



## The Florida Metropolitan Planning Organization Advisory Council

*Commissioner Vanessa Baugh*  
*Chair*

### **MPOAC Executive Committee Meeting**

**Date:** Thursday, April 27, 2023

**Time:** 11:30 a.m. – 12:30 p.m.

**Location:** The Florida Hotel  
1500 Sand Lake Road  
Salon 2 Meeting Room  
Orlando, FL 32809

Please join my meeting from your computer, tablet or smartphone.

[https://meet.goto.com/MPOAC-Lisa/mpoac\\_meetings-april272023](https://meet.goto.com/MPOAC-Lisa/mpoac_meetings-april272023)

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**Chair Vanessa Baugh, Presiding**

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- 1. Call to Order**
- 2. Approval of Minutes: January 31, 2023, March 10, 2023, March 29, 2023**
- 3. Public Comments (non-agenda items)**
- 4. MPOAC Policy Positions for 2023**
- 5. MPOAC Bylaws**
- 6. MPOAC Budget Discussion**
- 7. Executive Director Timesheet/Travel**
- 8. Other Business**
- 9. Adjournment**

**Any person who desires or decides to appeal any decision made by this Committee with respect to any matter considered at this meeting will need a record of the proceedings. For such purposes, such person may need to ensure that a verbatim record of the proceedings is made which record includes testimony and evidence upon which appeal is to be based.**

**The needs of hearing or visually impaired persons shall be met by contacting the Council sponsoring such meeting at least 48 hours prior to the meeting. Please contact Lisa Stone at (850) 414-4037 or by email to [lisa.o.stone@dot.state.fl.us](mailto:lisa.o.stone@dot.state.fl.us).**

## Florida Metropolitan Planning Organization Advisory Council

### MPOAC Executive Committee

January 31, 2023 - Orlando, Florida

#### ATTENDEES

##### IN-PERSON (Executive Committee):

David Hutchinson, Sarasota/Manatee MPO  
Donald Scott, Lee County  
Mayra Uribe, MetroPlan Orlando  
Vanessa Baugh, Sarasota/Manatee MPO

##### IN-PERSON (MPOs/OTHERS):

Allison Stettner, FDOT  
Karen Burnelle, FHWA  
Cathy Kendall, FHWA  
Frank Kalpakis, Renaissance Planning  
Lisa Stone, MPOAC  
Mark Reichert, MPOAC  
Mike Neidhart, FDOT  
Nicole Estevez, Renaissance Planning  
Paul Gougelman, MPOAC General Counsel  
Ysela Llort, Renaissance Planning

##### VIRTUAL (MPOs/OTHERS):

Nick Maddox, Capital Region TPA

#### CALL TO ORDER

Vice Chair Vanessa Baugh called the meeting to order at 12:00pm. David Hutchinson motioned to allow online participants to participate in the meeting; Donald Scott seconded the motion.

The Executive Committee members reviewed the October 27, 2022, meeting minutes. The minutes were approved unanimously by the Executive Committee.

#### PUBLIC COMMENTS

No public comments.

#### REPORTS

Mark Reichert provided an update on the MPOAC's Policy Position changes. The objective of the Policy Positions is to aid MPOs in tracking and monitoring current transportation issues/policies/topics that may impact them. Since the last meeting, the number of policy positions has reduced from seven to four. Three policy positions were combined with another or removed, as follows:

- Two of the original seven positions were combined into one policy position per the MPOAC Policy and Technical Committee's recommendation to simplify the focus areas.
- A third policy position related to the Strategic Intermodal System (SIS) was removed. FDOT is moving towards flexibility with the SIS; thus, the MPOAC Policy and Technical Committee felt comfortable with that direction and removed the item from the MPOAC's Policy Position document.

The Policy and Technical Committee recommended incorporating guidance and language from the American Planning Association of Florida (APA) on this matter into the MPOAC's Policy Position. Mark presented the APA's language on the topic. Mark noted that the Policy Positions would be presented during the Joint Staff Director and Governing Board Meeting and will request approval.

In addition, Mark provided an update on the latest activities to the Policies and Procedures. Recent changes include updates and clarification of language to ensure the policies and procedures align with the applicable rules established by the state. FDOT has officially approved the Policies and Procedures and submitted a formal letter releasing the MPOAC of the special conditions.

David Hutchinson asked if the MPOAC has an existing policy that requires a frequent review of the MPOAC's Policies and Procedures, and By-Laws. Paul Gougelman clarified that there is no current policy for automatic review. David Hutchinson made a motion to include a policy for the Executive Director to review the MPOAC Policy and Procedures and By-Laws at least, or no less than, every two years. Donald Scott seconded the motion.

Mark also presented timesheets that were reviewed and approved in the previous Executive Committee.

## OTHER BUSINESS

None

## ADJOURNMENT

The meeting was adjourned at approximately 12:20 p.m.

# EXECUTIVE COMMITTEE WORKSHOP MEETING SUMMARY

March 10, 2023, 2:00 pm to 4:00 pm  
Virtual Meeting via Go-To-Meeting

## PARTICIPANTS

### EXECUTIVE COMMITTEE

- Vanessa Baugh, Governing Board Chair
- Mayra Uribe, Governing Board Vice-Chair
- Dave Hutchinson, Staff Directors' Chair
- Austin Mount, Staff Directors' Vice-Chair

### OTHER PARTICIPANTS

- Mark Reichert, MPOAC
- Lisa Stone, MPOAC
- Paul Gogleman, MPOAC Legal Counsel
- Cathy Kendall, FHWA
- Mike Neidhart, FDOT
- Jennifer Fortunas, FDOT
- Huiwei Shen, FDOT
- Alison Stettner, FDOT Turnpike
- Nicole Estevez, Renaissance Planning
- Ysela Llort, Renaissance Planning

## MEETING SUMMARY

The workshop focused on the direction of the MPOAC. The following presents a summary of the discussion items.

- **Partnership with FDOT:**
  - Workshop participants discussed the importance of fostering and building a relationship with FDOT and FHWA. Chair Baugh shared that this is one of her main goals during her tenure.
  - The Moving Florida Forward initiative is a historic and catalyst project for Florida. State leadership has a focus on infrastructure. This offers a unique opportunity to strengthen the relationship between FDOT and the MPOAC.
  - There was concurrence among workshop participants that fostering an effective partnership with FDOT is essential for the future of the MPOAC.

- **Thought Leader in Transportation**

- There was concurrence among workshop participants that the MPOAC should position itself as a thought leader on transportation. The organization should be more visible and be the “go-to” organization for transportation discussion.

- **Meetings**

- Workshop participants discussed the feedback received from other members on the structure and effectiveness of MPOAC meetings. Some members feel the meetings are “unimportant” or a “waste of time.” Workshop participants concurred that changes to the meeting structure could be beneficial. They agreed that the meetings offer a valuable forum for discussion and learning; specifically, they serve as a venue for sharing information with and from FDOT and FHWA. In addition, the meetings serve as a place for all MPOs to collaborate and learn from each other.
- The meeting format changed in recent months, including offering a hybrid meeting and conducting joint Staff Directors’ and Governing Board meetings. Workshop participants agreed these recent changes are beneficial and should continue, but other improvements could be helpful. For example, a workshop participant shared that the MPOAC meetings could benefit from having a more action-based agenda and the possibility for the informational items to be delivered virtually.
- Workshop participants agreed that the MPOAC meetings should be more strategic and productive. MPOAC meetings need to balance being informational/presentation sharing and more strategic to offer a value-add to its members. There are other meetings and avenues where presentations and information are shared with MPOAC members; at times, the information and presentations shared during the MPOAC meetings are duplicative.
- There are many members on the Staff Directors and Governing Boards when considering the number of alternates. In addition, there is a perception of constant rotation among the members, which causes challenges in building fruitful relationships. Workshop participants recognized the importance of face-to-face meetings and the value of camaraderie in networking.
- Workshop participants suggested having roundtable (or speed-dating-like) discussions at future MPOAC meetings, where they can talk to different members and learn about issues. The roundtables could be topical and aid MPOs in learning the unique challenges other MPOs face across the state. Some possible topics for roundtables include:
  - Understanding how different MPOs operate (there are different backgrounds, unique management structures, and unique problems)
  - Managing program-specific funds
  - Navigating the differences between FDOT Districts

- Workshop participants also discussed the success of the joint meeting last July, where they met one another more casually by touring the Gainesville Materials Lab. Workshop participants recommend replicating the 'tour and meeting' combination at least once a year. However, these meetings should be organized cautiously to ensure a quorum and to avoid setting an agenda that may lead to a vote involving the subject of the tour.
- A group dinner post-meeting could be another valuable networking opportunity for the MPOAC to explore.
- **MPOAC Budget**
  - Chair Baugh requested Mark to send the budget to all Executive Board members for review.
  - The Executive Board discussed the budget organization and agreed to review the budget and provide input to guide the MPOAC's direction.
- **Strategic Directions Committee**
  - Workshop participants discussed taking the initiative to develop a plan outlining the future goals and direction of the MPOAC. The Strategic Directions Committee is a subset of MPOAC members composed of volunteers dedicated to developing the goals and objectives of the organization. The Strategic Directions Committee will organize in the next quarter to begin laying out a Strategic Plan for the organization. A workshop participant noted there could be some urgency to developing a plan given the new Bill.
- **Meeting Notices**
  - Workshop participants discussed the meeting notice requirements in planning for the next Executive Committee Workshop.
  - Mark agreed to poll the members to schedule the next meeting and abide by meeting notice requirements.

