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September 14, 2017

TO:

Levy County Transportation Disadvantaged Coordinating Board

FROM:

Lynn Godfrey, AICP, Senior Planner

SUBJECT:

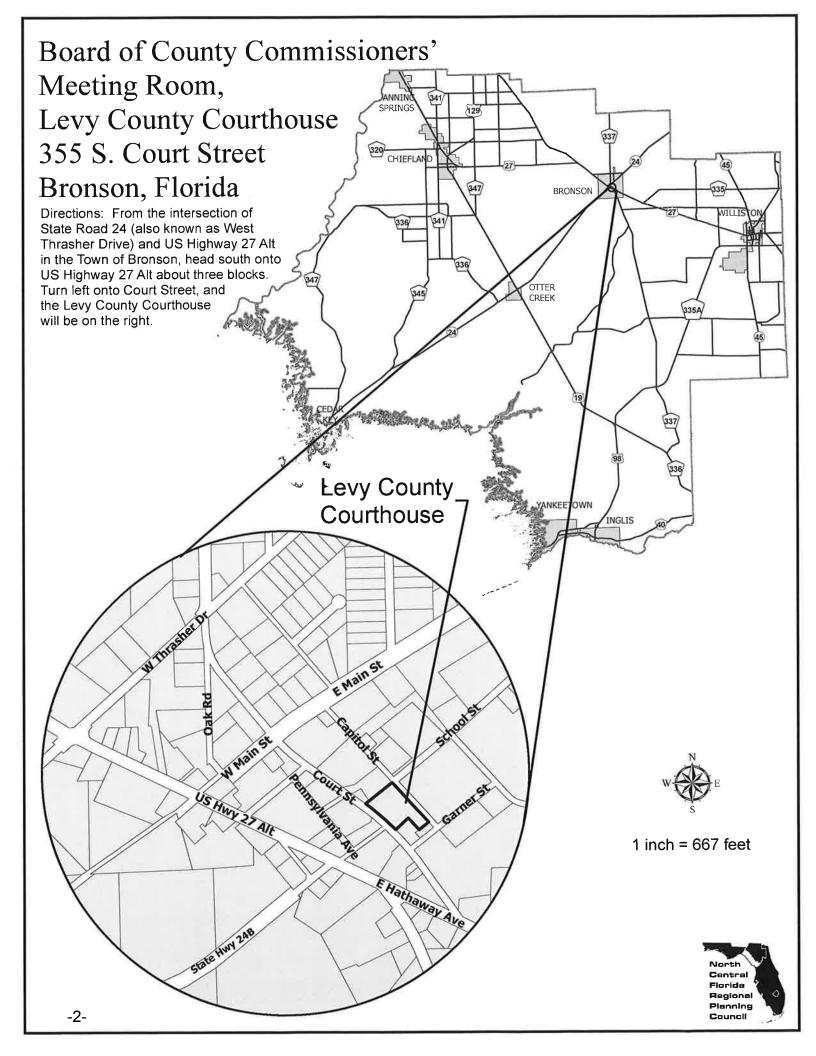
Meeting Announcement

The Levy County Transportation Disadvantaged Coordinating Board will meet <u>Thursday</u>, <u>September 21, 2017 at 10:00 a.m.</u> in the Board of County Commissioners' Meeting Room located at 355 S. Court Street in Bronson, Florida. This is an important meeting of the Board. All Board members are encouraged to attend this meeting.

Attached is the meeting agenda and supporting materials. If you have any questions, please do not hesitate to contact me at extension 110.

Attachments

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LEVY COUNTY TRANSPORTATION DISADVANTAGED COORDINATING BOARD

MEETING ANNOUNCEMENT AND AGENDA

Board of County Commissioners' Meeting Room 355 S. Court Street Bronson, Florida Thursday September 21, 2017 10:00 a.m.

BUSINESS MEETING - CALL TO ORDER

- A. Invocation
- B. Pledge of Allegiance
- C. Roll Call
- D. Public Comments
- E. Approval of the Meeting Agenda

ACTION REQUIRED

F. Approval of the April 20, 2017
Minutes

Page 7

ACTION REQUIRED

II. NEW BUSINESS

A. Bylaws

Page 11

ACTION REQUIRED

The Board needs to review and approve the Bylaws

B. Grievance Procedures

Page 31

ACTION REQUIRED

The Board needs to review and approve the Grievance Procedures

III. OTHER BUSINESS

- A. Comments
 - 1. Members
 - 2. Citizens

IV. FUTURE MEETING DATES

- A. November 16, 2017 at 10:00 a.m.
- B. January 18, 2018 at 10:00 a.m.
- C. April 19, 2018 at 10:00 a.m.

If you have any questions concerning the enclosed materials, please do not hesitate to contact me at 1-800-226-0690, extension 110.

^{*} Please note that this is a tentative meeting schedule, all dates and times are subject to change.

LEVY COUNTY TRANSPORTATION DISADVANTAGED COORDINATING BOARD

MEMBER/REPRESENTING	ALTERNATE/REPRESENTING
Commissioner John Meeks	Commissioner Matt Brooks
Local Elected Official/Chair	Local Elected Official
Sandra Collins	Doreen Joyner-Howard
Florida Department of Transportation	Florida Department of Transportation
Grievance/Annual Evaluation Committee Member	Trondu Department of Transportation
Vickie Menasco	Amy Burton
Florida Department of Children and Families	Florida Department of Children and Families
Grievance/Annual Evaluation Committee Member	I fortua Department of Children and Lamines
Jeff Aboumrad	Peter Shepis
Florida Department of Education	Florida Department of Education
Matthew Pearson	Vacant
Florida Department of Elder Affairs	Florida Department of Elder Affairs
Annual Evaluation Committee Member	
Deweece Ogden	Pamela Hagley
Florida Agency for Health Care Administration	Florida Agency for Health Care Administration
Grievance/Annual Evaluation Committee Member	
Dale French	Kathleen Woodring
Regional Workforce Board	Regional Workforce Board
Vacant	Vacant
Florida Association for Community Action	Florida Association for Community Action
Term ending June 30, 2020	Term ending June 30, 2020
Bruce Greenlee	Joseph Wain
Public Education	Public Education
Grievance Committee Member	
Robert E. Lowyns	Julie E. Rose
Veterans	Veterans
Grievance/Annual Evaluation Committee Member	Term ending June 30, 2020
Term ending June 30, 2020	Term chang tand 50, 2020
Renate M. Cannon, Vice-Chair	Vacant
Citizen Advocate	Citizen Advocate
	Term ending June 30, 2018
Term ending June 30, 2018	Vacant
Tammy Jean Ippolito Citizen Advocate - User	Citizen Advocate - User
Term ending June 30, 2018	Term ending June 30, 2018
Vacant	Vacant
Persons with Disabilities	Persons with Disabilities
Annual Evaluation Committee Member	Term ending June 30, 2018
Term ending June 30, 2018	
Vacant	Vacant
Elderly	Elderly
Tem ending June 30, 2020	Tem ending June 30, 2020
Vacant	Vacant
Medical Community	Medical Community
Term ending June 30, 2019	Term ending June 30, 2019
Sandra Woodard	Brooke Ward
Children at Risk	Children at Risk
Term ending June 30, 2019	Term ending June 30, 2019
Vacant	Vacant
Private Transit	Private Transit
Term ending June 30, 2019	Term ending June 30, 2019

Note: Unless specified, members and alternates serve at the pleasure of the North Central Florida Regional Planning Council.

