



Transportation Disadvantaged Local Coordinating Board (TDLCB) Meeting

Marion Senior Services
1101 SW 20th Ct., Ocala, FL 34471

December 12, 2019

2:00 PM

AGENDA

- 1. CALL TO ORDER AND ROLL CALL**
- 2. PROOF OF PUBLICATION**
- 3. DISCUSSION ITEMS**
 - A. Grievance Procedures-Requesting Volunteers**
 - B. Meeting Schedule for 2020**
 - C. Presentation Schedule for 2020**
- 4. ACTION ITEMS**
 - A. Approval of Minutes- September 12, 2019**
- 5. COMMENTS BY TDLCB MEMBERS**
- 6. COMMENTS BY TPO STAFF**
- 7. COMMENTS BY TRANSPORTATION COORDINATOR (CTC)**
- 8. PUBLIC COMMENT (Limited to 2 minutes)**
- 9. ADJOURNMENT**

If reasonable accommodations are needed for you to participate in this meeting, please call the TPO Office at (352) 438-2630 forty-eight (48) hours in advance so arrangements can be made.

All meetings are open to the public, the TPO does not discriminate on the basis of race, color, national origin, sex, age, religion, disability and family status. Anyone requiring special assistance under the Americans with Disabilities Act (ADA), or requiring language assistance (free of charge) should contact Liz Mitchell, Title VI/Nondiscrimination Coordinator at (352) 438-2634 or liz.mitchell@marioncountyfl.org forty-eight (48) hours in advance, so proper accommodations can be made.

Please be advised that if any person wishes to appeal any decision made by the Board with respect to any matter considered at the

above meeting, they will need a record of the proceedings, and that, for such purpose, they 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.

The next regular meeting of the TDLCB will be held on February 20, 2020.



TO: TDLCB Members

FROM: Liz Mitchell, Grants Coordinator/Fiscal Planner

RE: Update of the Transportation Disadvantaged Local Coordinating Board (TDLCB) Grievance Procedures

It is incumbent upon TPO staff to regularly review and/or amend the TDLCB Grievance Procedures to remain concurrent with State of Florida regulations and code as they relate to the operations of the local Community Transportation Coordinator (CTC) and the Florida CTD. TPO staff have rewritten the TDLCB Grievance Procedures and respectfully request the TDLCB Board review and recommend changes or approval to said procedures.

All elements included in the TDLCB Grievance Procedures are pursuant to Chapter 427 Florida Statutes (FS); Rule 41-2, CTD Local Grievance Guidelines, and subsequent laws setting forth requirements for the handling of grievances of transportation services to the TD.

Any additional comments and/or suggestions should be submitted to Liz Mitchell, liz.mitchell@marioncountyfl.org.

**OCALA MARION
TRANSPORTATION DISADVANTAGED LOCAL COORDINATING BOARD
GRIEVANCE PROCEDURES**

Article 1: Preamble

The following will set forth the grievance procedures which shall serve to guide the Ocala Marion TPO Transportation Disadvantaged Local Coordinating Board (TDLCB). The Community Transportation Coordinator (CTC) will receive and attempt to satisfy any concerns by any person(s). If for any reason the complainant is not satisfied with the resolution determined by the CTC then the procedures herein will assist in acquiring a satisfactory resolution. This will provide procedures and policies for fulfilling the requirements of chapter 427, Florida Statutes, Rule 41-2 of the Florida Administrative Code (FAC), and subsequent laws setting forth requirements for the establishment of grievance procedures.

Article II: Name and Purpose

Name: The Grievance Committee is a Subcommittee of the Transportation Disadvantaged Local Coordinating Board, but will hereinafter be referred to as the Grievance Subcommittee.