# EXECUTIVE COMMITTEE WORKSHOP MEETING SUMMARY

March 29, 2023, 9:00 am – 11:00 am  
Virtual Meeting via Go-To-Meeting

## PARTICIPANTS

### EXECUTIVE COMMITTEE

- Vanessa Baugh, Governing Board Chair
- Mayra Uribe, Governing Board Vice-Chair
- Robert Bender, Governing Board At-Large Committee Member
- Dave Hutchinson, Staff Directors’ Advisory Committee Chair
- Austin Mount, Staff Directors’ Advisory Committee Vice-Chair

### OTHER PARTICIPANTS

- Mark Reichert, MPOAC
- Lisa Stone, MPOAC
- Paul Gogleman, MPOAC Legal Counsel
- Cathy Kendall, FHWA
- Curlene Thomas, FHWA
- Mike Neidhart, FDOT
- Jennifer Fortunas, FDOT
- Huiwei Shen, FDOT
- Alison Stettner, FDOT Turnpike
- Nicole Estevez, Renaissance Planning
- Ysela Llort, Renaissance Planning
- Frank Kalpakis, Renaissance Planning
- Dana Summers, Aide to Chair Vanessa Baugh
- Ryan Nuckols, Kimley-Horn
- Macy Falcon, Kimley-Horn

## PUBLIC COMMENT

No public comment.

## BYLAWS DISCUSSION

- **Term Limits and Elections**
  - Workshop participants discussed the possibility of setting term limits for the Governing Board and Staff Directors’ Advisory Committee Chair and Vice-Chair

positions. Participants discussed one- and two-year term options. Most participants agreed that a two-year term would help encourage engagement and continuity for the MPOAC.

- A workshop participant shared that previously, the MPOAC had considered a rotation around the state or among various sizes of MPOs for the Chair and Vice-Chair positions.
  - The bylaws imply that annual elections should be held at the calendar year's first meeting. Workshop participants discussed the possibility of moving the election to the last meeting of the year (in October), with the elected Chair and Vice-Chair taking on their new roles for the year's first meeting (January). However, the general local elections in November could complicate this approach as the election outcomes would be uncertain. In addition, some MPOs may hold additional elections in December to name their own Governing Board Member Chair or position to serve on the MPOAC.
  - Workshop participants agreed to maintain the MPOAC annual elections during the year's first meeting and ensure the bylaws reflect this. The year's first meeting is typically in January, after the local elections.
  - In addition, workshop participants discussed automatically nominating the Vice-Chair for the Chair position. While some found this could help maintain continuity, others felt the membership should continue to have a say in the Vice-Chair and Chair nominations.
- **Alternates**
    - Each member of the Governing Board and Staff Directors' Advisory Committee has an assigned alternate. In addition, some members have secondary and tertiary alternates. A workshop participant shared that having the primary member plus the many alternates may cause a "dilution" in the membership.
    - Historically, the MPOAC implemented alternates to ensure that every MPO has the chance for representation at every MPOAC meeting and to meet a quorum. The alternates must be designated and named in writing. Regardless of a primary member and an alternate attending the same meeting, the MPO is intended to have only one vote at MPOAC meetings.
  - **Committees**
    - Under the language of the procedures, it currently states that the Chair of the Staff Directors' Advisory Committee can appoint a Chair of a subcommittee unless the subcommittee members wish to elect a Chair which would take precedence over an appointment.
  - **Virtual Meetings:**
    - Workshop participants discussed the opportunities and restrictions associated with virtual meetings. Offering a virtual option for the MPOAC meetings could help reduce the need for alternates, allowing members to participate from anywhere and meet a

quorum. However, restrictions through Florida Statute or the MPOAC Bylaws may restrict virtual participation to meet a quorum. Paul Gougleman clarified that the MPOAC does not fall under the Administrative Procedure Act that Regional Planning Councils do fall under and allows them to hold virtual meetings. Thus, for the MPOAC to have a quorum that includes virtual participation, an amendment to Florida Statute 339.175 is required.

## GOVERNING BOARD MEETING STRUCTURE

- **Networking:**
  - In a previous Executive Committee Workshop on March 10, participants agreed that networking during the MPOAC Joint Governing Board and Staff Directors' Advisory Committee Meetings would be beneficial and offer added value. The next meeting in April will include a networking event at the hotel or a local restaurant for the members to meet and network. The details and logistics for the networking event are under development. Workshop participants shared their support and excitement for this opportunity. Workshop participants agreed that additional discussions on funding these activities are necessary or exploring the chance for an MPO to host the activity. Alisson Stettner shared that there are ways to support these activities financially, but some parts, like transportation, may require personal contributions. Commissioner Uribe volunteered to work with Mark Reichert on organizing the networking event. However, to get a good turnout, the Executive Committee be ambassadors for this networking event and encourage others to participate. Traditionally, most people leave right after the meeting back home due to the long commute.

## GENERAL MPOAC ISSUES/BUSINESS

- **MPOAC Weekend Institute:**
  - Chair Dave Hutchinson commended Mark Reichert and Renaissance Planning for moving forward with the MPOAC Weekend Institute.
  - FDOT representatives shared that it would be valuable for FDOT to participate in future Weekend Institute sessions.
- **Strategic Directions Plan, Policy Positions, Partnership with FDOT**
  - Workshop participants discussed the MPOAC's focus areas. Recently, the MPOAC has focused on the gas tax replacement topic; however, more can be done. Thus, the MPOAC should shift its focus from the gas tax topic to aiding individual MPOs in meeting their processes, priorities, and performance objectives.
  - Workshop participants discussed the MPOAC's Policy Positions. They agreed that these positions should be transportation-focused, move transportation forward, and focus on assisting the MPOs with funding projects.
    - Specifically, the participants requested revisions to the policy positions, including possibly removing position 4. A workshop participant suggested

aligning the MPOAC's positions with FDOT's focus areas. Others agreed, as this can help strengthen a mutually beneficial relationship. Chair Baugh shared that she and Mark Reichert will meet with FDOT Secretary Purdue to continue to build and foster the relationship between FDOT and the MPOAC.

- Mark Reichert will send the 2023 Policy Positions to the Executive Committee members. The Executive Committee would like to present refined Policy Positions during the April meetings for review and approval.
- The Strategic Directions Plan developed a few years ago was very grand and likely out of scale compared to the organization's size. Therefore, the upcoming Strategic Plan should be more focused. Planning and coordination on the Strategic Directions Plan will continue after the April meetings.
- FDOT representatives concurred on building a relationship with the MPOAC and supporting each other on legislative priorities.

## OTHER BUSINESS

- **Policy and Technical Committee**
  - Dave Hutchinson shared an update on the FHWA Planning Funds (PL) Distribution Formula, a topic of conversation in recent Committee meetings. In partnership with FDOT's Office of Policy Planning and Renaissance Planning, the Policy and Technical Committee has considered different scenarios for changes to the PL Fund Distribution Formula. Smaller MPOs are seeking an increase in the base contribution to meet their core requirements. The Committee will continue to meet to evaluate the scenarios and present them at the upcoming July MPOAC meetings for consideration and determination.
- **MPOAC Committees Consolidation**
  - Vice-Chair Austin Mount volunteered to review the existing committees and propose consolidation of committees at the April MPOAC meetings.
- **MPOAC Logo**
  - Mark Reichert will provide the Executive Committee with a copy of the proposed logo for review and input.

# FLORIDA METROPOLITAN PLANNING ORGANIZATION ADVISORY COUNCIL

## 2023 POLICY POSITIONS

### **2023 Policy Position:**

- 1. Support an increase in transportation investments through dedicated and sustainable funding, including innovative financing options; encourage partnerships between public and private entities; and facilitate the expedited delivery of projects.**

#### Key Recommendations:

- Expand the Charter County and Regional Transportation System Surtax to allow municipalities over 150,000 in population (or the largest municipality in a county) and all counties located in MPO areas to enact up to a one cent local option surtax by referendum.
- Charge alternatively fueled vehicles a fee equal to the fuel tax paid by gasoline or diesel fueled vehicles, such as an electric vehicle registration fee.
- No reduction in local option transportation revenue sources.
- Use the existing MPO and local planning processes to select individual transportation projects rather than legislative appropriations (commonly referred to as earmarks). Ensure that all legislative appropriations that are passed come from non-transportation funding sources (i.e. general revenue funds).
- Fund the Transportation Regional Incentive Program (TRIP) at a predictable level of a minimum of \$250 Million per year.
- Establish flexible and predictable funding for transit projects (capital and operating) identified through the metropolitan transportation planning process by removing various funding limitations for the State Transportation Trust Fund (STTF).
- Make FDOT and Transportation Disadvantaged Trust Fund (TDTF) grants more flexible:
  - Extend TDTF grants for each county to the next year,
  - Allow TDTF funds to be used for meal, grocery, and prescription deliveries, and
  - Allow other FDOT grants to be used on transit improvement and operating funds.

