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July 5, 2016

TO: Union County Transportation Disadvantaged Coordinating Board

FROM: Lynn Godfrey, AICP, Senior Planner

SUBJECT: Meeting Announcement

The Union County Transportation Disadvantaged Coordinating Board meet **Tuesday, July 12, 2016 at 1:15 p.m.** in the Suwannee River Economic Council Office located at the Union County Transportation Facility, 255 SW 9th Avenue, Lake Butler, Florida. 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

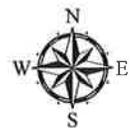
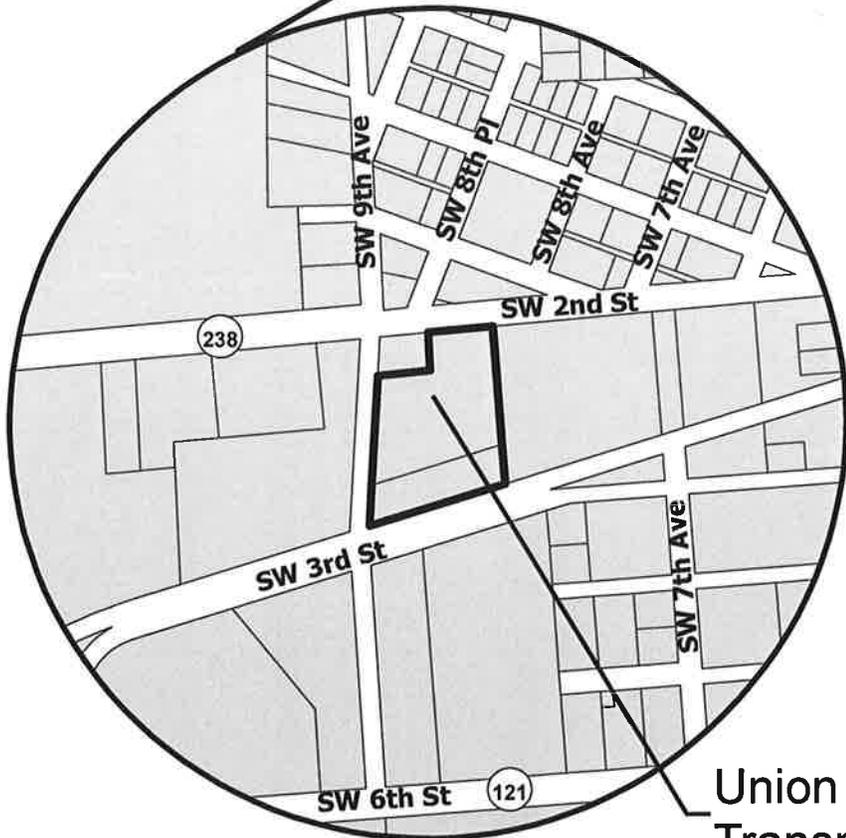
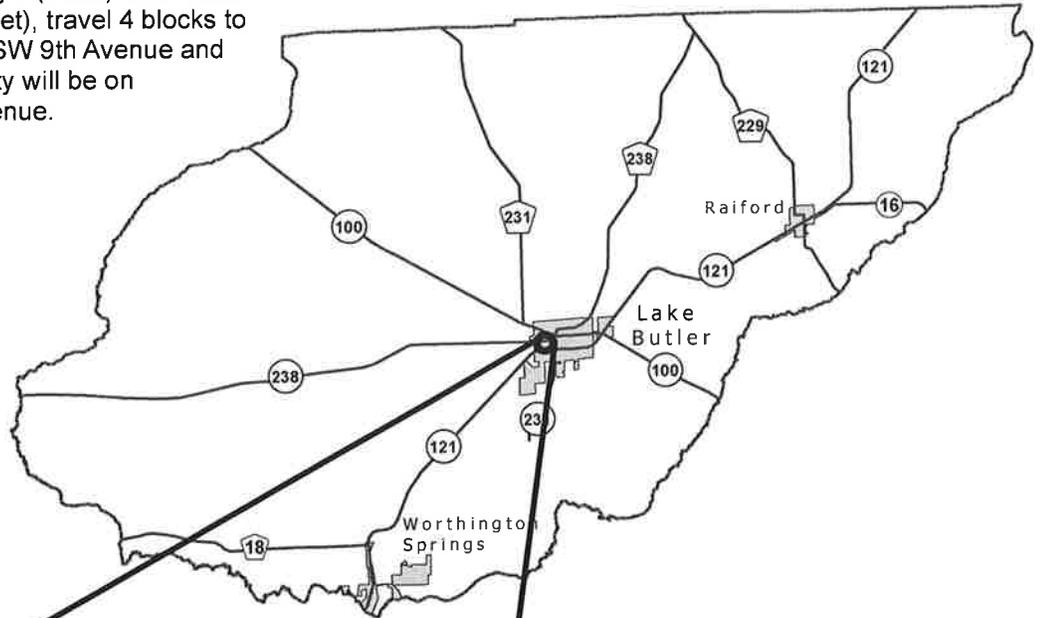
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# Union County Transportation Facility