LEVY COUNTY TRANSPORTATION DISADVANTAGED COORDINATING BOARD

MEETING MINUTES

Board of County Commissioners' Meeting Room 355 S. Court Street Bronson, Florida Thursday April 20, 2017 10:05 a.m.

VOTING MEMBERS PRESENT

Commissioner John Meeks, Chair
Renate M. Cannon, Citizen Advocate, Vice-Chair
Sandra Collins, Florida Department of Transportation Representative
Dale French, Regional Workforce Board Representative
Bruce Greenlee, Public Education Representative
Robert Lowyns, Veterans Representative
Vickie Menasco, Florida Department of Children and Families Representative
Matthew Pearson, Florida Department of Elder Affairs Representative
Peter Shepis representing Jeff Aboumrad Florida Department of Education Representative
Sandra Woodard, Children at Risk Representative

VOTING MEMBERS ABSENT

Tammy Ippolito, Citizen Advocate - User Deweece Ogden, Florida Agency for Health Care Administration

OTHERS PRESENT

Barney Cannon

STAFF PRESENT

Lynn Godfrey, North Central Florida Regional Planning Council

I. BUSINESS MEETING CALL TO ORDER

Chair Meeks called the meeting to order at 10:05 a.m.

A. Approval of the Meeting Agenda

ACTION: Renate Cannon moved to approve the meeting agenda. Sandra Collins seconded; motion passed unanimously.

Page 1 of 4

B. Approval of the January 19, 2017 Meeting Minutes

Renate Cannon noted that her name is misspelled in the minutes.

Ms. Lynn Godfrey, North Central Florida Regional Planning Council Senior Planner, apologized for the error.

ACTION:

Renate Cannon moved to approve the January 19, 2017 minutes with the noted correction. Sandra Woodard seconded; motion passed unanimously.

II. NEW BUSINESS

A. 2017/18 Levy County Transportation Disadvantaged Service Plan

Ms. Godfrey stated that Levy County Transit prepared the 2017/18 Levy County Transportation Disadvantaged Service Plan in cooperation with the North Central Florida Regional Planning Council for the Board's approval. She said Service Plan must be approved by the Board and submitted to the Florida Commission for the Transportation Disadvantaged annually.

The Board reviewed the Transportation Disadvantaged Service Plan and recommended the following changes:

- Amend Page 5 of the Development Plan, first paragraph to state: "The membership of the Local Coordinating Board shall represent to the maximum degree possible, a cross section of the local community."
- Amend Page 19 of the Development Plan, Service Analysis General and Critical Need Transportation Disadvantaged Populations to state: "The critical need Transportation Disadvantaged population includes individuals who, due to severe physical limitations or low incomes, are unable to transport themselves or purchase transportation and are dependent upon others to obtain access to health care, employment, education, shopping, social activities, or other life sustaining activities.
- Amend Page 46 of the Service Plan to state: "Levy County Transit's vehicle inventory is shown as Exhibit C."
- Amend Page 46 of the Service Plan to state: "Levy County Transit's System Safety Program Plan Certification is shown as Exhibit D."

The Board also discussed Levy County Transit's proposed Fiscal Year 2017/18 Transportation Disadvantaged Program service rates.

Ms. Godfrey stated that, if there are any changes to the Fiscal Year 2017/18 service rates based on legislative budget changes, those changes will be brought back to the Board for approval.

ACTION:

Sandra Woodard moved to approve the 2017/18 Levy County Transportation Disadvantaged Service Plan with the noted changes. Sandra Collins seconded; motion passed unanimously.

B. Levy County Transit Operations Reports

Ms. Godfrey stated that the Levy County Transit operations reports can be found starting on page 107 of the meeting materials.

Renate Cannon noted the number of vehicle roadcalls during the 2016/17 operating period exceeds the Board's standard of no more than 5 roadcalls during the 2016/17 operating period. She asked if this should be of concern to the Board.

Matthew Pearson stated that the number of vehicle roadcalls may indicate aging vehicles and/or possible vehicle maintenance issues.

Sandra Collins stated that Levy County Transit is in the process of retiring aging vehicles through the Florida Department of Transportation. She also said Levy County Transit should be receiving three additional vehicles through Florida Department of Transportation grant programs. She said the new vehicles and retiring aging vehicles should reduce the number of vehicle roadcalls.

C. 2017 Florida Legislative Session

Ms. Godfrey stated that the Governor's recommended budget for the Transportation Disadvantaged Program includes additional revenues for the Trip and Equipment Grant Program and to fund a second year of the Mobility Enhancement Grant Program. In addition, she stated that the Senate's Appropriations Subcommittee on Transportation, Tourism and Economic Development budget includes the additional revenues in the Governor's recommended budget. She said the House budget does not include the additional revenues included in the Governor's and Senate's budgets. She encouraged everyone to educate their legislators on the importance of the Transportation Disadvantaged Program.

III.	OTHER BUSINESS						
	A. Comments						
		1.	Members				
			There were no member comments.				
		2.	Citizens				
			There were no citizen comments.				
IV.	FUTURE MEETING DATES						
	Chair Meeks stated that the next meeting of the Board is scheduled for Thursday, August 17, 2017 at 10:00 a.m.						
<u>ADJO</u>	<u>URNM</u>	ENT					
The me	eeting w	as adjou	urned at 11:00 a.m.				
			.				
Coordi	inating E	Board Cl	hair Dat	te			



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2009 NW 67th Place, Gainesville, FL 32653-1603 • 352.955.2200

September 14, 2017

TO:

Levy County Transportation Disadvantaged Coordinating Board

FROM:

Lynn Godfrey, AICP, Senior Planner

SUBJECT:

Levy County Transportation Disadvantaged Coordinating Board Bylaws

RECOMMENDATION

Approve the Board's Bylaws.