### **2023 Policy Position:**

- 2. Regulate distracted driving by prohibiting the handheld use of electronic wireless communication devices and other similar distracting devices while operating a motor vehicle on any roadway.**

The 2018 Florida legislature enacted the “Wireless Communications While Driving” law that makes texting while driving a primary offense. One of the expressed concerns of opponents of this law is the potential for racial profiling during enforcement. This legislative proposal would increase roadway safety by prohibiting the handheld use of electronic wireless devices for any purpose, making enforcement easier and reducing the potential for racial profiling.

### **2023 Policy Position:**

- 3. Add provision to Florida’s Sunshine Law to allow all government entities to hold virtual meetings during a declared emergency plus a period of 90 days past the declared emergency dates.**

The ability to hold virtual meetings during the COVID-19 pandemic, resulting from Executive Orders issued by the Governor, was a significant benefit to government agencies and the people of Florida. This proposal would permit units of government to meet virtually, so long as there is an opportunity for the public to participate, upon the declaration of an emergency by the Governor of Florida or the federal government. Recognizing that some declared emergencies can take extended periods of time to recover, this legislative proposal would also include an additional 90 days for governments to repair damaged facilities used to hold meetings or to hold meetings that have already been advertised as being virtual.

In addition, the MPOAC supports the American Planning Association of Florida proposed language to allow virtual meetings in all cases.

APA Florida strongly supports citizen access and public input to the planning process and is committed to improving citizen involvement. APA Florida supports an open and collaborative planning process that encourages meaningful citizen participation and environmental justice through reasonable notice, open public records and accessibility to all stages of the planning process, as well as promoting the use of citizen participation best practices at the local level.

- APA Florida supports legislation that will clarify the use of technology, i.e., virtual meetings to expand access to information and participation in public hearings and meetings.
- APA Florida supports legislation that would permit governmental boards or agencies to conduct meetings using communication technology in lieu of a quorum being physically present.

## **2023 Policy Position:**

- 4. Recognize that federal metropolitan transportation planning funds shall not be regarded as state funds for purposes of expenditure.**

The United States Department of Transportation (USDOT) provides funding to Metropolitan Planning Organizations (MPOs) to carry out their federally required duties. Those federal funds are given to states who in turn distribute them to MPOs based upon a formula agreed upon by the Florida Department of Transportation (FDOT) and the Florida MPOs and then approved by the Federal Highway Administration (FHWA). The Florida Department of Financial Services (DFS) has determined that the expenditure of federal funds by MPOs shall be subject to all state requirements, laws and regulations even where such laws conflict with federal laws, regulations and requirements. This limits the ability of the Florida MPOs to use federal funds for their intended purpose and impinges on their ability to carry out their responsibilities as outlined in federal rule. This proposal would clarify that federal monies passed through the State of Florida to MPOs and the Florida MPO Advisory Council (MPOAC) shall not be regarded as state funds for purposes of expenditure.

**RESOLUTION NO. 2022-02**

**A RESOLUTION OF THE FLORIDA  
METROPOLITAN PLANNING ORGANIZATION  
ADVISORY COUNCIL; REVISING AGENCY BY-  
LAWS; AND PROVIDING AN EFFECTIVE DATE.**

WHEREAS, Section 339.175(11)(c)4., Florida Statutes, provides that the MPOAC may from time to time adopt by-laws or revision thereto;

WHEREAS, *The MPOAC is not subject to Florida's Administrative Procedure Act. §120.52(1), F.S. Consequently, these rules of by-laws are not subject to a rule adoption proceeding pursuant to Section 120.54, F.S.; and*

WHEREAS, these by-laws were adopted by Resolution No. 15-1, effective January 22, 2015; and

WHEREAS, these by-laws were amended by Resolution No. 17-1, effective January 26, 2017; and

WHEREAS, these by-laws were further amended by Resolution No. 2020-02, effective October 29, 2020; and

WHEREAS, it is the desire of the MPOAC Governing Board to streamline and further amend these by-laws pursuant to this Resolution No. 2022-02, effective November 17, 2022,

NOW, THEREFORE, BE IT ENACTED BY THE GOVERNING BOARD OF THE FLORIDA METROPOLITAN PLANNING ORGANIZATION ADVISORY COUNCIL:

SECTION A. Recitals. Each and all of the foregoing recitals ("WHEREAS" clauses) are hereby declared to be true and correct and are incorporated herein by this reference.

SECTION B. That the By-Laws of the MPOAC are hereby amended to read as follows:

**Section 1. Definitions.** As used in these bylaws, the following terms shall be defined as follows:

(a) "MPO" means and refers to a metropolitan planning organization as provided for in 23 U.S.C. Section 134, 49 U.S.C. Section 5303, and Section 339.175, Florida Statutes. MPO may also mean a transportation planning organization ("TPO"), transportation planning agency ("TPA") or another name used by an MPO in Florida.

(b) "MPOAC" shall mean the State of Florida, Metropolitan Planning Organization Advisory Council as provided for in Section 339.175, Florida Statutes.

(c) "Record" shall include all documents, papers, letters, maps, books, tapes, photographs, films, sound recordings, or other material, regardless of physical form or characteristics, made or received pursuant to law or ordinance or in connection with the transaction of official business by the MPOAC. A record shall be as specified in Section 119.011, Florida Statutes, or as determined pursuant to judicial interpretation of Chapter 119, Florida Statutes.

## **Section 2. MPOAC Organizational Structure.**

(a) The Governing Board

(i) The MPOAC Governing Board consists of one representative from each of the duly designated MPOs in Florida. Pursuant to Section 2(a)(ii)(5), if a new MPO is created, the number of Governing Board members will increase. As of January 2022, the MPOs are:

- (1) Bay County Transportation Planning Organization;
- (2) Broward Metropolitan Planning Organization;
- (3) Capital Region Transportation Planning Agency;
- (4) Charlotte County-Punta Gorda Metropolitan Planning Organization;
- (5) Collier Metropolitan Planning Organization;
- (6) Florida-Alabama Transportation Planning Organization;
- (7) Forward Pinellas;
- (8) Heartland Regional Transportation Planning Organization;
- (9) Hernando/Citrus Metropolitan Planning Organization;
- (10) Hillsborough County Metropolitan Planning Organization;
- (11) Indian River County Metropolitan Planning Organization;
- (12) Lake-Sumter Metropolitan Planning Organization;
- (13) Lee County Metropolitan Planning Organization;
- (14) Martin Metropolitan Planning Organization;
- (15) MetroPlan Orlando;
- (16) Metropolitan Transportation Planning Organization for the Gainesville Urbanized Area;
- (17) Miami-Dade Transportation Planning Organization;
- (18) North Florida Transportation Planning Organization;
- (19) Ocala-Marion County Transportation Planning Organization;
- (20) Okaloosa-Walton Transportation Planning Organization;
- (21) Pasco County Metropolitan Planning Organization;

- (22) Palm Beach Transportation Planning Agency;
- (23) Polk Transportation Planning Organization;
- (24) River to Sea Transportation Planning Organization;
- (25) Sarasota/Manatee Metropolitan Planning Organization;
- (26) Space Coast Transportation Planning Organization; and
- (27) St. Lucie Transportation Planning Organization.

(ii) Appointment of Governing Board representatives.

(1) Each individual MPO selects one representative, and may select at least one alternate representative, to serve on the Governing Board. An MPO may select a primary alternate representative and, at its option, a secondary alternate representative. Alternate representatives shall vote, participate for the purpose of forming a quorum, make or second motions, and otherwise act as a member of the MPOAC Governing Board, only in the absence of the representative that the alternate has been appointed to serve in place of; provided, however, that alternate representatives may always attend Governing Board meetings and participate in debate. A secondary alternate representative shall vote, participate for the purpose of forming a quorum, make or second motions, and otherwise act as a member of the MPOAC Governing Board, only in the absence of the Governing Board member, and the primary alternate representative, of the MPO that the secondary alternate represents. Regular Governing Board members or alternate members may be reappointed from time to time by their appointing MPO.

(2) The term for a representative and an alternate representative shall be from January 1st to December 31st of each calendar year. By no later than December 31st of each calendar year, each MPO should appoint its representative to the MPOAC to serve for the succeeding calendar year.

(3) No individual shall be eligible to vote on the MPOAC until the appointing MPO certifies in writing or electronically by e-mail to the MPOAC that such individual is authorized to act as the representative or alternate representative of the certifying MPO.

(4) Each representative and each alternate representative of a MPO shall serve at the pleasure of the appointing MPO; provided, that a representative or an alternate representative on the MPOAC Governing Board must at all times be a representative sitting on the Governing Board of the appointing MPO. Vacancies shall be filled only by an appointment by the original appointing MPO.