## 255 SW 9th Avenue

### Lake Butler, Florida 32054

Directions: From the intersection of State Road 100 (also known as Main St) and State Road 238 (also known as 6th Ave) in the City of Lake Butler, head Southwesterly onto State Road 238 (also known as 6th Ave) travel two blocks to State Road 238 (also known as SW 2nd Street), turn right (West) onto State Road 238 (also known as SW 2nd Street), travel 4 blocks to SW 9th Avenue, turn left (South) onto SW 9th Avenue and the Union County Transportation Facility will be on the left, on the East side of SW 9th Avenue.



1 inch = 500 feet

Union County  
Transportation Facility





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**UNION COUNTY  
TRANSPORTATION DISADVANTAGED COORDINATING BOARD**

**MEETING ANNOUNCEMENT AND AGENDA**

**Union County Transportation Facility  
255 SW 9th Avenue  
Lake Butler, Florida**

**Tuesday  
July 12, 2016  
1:15 p.m.**

**I. BUSINESS MEETING – CALL TO ORDER**

**A. Introductions**

**B. Approval of the Meeting Agenda**

**ACTION REQUIRED**

**C. Approval of the April 12, 2016  
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 29**

**ACTION REQUIRED**

The Board needs to review and approve the Grievance Procedures

**C. Memorandum of Agreement**

**Page 47**

**ACTION REQUIRED**

The Board needs to review and approve the Memorandum of Agreement

**D. Elect Vice-Chair**

**Page 57**

**ACTION REQUIRED**

The Board needs to re-elect Ms. Sandra Collins as Vice-Chair or elect a new Vice-Chair