BACKGROUND

The Florida Commission for the Transportation Disadvantaged requires that the Board review and approve the Bylaws annually. Attached are the Board's Bylaws for review and approval.

If you have any questions concerning the Bylaws, please contact me at extension 110.

Attachment

t:\lynn\td2017\levy\memos\bylaws.docx

Bylaws

September 21, 2017

Levy County Transportation Disadvantaged Coordinating Board







Bylaws

Approved by the

Levy County Transportation Disadvantaged Coordinating Board

2009 NW 67th Place Gainesville, FL 32653-1603 www.ncfrpc.org/mtpo 352.955.2000

John Meeks, Chair

with Assistance from



North Central Florida Regional Planning Council 2009 NW 67th Place Gainesville, FL 32653-1603 www.ncfrpc.org

352.955.2200

September 17, 2017

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Chapter I: Levy County Transportation Disadvantaged Coordinating Board Bylaws

A. Preamble

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

B. Agency Description

The Levy County Transportation Disadvantaged Coordinating Board is a public body appointed by the North Central Florida Regional Planning Council serving as the Designated Official Planning Agency as authorized by Section 427.015, Florida Statutes.

C. Definitions

Transportation disadvantaged means those persons who because of physical or mental disability, income status, or age are unable to transport themselves or to purchase transportation and are, therefore, dependent upon others to obtain access to health care, employment, education, shopping, social activities, or other life-sustaining activities, or children who are handicapped or high-risk or at-risk as defined in Section 411.202, Florida Statutes.

Agency means an official, officer, commission, authority, council, committee, department, division, bureau, board, section, or any other unit or entity of the state or of a city, town, municipality, county, or other local governing body or a private nonprofit transportation service-providing agency.

Community Transportation Coordinator means a transportation entity recommended by a metropolitan planning organization, or by the appropriate designated official planning agency as provided for in Section 427.011, Florida Statutes in an area outside the purview of a metropolitan planning organization, to ensure that coordinated transportation services are provided to the transportation disadvantaged population in a designated service area.

Coordinating Board means an advisory entity in each designated service area composed of representatives appointed by the metropolitan planning organization or designated official planning agency, to provide assistance to the community transportation coordinator relative to the coordination of transportation services.

Coordination means the arrangement for the provision of transportation services to the transportation disadvantaged in a manner that is cost-effective, efficient and reduces fragmentation and duplication of services.

Designated Official Planning Agency means the official body or agency designated by the Commission to fulfill the functions of transportation disadvantaged planning in areas not covered by a Metropolitan Planning Organization. The Metropolitan Planning Organization shall serve as the designated official planning agency in areas covered by such organizations.

Designated Service Area means a geographical area recommended by a designated official planning agency, subject to approval by the Florida Commission for the Transportation Disadvantaged, which defines the community where coordinated transportation services will be provided to the transportation disadvantaged.

Florida Coordinated Transportation System means a transportation system responsible for coordination and service provisions for the transportation disadvantaged as outlined in Chapter 427, Florida Statutes.

Memorandum of Agreement is the state contract for transportation disadvantaged services purchased with federal, state or local government transportation disadvantaged funds. This agreement is between the Florida Commission for the Transportation Disadvantaged and the Community Transportation Coordinator and recognizes the Community Transportation Coordinator as being responsible for the arrangement of the provision of transportation disadvantaged services for a designated service area.

Transportation Disadvantaged Service Plan means an annually updated plan jointly developed by the Designated Official Planning Agency and the Community Transportation Coordinator which contains a development plan, service plan and quality assurance components. The plan shall be approved and used by the local Coordinating Board to evaluate the Community Transportation Coordinator.

D. Name and Purpose

- (1) The name of the Coordinating Board shall be the Levy County Transportation Disadvantaged Coordinating Board, hereinafter referred to as the Board.
- (2) According to Rule 41-2.012, Florida Administrative Code, the purpose of the Board is to identify local service needs and to provide information, advice and direction to the Community Transportation Coordinator on the coordination of services to be provided to the transportation disadvantaged population within the designated service area through the Florida Coordinated Transportation System. In general, the Board is considered an advisory body (Section 427.0157, Florida Statutes).

E. Membership

(1) Voting Members. In accordance with Section 427.0157, Florida Statutes, all voting members of the Board shall be appointed by the Designated Official Planning Agency. The Designated Official Planning Agency for Levy County is the North Central Florida Regional Planning Council.

In accordance with Rule 41-2.012(3), Florida Administrative Code, the following agencies and groups shall be represented on the Coordinating Board as voting members.

- (a) An elected official from the service area which the Board serves shall be appointed to the Board.
- (b) A local representative of the Florida Department of Transportation;

- (c) A local representative of the Florida Department of Children and Family Services;
- (d) A local representative of the Public Education Community which could include, but not be limited to, a representative of the District School Board, School Board Transportation Office or Headstart Program in areas where the School District is responsible;
- (e) In areas where they exist, a local representative of the Florida Division of Vocational Rehabilitation or the Division of Blind Services, representing the Department of Education;
- (f) A person recommended by the local Veterans Service Office representing the veterans of the service area;
- (g) A person who is recognized by the Florida Association for Community Action (President), representing the economically disadvantaged in the service area;
- (h) A person over age sixty (60) representing the elderly in the service area;
- (i) A person with a disability representing the disabled in the service area;
- (j) Two citizen advocate representatives in the service area; one who must be a person who uses the transportation service(s) of the system as their primary means of transportation;
- (k) A local representative for children at risk;
- (I) In areas where they exist, the Chair or designee of the local Mass Transit or Public Transit System's Board, except in cases where they are also the Community Transportation Coordinator;
- (m) A local representative of the Florida Department of Elder Affairs;
- (n) An experienced representative of the local private for profit transportation industry. In areas where such representative is not available, a local private non profit representative shall be appointed, except where said representative is also the Community Transportation Coordinator;
- (o) A local representative of the Florida Agency for Health Care Administration;
- (p) A representative of the Regional Workforce Development Board established in Chapter 445, Florida Statutes; and
- (q) A representative of the local medical community, which may include, but not be limited to, kidney dialysis centers, long term care facilities, assisted living facilities, hospitals, local health department or other home and community based services, etc.

(r) No employee of a Community Transportation Coordinator shall serve as a voting member of the Coordinating Board in an area where the Community Transportation Coordinator serves. However, an elected official serving as a member of the Community Transportation Coordinator's Board of Directors, or other governmental employees that are not employed for the purpose of making provisions for transportation and are not directly supervised by the Community Transportation Coordinator, shall not be precluded from serving as voting members of the Coordinating Board.

It is the intent of the Florida Commission for the Transportation Disadvantaged for the membership of the Board to represent to the maximum extent possible a cross section of their local community.

