



**BYLAWS OF THE**

**LAKE~SUMTER METROPOLITAN**

**PLANNING ORGANIZATION**

**GOVERNING BOARD**

**EXECUTIVE COMMITTEE**

**TECHNICAL ADVISORY COMMITTEE**

**COMMUNITY ADVISORY COMMITTEE**

# PREAMBLE

The following sets forth the Bylaws, policies, and procedures, which shall serve to guide the proper functioning of the Urban Transportation Planning Process for the Lake~Sumter Metropolitan Planning Organization (MPO). The intent is to provide procedures and policies for the MPO Governing Board, the MPO Technical Advisory Committee (TAC) and the MPO Community Advisory Committee (CAC) for fulfilling the requirements of the Federal Highway Act of 1962, Federal Highway Act of 1974, Section 339.175, Florida Statutes, and will operate under the provisions of Section 163.01, Florida Statutes, as amended, and subsequent laws setting forth requirements for transportation planning for all modes of travel and to insure the accomplishment of the planning tasks within a cooperative framework properly related to comprehensive planning on a continuous basis.

## **SECTION 1.0: BYLAWS OF THE METROPOLITAN PLANNING ORGANIZATION (MPO)**

The Governor, under Section 339.175 of the Florida Statutes, designated and apportioned the membership of the MPO on December 9, 2003. On October 22, 2010 the Governor affirmed the Re-designation Plan of the MPO to include all of Sumter County. The governing body of each governmental entity so designated shall appoint the appropriate number of members to the MPO. The designated local governmental entities and their appointment by the Governor are stipulated by the approved Lake~Sumter MPO Apportionment Plan on December 9, 2003, and incorporated into this document by reference.

The Clerk of the MPO is the Executive Assistant to the Executive Director of the MPO. The duties of the Clerk include, but are not limited to, assisting the Executive Director and the MPO Governing Board in day –to–day operations of the MPO, ensuring compliance with public meeting notice requirements, distribution of and posting of public meeting agendas, maintaining public meeting minutes, attesting resolutions and other documents, and recording of documents when required. The Executive Director of the MPO may change the location of the office of the MPO upon approval vote of the Executive Committee.

## **SECTION 1.1: MEMBERSHIP APPOINTMENT, QUALIFICATION, AND TERMS OF OFFICE**

- A. There shall be thirty (30) governing board member positions of the MPO, with sixteen (16) of those possessing voting privileges. The voting positions consist of fourteen (14) permanent voting positions and two (2) rotating At-Large Representative municipal voting positions; one (1) Lake County and one (1) Sumter County. In addition to the voting positions, the MPO Governing Board consists of ten (10) non-voting positions and four (4) ex-officio non-voting positions.
- B. The fourteen (14) permanent voting positions shall be assigned to (number of votes in parentheses): Clermont (1), Eustis (1), Groveland (1), Lady Lake (1), Leesburg (1), , Mount Dora (1), Tavares (1), Sumter County (2) and Lake County (5), which possesses a voting position for each of the five county commissioners.
- C. The seven (7) governing board positions among which the At-Large Representative voting privilege shall rotate for Lake County shall be those of: Astatula, Fruitland Park, , Howey-in-

the-Hills, Mascotte, Minneola, Montverde and Umatilla. The at-large position shall be subject to a one year term beginning on January 1, changing each year, and rotating in alphabetical order. Astatula was the first rotating member government with an at-large term beginning January 1, 2005.

- D. The five (5) governing board positions among which the At-Large Representative voting privilege shall rotate for Sumter County pursuant to the Interlocal Agreement establishing a rotation for municipal representation entered by and between the cities of: Bushnell, Center Hill, Coleman, Webster and Wildwood.
- E. In the event a municipality declines to participate as an At-Large Representative for Lake County, the rotating voting privilege shall, upon action by the Governing Board, rotate to the next specified municipality in the alphabetical rotation and shall remain with that municipality for the remaining of the term, which is until the end of the calendar year. The At-Large Representative voting privilege shall rotate the following calendar year to the next municipality in the alphabetical rotation.

In the event that neither the municipal representative nor the alternate representative currently possessing At-Large voting privileges is present at a meeting of the MPO Governing Board, voting privileges - for that meeting only - shall be allocated to the next rotating At-Large municipal representative or alternate representative present at the meeting.

