

Policy PLC-8: Transportation Disadvantaged Local Coordinating Board (TDLCB)

1.0 TRANSPORTATION DISADVANTAGED LOCAL COORDINATING BOARD (TDLCB).

(A) The Space Coast Transportation Planning Organization (SCTPO), in accordance with Chapter 427, Florida Statutes, hereby establishes the TDLCB. The general purpose and duties of the TDLCB are to:

(1) Review and approve the coordinated community transportation disadvantaged service plan, including the Memorandum of Agreement between the Commission for the Transportation Disadvantaged and the Community Transportation Coordinator, prior to submittal to the Commission;

(2) Evaluate services provided in meeting the approved plan;

(3) In cooperation with the community transportation coordinator, review and provide recommendations, to the Commission for the Transportation Disadvantaged (hereinafter called "the Commission") on funding applications affecting the transportation disadvantaged;

(4) Assist the community transportation coordinator in establishing eligibility guidelines and priorities with regard to the recipients of non-sponsored transportation disadvantaged services that are purchased with Transportation Disadvantaged Trust Fund moneys.

(5) Review the coordination strategies of service provision to the transportation disadvantaged in the designated service area;

(6) Evaluate multi-county or regional transportation opportunities; and

(7) Work cooperatively with local workforce development boards established in chapter 445 to provide assistance in the development of innovative transportation services for participants in the welfare transition program.

(B) *Membership.* The membership of the TDLCB, organizational structure, and specific responsibilities shall consist of the members as designated and in accordance with the rule 41-2.012, Florida Administrative Code, and section 427.0157, Florida Statute

(1) The following agencies or groups shall be represented on the Board as voting members:

(a) An elected official appointed by the SCTPO (the SCTPO shall appoint an elected official as the chair);

(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 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 county;

(g) A person who is recognized by the Florida Association for Community Action (President), representing the economically disadvantaged in the county;

- (h) A person over sixty representing the elderly in the county;
- (i) A person with a disability representing the disabled in the county;
- (j) Two citizen advocate representatives in the county; 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;
- (l) In areas where they exist, the Chairperson 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 Elderly 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 will 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 local representative of the Agency for Person with Disabilities;
- (q) A representative of the Regional Workforce Development Board established in Chapter 445, Florida Statutes; and
- (r) 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.

(2) *Alternate members.*

(a) Alternate representatives on the board shall vote, participate for the purpose of forming a quorum, make or second motions, and otherwise act as a member of the TDLCB, only in the absence of the representative that the alternate has been appointed to serve in place of; provided, however, that alternate representatives may always attend board meetings and participate in debate. All appointed alternate members who are attending a meeting as a sitting member on the TDLCB are required to register a vote on all issues presented, except in the event that there is, or appears to be, a voting conflict of interest as provided in section 112.3143, Florida Statutes, or as specified in section 286.012, Florida Statutes. Abstentions are not permitted, except as provided by law. Votes should be consistent with the public interest. If both the appointed and alternate member attend the same meeting, only the appointed member may vote on items.

(b) All members of the TDCB may have their appointing agency or organization designate, in writing, an alternate who may vote only in the absence of that member. All members not representing an agency or organization may have an alternate, who may vote only in the absence of that member, appointed for them by Space Coast Area Transit.

(3) *Technical Advisors.* Upon majority vote of the quorum of the coordinating board, technical advisors may be approved for the purpose of providing the coordinating board with technical advice as necessary. The technical advisors shall not

be allowed to vote.

(4) *Non-Voting Members.* Additional non-voting advisers may be appointed by the SCTPO.

(C) *Appointment of Chair.* A current member of the Space Coast TPO Governing Board shall be elected each year by the Governing Board to serve as the official Chair for all TDLCB meetings. If for any reason the appointed Chair is unable to fulfill said Chair's term the SCTPO Governing Board will select a replacement.

(D) *Appointment to the TDLCB.* The SCTPO shall appoint the non-agency members of the Coordinating Board. In making appointments, the SCTPO shall consider membership and alternate membership nominations made by the Transportation Disadvantaged Local Coordinating Board Nominating Committee. The Transportation Disadvantaged Local Coordinating Board Nominating Committee shall not have jurisdiction to recommend membership and alternate membership appointments for agency positions to the TDLCB. Except for the Chair, the members and alternate members of the Board shall be appointed for three (3) year staggered terms. The Chair shall serve until replaced by the SCTPO. No employee of the Community Transportation Coordinator shall serve as a voting member of the Coordinating Board. However, an elected official serving as chair of the Coordinating Board, or other governmental employees that are not employed for the purpose of making provisions for transportation, shall not be precluded from serving as voting members of the Coordinating Board.