- (2) Alternate Members. The North Central Florida Regional Planning Council may appoint one alternate member to represent appointed voting members in their absence. Alternate members may vote only in the absence of the voting member on a one-vote-per-member basis. Alternate members must be a representative of the same interest as the primary member.
- (3) Terms of Appointment. Except for the Chair and state agency representatives, non-agency members of the Board shall be appointed for three-year staggered terms with initial membership being appointed equally for one, two and three years. The Chair shall serve until elected term of office has expired or otherwise replaced by the North Central Florida Regional Planning Council. There are no limits to the number of terms served by any member of the Board.
- 4) Termination of Membership. Any member of the Board may resign at any time. Each member of the Board is expected to demonstrate his/her interest in the Board's activities through attendance of the scheduled meetings, except for reasons of an unavoidable nature. In each instance of an unavoidable absence, the absent member should ensure that his/her alternate will attend. The North Central Florida Regional Planning Council shall review, and consider rescinding, the appointment of any member who fails to attend three (3) consecutive meetings. The North Central Florida Regional Planning Council shall notify the Florida Commission for the Transportation Disadvantaged of any state agency voting member or his/her alternate failing to attend three (3) consecutive meetings.
- (5) Non-Voting Members. The North Central Florida Regional Planning Council may appoint non-voting members to the Board. It shall consider appointing one or more representatives from transportation boards or communities existing in the county as non-voting members of the Board.

F. Officers

Officers of the Board shall include a Chair, Alternate Chair and a Vice-Chair.

(1) Chair. The North Central Florida Regional Planning Council shall appoint an official Chair for all Board meetings. The appointed Chair shall be an elected official from the designated service area that the Board serves (41-2.012(1), Florida Administrative Code). For a multi-county Board, the Chair shall be from one of the counties in the designated service area. The Chair shall serve until their elected term of office has expired or otherwise replaced by the North Central Florida Regional Planning Council. The Chair shall preside at all meetings.

- (2) Alternate Chair. The North Central Florida Regional Planning Council shall appoint an alternate Chair. The alternate Chair shall be an elected official from the designated service area that the Board serves. The alternate Chair shall serve until their elected term of office has expired or otherwise replaced by the North Central Florida Regional Planning Council. In the event of the Chair's absence, the alternate Chair shall assume the duties of the Chair and conduct the meeting.
- (3) Vice-Chair. The Board shall hold an organizational meeting each year for the purpose of electing a Vice-Chair (41-2.012(2) Florida Administrative Code). The Vice-Chair shall be elected by a majority vote of a quorum of the members of the Board present and voting at the organizational meeting. The Vice-Chair shall serve a term of one year starting with the first meeting after their election. For a multi-county Board, an elected official not serving as the Chair shall serve as Vice-Chair. In the event of the Chair and alternate Chair's absence, the Vice-Chair shall assume the duties of the Chair and conduct the meeting. The Vice-Chair may serve more than one term.

G. Meetings

- (1) Regular Meetings. The Board shall meet at least quarterly. The Board may meet as often as necessary to fulfill its responsibilities as set forth in Section 427.0157, Florida Statutes. Business meetings of the Board may be called, rescheduled, postponed or cancelled for any appropriate purpose by the Chair. All meetings will function under the "Government in the Sunshine Law." All meetings will provide opportunity for public comments on the agenda. The Board shall conduct business using parliamentary procedures according to Roberts Rules of Order except when they conflict with these by-laws of Commission guidelines.
- (2) Emergency Meetings. The Board may hold emergency meetings in order to transact business necessary to ensure the continuation of services to the transportation disadvantaged population. Special meetings may be called by the Chair or by writing by 1/3 of the Board's voting membership.
 - North Central Florida Regional Planning Council staff shall give the Florida Commission for the Transportation Disadvantaged, Board members and all interested parties one week notice, if possible, of the date, time, location and proposed agenda for the emergency meeting. Meeting materials shall be provided as early as possible. Emergency meetings shall be advertised at a minimum, in the largest general circulation newspaper in the designated service area as soon as possible prior to the meeting.
- (3) Special Meetings. Special meetings of the Board may be called for any appropriate purpose by the Chair or by written request of at least seven (7) voting members of the Board. Special meetings of the Board may be rescheduled, postponed or cancelled for any appropriate purpose by the Chair.
- (4) Public Workshop. The Board shall hold a public workshop annually. Public workshops may be called, rescheduled, postponed or cancelled for any appropriate purpose by the Chair.

(5) Notice of Regular and Special Meetings. Notices and tentative agendas shall be provided to the Florida Commission for the Transportation, Board members and other interested parties at least two weeks prior to each Board meeting. Meeting notices shall include the date, time, location, general nature/subject of the meeting, a contact person and phone number to call for additional information and to request accessible formats.

The North Central Florida Regional Planning Council shall provide the agenda and meeting package to the Florida Commission for the Transportation Disadvantaged, Board members and all other interested parties prior to the meeting. The agenda shall include a public participation opportunity.

- (6) Quorum. At all meetings of the Board, the presence in person of 40 percent of the voting members shall be necessary and sufficient to constitute a quorum for the transaction of business. In the absence of a quorum, those present may, without notice other than by announcement at the meeting, recess the meeting from time to time, until a quorum shall be present. At any such recessed meeting, any business may be transacted which might have been transacted at the meeting as originally called. In the absence of a quorum, the members present may also elect to either:
 - a) Cancel and reschedule the meeting; or
 - b) Continue to meet and discuss agenda items for informational purposes only. Agenda items that require formal action shall be presented at a future meeting where a quorum is present.

Board members can participate (and vote) in meetings via conference call, however, a physical quorum must be present to vote on agenda items that require formal action.

- (7) Voting. At all meetings of the Board at which a quorum is present, all matters, except as otherwise expressly required by law or these Bylaws, shall be decided by the vote of a majority of the members of the Board present. As required by Section 286.012, Florida Statutes, all Board members, including the Chair of the Board, must vote on all official actions taken by the Board except when there appears to be a possible conflict of interest with a member or members of the Board.
- (8) Conflict of Interest. In accordance with Chapter 112 (Part III), Florida Statutes, "No county, municipal, or other public office shall vote in an official capacity upon any measure which would inure to his or her special private gain or loss, or which the officer know would inure to the special private gain or loss of a principal by whom he or she is retained, of the parent organization or subsidiary of a corporate principal which he or she is retained, of a relative or of a business associate. The officer must publicly announce the nature of his or her interest before the vote and must file a memorandum of voting conflict on Ethics Commission Form 8B with the meeting's recording officer within 15 days after the vote occurs disclosing the nature of his or her interest in the matter."
- (9) Proxy Voting. Proxy voting is not permitted.
- (10) Parliamentary Procedures. The Board will conduct business using parliamentary procedures according to Robert's Rules of Order, except when in conflict with these Bylaws.

