

RIVER TO SEA TRANSPORTATION PLANNING ORGANIZATION

RESOLUTION 2023-01

**RESOLUTION OF THE RIVER TO SEA TRANSPORTATION PLANNING ORGANIZATION
AMENDING THE RIVER TO SEA TRANSPORTATION PLANNING ORGANIZATION BYLAWS**

WHEREAS, the River to Sea Transportation Planning Organization (TPO) is the duly designated and constituted body responsible for carrying out the urban transportation planning and programming process for Volusia County and portions of Flagler County inclusive of the cities of Flagler Beach, Beverly Beach, and portions of Palm Coast and Bunnell; and

WHEREAS, Florida Statutes 339.175; 23 U.S.C. 134; and 49 U.S.C. 5303 require that the urbanized area, as a condition to the receipt of federal capital or operating assistance, have a continuing, cooperative, and comprehensive (3-C) transportation planning process that results in plans and programs consistent with the comprehensively planned development of the urbanized area; and

WHEREAS, the River to Sea TPO operates under an adopted set of bylaws established to clarify the governing rules and practices of the organization, establish meeting requirements and ensure transparency; and

WHEREAS, in response to conditions presented as a result of the COVID-19 pandemic, the River to Sea TPO has modified its operating practices, as permitted under Florida law and rulings by the Attorney Generals Office, to adhere to social distancing and support efforts to protect public health; and

WHEREAS, the River to Sea TPO deems it to be in the best interest of the TPO membership and the general public that the bylaws of the organization be amended to recognize the conditions by which remote meeting participation of committee members is permitted.

NOW, THEREFORE, BE IT RESOLVED by the River to Sea TPO that the:

1. River to Sea TPO hereby endorses and amends the bylaws as attached; and
2. The Chairperson of the River to Sea TPO (or his/her designee), is hereby authorized and directed to submit this resolution and attached bylaws to the:
 - a. Florida Department of Transportation, District 5 Secretary; and the
 - b. Central Florida MPO Alliance

DONE AND RESOLVED at the regular meeting of the River to Sea Transportation Planning Organization on the 25th day of January 2023.

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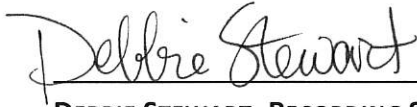


DELAND MAYOR CHRISTOPHER M. CLOUDMAN
CHAIRPERSON, RIVER TO SEA TPO

CERTIFICATE:

The undersigned, duly qualified and acting Recording Secretary of the River to Sea TPO, certifies that the foregoing is a true and correct copy of a resolution adopted at a legally convened meeting of the River to Sea TPO held on January 25, 2023.

ATTEST:



DEBBIE STEWART, RECORDING SECRETARY
RIVER TO SEA TRANSPORTATION PLANNING ORGANIZATION

SECTION 2.2: OFFICERS AND DUTIES

- A. The Chairperson shall have the authority to appoint members to committees and subcommittees of the TPO Board and for the appointment of representation on the MPO Advisory Council (one member and one alternate) and the Central Florida MPO Alliance (three members and one alternate) except where the membership of said committees is specifically delineated in these Bylaws.
- B. The Chairperson shall appoint a minimum of five (5) TPO Board members to a nominating committee in April of each year for the purpose recommending to the TPO Board a slate of officers to include the Chair, 1st Vice Chair/Treasurer and 2nd Vice Chair/Secretary. Nominations for these positions shall be presented by the committee at the May board meeting for confirmation by the board members. The Chairperson will make all reasonable efforts to appoint members to the Nominating Committee that represent the diverse interests of the board, including the varying sizes and geographical locations of the local governments represented.
- C. Officers shall be elected by a majority of the members participating at the organizational meeting and shall serve a term of one year, starting in July of each year.
- D. The Chairperson shall preside at all meetings and in the event of his/her absence or at his/her direction, the 1st Vice Chair/Treasurer shall assume the powers and duties of the chairperson. In the event that neither the Chair, nor the 1st Vice Chair is participating, then the 2nd Vice Chair will preside over the meeting. If the 2nd Vice Chair is not participating at the meeting, then the immediate past Chair will preside over the meeting. In the absence of the Chairperson, 1st Vice Chair/Treasurer, 2nd Vice Chair/Secretary and the immediate past Chairperson, a Chair pro tempore shall be selected to preside at the meeting by the majority vote of members participating in the meeting.
- D.E. In the event of a vacancy in the office of Chairperson, 1st Vice Chair/Treasurer, or 2nd Vice Chair/Secretary, the vacancy may be filled by the majority vote of the members participating in an official meeting of the Board. The individual so elected shall fill the remainder of the unexpired term of the vacant office. If a vacancy is filled by a current officer, then the Board shall also vote to fill the office vacated by the current officer (i.e. if the 1st Vice Chair/Treasurer is elected to fill a vacant Chairperson office, the vacated 1st Vice Chair/Treasurer office must then be filled).
- E.F. The 1st Vice Chair/Treasurer shall be the Chairperson of the TPO's Budget Committee and shall be responsible for reviewing and recommending the upcoming fiscal year budget, commenting on the annual audit and for making periodic reports on the current status of the TPO's operating budget.
- F.G. The 2nd Vice Chair/Secretary shall be the Chairperson of the TPO's Bylaws Subcommittee.

SECTION 2.5: STANDING COMMITTEES

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

1. Executive Committee: An Executive Committee consisting of the Chairperson, immediate Past Chairperson, 1st Vice Chairperson/Treasurer, 2nd Vice Chairperson/Secretary and three (3) TPO Board members appointed by the TPO Chairperson to serve a one-year term, is hereby created and empowered to meet separately to establish the TPO Board agenda. In the event the immediate Past Chairperson is no longer a member of the TPO Board, the Chairperson may appoint a 4th Board Member to serve on the Executive Committee. Vacancies of the officers shall be filled as set forth in Section 2.2 of these Bylaws. Unless the physical presence of a quorum at the meeting location is not required as set forth in Section 3.2 of these Bylaws, a quorum is required to be physically present at the meeting location. See Section 3.1 of these Bylaws. The Chairperson will make all reasonable efforts to appoint members to the Executive Committee who represent the diverse interests of the board including the varying sizes and geographical locations of local governments represented. The Executive Committee shall also 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 and/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 each year, the newly appointed committee shall set the date and time it will meet 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 Executive Director's performance and 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. Section 5 outlines specific policies relating to the TCC.

3. **Citizens Advisory Committee:** The CAC is responsible for providing citizen input 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. Section 6 outlines specific policies relating to the CAC.
4. **Bicycle and Pedestrian Advisory Committee:** The BPAC is responsible for reviewing plans, policies and procedures as they relate 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. Section 7 outlines specific policies relating to the BPAC.
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 (CTC) on the coordination of services to be provided to the transportation-disadvantaged pursuant to Chapter 427.0157, Florida Statutes. With support from TPO staff, the TDLCB works closely with the CTC and is not considered an advisory committee to the TPO Board. The TDLCB is required to update their bylaws annually as part of the planning grant agreement; therefore, the Bylaws of the TDLCB are maintained separately and reviewed by the TPO board as required.