Purpose: The primary purpose of the Grievance Subcommittee is to process, investigate and make recommendations to any and all unresolved grievances and/or complaints. To provide a formal grievance process by the Local Coordinating Board (LCB) to address concerns by any person or agency including but not limited to, users, potential users, agencies, and other interested parties. The Grievance Subcommittee will provide a mechanism for issues to be brought before the committee which shall meet as often as necessary to address unresolved complaints in a timely manner.

Article III: Definitions

1. Community Transportation Coordinator (CTC): An entity and or person appointed to ensure that coordinated transportation services are provided to the transportation disadvantaged population in a designated service area.
2. A Grievance is defined as any ongoing service problem that interferes with accessing a major life activity, such as work, healthcare, employment, education, shopping, social activities, or other life sustaining activities.
3. Service Complaint- any routine incidents and/or dissatisfaction that occur, are reported to the driver, dispatcher, or other individuals involved with the daily operations, and are resolved within the course of a reasonable time period suitable to the complainant. Service complaints may include but are not limited to:

- a. Late trips (late pickup, late drop off, and/or late returns)
 - b. No-show by Transportation Operator
 - c. No-show by client
 - d. Client Behavior
 - e. Driver Behavior
 - f. Passenger discomfort
 - g. Refusal of service to client for any reason
4. Formal Grievances- a written complaint to document any concerns or an unresolved service complaint regarding the operation or administration of TD services by the Transportation Operator, Community Transportation Coordinator, agencies, or Local Coordinating Board. Formal Grievances may include, but are not limited to:
- a. Chronic or unresolved service complaints
 - b. Violation of specific laws governing the provision of Transportation Disadvantaged Services (i.e., Chapter 427 of Florida Statutes, Chapter 41-2 of Florida Administrative Code and accompanying documents, Sunshine Law and/or ADA violations)
 - c. Contract disputes (Agencies/Operators)
 - d. Bidding disputes
 - e. Agency compliance
 - f. Conflicts of interest
 - g. Supplanting of funds
 - h. Billing and/or accounting procedure violation
 - i. Denials of applications for paratransit services

Article IV: Membership

1. Members of the Grievance Subcommittee shall serve on a voluntary basis and shall consist of at least five (5) voting members.
2. Each member of the Grievance Subcommittee shall serve at the discretion of the TDLCB.
3. The CTC shall not serve on the Grievance Subcommittee.
4. Grievance Subcommittee members will meet if a grievance is brought before the committee.
5. When a meeting of the Grievance Subcommittee is necessary, staff to the TPO shall schedule the meeting. Meetings shall be held at the time and place as the Grievance Subcommittee may determine.

6. The Members shall serve a term of one year, with allowances for multiple terms.
7. The Grievance Subcommittee shall elect a Chairperson and Vice-Chairperson.
8. A simple majority shall be present in any official action.
9. No voting member will have a vote on an issue that is deemed a conflict of interest.

Article V: Filing Complaints and Grievances – STEP 1

10. All formal grievances must contain the following:
 - a. Must submit in writing
 - b. Name and address of complainant
 - c. A clear and concise statement of the grounds for the grievance and supplemented by supporting documentation
 - Exact date and time of incident
 - Exact location of incident
 - Any witnesses to incident (including name and address)
 - Vehicle unit number, license number, color and type
 - Any other information affiliated with the complaint
 - d. An explanation by the complainant of the improvements needed to address the complaint

All written complaints can be sent to:

Marion Senior Services
1101 SW 20th Court
Ocala, Florida 34471

A complaint form has been created (see page 7) indicating all of the above mentioned items.

11. The CTC must post the contact person and telephone number for access to information regarding reporting service complaints or filing a formal grievance in each of their vehicles in plain view of riders.
12. The CTC will have ten (10) working days from the date of notification of the complaint to address or investigate the problem.

13. The CTC will investigate the problem and respond in writing, within ten (10) working days of notification to the complainant as to what action was taken. Such action will contain an explanation of the facts that lead to the CTC's decision and provide a method or ways to bring about a resolution.
14. The Grievance Subcommittee and TDLCB Board will receive a copy of all grievances and responses.