(11) Attendance. The North Central Florida Regional Planning Council shall review, and consider rescinding, the appointment of any voting member of the Board who fails to attend three consecutive meetings. The North Central Florida Regional Planning Council shall notify the Florida Commission for the Transportation Disadvantaged if any state agency voting member or their alternate fails to attend three consecutive meetings. The North Central Florida Regional Planning Council must maintain an attendance roster for each meeting. Board members can participate (and vote) at meetings via conference call, however, a physical quorum must be present to vote on action items.

H. Administration

(1) Staff Support. The North Central Florida Regional Planning Council shall provide the Board with sufficient staff support and resources to enable the Board to fulfill its responsibilities as set forth in Section 427.0157, Florida Statutes. These responsibilities include providing sufficient staff to manage and oversee the operations of the Board and assist in the scheduling of meetings, preparing meeting agenda packets and other necessary administrative duties as required by the Board within the limits of the resources available.

North Central Florida Regional Planning Council staff will assist the Chair with the preparation, duplication, and distribution of all materials necessary for Board meetings. Also, staff is responsible for preparing official minutes for each Board meeting.

(2) Minutes. The North Central Florida Regional Planning Council is responsible for maintaining an official set of minutes for each Board meeting regardless of the presence of a quorum. The minutes shall be prepared in a reasonable time following the meeting and shall include an attendance roster indicating what agency, organization or position each member represents and reflect a summary of official actions taken by the Board. Meeting minutes shall be provided at the next regularly scheduled Board meeting for approval.

I. Duties

- (1) Board Duties. The following Board duties are set forth in Chapter 427, Florida Statutes and Rule 41-2, Florida Administrative Code.
 - (a) Maintain official meeting minutes, including an attendance roster, reflecting official actions and provide a copy of same to the Florida Commission for the Transportation Disadvantaged.
 - (b) Review and approve the Memorandum of Agreement and Transportation Disadvantaged Service Plan.

- (c) Annually evaluate the Community Transportation Coordinator's performance in general and relative to Florida Commission for the Transportation Disadvantaged and local standards as referenced in Rule 41-2.006, Florida Administrative Code, and the performance results of the most recent Transportation Disadvantaged Service Plan. As part of the Community Transportation Coordinator's performance, the Board shall also set an annual percentage goal increase for the number of trips provided within the system for ridership on public transit, where applicable. In areas where the public transit is being utilized, the Board shall set an annual percentage of the number of trips to be provided on public transit. The Florida Commission for the Transportation Disadvantaged shall provide evaluation criteria for the Board to use relative to the performance of the Community Transportation Coordinator. This evaluation shall be submitted to the Florida Commission for the Transportation Disadvantaged upon approval by the Board.
- (d) In cooperation with the Community Transportation Coordinator, review all applications for local, state or federal funds relating to transportation of the transportation disadvantaged in the service area to ensure that any expenditures within the county are provided in the most cost effective and efficient manner.
- (e) Review coordination strategies for service provision to the transportation disadvantaged in the service area to seek innovative ways to improve cost effectiveness, efficiency, safety, working hours and types of service in an effort to increase ridership to a broader population. Such strategies should also encourage multi-county and regional transportation service agreements between area Community Transportation Coordinators and consolidation of adjacent counties when it is appropriate and cost effective to do so.
- (f) Working with the Community Transportation Coordinator, jointly develop applications for funds that may become available.
- (g) Assist the Community Transportation Coordinator in establishing eligibility guidelines and trip priorities for trips that are purchased with Transportation Disadvantaged Trust Funds.
- (h) Annually review coordination contracts to advise the Community Transportation Coordinator whether the continuation of said contract provides the most cost effective and efficient transportation available.
- (i) Annually review all transportation operator contracts as to the effectiveness and efficiency of the transportation operator and recommend approval or disapproval of such contracts to the Community Transportation Coordinator.
- (j) Annually hold a public workshop for the purpose of receiving input on unmet transportation needs or any other areas that relate to the local transportation services.
- (k) Annually review the Annual Operations Report.
- (I) Assist the Community Transportation Coordinator in the establishment of trip priorities with regard to the recipients of Transportation Disadvantaged Program services purchased with Transportation Disadvantaged Trust Fund moneys.

Bylaws

J. Committees

(1) Grievance Committee. The Chair subject to approval by the Board shall appoint a Grievance Committee to process and investigate complaints from agencies, users, transportation operators and potential users of the system in the designated service area. The Grievance Committee shall make recommendations to the Board or to the Florida Commission for the Transportation Disadvantaged for improvement of service.

The Board shall establish a process and procedures to provide regular opportunities for issues to be brought before the Grievance Committee and to address them in a timely manner. Rider brochures or other documents provided to users or potential users of the system shall provide information about the complaint and grievance process including the publishing of the Florida Commission for the Transportation Disadvantaged's Transportation Disadvantaged Helpline service when local resolution has not occurred.

When requested, all materials shall be made available in accessible format. Members appointed to the Grievance Committee shall be voting members of the Board. If a Grievant claims a conflict between the Grievant and a Grievance Committee member, the Grievance Committee member identified as having a conflict shall recues themselves from hearing the grievance.

- (2) Evaluation Committee. The Chair subject to approval by the Board shall appoint_an Evaluation Committee to review the Community Transportation Coordinator's annual performance evaluation. The Committee shall convene at least annually.
- (3) Additional committees may be appointed by the Chair, subject to approval by the Board, as necessary to investigate and report on specific subject areas of interest to the Board and to deal with administrative and legislative procedures.

K. Communication With Other Agencies and Entities

The North Central Florida Regional Planning Council authorizes the Board to communicate directly with other agencies and entities as necessary to carry out its responsibilities in accordance with Chapter 427, Florida Statutes, and Rule Chapter 41-2, Florida Administrative Code.

L. Amendments

These Bylaws may be amended by a majority vote of members present at regular meetings.

M. Certification

The undersigned hereby certifies that he/she is the Chair of the Levy County Transportation Disadvantaged Coordinating Board and that the foregoing is a full, true and correct copy of the Bylaws of this Board as adopted by the Levy County Transportation Disadvantaged Coordinating Board the 21st day of September 2017.

