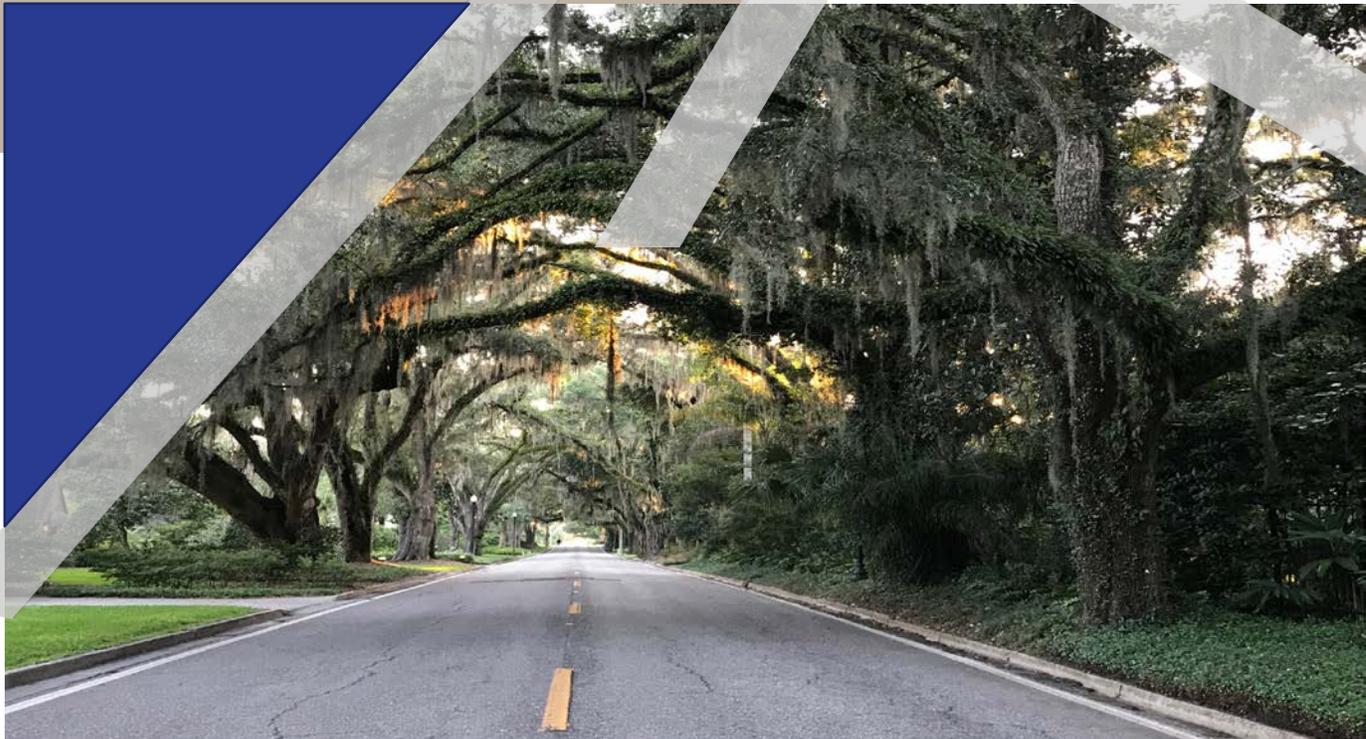




Website: Ocalamariontpo.org

Bylaws of the Ocala Marion Transportation Planning Organization



Adopted: May 25, 2004
Revised: June 23, 2020
January 26, 2021



PREAMBLE

The Ocala/Marion County Transportation Planning Organization (TPO) was created in accordance with the 23 United States Code 134 and 49 United States Code 5303 and Section 339.175, Florida Statutes, and operates under the provisions of Section 163.01, Florida Statutes. The powers, privileges and authority of the TPO are specified in Section 339.175, Florida Statutes, and incorporated into the Interlocal Agreement for the Creation of the Ocala/Marion County Transportation Organization authorized under Section 163.01, Florida Statutes.

In compliance with the above referenced legislation, the following sets forth the Bylaws, Policies and Procedures which shall serve to guide the proper functioning of the transportation planning process for the TPO. The intent is to provide guidance for the operation of the TPO, to ensure the accomplishment of transportation planning tasks within a cooperative framework properly related to comprehensive planning on a continuing basis.