Article VI: Appeal Process – STEP 2

1. If the complainant is dissatisfied with the CTC's response and/or recommendation they may file an appeal with the Grievance Subcommittee.
2. The complainant may only file after they have sought satisfaction directly from the CTC and received a response. Complainant must demonstrate that they have unsuccessfully attempted to resolve the issue with the CTC. Every effort will be made by the CTC to resolve service problems. However, if unable to resolve the problem and/or the complainant wishes to take further action, then the CTC will provide the complainant with assistance in following the Grievance Procedures.
3. The appeal must be filed within ten (10) days from the date of notification of final decision from the CTC.

The appeal must be in writing and addressed to:

Ocala Marion Transportation Planning Organization
ATTN: TDLCB Grievance Subcommittee
2710 E. Silver Springs Blvd.
Ocala, Florida 34470

4. Once an appeal has been received, the Grievance Subcommittee shall meet and render its recommendation within thirty (30) working days of the date the appeal was filed.
5. The complainant shall be notified in writing of the mutually agreed upon date, time and place where the appeal shall be heard. This written notice shall be mailed at least ten (10) working days in advance of the meeting.
6. A written recommendation will be rendered to all parties involved within ten (10) working days from the date of the recommendation and will include the following, in writing:

- a. Statement that a meeting was held and the involved parties were given an opportunity to present their position(s).
 - b. The issues discussed and clearly defined
 - c. Reason(s) for the recommendation based on the information provided
7. Grievance Subcommittee must report all grievances and recommendations to the full Transportation Disadvantaged Local Coordinating Board.

Article VII: Appeal to the Transportation Disadvantaged Local Coordinating Board – STEP 3

1. If the complainant is dissatisfied with the recommendation of the Grievance Subcommittee he/she may continue the appeal process with the TDLCB as follows.
2. The appeal must be in writing and filed within ten (10) working days from the date of final recommendation from the Grievance Subcommittee.
3. Appeal to the TDLCB can only be filed after the complainant has sought satisfaction directly from the Grievance Subcommittee.
4. The appeal should demonstrate a clear violation of a specific law, regulation, contractual agreement, or circumstance.

Address all appeals to:

Ocala Marion Transportation Planning Organization
 ATTN: TDLCB
 2710 E. Silver Springs Blvd.
 Ocala, Florida 34470

5. Once an appeal has been received, the TDLCB shall meet and render its recommendation within sixty (60) working days of the date the appeal was filed.
6. The complainant shall be notified in writing of the mutually agreed upon date, time and place where the appeal shall be heard. This written notice shall be mailed at least ten (10) working days in advance of the meeting.
7. A written recommendation will be rendered to all parties involved within ten (10) working days from the date of the recommendation and will include the following, in writing:
 - a. Statement that a meeting was held and the involved parties were given an opportunity to present their position(s).

- b. The issues discussed and clearly defined
- c. Reason(s) for the recommendation based on the information provided

Article VIII: Appeal to the Commission for the Transportation Disadvantaged – STEP 4

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

Florida Commission for the Transportation Disadvantaged
Attn: Ombudsman Program
605 Suwannee Street, MS-49
Tallahassee, FL 32399-0450

Article IX: General

The Transportation Disadvantaged Local Coordinating Board Grievance Procedures may be amended by a two-thirds (2/3) vote of members present, if a quorum exists, and all Members have been notified of proposed changes at least seven (7) working days in advance of the meeting.

The implementation of these rules and procedures will ensure quality control and the ability to provide an impartial body to hear complaints and submit recommendations regarding the grievance as indicated.

Apart from this grievance/appeal process, aggrieved parties with proper standing may also have recourse through Chapter 120, Florida Statutes Administrative Hearing Process, or the judicial court system.