John Meeks, Chair Levy County Transportation Disadvantaged Coordinating Board

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Levy County Transportation Disadvantaged Coordinating Board

Bylaws Team

Scott R. Koons, AICP, Executive Director

* Lynn Franson-Godfrey, AICP, Senior Planner

* Primary Responsibility



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Levy County Transportation Disadvantaged Coordinating Board

2009 NW 67th Place, Gainesville, FL 32653-1603

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II.B

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September 14, 2017

TO: Levy County Transportation Disadvantaged Coordinating Board

FROM: Lynn Godfrey, AICP, Senior Planner

SUBJECT: Levy County Transportation Disadvantaged Coordinating Board Grievance Procedures

RECOMMENDATION

Approve the Board's Grievance Procedures.

BACKGROUND

The Florida Commission for the Transportation Disadvantaged requires that the Board review and approve the Grievance Procedures annually. Attached are the Board's Grievance Procedures for review and approval.

If you have any questions concerning the Grievance Procedures, please contact me at extension 110.

Attachment

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Transportation Disadvantaged Grievance Procedures

September 21, 2017

Levy County Transportation Disadvantaged Coordinating Board



Transportation Disadvantaged Grievance Procedures

Approved by the

Levy County Transportation Disadvantaged Coordinating Board

2009 NW 67th Place Gainesville, FL 32653-1603 www.ncfrpc.org/mtpo 352.955.2000

John Meeks, Chair

with Assistance from



North Central Florida Regional Planning Council 2009 NW 67th Place Gainesville, FL 32653-1603 www.ncfrpc.org 352.955.2200

September 21, 2017

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Chapter I: Levy County Transportation Disadvantaged Coordinating Board Grievance Procedures

A. Preamble

The following sets forth the procedures for the Levy County Transportation Disadvantaged Coordinating Board to address grievances from agencies, users, potential users, sub-contractors, and other interested parties concerning Florida's Coordinated Transportation System.

B. Agency Description

The Levy County Transportation Disadvantaged Coordinating Board, herein after referred to as the Board, is a public body appointed by the North Central Florida Regional Planning Council serving as the Designated Official Planning Agency as authorized by Section 427.015, Florida Statutes.

C. Definitions

Transportation disadvantaged means those persons who because of physical or mental disability, income status, or age are unable to transport themselves or to purchase transportation and are, therefore, dependent upon others to obtain access to health care, employment, education, shopping, social activities, or other life-sustaining activities, or children who are handicapped or high-risk or at-risk as defined in Section 411.202, Florida Statutes.

Agency means an official, officer, commission, authority, council, committee, department, division, bureau, board, section, or any other unit or entity of the state or of a city, town, municipality, county, or other local governing body or a private nonprofit transportation service-providing agency.

Community Transportation Coordinator means a transportation entity recommended by a metropolitan planning organization, or by the appropriate designated official planning agency as provided for in Section 427.011, Florida Statutes in an area outside the purview of a metropolitan planning organization, to ensure that coordinated transportation services are provided to the transportation disadvantaged population in a designated service area.

Coordinating Board means an advisory entity in each designated service area composed of representatives appointed by the metropolitan planning organization or designated official planning agency, to provide assistance to the community transportation coordinator relative to the coordination of transportation services.

Coordination means the arrangement for the provision of transportation services to the transportation disadvantaged in a manner that is cost-effective, efficient and reduces fragmentation and duplication of services.

Designated Official Planning Agency means the official body or agency designated by the Commission to fulfill the functions of transportation disadvantaged planning in areas not covered by a Metropolitan Planning Organization. The Metropolitan Planning Organization shall serve as the designated official planning agency in areas covered by such organizations.

Designated Service Area means a geographical area recommended by a designated official planning agency, subject to approval by the Florida Commission for the Transportation Disadvantaged, which defines the community where coordinated transportation services will be provided to the transportation disadvantaged.

Florida's Coordinated Transportation System means a transportation system responsible for coordination and service provisions for the transportation disadvantaged as outlined in Chapter 427, Florida Statutes.

Grievance means a written complaint to document any concerns regarding the operation or administration of services provided by Florida's Coordinated Transportation System by the Community Transportation Coordinator, subcontracted transportation operators, the Designated Official Planning Agency, or the Board. A grievance may also be a service complaint that has been left unresolved for more than 45 days.

Memorandum of Agreement is the state contract for transportation disadvantaged services purchased with federal, state or local government transportation disadvantaged funds. This agreement is between the Florida Commission for the Transportation Disadvantaged and the Community Transportation Coordinator and recognizes the Community Transportation Coordinator as being responsible for the arrangement of the provision of transportation disadvantaged services for a designated service area.

Service complaint means routine incidents that occur on a daily basis, are reported to the driver or dispatcher, or to other individuals involved with the daily operations, and are resolved within the course of a reasonable time period suitable to the complainant. All service complaints shall be recorded and a summary of complaints should be provided by the Community Transportation Coordinator on a quarterly basis, to the Board.

Transportation Disadvantaged Service Plan means an annually updated plan jointly developed by the Designated Official Planning Agency and the Community Transportation Coordinator which contains a development plan, service plan and quality assurance components. The plan shall be approved and used by the local Coordinating Board to evaluate the Community Transportation Coordinator.

D. Purpose

- (1) The Board shall appoint a Grievance Committee to serve as a mediator to process, and investigate complaints from agencies, users, potential users of the system and the Community Transportation Coordinator in the designated service area, and make recommendations to the Board for the improvement of service.
- (2) The Board shall establish procedures to provide regular opportunities for issues to be brought before the Grievance Committee and to address them in a timely manner. Members appointed to the Grievance Committee shall be voting members of the Board.

(3) The Grievance Committee and the Board shall have the authority to hear and advise on grievances. When an entity makes a determination of the rights, duties, privileges, benefits, or legal relationships of a specified person or persons, it is exercising "adjudicative" or "determinative" powers. Deciding a grievance between two independent parties may fall within these parameters, depending on the nature of the grievance. Chapter 427, Florida Statutes grants no adjudicative powers to anyone.

E. Membership

- (1) The Chair, subject to approval by the Board, shall appoint three (3) voting members to a Grievance Committee. The membership of the Grievance Committee shall include broad geographic representation from members of the local Coordinating Board representing the counties in the service area.
- (2) Term limits on the Grievance Committee may coincide with term limits on the Board.

F. Officers

(1) The Grievance Committee shall elect a Chair and Vice-Chair.