(E) *Termination of Membership.* Any non-agency members of the board may resign at any time by notice in writing to the chairperson. Unless otherwise specified in such notice, such resignation shall take effect upon receipt thereof by the chairperson. Each member of the Board is expected to demonstrate interest in the board's activities through attendance of the scheduled meetings. The SCTPO shall review, and consider rescinding the appointment of any voting non-agency member of the board who fails to attend three (3) consecutive meetings. The staff of the TDLCB shall contact department supervisors of all members representing an agency who fail to attend three (3) consecutive meetings to discuss possible termination of an appointment or appointment of a new representative.

(F) *TDLCB Nominating Committee.* The committee shall consist of three (3) members, the TDLCB Chair, one (1) Space Coast Area Transit staff member, and one (1) SCTPO staff member. This committee will select new or replacement members for vacancies from eligible applicants within the county for non-agency mandated positions, to be approved by the SCTPO Governing Board.

(G) *Duties of the TDLCB.*

(1) The Board shall hold an organizational meeting each year for the purpose of electing a Vice-Chair. The Vice-Chair shall be elected by a majority vote of the members of the Board voting at the organizational meeting. The Vice-Chair shall serve a term of one year starting with the next meeting after the election, or until a successor shall be elected, whichever event shall occur later in time. In the event of the Chair absence, the Vice-Chair shall assume the duties of the Chair and conduct the meeting. In the event of the absence of vice-chair, the TDLCB members will select a member to temporarily assume the duties of the vice-chair and conduct the meeting.

(2) The Board shall meet at least quarterly as required by section 427.0157, Florida Statutes, and shall perform the following duties as specified in 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 Transportation Disadvantaged Commission and the Chair of the SCTPO.

(b) Annually, provide the Transportation Disadvantaged Commission and the SCTPO with an evaluation of the community transportation coordinator's performance in general and relative to Transportation Disadvantaged Commission and local standards as referenced in rule 41-2.006, F.A.C., and the performance results of the most recent Transportation Disadvantaged Service Plan. As part of the 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.

(c) Annual public hearing. The Board shall hold a minimum of one public hearing annually for the purpose of receiving input on unmet needs or any other services that relate to the local transportation system in Brevard County;

(d) Review and approve the Memorandum of Agreement between the Community Transportation Coordinator and the Commission for Transportation Disadvantaged, including the Coordinated Community Transportation Disadvantaged Service Plan;

(e) On a continuing basis, evaluate services provided under the designated service plan. Annually, prior to the Coordinator's annual evaluation, provide the SCTPO with an evaluation of the Coordinator's performance in general and relative to the Commission for Transportation Disadvantaged standards and the completion of the annual service plan;

(f) In cooperation with the Community Transportation Coordinator, review and provide recommendations to the Commission for Transportation Disadvantaged and the SCTPO on all applications for local government, state or federal funds relating to transportation of the transportation disadvantaged in the designated service area to ensure that any expenditures within the designated service area are provided in the most cost effective and efficient manner;

(g) Review coordination strategies for service provision to the transportation disadvantaged in the designated service area to seek innovative ways to improve cost effectiveness, efficiency, safety, working hours and types of service in an effort to increase ridership. Such strategies should also encourage multi-county and regional transportation service agreements between area Community Transportation Coordinators and consolidation of adjacent designated service areas when it is appropriate and cost effective to do so;

(h) Appoint a Grievance Subcommittee to process and investigate complaints from agencies, users, potential users of the system and the Community Transportation Coordinator, and make recommendations to the TDLCB for improvement of service. The Coordinating Board shall establish procedures to provide regular opportunities for issues to be brought before such subcommittee and to resolve them in a timely manner;

(i) In coordination with the Community Transportation Coordinator, jointly develop applications for funds that may become available;

(j) Consolidate the annual budget estimates of local, district, state, agency, and federal government transportation disadvantaged funds and forward said information to the Commission for Transportation Disadvantaged no later than September 15 for reporting purposes. A copy of the consolidated report shall be provided to the SCTPO for planning purposes;

(k) Assist SCTPO in preparing a Transportation Disadvantaged Element in their Transportation Improvement Program (TIP); and

(l) Review and approve the Coordinated Transportation Development Plan for consistency with approved minimum guidelines and the goals and objectives of the Coordinating Board.

(H) *Grievance Subcommittee.* The grievance subcommittee shall be comprised of five (5) voting members of the Transportation Disadvantaged Local Coordinating Board. The term of service on the grievance subcommittee shall be for a period of time beginning on January 1st and ending on December 31st of each year, or until new committee members are appointed, whichever event shall occur later in time. Members are eligible for reappointment by the Coordinating Board. The officers of the subcommittee shall be the Chair and the vice Chair, who shall be designated by the Coordinating Board. The Chair of the subcommittee shall call and preside at all meetings of the subcommittee. The Vice Chair shall serve as Chair in the absence of the Chair. At least three (3) of the voting members of the subcommittee must be present for the subcommittee to conduct business.