**III. OTHER BUSINESS**

**A. Comments**

**1. Members**

**2. Citizens**

**IV. FUTURE MEETING DATES**

**A. October 11, 2016 at 1:15 p.m.**

**B. January 10, 2017 at 1:15 p.m.**

**C. April 11, 2017 at 1:15 p.m.**

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

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

**UNION COUNTY  
TRANSPORTATION DISADVANTAGED COORDINATING BOARD**

MEMBER/REPRESENTING	ALTERNATE/REPRESENTING
Commissioner Woody Kitler Local Elected Official/Chair	
Sandra Collins, Vice-Chair Florida Department of Transportation Grievance Committee Member	Janell Damato Florida Department of Transportation
Jaime Sanchez-Bianchi Florida Department of Children and Families\ Grievance Committee Member	Vacant Florida Department of Children and Families
Vacant Florida Department of Education	Jeff Aboumrad Florida Department of Education Grievance Committee Member
Vacant Florida Department of Elder Affairs	Vacant Florida Department of Elder Affairs
Dewece Ogden Florida Agency for Health Care Administration	Pamela Hagley Florida Agency for Health Care Administration
Jeannie Carr Regional Workforce Board	Sifoa Nunu Regional Workforce Board
Vacant Florida Association for Community Action Term ending June 30, 2017	Vacant Florida Association for Community Action Term ending June 30, 2017
Mike Pittman Public Education	Vacant Public Education
Barbara Fischer Veterans Grievance Committee Member Term ending June 30, 2017	Vacant Veterans Term ending June 30, 2017
Doyle Archer Citizen Advocate Term ending June 30, 2018	Vacant Citizen Advocate Term ending June 30, 2018
Vacant Citizen Advocate - User Term ending June 30, 2018	Vacant Citizen Advocate - User Term ending June 30, 2018
Bill McGill Persons with Disabilities Term ending June 30, 2018	Vacant Persons with Disabilities Term ending June 30, 2018
Donald Pettit Elderly Grievance Committee Member Term ending June 30, 2017	Vacant Elderly Term ending June 30, 2017
Vacant Medical Community Term ending June 30, 2019	Vacant Medical Community Term ending June 30, 2019
Vacant Children at Risk Term ending June 30, 2019	Vacant Children at Risk Term ending June 30, 2019
Vacant Private Transit Term ending June 30, 2019	Vacant Private Transit Term ending June 30, 2019

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



**UNION COUNTY  
TRANSPORTATION DISADVANTAGED COORDINATING BOARD**

**PUBLIC HEARING/MEETING MINUTES**

Union County Transportation Facility  
255 SW 9th Avenue  
Lake Butler, Florida

Tuesday  
April 12, 2016  
1:15 p.m.

**VOTING MEMBERS PRESENT**

Commissioner Woody Kitler, Chair  
Jeff Aboumrad, Florida Department of Education Representative  
Jeannie Carr Regional Workforce Board Representative  
Sandra Collins, Florida Department of Transportation Representative  
Barbara Fischer, Veterans Representative  
Bill McGill, Persons with Disabilities Representative  
Dewece Ogden, Florida Agency for Health Care Administration Representative

**VOTING MEMBERS ABSENT**

Donald Pettit, Elderly Representative  
Jaime Sanchez-Bianchi, Florida Department of Children and Families Representative  
Mike Pittman, Public Education Representative

**OTHERS PRESENT**

Matthew Pearson, Suwannee River Economic Council

**STAFF PRESENT**

Lynn Godfrey, North Central Florida Regional Planning Council

**I. PUBLIC HEARING CALL TO ORDER**

Chair Kitler called the public hearing to order at 1:15 p.m.

**A. Introductions**

Chair Kitler asked everyone to introduce themselves.

**B. Receive Public Testimony**

There was no public testimony received.

**C. Close Public Hearing**

Chair Kitler closed the public hearing at 1:16 p.m.

**II. BUSINESS MEETING CALL TO ORDER**

Chair Kitler called the meeting to order at 1:16 p.m.

**A. Approval of the Meeting Agenda**

Sandra Collins stated that the agenda incorrectly notes the meeting date as Wednesday.

**ACTION: Barbara Fischer moved to approve the meeting agenda with the noted correction. Bill McGill seconded; motion passed unanimously.**

**B. Approval of the January 12, 2016 Minutes**

**ACTION: Sandra Collins moved to approve the January 12, 2016 meeting minutes. Barbara Fischer seconded; motion passed unanimously.**

**III. UNFINISHED BUSINESS**

**A. Community Transportation Coordinator Designation**

Ms. Lynn Godfrey, North Central Florida Regional Planning Council Senior Planner, stated that Suwannee River Economic Council was designated the interim Community Transportation Coordinator in July 2015. She said Suwannee River Economic Council's Memorandum of Agreement will expire June 30, 2016. She said the North Central Florida Regional Planning Council issued a request for proposals to recommend a Community Transportation Coordinator for Union County. She said the Planning Council received one proposal from Suwannee River Economic Council.

Ms. Godfrey stated that the Florida Commission for the Transportation Disadvantaged designated Suwannee River Economic Council the Union County Community Transportation Coordinator at its April 8, 2016 meeting.

