

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

**ARTICLE I: PREAMBLE**

The following sets forth the bylaws which shall serve to guide the proper functioning of the coordination of transportation disadvantaged through the Transportation Disadvantaged Local Coordinating Board. The intent is to provide procedures and policies for fulfilling the requirements of Chapter 427, Florida Statutes, Rule 41-2, Florida Administrative Code (FAC), and subsequent laws setting forth requirements for the coordination of transportation services to the transportation disadvantaged.

**ARTICLE II: NAME AND PURPOSE**

Section A: **Name.** The name of the Coordinating Board shall be the River to Sea Transportation Planning Organization TRANSPORTATION DISADVANTAGED LOCAL COORDINATING BOARD, hereinafter referred to as the Board.

Section B: **Purpose.** The primary purpose of the Board is to assist the Designated Official Planning Agency in identifying local service needs and providing information, advice, and direction to the Community Transportation Coordinator on the coordination of services to be provided to the transportation disadvantaged pursuant to Chapter 427.0157, Florida Statutes.

**ARTICLE III: MEMBERSHIP, APPOINTMENT, TERMS OF OFFICE, AND TERMINATION OF MEMBERSHIP**

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

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

1. An elected official of Volusia County, Florida shall serve as the official chairperson;
2. A representative of the Florida Department of Transportation;
3. A representative of the Florida Department of Children and Families;
4. A representative of the Public Education Community;
5. A representative of the Florida Department of Education;
6. A person who is recognized by the Florida Association for Community Action as representing the economically disadvantaged in the County;
7. A person who is recognized by the Florida Department of Veterans' Affairs as a representative of veterans in the County;
8. A person over sixty years of age representing the elderly in the County;
9. A person with a disability representing the disabled in the County;
- 10/11. Two citizen advocate representatives in the County, one of whom must represent a user of the system;
12. A representative of the Council for Early Childhood Services;
13. A representative of the Florida Department of Elder Affairs;
14. A representative of the local private for-profit transportation industry;
15. A local representative of the Florida Agency for Health Care Administration;
16. A local representative of the Agency for Persons with Disabilities;
17. A representative of the Regional Workforce Development Board; and
18. A representative of the local medical community.

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

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

Section D: **Termination of Membership.** Any non-agency members of the Board may resign at any time by notice in writing to the Chairperson. Unless otherwise specified in such notice, such resignation shall take effect upon receipt thereof by the Chairperson. Each member of the Board is expected to demonstrate his/her interest in the Board's activities through attendance of the scheduled meetings, except for reasons of an unavoidable nature. In each instance of an unavoidable absence, the absent member should ensure that his/her alternate will attend. The TPO shall review, and consider rescinding the appointment of any voting non-agency member of the Board who fails to attend three (3) consecutive meetings. The staff of the Local Coordinating Board shall contact Department Supervisors of all members representing an agency who fail to attend two (2) consecutive meetings.

#### **ARTICLE IV: OFFICERS AND DUTIES**

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

1. **Chairperson.** The designated official planning agency shall appoint one elected official, to serve as the official Chairperson for all Local Coordinating Board meetings. The Chairperson shall be from the County which the Local Coordinating Board serves. The Chairperson shall preside at all Local Coordinating Board meetings and in the event of his/her absence, or at his/her discretion, the Vice-Chairperson shall assume the powers and duties of the Chairperson. The Chairperson shall serve until replaced by the TPO, in accordance with F.S. 427, Chapter 41-2.012.

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

## **ARTICLE V: BOARD MEETINGS**

Section A: **Regular Meetings.** The Board shall meet as often as necessary in order to meet its responsibilities. However, as required by Chapter 427.0157, Florida Statutes, the Board shall meet at least quarterly.

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

Section C: **Notice of Meetings.** Notices and agendas shall be sent to all voting Board members via email. Alternates and other interested parties, and the news media shall be sent notices only. Notices shall be provided via email within seven (7) calendar days prior to the Board meeting and shall state the date, time, and the place of the meeting. Hard copies of notices and agendas shall be provided upon request.