- F. Ex-officio non-voting members include: Florida Central Railroad, Lake County School Board, Sumter County School Board, and the Central Florida Expressway Authority.
- G. MPO Governing Board members, both primary and alternate, shall be designated by the elected body of the member government or by the board of the member entity. Alternate designees shall be entitled to the right to participate in meetings. However, if a primary and an alternate representing a voting member government are both present, only one may vote on action items. All members, whether voting members or not, shall have the right to participate in the discussion of items to come before the MPO Governing Board. A qualified member of the MPO Board may designate in writing to the chairperson of the MPO an alternate who may exercise full membership powers in the absence of the MPO member. Said alternate must be a locally elected official capable of representing the interests of the unit of government represented by the absent member of the MPO, and may be appointed to serve for only that meeting for which he or she is designated, or for a longer duration, but not to exceed the term of the appointed member.
- H. The MPO Governing Board members shall serve four (4) year terms. Membership shall terminate upon the member leaving his/her elective or appointive office for any reason or by a majority vote of the total membership of a county or city governing body represented by the member. Vacancies shall be filled by the original appointing body. Members may be reappointed for one (1) or more additional four (4) year terms.
- I. Code of Ethics. Members, Officers, and Employees are required to comply with Florida Statute 112, Part III, Code of Ethics for Public Officers and Employees. Members are expected to abide by the ethical rules which govern their service on the organization they represent.
- J. All MPO Governing Board members (designated or alternate) shall avoid any professional conflict of interest and prevent the appearance of undue influence. Any member who becomes

aware of any type of conflict or attempt to influence shall make it known to the staff liaison and either excuse himself/herself from the proceedings, and/or file a conflict of interest form into the record.

- K. The MPO's procedures for complying with federal requirements associated with Title VI of the Civil Rights Act of 1964 are outlined in the organization's Title VI Nondiscrimination Plan and Limited English Proficiency Plan. Additionally, more information on the Title VI Complaint Procedure is contained in Addendum II of the MPO's Title VI Program.

## **SECTION 1.2: OFFICERS AND DUTIES**

- A. The following officers shall be elected each year:
1. Chair
  2. Chair-Elect
  3. 1<sup>st</sup> Vice Chair / Secretary
  4. 2<sup>nd</sup> Vice Chair
- B. Officers shall be voting members on the MPO Governing Board. Officers shall be elected by a majority of the voting members present at the last scheduled organizational meeting of the year and shall serve a term of one (1) year, starting with the January meeting.
- C. The Chair shall preside at all meetings and in the event of his/her absence or at his/her direction, the Chair-Elect shall assume the powers and duties of the Chair.
- D. Officers shall pursue at least one continuing education opportunity each year through the MPO Advisory Council or other acceptable forum.
- E. Should an officer position become vacant, the MPO Governing Board shall fill the position through election at the next regularly scheduled meeting.
- F. All official contracts, agreements and other documents approved for action by the MPO shall be signed by the Chair or a designee approved by the Governing Board.

## **SECTION 1.3: EXECUTIVE COMMITTEE AND DUTIES**

- A. The following board members shall comprise the Executive Committee:
1. Chair
  2. Chair-Elect
  3. 1st Vice Chair
  4. 2<sup>nd</sup> Vice Chair
  5. Immediate Past Chair
  6. At-Large Representative for Lake County
  7. At-Large Representative for Sumter County
- B. The Immediate Past Chair shall be eligible to serve on the Executive Committee until such time that a change in Chair results in a new Immediate Past Chair. If an individual qualifies to serve as the Immediate Past Chair and such individual is no longer a public official or is no longer in a

public office, then the Immediate Past Chair seat may be filled by any other person who has previously served as Chair