PURPOSE AND FUNCTIONS

- (1) Representatives of Marion County, the cities of Belleview, Dunnellon, and Ocala, the Florida Department of Transportation, and the United States Department of Transportation shall be involved in the transportation planning process by the establishment of a TPO. Its purpose shall be to provide effective leadership in the initiation and development of transportation plans, programs and strategies. As such, it shall set transportation policy for the designated planning area as identified in 2003 Apportionment Plan, provide guidance for the area's transportation planning process, and review, approve and adopt all plans and programs which are developed by the process. As the body directly responsible for the guidance of the transportation planning process, the TPO shall ensure that the recommendations made therein are consistent with the goals and standards of the Federal Government, the State, Marion County, and the municipalities within Marion County.
- (2) The functions of the TPO shall include, but not be limited to the following:
 - (a) Preparation of a Long Range Transportation Plan (LRTP) with at least a 20-year horizon;
 - (b) Development of a two-year Unified Planning Work Program (UPWP);
 - (c) Preparation of an annually updated Transportation Improvement Program (TIP) consisting of improvements recommended from the LRTP;
 - (d) Development and maintenance of a Congestion Management Process;
 - (e) Development and implementation of a Public Participation Plan (PPP);
 - (f) Development and publication of an Annual Report for public dissemination;
 - (g) Ensure the compatibility of state and local plans, programs, and projects with the LRTP and programs of the TPO;
 - (h) Ensure that all jurisdictional areas within the TPO planning area are included in the

- transportation planning process;
- (i) Perform other duties delegated by federal and state laws or rules and regulations;
 - (j) Ensure that all transportation modes are considered in the planning process;
 - (k) Ensure that the transportation needs of all persons, including the elderly and disabled are considered in the planning process;
 - (l) Establish a Citizen's Advisory Committee (CAC) in order to assure meaningful citizens involvement in the transportation planning process; and
 - (m) Establish a Technical Advisory Committee (TAC) to be responsible for the transportation portions of the transportation planning process.

MEMBERSHIP

- (1) The membership of the TPO is apportioned by the Governor of the State of Florida among the governmental entities which constitute the TPO, based on equitable population ratio and geographic factors. At least every five years the membership is reapportioned by the Governor. The governmental body of each governmental entity appoints the appropriate number of members to the TPO from eligible officials. The TPO consists of the following apportioned members:

Voting Representation

Marion County	5 seats
City of Ocala	5 seats
City of Belleview	1 seat
City of Dunnellon	1 seat

Total **12 seats**

Non-Voting Representation

FDOT District V Secretary

- (2) The Cities of Belleview, Dunnellon, and Ocala shall each appoint an alternate elected official to attend and vote at any TPO meeting at which the regular members in attendance do not comprise a quorum, provided that they meet the qualifications established in these Bylaws.
- (3) Non-voting advisors may be appointed by the TPO as deemed necessary.
- (3) Non-voting members shall sit with the same rights and privileges as other members, except that non-voting members shall not have the right to present resolutions, motions or second the same, or to vote upon any motions or resolutions of the TPO.

APPOINTMENT, QUALIFICATIONS AND TERMS OF OFFICE

- (1) All voting members shall be elected officials of the member jurisdiction.
- (2) TPO members shall serve four (4) year terms. Membership shall terminate upon the member leaving his/her elected or appointed office for any reason, or by a majority vote of the total membership of a county or city governing body represented by the member.
- (3) Vacancies shall be filled by the original appointing body. Members may be reappointed for one or more additional four year terms.
- (4) If any municipality or county fails to fill an assigned appointment to the TPO within sixty (60) days after notification by the Governor of its duty to appoint, that appointment shall be made by the Governor from the eligible representatives of said municipality or county.

OFFICERS AND DUTIES

- (1) At the last regular meeting the year, the TPO shall elect the following officers to serve for the following calendar year:
 - (a) Chair
 - (b) Vice-Chair
- (2) The Chair shall preside at all meetings.
- (3) The Chair shall sign all resolutions, contracts and agreements.
- (4) The Chair may call special and emergency meetings, public hearings and workshops at his/her discretion or by request of the TPO Director.
- (5) The Chair shall ensure that all actions of the TPO are followed in accordance with these Bylaws, the Interlocal Agreement for Creation of the Metropolitan Planning Organization, and all other applicable policies.
- (6) In the event of his/her absence or at his/her direction, the Vice-Chair shall assume the powers and duties of the Chair.
- (7) In the event of the permanent incapacitation of the Chair or Vice-Chair of the TPO, a new officer will be elected from the membership at the next scheduled meeting.

