

# BYLAWS OF THE OCALA MARION TRANSPORTATION DISADVANTAGED LOCAL COORDINATING BOARD

## **Article I: Preamble Section 1: Preamble**

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

## **Article II: Name and Purpose**

**Section 1: Name:** The name of the coordinating board shall be the Ocala Marion TDLCB, hereinafter referred to as the Board.

**Section 2: Purpose:** The primary purpose of the Board is to identify local service needs and provide information, advice, and direction to the Community Transportation Coordinator (CTC) on the coordination of services to be provided to the TD pursuant to Chapter 427.0157, FS.

## **Article III: Membership, Appointment, Term of Office, and Termination of Membership**

**Section 1: Voting Members:** In accordance with Chapter 427.0157, FS, the designated official planning agency for Ocala Marion County, which is the Ocala Marion Transportation Planning Organization (TPO), shall appoint all members of the Board.

The following agencies or groups shall be represented on the Board as voting members:

1. One local elected official, who will serve as Chairperson.
2. A local representative of the Florida Department of Transportation.
3. A local representative of the Florida Department of Children and Families.
4. A local representative of the Public Education Community, which could include, but not be limited to, a representative of the District School Board, School Board Transportation Office, Department of Education or Head start Program in areas where the School District is responsible.
5. In areas where they exist, a local representative of the Florida Division of Vocational Rehabilitation or the Division of Blind Services, representing the Department of Education.
6. A person recommended by the local Veterans Service Office representing the veterans of the County.
7. A person who is recognized by the Florida Association for Community Action (President), representing the economically disadvantaged in the County.
8. A person over sixty representing the elderly in the County.
9. A person with a disability representing the disabled in the County.

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10. Two citizen advocate representatives in the County; one who must be a person who uses the transportation service(s) of the system as their primary means of transportation.
11. In areas where they exist, the Chairperson or designee of the local Mass Transit or Public Transit System's Board, except in cases where they are also the CTC.
12. A local representative of the Florida Department of Elder Affairs.
13. An experienced representative of the local private for-profit transportation industry. In areas where such representative is not available, a local private nonprofit representative will be appointed, except where said representative is also the CTC.
14. A local representative of the Florida Agency for Health Care Administration.
15. A representative of the Agency for Persons with Disabilities.
16. A representative of the Regional Workforce Development Board established in Chapter 445, Florida Statutes.
17. A representative of the local medical community, which may include, but not be limited to, kidney dialysis centers, long term care facilities, assisted living facilities, hospitals, local health department or other home and community-based services, etc.

**Section 2: Alternate Members:** Each member of the Board may name one alternate in writing who may vote only in absence of that member on a one-vote-per-member basis.

**Section 3: Nonvoting Members:** Additional non-voting members may be appointed by the TPO.

**Section 4: Terms of Appointments:** The Chairperson and State & community agency representatives shall not be restricted to term limits because of the membership agency requirements by the Commission for the Transportation Disadvantaged. The Chairperson shall serve until being replaced by the TPO. The State or community partners shall serve as long as they are individually able or decide to nominate another representative from their respective agency. There are an additional two positions that are not considered Chairperson or a State or community partners and they are citizen representatives that are either a disabled person or an elderly individual who utilizes TD services. Appointments to the Board for non-agency positions will be chosen utilizing the following procedures: Suitable candidates will be solicited from the pool of riders who accurately represent one of these two positions. These individuals will be requested to complete an application for appointment to the TDLCB. The Chairperson of the Board, the Director of Marion Transit (MT) and one TPO representative will review the application(s) and make their recommendations to the Board. The Board will then vote on the recommendation(s) for appointment of the new member(s). The length of term for these two positions will be for one (1) year with the possibility of two one (1) year extensions for a total of three (3) years. After three (3) years, new appointments for these two positions must be made.

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**Section 5: Termination of Membership:** Any member 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 TPO Director.

**Section 6: Membership Attendance:** 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 avoidable absence, the absent member should ensure that his/her alternate attends. Should a Board member miss two consecutive meetings, an attendance reminder letter will be sent to that member. The letter is to remind each member of attendance requirements and requests that the member notify the Board of his/her intention to remain on the LCB. Based on this response, appropriate action may be taken by the Board.

**Article IV: Officers and Duties**

**Section 1: Number:** The officers of the Board shall be a Chairperson and a Vice-Chairperson.

**Section 2: Chairperson:** The TPO shall appoint one of its members, who are an elected official, to serve as the official Chairperson for all Board meetings. The Chairperson shall preside at all meetings, and in the event of his/her absence or at his/her direction, the Vice-Chairperson shall assume the powers and duties of the Chairperson. The Chairperson shall serve until replaced by the TPO. If the Chairperson and Vice-Chairperson are absent at the same time, the body shall appoint a member to act as chair in their absence during that meeting.