(5) Upon the creation of a new MPO pursuant to Section 339.175, Florida Statutes, said MPO is entitled to the appointment of one representative and, at its option, one (1) primary alternate representative, and one (1) secondary alternate representative, to serve as a member of the MPOAC Governing Board in the absence of the regular voting delegate to the Governing Board.

(6) Should two or more MPOs elect to merge, the apportionment of representatives to the MPOAC Governing Board shall reflect a decrease in membership accordingly.

(iii) Governing Board Governance.

(1) The MPOAC Governing Board shall at its first meeting of the calendar year elect a Chair and Vice-Chair as its officers. The Chair and Vice-Chair shall be selected by a majority vote of the membership of the Governing Board voting. The Chair and Vice-Chair shall take office upon election and shall serve until the completion of the next regular election which shall be held at the first meeting in the first quarter of the calendar year (or as soon thereafter as possible if a meeting is not held in the first quarter), or until a successor is elected, whichever event shall first occur. The Chair and Vice-Chair must at all times during their term of office be members of the MPOAC Governing Board.

(2) If a vacancy occurs in any MPOAC Governing Board office, the MPOAC Governing Board shall fill the vacancy, and the individual filling the vacancy shall serve until the completion of the next regular election which shall be held at the first meeting in the first quarter of the calendar year (or as soon thereafter as possible if a meeting is not held in the first quarter), or until a successor is elected, whichever event shall first occur.

(3) Chair; Vice-Chair. The Chair of the MPOAC shall call and preside at all meetings of the MPOAC Governing Board. The Chair is authorized to execute on behalf of the MPOAC all documents which have been approved by the MPOAC Governing Board. The Vice-Chair shall act as Chair in the absence of the Chair.

(4) Quorum. At least nine (9) of the voting members of the MPOAC Governing Board must be present for the MPOAC Governing Board to conduct business. All votes must pass by a vote of a majority of those members present and voting or by seven (7) votes, whichever number shall be greater.

(5) Meetings. The MPOAC Governing Board shall meet no less often than once each calendar quarter during the year based on an annual schedule established by the Governing Board which schedule may be amended from time to time by the Governing Board, unless said meeting is cancelled or rescheduled by the Chair. The Chair shall be empowered to cancel any of the foregoing regular meetings, as necessary. Regular meetings may be held at a location, date, and time, to be determined annually by a majority of the Governing Board members voting.

(6) Special meetings may be called by the Governing Board Chair at a date, location, and time in the Chair's call for the special meeting or through a letter of petition from at least four (4) members of the Governing Board; provided,

that all public notice requirements are satisfied. The letter shall state the purpose of the special meeting and may propose a time, location, and date for the special meeting. In the event of any petition which does not set a time, location, and date for a special meeting, the Chair, after coordinating with the Executive Director, shall set the time, location, and date of the meeting.

(7) Emergency meetings may be called as provided in Section 6.

(8) Joint meetings of the Governing Board and the Staff Directors' Advisory Committee. At the call of the Governing Board Chair or the Executive Director after consultation between the Governing Board Chair and the Staff Directors' Advisory Committee Chair, meetings of the Staff Directors' Advisory Committee may be held simultaneous with a Governing Board meeting.

(b) Staff Directors' Advisory Committee.

(i) The Staff Directors' Advisory Committee is responsible for providing guidance to the MPOAC Governing Board regarding transportation issues and agency operation. It may assist in the preparation of the MPOAC agenda. In addition, the Staff Directors' Advisory Committee may serve as a forum for the discussion and formulation of recommendations to the Governing Board which will later be forwarded to appropriate governmental bodies or other individuals. Recommendations shall relate to statewide concerns regarding all transportation-related issues.

(ii) Appointment of Staff Directors' Advisory Committee representatives.

(1) The MPOAC Staff Directors' Advisory Committee is comprised of one staff person from each MPO. One (1) member representative to serve on the Staff Directors' Advisory Committee shall be designated by each MPO. In addition, each MPO that designates a member representative to the Staff Directors' Advisory Committee may also designate at least one (1) alternate member representative. Each MPO may appoint a primary alternate representative and, at its option, a secondary alternate representative to the Staff Directors' Advisory Committee. Alternate member representatives shall vote, participate for the purpose of forming a quorum, make or second motions, and otherwise act as a member representative of the Staff Directors' Advisory Committee only in the absence of the member representative that the alternate has been appointed to serve in place of; provided, however, that alternate member representatives may always attend committee meetings and participate in debate. A secondary alternate representative shall vote, participate for the purpose of forming a quorum, make or second motions, and otherwise act as a member of the Staff Directors' Advisory Committee, only in the absence of the Staff Directors' Advisory Committee member, and primary alternate representative, of the MPO that the secondary alternate represents.

(2) Each Staff Directors' Advisory Committee Member representative and each alternate member representative of a MPO shall serve at the pleasure of the appointing MPO. Vacancies shall be filled only by an appointment by the original appointing MPO.

(3) Upon the creation of a new MPO pursuant to Section 339.175, Florida Statutes, said MPO is entitled to the appointment of one member representative and one (1) primary and one (1) secondary alternate member representative to serve on the Staff Directors' Advisory Committee.

(4) The term of service for a member representative on the Staff Directors' Advisory Committee shall be for a period of time beginning on January 1st and ending on December 31st of each year. Members and alternate members are eligible for reappointment. By no later than December 31st of each calendar year, each MPO should designate for the forthcoming year its representative and any alternate representatives to the MPOAC.

(5) No individual shall be eligible to vote on the Staff Directors' Advisory Committee until the appointing MPO certifies in writing or electronically by e-mail to the MPOAC that such individual is authorized to vote as the representative, or alternate, of the certifying entity. Each member and alternate member of the committee shall serve at the pleasure of the appointing MPO. Each individual appointed to serve, as a regular member or an alternate member of the Staff Directors' Advisory Committee, as a representative of a MPO must be an employee of the MPO represented or the agency staffing a MPO.

(iii) Staff Directors' Advisory Committee Governance

(1) The MPOAC Staff Directors' Advisory Committee shall at its first meeting of the calendar year elect a Chair and Vice-Chair as its officers. The Chair and Vice-Chair shall be selected by a majority vote of the membership of the Staff Directors' Advisory Committee voting. The Chair and Vice-Chair shall take office upon election at the first Staff Directors' Advisory Committee in the first quarter (or as soon thereafter as possible if a meeting is not held in the first quarter) and shall serve until the completion of the next regularly scheduled election, which shall be held at the first meeting in the first quarter of the calendar year, or until a successor is thereafter elected, whichever event shall first occur. The Chair and Vice-Chair must be members of the Staff Directors' Advisory Committee.

(2) Chair; Vice-Chair. The Chair of the Staff Directors' Advisory Committee shall call and preside at all meetings of the Staff Directors' Advisory Committee. The Chair is authorized to implement on behalf of the Staff Directors' Advisory Committee all decisions which have been approved by the Staff Directors' Advisory Committee, and the Chair is authorized to execute on behalf of the Staff Directors' Advisory Committee all documents which have been approved by the Staff Directors' Advisory Committee. The Vice-Chair shall act as Chair in the

absence of the Chair.

(3) Quorum. At least nine (9) of the voting members of the Staff Directors' Advisory Committee must be present for the Staff Directors' Advisory Committee to conduct business. All votes must pass by a vote of a majority of those members voting or by seven (7) votes, whichever number shall be greater.

(4) Meetings. Regular meetings of the Staff Directors' Advisory Committee shall be held at least once each calendar year quarter based on an annual schedule established by the MPOAC Governing Board, unless cancelled or rescheduled by the Staff Directors' Advisory Committee Chair. The Chair may cancel a meeting as a result of a lack of business to bring to the committee. Joint meetings of the Staff Directors' Advisory Committee and Governing Board may be conducted, and those meetings may be called as provided in Section 2(a)(iii)(8). Joint meetings of the Governing Board and the Staff Directors' Advisory Committee shall be held in the same location as the Governing Board meeting.

(5) Special meetings, which are not joint meetings, may be held at a date, time, and location to be determined by the Chair or a majority of the committee members voting. A vote of a majority of the members voting shall take precedence over a decision of the Chair. In addition, special meetings may be called through a letter of petition from at least four (4) members; provided, that applicable public notice requirements are satisfied. This letter shall state the purpose of the special meeting and may propose a time, location, and date for the special meeting. In the event of any petition which does set a time, location, or date for a special meeting, the Chair, after coordinating with Executive Director, shall set the time, location, or date of the meeting.

(6) Subcommittees may be established by the Chair or by a majority vote of those voting at a Staff Directors' Advisory Committee meeting as necessary to assist the Staff Directors' Advisory Committee. Sub-committee members, including a Chair and Vice-Chair, shall be appointed by the Staff Directors' Advisory Committee Chair, or a majority of those voting at a meeting. A vote of the Staff Directors' Advisory Committee shall take precedence over an appointment by the Chair.

(c) The Executive Committee.

(i) The Executive Committee consists of the MPOAC Governing Board Chair and Vice-Chair, a member of the Governing Board serving at-large, the Staff Directors' Advisory Committee Chair and Vice-Chair. Service on the Executive Committee is considered an appointment to a position and not an office and is an *ex officio* part of the duties of the selected Governing Board Member or selected member of the Staff Director's Advisory Committee.