- C. The At-Large Representative for Lake County holds the voting privilege rotating annually among: Astatula, Fruitland Park, Groveland, Howey-in-the-Hills, Mascotte, Montverde and Umatilla.
- D. The At-Large Representative for Sumter County holds the voting privilege and rotates pursuant to the Interlocal Agreement entered by and between the cities of: Bushnell, Center Hill, Coleman, Webster and Wildwood.
- E. The purpose of the Executive Committee is to efficiently address matters not feasible to be heard by the full MPO Governing Board. The Executive Committee is additionally tasked with strategic planning for the MPO, evaluating the performance of the MPO Executive Director, and performing other duties as assigned to or requested of them by the MPO Governing Board.
- F. The Chair may convene the Executive Committee for items deemed appropriate for Executive Committee review or action. The Executive Committee will meet as often as they deem necessary to complete their duties, but shall meet at three (3) times a year.
- G. To provide balanced representation on the Executive Committee among counties and municipalities, the MPO Governing Board, at the time of the election of officers, shall attempt to fill, if feasible, officer positions by rotating between municipal and county representatives as officers are advanced, when feasible, to the next level of elected office.

#### **SECTION 1.4: APPOINTMENTS**

- A. The Chair, Chair-Elect, 1<sup>st</sup> Vice Chair, 2nd Vice Chair, Immediate Past Chair and one voting member elected by the MPO Governing Board shall be appointed to serve as the three primary and three alternate appointments to the Central Florida MPO Alliance. The Executive Committee shall designate which of the aforementioned positions shall serve in a primary capacity and which shall serve in an alternate capacity.
- B. The Chair shall automatically serve as the primary appointment to the Florida MPO Advisory Council. The Chair-Elect and 1<sup>st</sup> Vice Chair shall automatically serve as alternates.
- C. At the time of election of officers, a member of the MPO Governing Board, voting or non-voting, shall be elected as Chair of the Lake County Transportation Disadvantaged Coordinating Board.
- D. At the time of election of officers, a member of the MPO Governing Board, voting or non-voting, shall be elected as Chair of the Sumter County Transportation Disadvantaged Coordinating Board.
- E. Should an elected appointment position become vacant, the appointment shall be filled by election at the next regular meeting of the MPO Governing Board.

#### **SECTION 1.5: MEETINGS**

- A. All meetings of the MPO Governing Board and advisory committees shall be open to the public and opportunities for public comments shall be provided. All public meetings and hearings shall be held in locations that are accessible to people with disabilities.
- B. In accordance with the provisions of federal and state laws, public meetings that are part of the public participation plan will be conducted at convenient and accessible locations at convenient times. In addition, MPO will utilize visualization techniques to describe the plans and make public information available, when possible, in an electronically accessible format and in plain language.
- C. Regular meetings of the MPO shall typically be held on the 4<sup>th</sup> Wednesday of each applicable month at a time and place to be designated by the Executive Director. Regular meeting dates and times may be changed by the Executive Director to accommodate holidays and/or other reasons. MPO Governing Board shall meet at least four times a year.
- D. Special meetings may be called by the Chair or by vote of the MPO Governing Board. Reasonable notice must be provided to the members and alternates for special meetings.
- E. Seven (7) voting members on the MPO Governing Board, physically present, shall constitute a quorum for the transaction of business. Any business transacted by MPO Governing Board must be approved by not less than a majority of the votes cast.
- F. When a quorum of voting members are physically present at the public meeting, a member who is unable to attend a meeting due to extraordinary circumstances can participate and vote by using an interactive video and telephone system in accordance with Florida's Sunshine Law. Extraordinary circumstances shall include illness and military duty or if the MPO Governing Board makes a determination of extraordinary circumstances based on the facts. If such a determination is made, the MPO Governing Board shall document its decision to allow such attendance via electronic means by duly passing a motion.
- G. In the event of a Declared State or National Emergency, three (3) voting members on the MPO Governing Board, shall constitute a quorum for the transaction of business. All other voting members on the MPO Governing Board may vote by using an interactive video and telephone system.
- H. Voting Procedures. Voting shall be by voice, except that a roll call vote shall be held to adopt and/or amend the Long Range Transportation Plan and Transportation Improvement Program, as required by Federal and State Law. In all other instances, voting shall be by voice unless a Board Member specifically requests a roll call vote on a particular matter. All other questions or procedures shall be governed by the most recent edition of Robert's Rules of Order
- I. An agenda shall be prepared for each meeting. Items may be placed on the agenda by any voting or non-voting member, the Executive Committee, the TAC, the CAC, or the staff. Notices and tentative agendas shall be sent to members and alternates seven (7) days prior to the regular meeting dates, and shall be made available to the public at least four (4) days in advance of the meeting. Agenda changes may be made at any meeting by two-thirds (2/3) vote of the MPO Governing Board, provided that all agenda changes are made in accordance with Section 6.0 ("MPO Public Participation Policy") below.