G. Meetings

- (1) The Grievance Committee may meet as often as necessary to fulfill their responsibilities. Meetings may be called, rescheduled, postponed or cancelled for any appropriate purpose by the Chair. The Grievance Committee may meet following Board meetings to hear complaints and grievances. All meetings will function under the "Government in the Sunshine Law." All meetings will provide opportunity for public comments on the agenda.
- (2) Notice of Meetings. Notices and tentative agendas shall be provided to the Florida Commission for the Transportation, Committee members and other interested parties at least two weeks prior to the meeting. Meeting notices shall include the date, time, location, general nature/subject of the meeting, a contact person and phone number to call for additional information and to request accessible formats.
- (3) Quorum. At all meetings of the Grievance Committee, the presence in person of a majority of the voting members shall be necessary and sufficient to constitute a quorum for the transaction of business. In the absence of a quorum, those present may, without notice other than by announcement at the meeting, recess the meeting from time to time, until a quorum shall be present. At any such recessed meeting, any business may be transacted which might have been transacted at the meeting as originally called.
- (4) Voting. A majority vote is required for actions by the Grievance Committee. As required by Section 286.012, Florida Statutes, all Grievance Committee members, including the Chair, must vote on all official actions taken by the Grievance Committee except when there appears to be a possible conflict of interest with a member or members of the Grievance Committee.

(5) Conflict of Interest. In accordance with Chapter 112 (Part III), Florida Statutes, "No county, municipal, or other public office shall vote in an official capacity upon any measure which would inure to his or her special private gain or loss, or which the officer know would inure to the special private gain or loss of a principal by whom he or she is retained, of the parent organization or subsidiary of a corporate principal which he or she is retained, of a relative or of a business associate. The officer must publicly announce the nature of his or her interest before the vote and must file a memorandum of voting conflict on Ethics Commission Form 8B with the meeting's recording officer within 15 days after the vote occurs disclosing the nature of his or her interest in the matter."

In cases where a grievance involves the private or personal interests of a member of the Grievance Committee, such member shall be disqualified from hearing such grievance. If a Grievant claims a conflict between the Grievant and a Grievance Committee member, the Grievance Committee member identified as having a conflict shall recues themselves from hearing the grievance. No member of the Grievance Committee shall appear before the Grievance Committee as an agent or attorney for any person.

- (6) Proxy Voting. Proxy voting is not permitted.
- (7) Parliamentary Procedures. The Grievance Committee will conduct business using parliamentary procedures according to Robert's Rules of Order, except when in conflict with these Grievance Procedures.

H. Administration

- (1) Staff Support. The North Central Florida Regional Planning Council shall provide the Grievance Committee with sufficient staff support and resources to enable the Grievance Committee to fulfill their responsibilities.
- (2) Minutes. The North Central Florida Regional Planning Council is responsible for maintaining an official set of minutes for each Grievance Committee meeting.

I. Duties

The Grievance Committee shall make recommendations to the Board, the Community Transportation Coordinator, and/or to the Florida Commission for the Transportation Disadvantaged for improvement of service.

J. Procedures

(1) The grievance procedures shall be open to addressing concerns by any person or agency including but not limited to: purchasing agencies, users, potential users, private-for-profit operators, private-nonprofit operators, Community Transportation Coordinators, Designated Official Planning Agencies, elected officials, and drivers. The grievant, in their formal complaint, should demonstrate or establish their concerns as clearly as possible.

- (2) The Board must make a written copy of the grievance procedures available to anyone, upon request. All documents pertaining to the grievance process will be made available, upon request, in accessible format. The following procedures are established to provide regular opportunities for grievances to be brought before the Grievance Committee.
- (3) The Community Transportation Coordinator also has a process for addressing service complaints and grievances. Service complaints shall be submitted to the Community Transportation Coordinator for resolution prior to being brought to the Board's Grievance Committee.
- (4) Should an interested party wish to file a grievance with the Board, that grievance must be filed in writing within ninety (90) days after the occurrence of the event giving rise to the grievance. The grievance shall be sent to:

Levy County Transportation Disadvantaged Coordinating Board Grievance Committee 2009 N.W. 67th Place Gainesville, FL 32653-1603

- (5) If requested, the North Central Florida Regional Planning Council staff will provide assistance to individuals in preparing written grievances.
- (6) The grievance should try to demonstrate or establish a clear violation of a specific law, regulation, or contractual arrangement. Copies of pertinent laws and regulations may be obtained from North Central Florida Regional Planning Council staff.
- (7) The grievance shall include:
 - a. the name, address and telephone number of the Complainant;
 - b. a statement of the grounds for the grievance and be supplemented by supporting documentation, made in a clear and concise manner; and
 - c. an explanation by the Complainant of the improvements needed to address the complaint.
- (8) If the Board receives a grievance pertaining to the operation of services by the Community Transportation Coordinator, that grievance shall be forwarded to the Community Transportation Coordinator for a written response. The Community Transportation Coordinator's written response shall be provided to the Grievance Committee at least one week prior to the Grievance Committee meeting to hear such grievance.
- (9) If the Complainant does not want to be contacted by the Community Transportation Coordinator concerning the grievance before the grievance is heard, the Community Transportation Coordinator is prohibited from contacting the Complainant.
- (10) Within fifteen (15) working days following the date of receipt of the formal grievance, North Central Florida Regional Planning Council staff shall advise the Grievance Committee of the grievance to schedule a hearing on the grievance and inform the Complainant of the hearing date.
- (11) The Grievance Committee shall meet to hear the grievance within forty-five (45) calendar days from the date of receipt of the grievance.

- (12) North Central Florida Regional Planning Council staff shall send notice of the Grievance Committee's scheduled hearing in writing to the local newspaper of greatest circulation, the Complainant and other interested parties.
- (13) All involved parties have a right to present their views to the Grievance Committee, either orally or in writing. In addition, all parties may present evidence. The Community Transportation Coordinator shall provide transportation to and from Grievance Committee meetings at no charge to complainants who cannot transport themselves to the meetings.
- (14) Any party may request a follow-up meeting of the Grievance Committee if one is needed to ensure a fair and complete hearing of a grievance. If a follow-up meeting is requested, it shall be scheduled before the meeting is adjourned. Follow-up meetings will be noticed in the same manner as regular Grievance Committee meetings.
- (15) A written report and any recommendations of the Grievance Committee shall be provided to the Board. A copy of this report shall be provided to the concerned parties within ten (10) working days after the hearing on the grievance and no more than sixty (60) calendar days from the date of receipt of the formal grievance. The Grievance Committee's recommendation will stand unless the recommendation is changed by the Board.
- (16) A written report shall also be provided to the Community Transportation Coordinator's Governing Board.
- (17) Utilization of the Board's Grievance Procedures does not preclude individuals from utilizing other processes and forums to pursue their grievances as appropriate.