(1) The at-large Governing Board member of the Executive

Committee will be selected at the same time that the Governing Board Chair and Vice-Chair are selected. If the at-large member position shall become vacant, the Governing Board shall select an at-large member to complete the term of the individual being replaced. Said replacement member shall serve until such time as election is held for the Governing Board Chair, Vice-Chair, and the Executive Committee at-large member.

(2) The Executive Committee shall provide policy direction for the MPOAC between Governing Board meetings and provide an annual evaluation of the MPOAC Executive Director. In the event that the Governing Board is unable to meet due to civil unrest emergency; weather related emergency (such as hurricane, tropical storm, or flooding); pandemic or other disease, environmental, or health related emergency; or declared state of emergency by the Governor, the Executive Committee may take action with regard to approving any action that would otherwise be taken by the Governing Board, including but not limited to approval of the Unified Planning Work Program; appointment of staff; approval of documents or proposals requiring MPOAC approval to satisfy the Federal Highway Administration, Federal Transit Administration, or other agency of the U.S. Department of Transportation, or Florida Department of Transportation requirements; approval of contracts or amendments thereto; or approval of other fiscal or policy-related decisions. Amendments to these by-laws, other than a recommendation to the Governing Board, shall not be permitted to be approved by the Executive Committee. In the event that the Executive Committee is unable to meet due to civil unrest emergency; weather related emergency (such as hurricane, tropical storm, or flooding); pandemic or other disease, environmental, or health related emergency; or declared state of emergency by the Governor, the MPOAC Governing Board Chair or Vice-Chair may take action with regard to approving any action that would otherwise be taken by the Governing Board, including but not limited to approval of the Unified Planning Work Program, approval of documents or proposals requiring MPOAC approval to satisfy Federal Highway Administration, Federal Transit Administration, or other agency of the U.S. Department of Transportation, or Florida Department of Transportation requirements; approval of contracts or amendments thereto, or other fiscal or policy-related decisions. Any action taken by the Executive Committee, the Chair or Vice-Chair on behalf of the MPOAC Governing Board during a time that the MPOAC Governing Board is unable to meet shall be brought to the next meeting of the MPOAC Governing Board for ratification. Amendments to these by-laws, other than a recommendation to the Governing Board, shall not be permitted to be approved by the Chair or Vice-Chair.

(3) Meetings of the Executive Committee shall occur at the call of the Chair, setting the date, time, and location of said meeting. Alternatively, a vote of a majority of the Executive Committee may set a meeting time, date, and location for an Executive Committee meeting. A vote of the Executive Committee shall take precedence over a determination to call a meeting by the Chair. In addition, upon petition of three (3) of the members of the Executive Committee, a

special meeting may be called. In the event that the petition does not include the date, time or location of the meeting, the Chair, after consultation with the Executive Director, may determine the time, date, or location of the meeting.

(4) The Chair may cancel an Executive Committee meeting if the reasons for the meeting to be held no longer exist, or if there is a lack of business to be considered.

(d) Other MPOAC Committees.

(i) In addition to the Governing Board, the Staff Directors' Advisory Committee, and the Executive Committee, the MPOAC will be composed of at least two (2) other committees, the Freight and Rail Committee, and the Policy and Technical Committee, which are advisory to the Governing Board and the Staff Directors' Advisory Committee.

(1) Committees, as necessary to assist the Governing Board may be established by the Governing Board Chair, or by a majority vote of those voting at a Governing Board meeting. A vote of the Governing Board shall take precedence over an appointment by the Governing Board Chair.

(2) Other committees established by the MPOAC Governing Board (other than the Executive Committee), including but not limited to the Freight and Rail Committee and the Policy and Technical Committee, shall consist of the number of members and alternate members appointed to the committee by the Governing Board Chair or the Governing Board as provided in Section 2(d)(i)(3) below.

(3) Committee members and alternate members shall be appointed by the Governing Board Chair, or a majority of the Governing Board voting at a duly called meeting. The vote of a majority of the Governing Board members shall take precedence over an appointment by the Chair.

(4) The Governing Board Chair, or a majority of the Governing Board membership voting at a duly called meeting, may select the committee Chair and Vice-Chair. The vote of a majority of the Governing Board members shall take precedence over an appointment by the Chair. If the Governing Board Chair or Governing Board membership does not appoint a committee Chair and a Vice-Chair, the selection of the committee chair shall be left to the committee membership. The term of the Chair and Vice-Chair shall run commensurate with the regular term of the Governing Board Chair.

(5) A committee may be composed of members and alternate members of the Governing Board and of the Staff Directors' Advisory Committee, as Committee members or alternate members, and may have non-member advisers to serve the Committee. Appointment to a committee is considered an

appointment to a position and not an office and is an *ex officio* part of the duties of a Governing Board Member or the Staff Director's Advisory Committee, or alternate members.

(6) The quorum of other committees established by the MPOAC Governing Board (other than the Executive Committee), including but not limited to the Freight and Rail Committee and the Policy and Technical Committee, shall consist of one-third of the Committee's membership, or in the case of a committee made up of less than fifteen members, the quorum shall be five. In such cases, any action taken by said committee shall require the affirmative vote of all five members.

(7) Meetings of the committee established (other than the Executive Committee or the Staff Directors' Advisory Committee) shall occur at the call of the Chair, setting the date, time, and location of said meeting. Alternatively, a vote of a majority of the committee may set a meeting time, date, and location for a Committee meeting. A vote of the committee shall take precedence over a determination to call a meeting by the Chair. In addition, upon petition of three (3) of the members of the committee, a special meeting may be called. In the event that the petition does not include the date, time or location of the meeting, the Chair, after consultation with the Executive Director, may determine the time, date, or location of the meeting.

(8) The Chair may cancel a committee meeting if the reasons for the meeting to be held no longer exist, or if there is a lack of business to be considered.

(e) Executive Director, Agency Clerk, General Counsel.

(i) The MPOAC will be staffed by an executive director. The executive director serves as the agency clerk. The MPOAC may retain a general counsel and other staff as necessary to perform adequately the functions of the MPOAC within budgetary limitations.

(1) Executive Director. The MPOAC Governing Board shall appoint an executive director. The executive director shall be responsible for carrying out policy determinations and directives of the MPOAC Governing Board. The executive director shall have authority to hire, supervise, and terminate other subordinate employees of the MPOAC or consultants. The executive director reports for day-to-day supervision to the Chair of the Governing Board. All timesheets and travel authorizations of the Executive Director will be retroactively reviewed by the Chair of the Governing Board or the Executive Committee on at least a quarterly basis to ensure proper oversight.

(2) Agency Clerk. As a part of the duties of the position of Executive Director, the executive director shall serve *ex officio* as the agency clerk.

The duties and responsibilities of the agency clerk shall be to: index and file agency resolutions, orders, and bylaws in a manner not inconsistent with applicable provisions of the Florida Rules of Appellate Procedure; send notices of workshops and meetings; transcribe minutes of the Governing Board, committee, and subcommittee meetings and workshops; maintain all agency files and records; make certifications of true copies and actions; attest to the signatures of MPOAC officers; and perform such other duties as determined by the MPOAC Governing Board.

(3) General Counsel. The MPOAC Governing Board may also appoint and retain a general counsel. The general counsel shall be responsible for assisting the MPOAC in legal matters and representation of the MPOAC in legal proceedings. The MPOAC general counsel shall at all times be a member of the Florida Bar and shall have been a practicing attorney for at least five (5) years prior to assuming the position of general counsel. The Governing Board may also retain special legal counsel from time to time as necessary for the handling of specialized legal matters.

### **Section 3. Open Meetings; Public Records; Principal Office of the MPOAC, and Financial Accountability.**

(a) Open Meetings.

(i) All meetings of the Governing Board and any committees will be open to the public, except as provided by applicable federal or Florida law, if any.

(b) Public Records. All MPOAC records shall be open to the general public, unless such records are subject to an exemption from Chapter 119, Florida Statutes, or are confidential as required by law. The general public can review or obtain copies of records (provided said public records are not non-reproducible pursuant to 17 U.S.C. §101 *et seq.*), unless said records are exempt or confidential pursuant to Section 119.071, Florida Statutes, or other provisions of federal or Florida law. Charges for copies may be made pursuant to Chapter 119, Florida Statutes. Public records shall be made available to the public for inspection at the principal office of the MPOAC.

(c) Principal Office of the MPOAC. The principal office of the MPOAC is located at such location as designated from time to time by the Governing Board. The address, e-mail address, and telephone number of the principal office shall be displayed on the MPOAC Internet website. The MPOAC executive director and staff are located at the principal office. MPOAC official records, other than records of the general counsel, shall be maintained in the principal office of the MPOAC. Interested parties may receive copies of agency records from the agency clerk at the principal office of the MPOAC.

