acting upon matters affecting the public health, safety, or welfare. The form of notice shall be as set forth in Rule 35-1.006(1)(c) and (d). The form of the agenda shall be as prescribed in Rule 35-1.007(2) and (3).

(2) Whenever an emergency meeting is scheduled to be held, the agency clerk shall notify, as soon as possible prior to the meeting, at least one major newspaper of general circulation in the area where the meeting will take place, stating the time, date, place and purpose of the meeting or workshop.

(3) Following an emergency meeting the agency clerk shall cause to be published in a publication prescribed by Section 120.54(1), Florida Statutes, notice of the time, date, and place of the meeting, a statement setting forth the reasons why an emergency meeting was necessary, and a statement setting forth the action taken at the meeting.

Specific Authority 120.53(1)(d), 339.175(10) FS. Law Implemented 102.53(1)(d) FS. History - New 7-6-94, Amended 7-2-95.