- J. Advance notification of all meetings, both regular business and special, shall be provided as required by applicable law.
- K. The MPO's public involvement process shall provide for early and continuing involvement in the transportation planning and programming process to all segments of the community. As specifically stated in the federal legislation, these segments are freight shippers, users of public transit, citizens, providers of transportation, affected public agencies, representatives of transportation agency employees, other interested parties, and segments of the community affected by transportation plans, programs, and projects. The process shall also provide for seeking out and considering the needs of those traditionally underserved by existing transportation systems, such as low income and minority households which may face challenges accessing employment and other amenities.
- L. Minutes shall be kept of all meetings.
- M. If the Bylaws do not address a particular issue that comes before the MPO, and if the statute that the MPO is operating under does not cover said item, then *Robert's Rule of Order* shall take precedence.

#### **SECTION 1.6: RESPONSIBILITIES AND FUNCTIONS OF THE MPO**

- A. The MPO is charged with the overall responsibility for preparation, approval, and implementation of the intermodal urban transportation planning and programming process for the Lake-Sumter MPO area and all plans and programs that are developed through the process. The MPO is responsible for defining transportation related goals and objectives and ensuring that the transportation planning process embodies these goals and objectives.
- B. The MPO is responsible for the preparation and publication of the following:
  - 1. Annual Report of MPO Accomplishments and activities for the purpose of disseminating information to the public at the January meeting each year.
  - 2. Certification Document for the purpose of obtaining the transportation planning program for the next fiscal year.
- C. Citizen Involvement:
  - 1. The MPO shall guide and assist the MPO Community Advisory Committee (CAC) in their activities and shall be responsible for public involvement programs undertaken by the study.
  - 2. The MPO shall provide the opportunity at each of its meetings for citizens to comment or be heard on any matter pertinent to the urban transportation planning process.
  - 3. The public may obtain information or make submissions or requests concerning MPO matters by contacting the office of the Lake~Sumter MPO.

#### **SECTION 1.7: SUBCOMMITTEES**

- A. Subcommittees may be designated by the MPO as necessary to investigate and report on specific subject areas of interest to the MPO. These may include but are not limited to:
  - 1. Airports
  - 2. Highways
  - 3. Mass Transit (Public Transportation)
  - 4. Transportation needs of "transportation disadvantaged" groups
  - 5. Directions for future growth (local Comprehensive Plan reviews)
  
- B. Subcommittees may be designated as necessary to deal with administrative and legislative procedures. These may include:
  - 1. Administrative topics
  - 2. Bylaws
  - 3. Nominating
  - 4. Legislative Issues

## **SECTION 1.8: EMERGENCY REVISIONS AND AMENDMENTS**

- A. Establishment of Need for Emergency Revisions or Amendments

In circumstances in which the MPO is notified by a state or federal agency that an immediate minor revision is necessary for clarification of a plan document or an amendment is required to a program document to maintain consistency with state or federal programs, or program or project funding, and if the time constraint is such that action at the next regularly scheduled meeting of the MPO Governing Board would significantly delay progress on a project previously supported by the MPO, the Terms for Emergency Revisions and Amendments may be invoked by the MPO Executive Director.

- B. Terms for Emergency Revisions and Amendments

- 1. In cases where an amendment or revision must be approved prior to the next board meeting for the amended project to receive funding, or maintain consistency with state and federal programs, the Lake~Sumter MPO Executive Director is authorized to sign the corresponding resolution on behalf of the board without having to call an emergency meeting of the board or committees. The Executive Director's approval of the amendment then must be ratified at the next regularly scheduled board meeting. To maintain the integrity of the public involvement process, whenever feasibly possible, the Technical Advisory Committee, and the Community Advisory Committee, shall be asked to provide input prior to ratification by the board.
  