(d) Financial Accountability of the MPOAC. As a State agency, the MPOAC is required to follow all procurement, purchasing, and invoicing practices established in federal and state law and procedures. All purchasing, contracts and invoices will be processed consistent with all Federal and State procedures, including CFO Memorandum 5, Federal Acquisition Regulation 31.201-2(d), Disbursement Handbook for Employees and Managers, DOOFSO Internal Processing Handbook, CFO Reference Guide to State Expenditures, Contractual Services and Commodities Manual, and all procedures necessary for the procurement of Professional Services.

#### **Section 4. Setting the Agenda.**

(a) Governing Board meeting. At least ten (10) calendar days prior to a meeting or workshop, the MPOAC executive director, in consultation with the Governing Board Chair, shall prepare the agenda for the Governing Board meeting or workshop.

(b) Staff Directors' Advisory Committee. At least ten (10) calendar days prior to a meeting or workshop the MPOAC executive director, in consultation with the Staff Directors' Advisory Committee Chair, shall prepare the agenda for the Staff Directors' Advisory Committee meeting or workshop.

(c) Other Committees. At least ten (10) days prior to a meeting or workshop of any MPOAC committee, the MPOAC executive director, in consultation with the committee Chair, shall prepare the agenda for the committee meeting.

(d) Agenda Procedures.

(i) Upon completion of the preparation of an agenda for the Governing Board or any committee, the agency clerk shall make available the agenda for the meeting for distribution on request by any interested person who pays the reasonable cost for a copy of said agenda; to any person named in said agenda; and to any class of individuals to whom intended action is directed.

(ii) Any person desiring to have an item placed on the agenda of a meeting of the MPOAC Governing Board, an advisory committee, or a Staff Directors' Advisory Committee or any subcommittee, shall request in writing that the item be considered at the next regularly scheduled meeting of the Governing Board, Staff Directors' Advisory Committee, or subcommittee, as appropriate; provided, however, such request must be received thirty (30) days in advance of said regularly scheduled meeting. Written requests for placing an item on the agenda must describe and summarize the item and shall be mailed, e-mailed, or hand delivered to the MPOAC executive director.

(iii) The agenda shall be specific as to items to be considered. All matters involving the exercise of agency discretion and policy making shall be listed on the agenda. Every agenda for the Governing Board and Staff Directors' Advisory Committee meetings shall include a detailed Budget Report covering all MPOAC expenditures to date, current balance, and proposed expenditures for the remainder of the fiscal year. The agenda shall include a disclaimer as required pursuant to Sections 286.0105 and 286.26, Florida Statutes. Any items added to an agenda after its publication should be for information or reporting and not for action, unless the item is added as an emergency business item, an item that must be acted on because of a time deadline and which item was not known or available at the time that the agenda was prepared, or for consideration of solely ministerial or internal-administrative matters, which do not affect the interests of the public generally.

(iv) The agenda shall list the items in the order they are to be considered; provided, however, that for good cause stated in the record by the person who is designated to preside at the event, items may be considered out of their listed order.

## **Section 5. Notice of Meetings and Workshops.**

### **(a) Governing Board Meetings.**

(i) Except in the case of an emergency meeting, the MPOAC agency clerk shall give written notice that will ensure receipt of said notice by all members and the general public at least seven (7) days prior to any non-emergency meeting or workshop of the Governing Board or the Executive Committee. In addition, the agency clerk shall prepare and make available a copy of said notice: for distribution on request to any interested person who pays the reasonable cost for a copy of said notice; to any person named in said notice; and to any class of individuals to whom action is directed. Meeting notices shall be advertised on the MPOAC website and in the Florida Administrative Register at least seven (7) days prior to any non-emergency meeting. Meeting notices given pursuant to this paragraph shall include a copy of the meeting agenda.

(ii) Notices of regular meetings and travel and accommodation information shall be sent to Governing Board members at least thirty (30) days prior to the meeting date.

(iii) The notice of meetings or workshops shall, at a minimum, provide:

A. The date, time, and place of the meeting or workshop.

B. Advise the general public that at the meeting or workshop the agency will accept written or oral comment from the public with regard to agenda

items; that agenda items may be reviewed by the public; the location, days, and time during which the agenda items may be examined by the public; that anyone who wishes to appeal any action of the MPOAC with regard to a decision made at the meeting may need a record of the hearing and that said person shall be responsible for furnishing said recording, as well as the cost of furnishing the recording; and that at least 48 hours prior to the meeting, a written request by a physically handicapped person to attend the meeting, directed to the Chair of such board or committee or the MPOAC Executive Director, such Chair or the Executive Director shall provide a manner by which such person may attend the meeting at its scheduled site or reschedule the meeting to a site which would be accessible to such person.

(iv) Except as otherwise provided herein, notice may be given by regular U.S. mail, postage paid, by nationally recognized overnight courier (delivery prepaid), or by e-mail. Governing Board agenda packages, including backup information for all agenda items, shall be provided by regular U.S. mail, postage paid or nationally recognized overnight courier (delivery prepaid), or unless otherwise requested by a member or alternate member, by e-mail.

(b) The provisions of sub-section (a) above shall apply to the Staff Directors' Advisory Committee, any other MPOAC committee, and any Staff Directors' Advisory Committee subcommittees.

## **Section 6. Emergency Meetings.**

(a) The MPOAC Governing Board, the Executive Committee, an advisory committee, or the Staff Directors' Advisory Committee or its subcommittees, may hold an emergency meeting, notwithstanding the provisions of any other section of these bylaws for the purpose of acting upon matters affecting the public health, safety, aesthetics, economic order, or welfare. The form of notice shall be as set forth in Section 5. The form of the agenda shall be as prescribed in Section 4.

(b) Whenever an emergency meeting is scheduled to be held, the agency clerk shall notice said meeting, as soon as possible prior to the meeting, in the Florida Administrative Register and the MPOAC website stating where the meeting will take place and the time, date, place and general purpose of the meeting or workshop.

(c) Following an emergency meeting the agency clerk shall cause to be published on the MPOAC website, a statement setting forth the reasons why an emergency meeting was necessary, and a statement setting forth the action taken at the meeting.

## **Section 7. Rules of Procedure; Action by Consent.**

(a) Rules of Procedure. All meetings of the Governing Board, any advisory committee, or the Staff Directors' Advisory Committee sub-committee, shall be governed by Robert's Rules of Order as most recently revised.

(b) Action by Consent. By general, unanimous, or silent consent, the Governing Board, Staff Directors' Advisory Committee, or any committee of the MPOAC, can do business with little regard for the rules of procedure, as they are made for the protection of the minority, and when there is no minority to protect, there is little need for the restraint of the rules, except such as to protect the rights of absent members. In the former case the consent of the absentees cannot be given. A single objection defeats a request for general consent. By the legitimate use of the principle that the rules are designed for the protection of the minority, and generally need not be strictly enforced when there is no minority to protect, business may be greatly expedited. When there is evidently no opposition, except in the case of state law requiring a recorded vote or when a written resolution is being adopted in final form, the formality of voting can be avoided by the Chair asking if there is any objection to the proposed action, and if there is none, announcing the result. The action thus taken is said to be done by general consent, or unanimous or silent consent. Thus, after an order has been adopted limiting the speeches to three minutes each, if a speaker is so interesting that when said speaker's time has expired, there is a general demand for the speaker to be permitted to continue making remarks, the Chair as the presiding officer, instead of waiting for a motion and taking a vote, could accept it as the will of the assembly that the speaker's time be extended, and would direct the speaker to proceed. Or the speaker's time might say that if there is no objection, the member's time will be extended two minutes, or some other time. (Excerpted from Robert's Rules of Order).

## **Section 8. Public Comment.**

(a) Public Comment with regard to Non-Agenda Items.

(i) In the early stages of a Governing Board, Staff Directors' Advisory Committee, the Executive Committee, or other MPOAC advisory committee, meeting, time will be reserved for comment by members of the general public and other non-agency individuals. Individuals speaking during "Public Comment" will limit their comments to items not on the agenda. Members of the public and non-agency personnel comments are limited to not more than three (3) minutes per person, although the speaker is permitted to submit commentary in writing of any length provided that copies are made for all members of the board or committee being addressed by the speaker and the board secretary. No members of the public or non-agency personnel may lend speaking time to another speaker. The "Public Comment" period is limited to not more than 15 minutes duration. The

Chair of the Governing Board, Staff Directors' Advisory Committee, the Executive Committee, or other MPOAC advisory committee, as applicable, may extend the time for an individual person speaking, or the overall "Public Comment" period, for limited periods and for good cause shown.

(ii) During a presentation by a member of the public or other non-agency personnel, other members of the public, non-agency personnel, Governing Board Members, Members of the Staff Directors' Advisory Committee, or agency staff members (other than the meeting Chair in said individual's role as the presiding officer) shall avoid interrupting the speaker. Time for question and answer of a speaker will not be deducted from the speaker's three (3) minute speaking limitation.

(b) Public Comment with regard to Agenda Items.