SUNSHINE LAW AND PUBLIC RECORDS LAW

- (1) The TPO Board and all proceedings shall be governed by the Florida Sunshine Law, Chapter 286, and Chapter 119, Florida Statutes.

REGULAR MEETINGS

- (1) Regular meetings of the TPO shall be held at least quarterly. At the last regular meeting of each year, the TPO will approve the following year's meeting schedule. Regular meeting dates and times may be changed by the Chair or Vice-Chair to accommodate special circumstances such as holidays.
- (2) Agendas and agenda packets will be provided to TPO members at least seven (7) days prior to the regularly scheduled meeting. Agendas will be sent to the Public Information Officers of the cities of Belleview, Dunnellon and Ocala, and Marion County at least seven (7) days prior to the regularly scheduled meeting. Agendas and agenda packets will be posted to the TPO's website and social media at least seven (7) days prior to the regularly scheduled meeting.

SPECIAL MEETINGS

- (1) A special meeting of the TPO may be called by the Chair. Each member of the TPO and Public Information Officers of the cities of Belleview, Dunnellon and Ocala, and Marion County will receive a notification of such special meeting stating the date, hour and place of the meeting and the purpose for which such meeting is called, and no other business shall be transacted at that meeting.
- (2) No less than five (5) days before such special meeting, the TPO shall give public notice of the date, hour and place of said meeting including a statement of the general subject matter to be considered, unless such notice is impossible under the circumstances. Agendas and agenda packets will be posted to the TPO's website and social media at least five (5) days prior to the special meeting.

EMERGENCY MEETINGS

- (1) An emergency meeting of the TPO may be called by the Chair when in his/her opinion, an emergency exists which requires immediate action by the TPO. When such a meeting is called, each TPO member will be notified, as will the Public Information Officers of the cities of Belleview, Dunnellon and Ocala, and Marion County, stating the date, hour and place of the meeting and the purpose for which it is called, and no other business shall be transacted at that meeting. At least a twenty-four (24) hour advance notice of such emergency meeting shall be given before the time the meeting is held. Agendas and agenda packets will be posted to the TPO's website and social media at least twenty-four (24) hours prior to the emergency meeting.
- (2) If after reasonable diligence, it becomes impossible to give notice to each member, such failure shall not affect the legality of the emergency meeting if a quorum is present. The minutes of each emergency meeting shall show the manner and method by which notice of such meeting was given to each member of the TPO and the media.

PUBLIC HEARINGS AND WORKSHOPS

- (1) Public hearings and workshops may be called by the TPO and may be scheduled before or after regular meetings at the same meeting place or may be scheduled at other times and places provided:
 - (a) The TPO shall give public notice of the date, hour and place of the hearing or workshop including a statement of the general subject matter to be considered no less than seven (7) days (or as required by Federal and State regulations) before the event; and
 - (b) No formal business, for which notice has not been given, shall be transacted at such public hearings or workshops.

MEETING AGENDA

- (1) There shall be an official agenda for every meeting of the TPO, which shall determine the order of business conducted at the meeting.
- (2) The TPO shall not take action upon any matter, proposal, or item of business not listed on the official agenda, unless two-thirds (2/3) of the entire TPO shall have first consented to the presentation thereof for consideration and action; however, the Chair may add new business to the agenda under other business or reports.
- (3) No agenda item listed on the agenda for public hearing or vote thereon may be deferred until a later time unless two-thirds (2/3) of the voting members present shall vote in favor of such deferral.
- (4) Matters may be placed on the agenda by any TPO, TAC, or CAC member, County Administrator, City Manager, or City Clerk, or by the TPO staff. Matters within the scope of jurisdiction of the TPO may also be placed on the agenda by any citizen with the concurrence of the Chair.
- (5) The agenda shall be prepared by the TPO staff.
- (6) This rule is not applicable to special or emergency meetings.

RESOLUTIONS AND MOTIONS

- (1) All actions of the TPO shall be by resolution or motion as follows:
 - (a) Action by resolution shall be required for:
 1. Adoption of budgets; approval of transportation plans
 2. Adoption of policy directives;
 3. Adoption of rules or procedures; establishment of or changes in internal organizational structure; and

4. Any other matters deemed by the TPO to be of sufficient importance to warrant adoption by formal resolution.
 - (b) All official and formal resolutions of the TPO shall be recorded in the minutes and kept in the TPO's permanent files;
 - (c) Action by motion shall be for approval of purely administrative matters including directives or authorizations to the Chair, committees, or the technical staff; and
 - (d) All official and formal motions of the TPO shall be recorded in the minutes and kept in the TPO's permanent files.
- (2) A copy of each resolution shall be furnished to the TPO members no later than seven (7) calendar days before a vote may be called on the resolution; however, this provision shall be deemed waived unless asserted by a voting member before the TPO takes action on the resolution in question.