**Section 3: Vice-Chairperson:** The Board shall nominate and elect a Vice-Chairperson at one of the regular meetings each year. The Vice-Chairperson shall be elected by a majority vote of a quorum of the members of the Board present and voting at the meeting. The Vice-Chairperson shall serve a term of one-year starting with the next meeting.

**Article V: Board Meetings**

**Section 1: Regular Meetings:** The Board shall meet as often as necessary in order to meet its responsibilities. However, as required by Chapter 427.0157, FS, the Board shall meet at least quarterly.

**Section 2: Emergency Meetings:** An emergency meeting shall be called by the Board when in their opinion, an emergency exists which requires immediate action. When such a meeting is called, each Board member will be notified at least twenty-four (24) hours in advance, as will local media services, stating the date, hour, and place of the meeting, and the purpose for which it is called. There shall be no other business transacted at that meeting outside of the stated purpose for the emergency meeting.

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**Section 3: Notice of Meetings:** A notice and an agenda shall be sent to all Board members, other interested parties, and the news media within a reasonable amount of time prior to the Board meeting. Such notice shall state the date, time, and place of the meetings.

**Section 4: Quorum:** At all meetings of the Board, the presence in person of six (6) of the voting members shall be necessary and sufficient to constitute a quorum for the transaction of business. In the absence of a standard quorum, if there are at least four (4) voting members present and the actions of particular items is absolutely necessary, those members may elect to make a motion and with a second may continue to address the business at hand on the agenda advertised for that day only. These actions will be deemed acceptable to pass on to the TPO Board or State agencies. If no quorum is present, or an emergency quorum is not deemed necessary, any actionable business may not be transacted which might have been transacted at the meeting as originally called. The Chairperson shall recess the meeting until a quorum shall be present.

**Section 5: Voting:** At all meetings of the Board at which a quorum is present, all matters, except as otherwise expressly required by law or these By-laws, shall be decided by the vote of a majority of the members of the Board present.

**Section 6: Parliamentary Procedures:** The Board will conduct business using parliamentary procedures according to Robert's Rules of Order, except when in conflict with these Bylaws. Section 6: Minutes. The Clerk of the Circuit Court, Board of Records, shall maintain an official set of minutes for each Board meeting. The minutes shall include an attendance roster and reflect official actions taken by the Board. Copies of all Board minutes shall be sent to the Commission for the Transportation Disadvantaged (CTD) office and the Chairperson of the TPO.

**Article VI: Staff**

**Section 1: 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, FS. 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 other necessary administrative duties as required by the Board within the limits of the resources available.

**Article VII: Board Duties**

**Section 1: Board Duties:** The Board shall perform the following duties as specified in Chapter 427.0157, FS.

1. Review and approve the Transportation Disadvantaged Service Plan, including the Memorandum of Agreement, prior to submittal to the Commission.

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2. Evaluate services provided in meeting the approved plan.
3. In cooperation with the CTC, review and provide recommendations to the CTD on funding applications affecting the TD.
4. Assist the CTC in establishing eligibility guidelines and priorities with regard to the recipients of non-sponsored TD services that are purchased with TD Trust Fund monies.
5. Review the coordination strategies of service provision to the TD in the designated service area.
6. Evaluate multi-county or regional transportation opportunities.
7. Work cooperatively with local workforce development boards established in Chapter 445, to provide assistance in the development of innovative transportation services for participants in the welfare transition program.

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**Article VIII: Subcommittees**

**Section 1: Subcommittees:** As necessary, the Chairperson shall designate subcommittees to investigate and report on specific subject areas of interest to the Board and to deal with administrative and legislative procedures. A Grievance Subcommittee shall be established to serve as a mediator to process and investigate complaints from agencies, users, potential users of the system and the CTC in the designated service area, and make recommendations to the Board for improvement of service.

**Article IX: Communication with Other Agencies and Entities**

**Section 1: General:** 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, FAC.

**CERTIFICATION**

The undersigned hereby certifies that he/she is the Chairperson of the Ocala Marion TPO Transportation Disadvantaged Local Coordinating Board. The foregoing is a full, true and correct copy of the ByLaws of this Local Coordinating Board as adopted by the Ocala Marion TPO Transportation Disadvantaged Local Coordinating Board on the 14<sup>th</sup> day of September 2023.

  
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Commissioner Michelle Stone, TDLCB Chairperson

  
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Robert Balmes, TPO Director