- 2. In the case of the Executive Director's execution of an emergency resolution, the resolution may be transmitted with signature to state and federal agencies, with the provision that the resolution shall come before the Executive Committee for recommendation and the Governing Board for ratification at the next regularly-scheduled meetings. Should the Governing Board take action to disapprove the resolution, state and



federal agencies shall be notified by the end of the following business day of the Governing Board's action.

## **SECTION 2.0: BYLAWS OF THE MPO TECHNICAL ADVISORY COMMITTEE (TAC)**

- A. The TAC shall consist of highway and transportation planners, professional engineers, or those personnel made available by the various municipalities and transportation agencies/authorities and may include but not be limited to the following members:
1. Director of Planning and Public Transportation, District Five, Florida Department of Transportation, or representative as a liaison to the TAC
  2. Public Works Director or Traffic Engineer or the designee from Lake County
  3. Public Works Director or Traffic Engineer or the designee from Sumter County
  4. A representative from the Lake County School District
  5. A representative from each of the 14 municipalities in Lake County
  6. A representative from each of the general aviation airports in Lake County
  7. A representative from Lake County Transit
  8. A representative from Lake County Economic Growth
  9. A representative from Sumter County Planning
  10. A representative from the Sumter County School District
  11. A representative from Sumter County Transit
  12. A representative from each of the five municipalities in Sumter County
  13. A representative of the Central Florida Expressway Authority
- B. Each of the member municipalities in Lake County and Sumter County, the Boards of County Commissioners from Lake County and Sumter County, and the School Superintendents from Lake County and Sumter County shall each appoint one member to the TAC. Each member may be represented by an alternate or alternates designated in writing by the governing body of said governmental unit. Additionally, a representative from the Central Florida Expressway Authority, the Florida Department of Environmental Protection, and a representative from the Federal Highway Administration (FHWA), Planning and Research Engineer, or representative thereof shall be non-voting members of the TAC. Members and alternates shall serve terms of indefinite length at the pleasure of their respective governmental bodies or agencies.

## **SECTION 2.1: OFFICERS AND DUTIES**

- A. A chair and vice-chair shall be elected at the last scheduled meeting of each year and shall serve a term of one year, starting with the January meeting.
- B. MPO staff will provide timely input/materials for the TAC agenda. The chair or vice-chair can request items be added to the agenda. FDOT representatives will provide timely input/materials to MPO Staff for agenda items.

## **SECTION 2.2: MEETINGS**

- A. Regular monthly meetings of the TAC shall be held on a day and time agreed upon annually by the Committee. Regular meeting dates and times may be changed by action of the ~~Committee~~ (TAC) to accommodate holidays and/or other reasons.

- B. Special meetings may be called by the Chair, the Vice-Chair or the TAC. Reasonable notice must be provided to the members and alternates for special meetings.
- C. ~~Three (3)~~ Five (5) of the voting members on the TAC shall constitute a quorum for the transaction of business.
- D. When a quorum of voting members are physically present at the public meeting, a member who is unable to attend a meeting due to extraordinary circumstances can participate and vote by using an interactive video and telephone system in accordance with Florida's Sunshine Law. Extraordinary circumstances shall include illness and military duty or if the TAC makes a determination of extraordinary circumstances based on the facts. If such a determination is made, the TAC shall document its decision to allow such attendance via electronic means by duly passing a motion.
- E. In the event of a Declared State or National Emergency, three (3) voting members on the TAC shall constitute a quorum for the transaction of business. All other voting members on the TAC may vote by using an interactive video and telephone system.
- ~~D.~~ F. Notices and tentative agendas shall be sent to members and alternates seven (7) days prior to the regular meeting dates, and shall be made available to the public at least four (4) days in advance of the meeting. Agenda changes may be made at any meeting by two-thirds (2/3) vote of the TAC Board; no additions may be made after the four (4) day notice. Items not on the agenda may be discussed at a meeting, but official action on the matter shall be re-scheduled for the next available meeting, provided that all agenda changes are made in accordance with Section 6.0 ("MPO Public Participation Policy") below.
- ~~E.~~ G. Minutes shall be kept of all meetings.
- ~~F.~~ H. Meetings will be open to the public and media.
- ~~G.~~ I. If the Bylaws do not address a particular issue that comes before the Board, and if the statute that the TAC is operating under does not cover said item, then *Robert's Rule of Order* shall take precedence.