(i) With regard to an agenda item, time will be reserved for comment by members of the public and other non-agency personnel. Members of the public and non-agency individuals will limit their comments to the specific agenda item under consideration or the individual's comments will be considered to be out of order. Comments by members of the public and non-agency personnel are limited to not more than three (3) minutes per person, although the speaker is permitted to submit commentary in writing of any length provided that copies are made for all members of the board or committee being addressed by the speaker and the board secretary. No members of the public or non-agency individuals may lend speaking time to another speaker making comment. The Chair of the Governing Board, the Staff Directors' Advisory Committee, the Executive Committee, or other MPOAC advisory committee, as applicable, may extend the time for an individual making comment for limited periods for good cause shown.

(ii) During a presentation by a member of the public or other non-agency personnel, other members of the public, non-agency personnel, Governing Board Members, members of the Staff Directors' Advisory Committee, or agency staff members (other than the Chair in said individual's role as the presiding officer) shall avoid interrupting the speaker. After all speakers have completed comments or a presentation, the Chair, Governing Board Members, and agency staff may question the speakers. Time for question and answer of a speaker will not be deducted from the speaker's three (3) minute speaking limitation.

(c) Addressing the Governing Board; Decorum.

(i) Members of the public or non-agency personnel seeking to address the Governing Board, the Executive Committee, the Staff Directors' Advisory Committee, or another MPOAC committee, should prepare their remarks before addressing the Governing Board, the Executive Committee, the Staff Directors' Advisory Committee, or another MPOAC committee, in an effort to be concise and to the point. Speakers must come to the lectern to speak, but they may come to

the lectern only after they have been recognized by the presiding Chair. Members of the public shall not address individual members of the Governing Board, the Executive Committee, individual members of the Staff Directors' Advisory Committee, or another MPOAC committee, but shall address the board or committee being addressed as a whole through the presiding Chair.

(ii) Any speaker, or member of the audience at a meeting, who becomes unruly, screams, uses profanity, or shows poor conduct, may be asked to leave the lectern and return to the speaker's seat, or to refrain from further outbursts, by the presiding Chair. Should the speaker, or member of the audience, refuse to leave the lectern and return to speaker's seat, or to refrain from further outbursts, the Chair, as the presiding officer, may rule the speaker "out of order." Should the speaker, or member of the audience, still refuse to leave the lectern and return to the speaker's seat, or to refrain from further outbursts, the Chair may ask a law enforcement officer to remove the speaker from the meeting.

(iii) Sign-up Sheets to be used. Sign-up sheets will be provided for each member of the public or non-agency personnel addressing the Governing Board, the Executive Committee, the Staff Directors' Advisory Committee, or another MPOAC committee, as applicable, during public comment on non-agenda items or during public comment on an individual agenda item. For public comment on non-agenda items, the person seeking to speak must present a sign-up sheet to the board or committee secretary not later than the beginning of the public comment on non-agenda items. For public comment on an agenda item, the person seeking to speak must present a sign-up sheet to the board or committee secretary not later than the beginning of the agenda item. Signup sheets shall provide that the speaker identifies the speaker's name, address, who the speaker is representing (if anyone), the agenda item that the speaker wishes to address, and the sign-up sheet must include the signature of the person seeking to comment. If a speaker wishes to speak with regard to more than one agenda item, individual sign-up sheets must be submitted for each agenda item. The street address for individuals under the age of eighteen (18) may be omitted from being completed on a sign-up sheet.

## **Section 9. Amendment of Bylaws.**

(a) These policies and procedures may be adopted, amended, suspended, or repealed by revising the resolution by a two-thirds vote of the Governing Board members voting, or a minimum of seven of nine members voting in the affirmative, whichever is greater. These policies and procedures shall supplement and supervene Robert's Rules of Order to the extent of a conflict.

SECTION C. Effective Date. These by-laws amendments are effective immediately upon adoption.

FLORIDA METROPOLITAN PLANNING  
ORGANIZATION ADVISORY COUNCIL

By:   
Commissioner Nick Maddox, Ch

11/20/22  
Date

ATTEST:

  
Mark Reichert, Agency Clerk

(AGENCY SEAL)

11/20/22  
Date

# MPOAC BUDGET FY 23

As of April 24, 2023

Funding Type	Allocation	Expenditured	Balance
HP-WP	\$ 366,065.00	\$ 366,065.00	\$ -
HP-O	\$ 267,298.58	\$ 209,423.00	\$ 57,875.58
<b>TOTALS</b>	<b>\$ 633,363.58</b>	<b>\$ 575,488.00</b>	<b>\$ 57,875.58</b>

TOTAL ALLOCATION

## HP Operating

FM PROJECT	FISCAL YEAR	PROJECT	FUND TYPE	Allocation	Expenditured	Encumbered	Balance	Notes
								The salary and benefits budget is managed at the budget entity level (Transportation Systems Development - 55100100) by the Budget Office. The TSD budget entity includes areas other than Strategic Development. Negative balances are not tracked in the individual cost centers.
439339-4-11-01		23 Salaries and Benefits	HP-O	\$ 184,512.00	\$ 180,399.99		\$ 4,112.01	
493993-4-11-01		23 Florida Administrative Registrar	HP-O	\$ 1,000.00	\$ 198.10	\$ -	\$ 801.90	
439339-4-11-01		23 Legal Contract BEE12	HP-O	\$ 22,000.00	\$ 19,300.05	\$ 22,000.00	\$ 2,699.95	
		23 Certified Forward Legal Funds	HP-O	\$ 8,785.58	\$ 3,291.11		\$ 5,494.47	Funds available \$5,494.47 for FY 23- Must be spent by 06/30/2023.
439339-4-11-01		23 Expenses	HP-O	\$ 51,000.00	\$ 26,815.24		\$ 24,184.76	Expenses increased by 15k for remaining of FY 23
<b>Total</b>				<b>\$ 267,297.58</b>	<b>\$ 230,004.49</b>			

## HP WP- PL

FM PROJECT	FISCAL YEAR	PROJECT	FUND TYPE	ALLOCATION	Expenditured	Encumbered	Balance
439339-4-12-01		23 Consultant Services	HP-WP	\$ 170,000.00	\$ 170,000.00	\$ 170,000.00	\$ -
439339-4-12-02		23 MPOAC DUES	HP-WP	\$ 196,065.00	\$ 196,065.00	\$ 196,065.00	\$ -
<b>Total</b>				<b>\$ 366,065.00</b>	<b>\$ 366,065.00</b>		

District / Unit Totals

MONTH / YEAR	APR 2023
AS OF DATE	04/20/2023
CATEGORY GROUP	(Multiple Items)
CF	(Multiple Items)