CERTIFICATION

The undersigned hereby certifies that he/she is the Chairperson of the Ocala Marion TPO Transportation Disadvantaged Local Coordinating Board and that the foregoing is a full, true and correct copy of the Grievance Procedures of this Local Coordinating Board as adopted by the Ocala Marion TPO Transportation Disadvantaged Local Coordinating Board on the 12th day of December 2019.

Commissioner Michelle Stone, TDLCB Chairperson

**OCALA MARION
TRANSPORTATION DISADVANTAGED LOCAL COORDINATING BOARD
COMPLAINT FORM**

Complainant(s) Name:	Complainant(s) Address:
Complainant(s) Phone Number:	Complainant(s) Email:
Complainant(s) Representative's Name, Address, Phone Number and Relationship (e.g. friend, attorney, parent, etc.):	
Names of the Individual(s) Whom You Allege a Complaint Against (If Known):	
Name and Address of Agency, Institution, or Department Whom You Allege a Complaint Against:	

Date of incident:	Vehicle Unit/License No.-Color-Type	Time of Incident:
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Please list the name(s) and phone number(s) of any person, if known, that can be contacted for additional information to support or clarify your allegation(s):
Please explain as clearly as possible HOW, WHY, WHEN and WHERE is your alleged complaint. Include as much information as possible. Additional pages may be attached if needed.
Please indicate what would be an acceptable resolution:

Complainant(s) or Complainant(s) Representatives Signature:	Date of Signature:
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Please submit to: **Address in the step process**

Additional Pages are attached.

TDLCB COMPLAINT TRACKING FORM

Name of Complainant: _____

COMPLAINT TO THE CTC –STEP 1

File Number _____

Date of 1st. Complaint: _____ Date of 1st. Resolution: _____

Action Taken (including date of letter): _____

APPEAL = COMPLAINT TO THE TDLCB GRIEVANCE SUBCOMMITTEE – STEP 2

Date of 2nd Complaint: _____ Date of 2nd Resolution: _____

Date of Subcommittee Hearing: _____

Action Taken (including date of letter): _____

APPEAL = COMPLAINT TO THE TDLCB – STEP 3

Date of 3rd Complaint: _____ Date of 3rd Resolution: _____

Date of TDLCB Hearing: _____

Action Taken (including date of letter): _____

APPEAL = TO THE COMMISSION FOR THE TRANSPORTATION DISADVANTAGED – STEP 4

Date sent: _____



2020 TDLCB Proposed Meeting Schedule

Ocala Marion Transportation Planning Organization (TPO)
2710 E. Silver Springs Blvd., Ocala, FL 34470
Ocalamariontpo.org
(352) 438-2630

Visit the Ocala Marion TPO website at Ocalamariontpo.org to view meeting updates.

Transportation Disadvantaged Local Coordinating Board (TDLCB) – Quarterly at 2:00 p.m.

All TDLCB Meetings are held quarterly. TDLCB Meetings will be held at Marion Senior Services Conference Room, 1101 SW 20th Ct, Ocala, FL 34471.

February 20, 2020

May 21, 2020

August 20, 2020

November 19, 2020



TRANSPORTATION DISADVANTAGED LOCAL COORDINATING BOARD

Marion Senior Services
1101 SW 20th Court, Ocala, FL 34471
September 12, 2019

MINUTES

Members Present:

Michelle Stone
Jeffrey Askew
Tamyika Young
Susan Hanley
Iris Pozo (*for Kathleen Woodring*)
Tracey Alesiani
Andrea Melvin
John Cook (*for Jeff Aboumrad*)

Members Not Present:

Charmaine Anderson
Tracey Sapp
Carlos Colon
Anissa Pieriboni
Carissa Hutchinson
Dennis Yonce
James Haines

Others Present:

Derrick Harris, TPO Staff
Elizabeth Mitchell, TPO Staff
Tom Wilder, Marion Senior Services

Item 1. Call to Order and Roll Call

Chairwoman Stone called the meeting to order at 2:05 PM. Secretary Shakayla Irby called the roll of members; a quorum was present.