### **SECTION 2.3: PURPOSE, RESPONSIBILITIES AND FUNCTIONS OF THE TAC**

- A. The TAC is responsible for coordinating transportation planning and programming; for review of all transportation studies, reports, and plans and/or programs; and for making recommendations to the MPO that are pertinent to the subject document. The TAC shall assist the MPO by providing technical resources as requested.
- B. The TAC is responsible for formal review of the List of Priority Projects.
- C. The TAC is responsible for considering Safe Access to schools in its review of transportation project priorities, long-range transportation plans, and transportation improvement programs, and shall advise the MPO on such matters.

- D. The TAC shall coordinate its actions with local school boards and local program and organizations within the metropolitan area which participate in school activities such as locally established community traffic safety teams.
- E. Local school boards must provide the MPO with information concerning future school sites and in the coordination of transportation service.
- F. The TAC recommendations to the MPO shall be based upon the technical sufficiency, accuracy, and completeness of studies and plans and/or programs.
- G. The TAC shall make priority recommendations to the MPO and/or other agencies responsible for plan and program implementation based upon the needs as determined by technical studies.
- H. The TAC shall serve for the completion of all required transportation studies, plans, development, and programming recommendations required under the Public Laws pertaining to all modes of transportation and transportation support facilities.
- I. The TAC shall serve as an advisory committee to any and all duly constituted area wide transportation authorities and/or boards, as well as area wide planning boards or councils for physical development, health, social, or comprehensive planning upon direct request of such authorities, boards, or councils.
- J. The TAC shall, when feasible and desirable to do so, utilize any means that may be suggested or devised to provide for citizen participation in the transportation planning process.

#### **SECTION 2.4: SUBCOMMITTEES**

- A. Subcommittees may be designated by the TAC as necessary to investigate and report on specific subject areas of interest to the TAC. These may include but are not limited to:
  - 1. List of Priority Projects
  - 2. Airports
  - 3. Highways
  - 4. Mass Transit/Public Transportation
  - 6. Directions for future growth (local Comprehensive Plan reviews)
  - 7. Nominating Committees
  - 8. Plans and Programs
  - 9. Management and Operations
  - 10. Air Quality
  - 11. Freight and Goods Movement
- B. Subcommittees may be designated as necessary to deal with administrative and legislative procedures relating to the TAC. These may include:
  - 1. Administrative matters
  - 2. Bylaws

**SECTION 3.0: BYLAWS OF THE MPO COMMUNITY ADVISORY COMMITTEE (CAC)**

The citizens of the area shall be involved in the transportation planning process by the establishment of a MPO Community Advisory Committee (CAC). The purpose of the CAC shall be to seek reaction to planning proposals and to provide comment with respect to the concerns of various segments of the population in regard to their transportation needs.

**SECTION 3.1: MEMBERSHIP APPOINTMENT, QUALIFICATION, AND TERMS OF OFFICE**

A. The committee of at least 31 voting members and 2 non-voting alternates shall consist of community representatives from Lake County and Sumter County. Members, whether voting or non-voting, shall not be elected officials. Seventeen (17) seats shall be geographic seats appointed at-large from the jurisdictions as indicated below, and sixteen (16) seats shall be appointed by the MPO Governing Board as indicated below:

1. Seventeen (17) geographically appointed members from local jurisdictions:

- a. Lake County - 5 representatives
- b. Sumter County - 2 representatives
- c. Lake Municipalities 7 representatives
- d. Sumter Municipalities 3 representatives

2. Sixteen (16) MPO Governing Board appointments:

- a. Multimodal 8 representatives
- b. Underserved population 2 representatives
- c. Transportation Disadvantaged 2 representatives
- d. Business Community 2 representatives
- e. Non-Voting members 2 representatives

B. One representative of FDOT District Five and one representative of the Central Florida Expressway Authority may serve as a non-voting advisors to the CAC.

C. Alternates: The MPO Board expects members to remain actively engaged in the committee, participating as fully as possible. It’s recognized that circumstances may occasionally arise that keep a member from attending a meeting. These guidelines on the role of alternates are meant to provide flexibility for members while ensuring committee participation. Members can request that an alternate represent them at a maximum of two (2) meetings during the year.