CONDUCT OF MEETINGS

- (1) All TPO meetings will be open to the public.
- (2) A total of seven (7) of the twelve (12) voting members shall constitute a quorum.
- (3) For the transaction of business, if there are at least five (5) voting members present and the actions of particular items is necessary, those members may elect to make a motion and with a second, continue to adopt publically advertised agenda resolutions and motions.
- (4) Should no quorum or at least five (5) voting members attend within fifteen (15) minutes after the hour appointed for the meeting of the TPO, the Chair or Vice-Chair may choose to adjourn the meeting or continue the meeting to discuss any agenda items that do not require a vote or are informational in nature. In that event of immediate adjournment, those members present may; by unanimous agreement, select another hour or day to meet. The names of the members present and their action at such meeting shall be recorded in the minutes.
- (5) All meetings of the TPO shall be conducted in accordance with the following:
 - (a) The Chair shall preside at all meetings at which he/she is present;
 - (b) In the absence of the Chair, the Vice-Chair shall preside;
 - (c) The Chair shall state every question coming before the TPO and announce the decision of the TPO on all matters coming before it;
 - (d) A majority vote of the members present shall govern and conclusively determine all questions of order not otherwise covered;
 - (e) The Chair shall call the TPO to order at the hour appointed for the meeting;
 - (f) In the absence of the Chair and Vice-Chair, the TPO staff representative shall determine whether a quorum is present and in that event shall call for election of a temporary Chair.

Upon the arrival of the Chair, or Vice-Chair, the temporary Chair shall relinquish the Chair upon conclusion of the business immediately before the TPO;

- (g) Any TPO member who intends to be absent for any TPO meeting shall notify the TPO staff of the intended absence as soon as he or she conveniently can;
- (h) The vote upon any resolution, motion or other matter may be a voice vote, unless the Chair or any member requests that a roll call vote be taken;
- (i) Upon every roll call vote the staff representative shall call the roll, tabulate the votes, and announce the results;
- (j) The minutes of prior meetings may be approved by a majority of the members present and upon approval shall become the official minutes;
- (k) Unless a reading of the minutes of a meeting is requested by a majority of the TPO, the minutes shall not be read for approval provided the TPO staff delivers a copy thereof to each TPO member at least seven (7) calendar days prior to the meeting along with the meeting packet;
- (l) With the concurrence of the Chair any citizen shall be entitled to be placed on the official agenda of a regular meeting of the TPO and be heard concerning any matter within the scope of the jurisdiction of the TPO;
- (m) Each person, other than TPO staff members, who addresses the TPO shall give the following information for the minutes;
 - 1. Name;
 - 2. Address;
 - 3. The identity of any other persons the person is representing;
 - 4. Whether or not he or she is being compensated by the person or persons for whom he speaks; and
 - 5. Whether he or she or any member of his or her immediate family has a personal financial interest in the pending matter, other than that set forth in (4) above.
- (n) Unless further time is granted by the TPO, each person shall limit his or her address to two (2) minutes; and
- (o) All remarks shall be addressed to the TPO as a body and not to any member thereof. No person, other than TPO members, and the person having the floor, shall be permitted to enter into any discussion, either directly or through a member, without permission of the presiding officer. No question shall be asked a governing board member except through the presiding officer.

SUBCOMMITTEES

- (1) TPO subcommittees may be designated by the TPO as necessary to investigate and report on specific subject areas of interest to the TPO. These subcommittees may include but are not limited to:
 - (a) Administrative matters; and
 - (b) Bylaws.

AMENDMENTS

- (1) These bylaws may be amended by an affirmative vote of two-thirds (2/3) of the voting members or their designated alternate, provided the proposed amendment has been sent to every board member at least seven (7) calendar days before being voted on.

Ocala/Marion Transportation Planning Organization

TPO Chair

Attest: TPO Director

Ocala/Marion Transportation Planning Organization Legal Review

Matthew G. Minter, Attorney for TPO