Item 2. Proof of Publication

Secretary Shakayla Irby announced the meeting was published online at the city of Ocala, Marion County, Belleview, Dunnellon, TPO's website on September 5th, 2019, and also published to the September 8th, 2019 edition of the Star Banner.

Item 3. Annual Operating Report (AOR)

Mr. Wilder presented the AOR and said that it was incumbent to regularly review and approve the Annual Operating Report (AOR) to remain concurrent with State of Florida regulations as they related to the operations of the Florida Coordinated Transportation System. TPO staff had reviewed the AOR and respectfully requested the TDLCB Board review and approve the said report.

All elements included in the AOR were Pursuant to Chapter 427, Florida Statutes, each Community Transportation Coordinator (CTC) must submit an Annual Operating Report (AOR). The CTD used the forms to gather information needed to accurately reflect each CTC's operating data, provided a statewide operational profile of the Florida Coordinated Transportation System, and evaluated certain performance aspects of the coordinated systems individually and as a whole.

Item 4. Derrick Harris- Long Range Transportation Plan (LRTP) Update

Mr. Harris gave a brief presentation on the 2045 LRTP Update and said that the Federal Highway Act of 1962 established legislation that mandated that any Urbanized Area (UA) with a population of 50,000 or more that expends United States Department of Transportation (USDOT) funding must implement a continuing, cooperative, and comprehensive planning process. The UA of the Ocala/Marion County TPO included the cities of Belleview, Dunnellon, and Ocala, as well as Marion County. As a part of the required continuing, cooperative, and comprehensive planning process, the TPO had to produce and implement certain plans, one being the LRTP.

The LRTP was the cornerstone of the transportation planning process for the Ocala Marion County area and served as a twenty-five year blueprint for transportation improvements for the entire county. The plan projected future population and employment and analyzed their impact on the anticipated transportation system. In addition, it included goals, objectives, and financial projections, as well as estimates of future traffic.

Mr. Harris gave the committee a timeline of the LRTP:

- Summer 2019- Project Kick Off (where the TPO was currently)
- Fall 2019- Establish Goals and Objectives
- Spring 2020- Identify Needed Improvements
- Summer 2020- Project Prioritization
- Fall 2020- Plan Adoption

Mr. Harris encouraged the committee to visit the 2045 LRTP website (ocalamarion2045.com) and take the survey.

Item 5. Susan Hanley- Department of Elderly Affairs

Ms. Hanley gave a slideshow presentation of the Department of Elderly Affairs (DOEA).
Presentation attached.

Ms. Tamyika Young volunteered to present at the next TDLCB meeting.

Item 6. Approval of Minutes

Mr. Askew made a motion to approve the minutes. Ms. Melvin seconded, and the motion passed unanimously.

Item 7. Comments by TDLCB Members

There were no comments by TDLCB members.

Item 8. Comments by Community Transportation Coordinator (CTC)

Mr. Wilder said that Marion Transit no longer does Medicaid trips for babies and unfortunately one of the brokers that Marion Transit was working with owed approximately \$10,000 in trips to Marion Transit. However, there was a Medicare broker that was interested in Marion Transit doing Medicare trips and there could possibly for a wheelchair only trip agreement in the future.

Mr. Wilder said that Marion Transit was working on an Agreement with the School Board to provide transportation to children that are homeless. The School Board received a grant to fund transportation for children that are homeless and not allowed to get on a fixed route school bus.

Mr. Wilder informed the board of a medical incident that occurred on one of the Marion Transit bus and was still under investigation at that time.

Item 9. Comments by TPO Staff

Secretary Shakayla Irby announced that her last name had changed from Pullings to Irby.

Item 10. Public Comment

There was no public comment.

Item 12. Adjournment

Vice-Chairman Askew adjourned at 3:09pm.

Respectfully Submitted By:

Shakayla Irby, TPO Administrative Assistant