1. Alternates for Geographic Appointees: Alternate members may be appointed by the appointing local governments as necessary. These alternates will serve in the absence of the primary member and have the same right to vote and comment on agenda items. Designated alternates must be lay persons and not elected officials. Each alternate

designated by a county or municipality shall also reside within the geographic boundaries of that county or municipality so as to be familiar with the general citizenry's needs and desires of that county or municipality.

2. Alternates for MPO Board Appointees: The two Non-Voting Alternates appointed by the MPO Board are expected to attend all meetings, sit at the table with voting members, and participate in discussions. Voting appointees who are unable to attend a meeting should notify MPO staff and request a Non-Voting Alternate to represent them and vote in their place. Staff will then reach out to the Non-Voting Alternates and ensure that they can attend and vote in place of the member. The first voting appointees to notify staff will receive priority. Once all alternates have been engaged, all other appointees not at the meeting will receive absences.

D. Terms of Office and Conflicts of Interest

1. Representatives shall assume their responsibilities as of the next committee meeting after their appointment.
2. The term of office for a committee member in good standing will be for a period of four (4) years. At the discretion of the appointing authority, a member in good standing can be reappointed to a succeeding term(s).
3. Should a member resign or cease to be a member for any reason before the expiration of his/her term, a successor will be appointed by the designating authority.
4. All members (designated or alternate) shall avoid any professional conflict of interest. Any committee member who becomes aware of any type of conflict shall make it known to the staff liaison and either excuse himself/herself from the proceedings, or file a conflict of interest form into the record.

E. If any member of the CAC fails to attend three (3) consecutive meetings, the member will be notified, as will the member government, that a fourth (4th) consecutive absence will result in automatic vacancy. At that point, the appointing authority must take action to re-appoint.

F. Any vacancies in membership shall be filled through a process acceptable to the member government and acted upon by the local governing body. Such appointment shall be documented with the MPO in the form of a letter from the appointing authority.

G. A chair and vice-chair shall be elected at the last scheduled meeting of each year and shall serve a term of one year, starting with the January meeting.

**SECTION 3.2: MEETINGS**

A. Regular meetings of the CAC shall be held on a day and time agreed upon annually by the Committee. Regular meeting dates and times may be changed by action of the CAC to accommodate holidays and/or other reasons.

- B. Special meetings may be called by the Chair, the Vice-Chair or the CAC. Reasonable notice must be provided to the members and alternates for special meetings.
- C. ~~Three (3)~~ Five (5) of the voting members on the CAC shall constitute a quorum for the transaction of business.
- D. When a quorum of voting members are physically present at the public meeting, a member who is unable to attend a meeting due to extraordinary circumstances can participate and vote by using an interactive video and telephone system in accordance with Florida's Sunshine Law. Extraordinary circumstances shall include illness and military duty or if the CAC makes a determination of extraordinary circumstances based on the facts. If such a determination is made, the CAC shall document its decision to allow such attendance via electronic means by duly passing a motion.
- E. In the event of a declared State or National Emergency, three (3) voting members on CAC shall constitute a quorum for the transaction of business. All other voting members on the CAC may vote by using an interactive video and telephone system.
- ~~D.F.~~ Notices and tentative agendas shall be sent to members and alternates seven (7) days prior to the regular meeting dates, and shall be made available to the public at least four (4) days in advance of the meeting. Agenda changes may be made at any meeting by two-thirds (2/3) vote of the CAC; no additions may be made after the four (4) day notice. Items not on the agenda may be discussed at a meeting, but official action on the matter shall be re-scheduled for the next available meeting, provided that all agenda changes are made in accordance with Section 6.0 ("MPO Public Participation Policy") below.
- ~~E.G.~~ Minutes shall be kept of all meetings.
- ~~F.H.~~ Meetings will be open to the public and press.
- ~~G.I.~~ If the Bylaws do not address a particular issue that comes before the Board, and if the statute that the CAC is operating under does not cover said item, then *Robert's Rule of Order* shall take precedence.