Section D: **Quorum.** At all meetings of the Board, the presence in person of six (6) voting members shall be necessary and sufficient to constitute a quorum for the transaction of business. As used herein, the term "CMT" means Communications Media Technology, which includes telephone, Zoom, GoToMeeting, Microsoft Teams, or similar type of platform. Members of the TDLCB, or any TDLCB committee, may attend a meeting, on which the member serves, remotely using CMT, if there is a quorum of the TDLCB, or TDLCB committee, physically present at the meeting site; provided that the member(s) is subject to an "extraordinary circumstance" that justifies the remote attendance. Authority: Florida Attorney General Opinion (AGO) 2003-41. In the absence of a quorum, the presiding Chairperson may recess the meeting until a quorum is present. At any meeting without a quorum, only discussion and or informational items may be transacted.

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

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

## **ARTICLE VI: STAFF**

Section A: **General.** The TPO shall provide the Board with sufficient staff support and resources to enable the Board to fulfill its responsibilities as set forth in Chapter 427.0157, Florida Statutes. These responsibilities include providing sufficient staff to manage and oversee the operations of the Board and assist in the scheduling of meetings, preparing meeting agenda packets, and minutes, including an attendance roster and other necessary administrative duties.

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

#### **ARTICLE VII: BOARD DUTIES**

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

1. Meet at least quarterly.
2. Review and approve the Memorandum of Agreement and the Transportation Disadvantaged Service Plan with approved minimum guidelines, goals and objectives of the Local Coordinating Board.
3. Annually review and evaluate the Community Transportation Coordinator (CTC). The evaluation shall be conducted by using the evaluation criteria developed by the Commission for the Transportation Disadvantaged (CTD). A copy of the evaluation will be submitted to the Transportation Planning Organization (TPO) and the Commission for the Transportation Disadvantaged (CTD).
4. In cooperation with the Coordinator, review and provide recommendations to the Transportation Disadvantaged Commission and the TPO on all applications for local, state, or federal funds relating to transportation of the transportation disadvantaged in the county to ensure that any expenditures within the county are provided in the most effective and efficient manner.
5. Review coordination strategies, for service provision to the transportation disadvantaged in the County to seek innovative ways to improve cost effectiveness, efficiency, safety, working hours, and types of services in an effort to increase ridership to a broader population. Evaluate multi-county or regional transportation opportunities between area Coordinators when it is appropriate and cost effective to do so.
6. In coordination with the Community Transportation Coordinator (CTC), review and approve applications for funds that may become available.
7. Assist the TPO in preparing a Transportation Disadvantaged Element in their Transportation Improvement Program (TIP).

#### **ARTICLE VIII: STANDING COMMITTEES**

Section A: **Quality Assurance Committee.** This committee is responsible for the update of the TDLCB Bylaws and coordinates with Votran in reviewing and establishing standards to provide a more efficient system. Reviews include, but are not limited to, the Annual

CTC Evaluation and the Annual Operating Report (AOR). At least three (3) voting members of the Coordinating Board shall be appointed to the Quality Assurance Committee.

Section B: **Grievance Committee.** This committee serves as a mediator to process and investigate complaints from agencies, and users of the system in the designated service area and make recommendations to the Coordinating Board for improvement of service. At least three (3) voting members of the Coordinating Board shall be appointed to the Grievance Committee.

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

**ARTICLE IX: COMMUNICATION WITH OTHER AGENCIES AND ENTITIES**

The TPO authorizes the Board to communicate directly with other agencies and entities as necessary to carry out its duties and responsibilities in accordance with Rule 41 - 2 Florida Administrative Code (FAC). Any written comments shall be approved by the Local Coordinating Board or Chairperson, or in his/her absence, his/her designee.

**ARTICLE X: AMENDMENTS**

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

**ARTICLE XI: CERTIFICATION**

The undersigned hereby certifies that he/she is the Vice Chairperson of the Volusia County Transportation Disadvantaged Local Coordinating Board and that the foregoing is a full, true and correct copy of the Bylaws of this Board as adopted by the Transportation Disadvantaged Local Coordinating Board this **13th** day of **July 2022**.

*Patricia A. Lipovsky*

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**Ms. Patricia Lipovsky, Vice Chairperson  
Transportation Disadvantaged Local Coordinating Board (TDLCB)**

**ATTEST:**

*Debbie Stewart*  
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**Debbie Stewart, Recording Secretary  
River to Sea Transportation Planning Organization**