(I) *Coordinating Board procedures.*

(1) A majority of the total filled memberships of the TDLCB shall constitute a quorum. No official action shall be taken without a quorum. No motion shall be adopted by the TDLCB, except upon the affirmative vote of a simple majority of the voting members attending the meeting. Roberts Rules of Order, as revised, latest edition, shall be used to govern proceedings of the TDLCB and its subcommittees.

(2) *Continuance and Deferrals.*

(a) The TDLCB may continue or defer a scheduled public hearing to a date and time certain without further notice; provided, that the date and time of the continuance or deferral is announced at the originally scheduled hearing. Notice in compliance with Florida's Government-in-the-Sunshine Law, section 286.011, Florida Statutes, must be given prior to the continued public hearing date, and notice must be promptly posted in a conspicuous location on the SCTPO's internet web-site of the date and time to which the public hearing has been continued.

(b) If a quorum physically present at the advertised public hearing location is not obtained at the time of the advertised public hearing, the TDLCB chair, or said chair's designee, may publicly announce the continuance of the public hearing without further notice; provided, that the location, date and time of the continuance or deferral is announced at the originally scheduled hearing. In addition, notice in compliance with Florida's Government-in-the-Sunshine Law, section 286.011, Florida Statutes, must be given prior to the continued public hearing date, and notice must be promptly posted in a conspicuous location on the SCTPO's internet web-site of the location, date, and time to which the public hearing has been continued.

(3) *Rescheduled meeting dates.* Prior to the advertised public hearing, if the TDLCB chair, or the chair's designee, determines that a quorum physically present at the meeting site cannot be obtained, the TDLCB chair, the chair's designee, may direct that the meeting will be continued until a specific date and time certain. Prior to the continued meeting, notice must be posted in a conspicuous location at the entrance to the meeting room where the meeting was scheduled to take place of the date and time to which the meeting was continued, and prior to the meeting, notice must be conspicuously posted on the SCTPO's internet web-site.

(4) *Emergency meetings.* The TDLCB may hold an emergency meeting,

for the purpose of acting upon matters in the judgment of the TDLCB requiring and necessitating immediate action prior to the next regularly scheduled meeting of the TDLCB. The form of notice shall be as set forth in Section 4 above, except that notice need not be given at least seven (7) days before the meeting. The agenda and notice of the meeting shall be posted conspicuously on the SCTPO web-site, if operative, at the earliest reasonable time possible.

(5) *Virtual meetings.* The TDLCB, or a committee thereof, may hold meetings virtually using communications media technologies during certain declared state of emergencies. In a state of emergency, where the law permits these technologies may be used in lieu of in person meetings. During this time, meetings will be publicly noticed, and public comment will be available. Further instruction providing greater detail will be provided on a case by case basis at the time. Virtual meeting outreach tools and public access shall follow the latest adopted public participation plan.

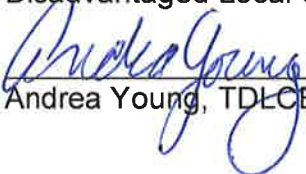
(6) *Reliance on information presented by applicant.* The SCTPO and its departments, boards, and agencies, shall have the right to rely on the accuracy of statements, documents, and all other information presented to them on any matter.

(7) *Documents submitted at any public hearing.* The public is hereby advised that any document, paper, letter, map, book, tape, photograph, film, sound recording, data processing software, or other material, regardless of the physical form, characteristics, or means of transmission, submitted at or before a public hearing as a part of said public hearing or with relation to any agenda item, is hereby declared to be a Public Record, and is automatically made a part of the record of the hearing at which it was submitted. The original public record may not be returned to the person submitting the document, and all public hearing participants are hereby so advised.

(J) *Staff.* The Space Coast Area Transit 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 minutes, including an attendance roster and other necessary administrative duties.

(K) *Communication.* The SCTPO authorizes the Board to communicate directly with other agencies and entities as necessary to carry out its duties and responsibilities in accordance with rule 41-2 Florida Administrative Code.

The undersigned hereby certifies that she is the Chair of the Transportation Disadvantaged Local Coordinating Board and that the foregoing is a full, true, and correct copy of the policies of this Board as adopted by the Brevard County Transportation Disadvantaged Local Coordinating Board this 12 day of Feb. 2024.



Andrea Young, TDLCB Chair