ORG & NAME	CAT / YR / NAME	BE & NAME	ST PGM	OBJECT & NAME	EXP OPT	ALLOTMENTS	EXPEND-MTD	EXPEND-YTD	ENCUMB	ALLOT BAL
55420000940 MPOAC ADVISORY COUNCIL	010000-00 SALARIES AND BENEFITS	55100100 TRANSPORTATION SYSTEMS DEV	1101010800	110000 SALARY/WAGES - GENERAL	SL	184,512.00	6,741.73	130,806.78	0.00	53,705.22
				151000 FICA CONTRIBUTION - GENERAL	SL	0.00	507.58	9,863.69	0.00	(9,863.69)
				152000 RETIREMENT CONTRIBUTION - DEFINED BEN - GENERAL	SL	0.00	397.09	7,704.52	0.00	(7,704.52)
				157000 PRETAX ADMINISTRATIVE ASSESSMENT	SL	0.00	8.14	142.86	0.00	(142.86)
				161000 STATE HEALTH INSURANCE CONTRIBUTION	SL	0.00	1,303.10	22,804.25	0.00	(22,804.25)
				162000 STATE LIFE INSURANCE CONTRIBUTION	SL	0.00	3.58	62.65	0.00	(62.65)
				163000 STATE DISABILITY CONTRIBUTION	SL	0.00	2.93	51.05	0.00	(51.05)
	<b>010000-00 SALARIES AND BENEFITS Total</b>					<b>184,512.00</b>	<b>8,964.15</b>	<b>171,435.80</b>	<b>0.00</b>	<b>13,076.20</b>
	040000-00 EXPENSES	55100100 TRANSPORTATION SYSTEMS DEV	1101010800	221100 COMMUNICATIONS - TELEPHONE - CELLULAR	A1	0.00	40.80	345.79	0.00	(345.79)
				229000 COMMUNICATIONS - OTHER	A1	0.00	0.00	6.45	0.00	(6.45)
				261000 TRAVEL - IN STATE - GENERAL	A1	51,000.00	0.00	0.00	0.00	51,000.00
				261038 TRAVEL - IN STATE - CAR RENTAL/FUEL	A1	0.00	0.00	1,521.34	0.00	(1,521.34)
				261049 TRAVEL - IN STATE - INCIDENTAL EXPENSES	A1	0.00	28.00	376.95	0.00	(376.95)
				261100 TRAVEL - IN STATE - PER DIEM	A1	0.00	0.00	1,071.00	0.00	(1,071.00)
				261200 TRAVEL - IN STATE - MEAL ALLOWANCE	A1	0.00	0.00	771.00	0.00	(771.00)
				261300 TRAVEL - IN STATE - MILE ALLOWANCE	A1	0.00	0.00	216.78	0.00	(216.78)
				261400 TRAVEL - IN STATE - LODGING	A2	0.00	0.00	4,377.67	0.00	(4,377.67)
				261500 TRAVEL - IN STATE - AIRFARE	A2	0.00	0.00	749.21	0.00	(749.21)
				262038 TRAVEL - OUT OF STATE - INCIDENTAL EXPENSES	A1	0.00	0.00	155.45	0.00	(155.45)
				262100 TRAVEL - OUT OF STATE - PER DIEM	A1	0.00	0.00	83.00	0.00	(83.00)
				262200 TRAVEL - OUT OF STATE - MEAL ALLOWANCE	A1	0.00	0.00	30.00	0.00	(30.00)
				262300 TRAVEL - OUT OF STATE - MILE ALLOWANCE	A1	0.00	0.00	20.46	0.00	(20.46)
				262400 TRAVEL - OUT OF STATE - LODGING	A2	0.00	0.00	303.47	0.00	(303.47)
				262500 TRAVEL - OUT OF STATE - AIRFARE	A2	0.00	10.58	979.99	0.00	(979.99)
				341000 SUPPLIES - GENERAL	A1	0.00	0.00	102.74	0.00	(102.74)
				341018 SUPPLIES - OFFICE - CONSUMABLE	A1	0.00	0.00	152.89	0.00	(152.89)
				341021 SUPPLIES - OFFICE - NON-CONSUMABLE	A1	0.00	0.00	316.09	0.00	(316.09)
				430000 PROPERTY RENTAL - GENERAL	A1	0.00	0.00	3,100.00	0.00	(3,100.00)
				434000 PROPERTY RENTAL - NONGOVERNMENTAL ENTITIES	A1	0.00	0.00	3,099.98	0.00	(3,099.98)
				441000 EQUIPMENT RENTAL - INFORMATION TECHNOLOGY	A1	0.00	0.00	6,325.00	0.00	(6,325.00)
				461601 FEES - REGISTRATION/TRAINING	A3	0.00	0.00	2,695.00	0.00	(2,695.00)
				492000 SUBSCRIPTIONS - GENERAL	A1	0.00	0.00	14.98	0.00	(14.98)
	<b>040000-00 EXPENSES Total</b>					<b>51,000.00</b>	<b>79.38</b>	<b>26,815.24</b>	<b>0.00</b>	<b>24,184.76</b>
	100777-00 CONTRACTED SERVICES	55100100 TRANSPORTATION SYSTEMS DEV	1101010800	131600 LEGAL SERVICES - GENERAL	A4	23,000.00	2,385.22	19,300.05	2,699.95	1,000.00
				133300 PUBLIC SERVICE NOTICES/ANNOUNCEMENTS	A1	0.00	148.54	198.10	0.00	(198.10)
	<b>100777-00 CONTRACTED SERVICES Total</b>					<b>23,000.00</b>	<b>2,533.76</b>	<b>19,498.15</b>	<b>2,699.95</b>	<b>801.90</b>
	CF-100777-00 CONTRACTED SERVICES	55100100 TRANSPORTATION SYSTEMS DEV	1101010800	131600 LEGAL SERVICES - GENERAL	A4	8,785.58	0.00	3,291.11	0.00	5,494.47
			0000000000	000000 CREATED BY CONVERSION COST ALLOCATION		0.00	0.00	0.00	0.00	0.00
	<b>CF-100777-00 CONTRACTED SERVICES Total</b>					<b>8,785.58</b>	<b>0.00</b>	<b>3,291.11</b>	<b>0.00</b>	<b>5,494.47</b>
<b>55420000940 MPOAC ADVISORY COUNCIL Total</b>						<b>267,297.58</b>	<b>11,577.29</b>	<b>221,040.30</b>	<b>2,699.95</b>	<b>43,557.33</b>
<b>Grand Total</b>						<b>267,297.58</b>	<b>11,577.29</b>	<b>221,040.30</b>	<b>2,699.95</b>	<b>43,557.33</b>



Manager Employee

Manager / Timesheet Approval / Timesheet



Timesheet

MARK E REICHERT - EXECUTIVE DIRECTOR-MPOAC



Work Period < February 17 - March 2, 2023 APPROVED >

Charge Object	Hours Type	FMLA/ FSWP	2/17 Fri	2/18 Sat	2/19 Sun	2/20 Mon	2/21 Tue	2/22 Wed	2/23 Thu	2/24 Fri	2/25 Sat	2/26 Sun	2/27 Mon	2/28 Tue	3/1 Wed	3/2 Thu	Total Hours
43933941101 - 601	LEAVE-ANNUAL								8.00					8.00	8.00	8.00	48.00
	WORK-REGULAR		8.00			8.00	8.00	8.00									32.00
																	0.00
																	0.00
																	0.00
	<b>Totals</b>		8.00	0.00	0.00	8.00	8.00	8.00	8.00	8.00	0.00	0.00	8.00	8.00	8.00	8.00	80.00
	<b>Schedule</b>		8.00	0.00	0.00	8.00	8.00	8.00	8.00	8.00	0.00	0.00	8.00	8.00	8.00	8.00	80.00

Grand Total Hours: 80.00

*[Handwritten Signature]*  
3/27/23





STMS Agency User

# Welcome to the Statewide Travel Management System

Travel: Mark Reichert (MPOAC)

**- TRIP DETAILS - MPOAC & Florida Metropolitan Planning Partnership Meetings**

Tallahassee

\* POINT OF ORIGIN

Orlando

\* DESTINATION

1/30/2023 8:00 AM

\* DEPARTURE DATE AND TIME

2/1/2023 9:30 PM

\* RETURN DATE AND TIME

Rental Car

\* PRIMARY MODE OF TRANSPORTATION

In State

\* TYPE OF TRAVEL

\* MISSION CRITICAL STATEMENT  
10. Florida Metropolitan Planning Organization Advisory Council (FMPOAC) - In accordance with Florida Statute 339.175 (11), the (FMPOAC) is created to augment the role of the individual Metropolitan Planning Organization (MPO's) in the cooperative transportation planning process.

**- TRIP DETAILS - Space Coast TPO Governing Board Meeting**

Tallahassee

\* POINT OF ORIGIN

Melbourne/Rockledge

\* DESTINATION

2/8/2023 11:00 AM

\* DEPARTURE DATE AND TIME

2/9/2023 6:30 PM

\* RETURN DATE AND TIME

Rental Car

\* PRIMARY MODE OF TRANSPORTATION

In State

\* TYPE OF TRAVEL

\* MISSION CRITICAL STATEMENT  
10. Florida Metropolitan Planning Organization Advisory Council (FMPOAC) - In accordance with Florida Statute 339.175 (11), the (FMPOAC) is created to augment the role of the individual Metropolitan Planning Organization (MPO's) in the cooperative transportation planning process.

**- TRIP DETAILS – Metroplan Federal Certification Review**

\* POINT OF ORIGIN

Tallahassee

\* DESTINATION

Orlando

\* DEPARTURE DATE AND TIME

3/14/2023 10:00 AM

\* RETURN DATE AND TIME

3/15/2023 7:00 PM

\* PRIMARY MODE OF TRANSPORTATION

Rental Car

\* TYPE OF TRAVEL

In State

\* MISSION CRITICAL STATEMENT

10. Florida Metropolitan Planning Organization Advisory Council (FMPOAC) - In accordance with Florida Statute 339.175 (11), the (FMPOAC) is created to augment the role of the individual Metropolitan Planning Organization (MPO's) in the cooperative transportation planning process.

**- TRIP DETAILS – Broward MPO and Miami-Dade TPO Federal Certification Reviews**

\* POINT OF ORIGIN

Tallahassee

\* DESTINATION

Ft. Lauderdale/Miami

\* DEPARTURE DATE AND TIME

4/10/2023 9:30 AM

\* RETURN DATE AND TIME

4/14/2023 11:00 AM

\* PRIMARY MODE OF TRANSPORTATION

Airplane

\* TYPE OF TRAVEL

In State

\* MISSION CRITICAL STATEMENT

10. Florida Metropolitan Planning Organization Advisory Council (FMPOAC) - In accordance with Florida Statute 339.175 (11), the (FMPOAC) is created to augment the role of the individual Metropolitan Planning Organization (MPO's) in the cooperative transportation planning process.

**- TRIP DETAILS – Association of Metropolitan Planning Organizations (AMPO) Committee Meeting**

\* POINT OF ORIGIN

Tallahassee

\* DESTINATION

Washington

\* DEPARTURE DATE AND TIME

4/18/2023 6:15 AM

\* RETURN DATE AND TIME

4/20/2023 11:30 PM

\* PRIMARY MODE OF TRANSPORTATION

Airplane

\* TYPE OF TRAVEL

Out of State

\* MISSION CRITICAL STATEMENT

10. Florida Metropolitan Planning Organization Advisory Council (FMPOAC) - In accordance with Florida Statute 339.175 (11), the (FMPOAC) is created to augment the role of the individual Metropolitan Planning Organization (MPO's) in the cooperative transportation planning process.