### **SECTION 3.3: RESPONSIBILITIES AND FUNCTIONS OF THE CAC**

- A. The CAC should actively represent all segments of the general public and their concern in the transportation planning process.
- B. The CAC shall be charged with the following functions:
  1. Advise the MPO in the formulation of goals and objectives for shaping the urban environment.
  2. Provide an effective, stakeholders' review of the preliminary findings and recommendations of MPO's plans, studies and issues.
  3. Assist in the public information programs conducted by the MPO
  4. Review the List of Priority Projects.
  5. Review the Long Range Transportation Plan
  6. Review the five-year Transportation Improvement Program.

7. Provide recommendations to the MPO Governing Board.
  8. Assist in other missions and functions of the MPO as requested by MPO Governing Board, including member appointments to ad hoc subcommittees that may be formed from time to time for the purpose of specifically addressing roadways, bicycle, pedestrian, and/or transit- related issues.
- C. The CAC shall transmit to the MPO Governing Board, in written form, the findings of all public information programs, citizen comments on study recommendations, and other representative concerns expressed by the general public regarding the transportation planning process.
- D. Members of the CAC shall not express their individual and/or personal views as those of the CAC, unless the CAC has, through a majority vote of those members present at a meeting, expressed such opinions.

#### **SECTION 3.4: SUBCOMMITTEES**

- A. Subcommittees may be designated by the CAC as necessary to investigate and report on specific subject areas of interest to the CAC. These may include but are not limited to:
1. Airports
  2. Highways
  3. Mass Transit/Public Transportation
  4. Bicycle, Pedestrian and Trails
  5. Transportation of "transportation disadvantaged" groups
  6. Directions for future growth
- B. Subcommittees may be designated as necessary to deal with administrative and legislative procedures related to the CAC. These may include:
1. Administrative matters
  2. Bylaws

#### **SECTION 5.0: GENERAL POLICIES OF THE MPO**

General Policies shall apply to all committees and participants of the MPO.

- A. The adoption of reports, studies, plans, and programs must be by resolution of the MPO. The MPO may consider the review and recommendation by the TAC, CAC, and BPAC.
- B. Recommended changes in the Bylaws require a simple majority vote of the members at any meeting, providing that all members have received written copies of proposed amendments at least ten (10) days prior to the meeting.
- C. All committees shall maintain a broad perspective covering the range of all modes of transportation and associated facilities in all recommended planning work programs so that proper study and evaluation of transportation needs shall result in a multi-modal transportation system plan, balanced with respect to area wide needs and properly related to area wide comprehensive plan goals and objectives.

**SECTION 6.0: MPO PUBLIC PARTICIPATION POLICY**

- A. **Right to be Heard.** Pursuant to Section 286.0114, Florida Statutes, members of the public shall be given a reasonable opportunity to be heard on a proposition before official action is taken by any Lake~Sumter MPO Board or Committee. Such opportunity to be heard need not be provided at the same meeting in which official action on the proposition is to be made, but shall be provided at a meeting during the decision making process that is within a reasonable proximity in time to the meeting in which the Board or Committee takes official action. Public input shall be limited to three (3) minutes per speaker, with the Chair of the Board or Committee having the option of allowing additional time. This right does not apply to:
1. An official act that must be taken to deal with an emergency situation affecting the public health, welfare, or safety, if compliance with the requirements would cause an unreasonable delay in the ability of the MPO to act;
  2. An official act involving no more than a ministerial act, including, but not limited to, approval of minutes and ceremonial proclamations;
  3. A meeting that is exempt from Section 286.011, Florida Statutes; or
  4. A meeting during which the board or commission is acting in a quasi-judicial capacity. This paragraph does not affect the right of a person to be heard as otherwise provided by law.
- B. **Request to be Heard.** Members of the public who wish to provide comment at an MPO meeting may come before the Board or Committee during the designated period of time on the agenda. Members of the public requesting to be heard on a proposition may designate a representative to speak for them individually, or to speak on behalf of a group of concerned citizens. All remarks shall be addressed to the Board or Committee as a whole, and not to any one member thereof.
- C. **Agenda.** All MPO Boards and Committees shall have an agenda that is available at least four (4) days in advance of any meeting. Unless exempted as set forth under subsection (A) above, official action on a proposition cannot be taken at a meeting unless it was included in such agenda. Items not on the agenda may still be discussed at a meeting, but official action on the matter shall be re-scheduled for the next available meeting so as to provide the public a reasonable opportunity to be heard.