K. Appeals

(1) Appeals of recommendations by the Grievance Committee to the Board shall be made within twenty (20) working days from the date when the Grievance Committee makes a recommendation regarding a grievance. The appeal shall be mailed to:

Levy County Transportation Disadvantaged Coordinating Board 2009 N.W. 67th Place Gainesville, FL 32653-1603

- (2) The Complainant will be notified in writing of the date, time and place of the Board meeting where the appeal will be heard. This written notice will be mailed at least ten (10) calendar days in advance of the meeting.
- (3) The Board will meet to hear the appeal and render its recommendation within thirty (30) calendar days of the date the appeal was filed. A written copy of the recommendation will be mailed to all parties involved within ten (10) calendar days of the date of the recommendation.
- (4) Should a Complainant remain dissatisfied with the Board's decision, he or she may contact the Florida Commission for the Transportation Disadvantaged at the following address:

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

- (5) The Florida Commission for the Transportation Disadvantaged also has an Ombudsman Program to assist individuals with complaints. The toll-free Ombudsman Hotline is 1-800-983-2435. Chapter 427, Florida Statutes does not expressly confer the power or authority for the Florida Commission for the Transportation Disadvantaged to "hear and determine" a grievance between two (2) third parties. The Florida Commission for the Transportation Disadvantaged may choose to listen to grievances and it can investigate them from a fact-finding perspective. It cannot be the "judge" or "arbiter" of the grievance in the sense of determining that one party's version of the facts is right and the other is wrong, and order the wrong party to somehow compensate the right party. On the other hand, the grievance may bring to light a problem within "the system."
- (6) If the grievance showed that one (1) of the parties with whom the Florida Commission for the Transportation Disadvantaged contracts was acting so aberrantly as to not be in compliance with its contract, the Florida Commission for the Transportation Disadvantaged could exercise whatever contractual rights it has to correct the problem.
- (7) The Florida Commission for the Transportation Disadvantaged may take part in the grievance process, if it wants to, for purposes of listening to the grieving parties and gathering the facts of the matter. It may not decide the grievance, where doing so would amount to an exercise of adjudicative powers.

L. Suspension Reconsideration

- (1) If a rider has been issued a notice of suspension of service by the Community Transportation Coordinator, they have ten (10) calendar days from the date of issuance of suspension notice to request a reconsideration hearing on the suspension. If a reconsideration hearing is requested, the hearing will be held by the Grievance Committee if the suspension involves transportation provided under Florida's Transportation Disadvantaged Program.
- (2) The written request must include the name, address and telephone number of the person who is requesting the hearing and a statement as to why his or her riding privileges should not be suspended. If the request is not received within ten (10) calendar days from the issue date of the suspension, then the suspension becomes effective ten (10) calendar days from the date of issue.
- (3) Upon receipt of letter requesting the reconsideration hearing, a hearing shall be held within ten (10) working days. The North Central Florida Regional Planning Council will advise the person requesting the reconsideration hearing by return correspondence of the date, time and location of the hearing.
- (4) The suspended rider will be given the opportunity to present the reasons why they believe the suspension should not take place. The Grievance Committee will make a recommendation whether or not to uphold the suspension. A written statement of the recommendation shall be forwarded to the person requesting the hearing within two (2) working days after the hearing by the Grievance Committee. A written statement of the decision whether or not to uphold the suspension shall be forwarded by certified mail within two (2) working days by the Community Transportation Coordinator to the suspended rider requesting the reconsideration.

M. Prohibition Against Retaliation

The Community Transportation Coordinator shall not take any punitive action against an individual who files a grievance. No individual shall be denied Transportation Disadvantaged Program services because such individual has filed a grievance related to Florida's Transportation Disadvantaged Program or has testified or is about to testify in any such proceeding or investigation related to Florida's Transportation Disadvantaged Program.

N. Alternative Recourse

Apart from these grievance processes, aggrieved parties with proper standing may also have recourse through Chapter 120, Florida Statutes, administrative hearings process or the judicial court system.

O. Certification

The undersigned hereby certifies that he/she is the Chair of the Levy County Transportation Disadvantaged Coordinating Board and that the foregoing is a full, true and correct copy of the Grievance Procedures of this Board as adopted by the Levy County Transportation Disadvantaged Coordinating Board the 21st day of September 2017.

John Meeks, Chair

Levy County Transportation Disadvantaged Coordinating Board

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Levy County Transportation Disadvantaged Coordinating Board

Grievance Procedures Team

Scott R. Koons, AICP, Executive Director

* Lynn Franson-Godfrey, AICP, Senior Planner

* Primary Responsibility



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ATTENDANCE RECORD

LEVY COUNTY TRANSPORTATION DISADVANTAGED COORDINATING BOARD

MEMBER/ORGANIZATION	NAME	9/22/2016	11/17/2016	1/19/2017	4/20/2017
Chair	Commissioner John Meeks	Р	Α	Р	Р
Alternate Member	Commissioner Matt Brooks				
Florida Department of Transportation	Sandra Collins	А	Α	Р	Р
Alternate Member	Doreen Joyner-Howard	A	A	Α	A
Florida Department of Children and Families	Vickie Menasco	P	Р	Р	Р
Alternate Member	Amy Burton	А	A	А	Α
Florida Department of Education	Jeff Aboumrad	Р	А	Р	Р
Alternate Member	Peter Shepis	А	A	Α	Α
Florida Department of Elder Affairs	Matthew Pearson	P	Р	Α	Р
Alternate Member	Vacant				
Florida Agency for Health Care Administration	Deweece Ogden	А	Α	А	Α
Alternate Member	Pamela Hagley	A	A	Α	A
Regional Workforce Board	Dale French	Р	Р	Р	Р
Alternate Member	Kathleen Woodring	A	Α	Α	Α
Florida Association for Community Action	Vacant				
Alternate Member	Vacant				
Public Education	Bruce Greenlee	Р	Р	Α	Р
Alternate Member	Joseph Wain	A	Α	Α	Α
Veterans	Robert E. Lowyns	Р	Р	Р	Р
Alternate Member	Julie E. Rose	Α	А	Α	А
Citizen Advocate	Renate M. Cannon	Р	Р	Р	Р
Alternate Member	Vacant				
Citizen Advocate-User	Tammy Jean Ippolito	Α	Α	Р	А
Alternate Member	Vacant				
Persons with Disabilities	Vacant				
Alternate Member	Vacant				
Elderly	Vacant				
Alternate Member	Vacant				
Local Medical Community	Vacant				
Alternate Member	Vacant				
Children at Risk	Sandra Woodard	P	Р	Р	P
Alternate Member	Brooke Ward	A	А	A	Α
Private Transit	Vacant				
Alternate Member	Vacant				

LEGEND KEY: P-Present A-Absent

ATTENDANCE POLICY: According to Section G (10) of the Bylaws: "The North Central Florida Regional Planning Council shall review and consider recinding the appointment of any voting member of the Board who fails to attend three consecutive meetings."