**IV. NEW BUSINESS**

**A. 2016/17 Union County Transportation Disadvantaged Service Plan**

Ms. Godfrey that Chapter 427, Florida Statutes requires Suwannee River Economic Council to prepare a Transportation Disadvantaged Service Plan in cooperation with the North Central Florida Regional Planning Council for the local Coordinating Board's approval. She said the Service Plan must be submitted to the Florida Commission for the Transportation Disadvantaged annually. She said the draft 2016/17 Service Plan is included in the meeting packet for the Board's review and approval.

The Board reviewed the 2016/17 Union County Transportation Disadvantaged Service Plan.

**ACTION: Bill McGill moved to approve the 2016/17 Union County Transportation Disadvantaged Service Plan. Barbara Fischer seconded; motion passed unanimously.**

**B. Operations Reports**

Mr. Pearson discussed the October - December 2015 operations reports.

**C. 2016 Florida Legislative Session**

Ms. Godfrey stated that the Florida Legislature authorized an increase in Transportation Disadvantaged Trust Funds in Fiscal Year 2016-17. She said the additional funds will be used for the following:

1. study the existing Transportation Disadvantaged Trust Fund distribution formula;
2. provide additional transportation services in rural areas for persons with disabilities, older adults, and people with low incomes; and
3. award competitive grants to Community Transportation Coordinators to support transportation projects that: (1) enhance the access of older adults, persons with disabilities, and persons with low income individuals to health care, shopping, education, employment, public services, and recreation; (2) assist in the development, improvement, and use of transportation systems in non-urbanized areas; (3) promote the efficient coordination of services; (4) support intercity bus transportation; and (5) encourage private transportation provider participation.

**IV. OTHER BUSINESS**

**A. Comments**

**1. Members**

Chair Kitler and Sandra Collins commended Suwannee River Economic Council for the smooth transition from A & A Transport.

**2. Citizens**

There were no citizen comments.

**VI. FUTURE MEETING DATES**

Chair Kitler stated that the next Board meeting is scheduled for July 12, 2016 at 1:15 p.m.

**ADJOURNMENT**

The meeting was adjourned at 2:00 p.m.

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Coordinating Board Chair

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Date



July 5, 2016

TO: Union County Transportation Disadvantaged Coordinating Board  
FROM: Lynn Godfrey, AICP, Senior Planner  
SUBJECT: Union 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\td2016\union\memos\bylaws.docx



# Bylaws

July 12, 2016

## Union County Transportation Disadvantaged Coordinating Board





# Bylaws

Approved by the  
Union County  
Transportation Disadvantaged Coordinating Board

2009 NW 67th Place  
Gainesville, FL 32653-1603  
[www.ncfrpc.org/mtpo](http://www.ncfrpc.org/mtpo)  
352.955.2000

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**Woody Kitler, Chair**

with Assistance from



North Central Florida Regional Planning Council  
2009 NW 67th Place  
Gainesville, FL 32653-1603  
[www.ncfrpc.org](http://www.ncfrpc.org)  
352.955.2200

July 12, 2016

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# Chapter I: Union County Transportation Disadvantaged Coordinating Board Bylaws

## A. Preamble

The following sets forth the bylaws which shall serve to guide the proper functioning of the Union 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 for the coordination of transportation services to the transportation disadvantaged.

## B. Agency Description

The Union 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 Union County Transportation Disadvantaged Coordinating Board, hereinafter referred to as the Board.
- (2) The purpose of the Board is to identify local service needs and provide information, advice and direction to the Community Transportation Coordinator on the provision of services to the transportation disadvantaged within the designated service area. 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 Union County is the North Central Florida Regional Planning Council.
  - (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;
- (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 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, 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.

## F. Officers

- (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) **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's absence, the Vice-Chair shall assume the duties of the Chairperson 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.
- (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.

- (45) 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.

- (56) 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.

- (67) 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.

- (78) 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."
- (89) Proxy Voting. Proxy voting is not permitted.
- (910) Parliamentary Procedures. The Board will conduct business using parliamentary procedures according to Robert's Rules of Order, except when in conflict with these Bylaws.
- (1011) 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.
- (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 hearing 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.

## J. Committees

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 recuse themselves from hearing the grievance.

Additional committees shall 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. Amendments

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

## L. Certification

The undersigned hereby certifies that he/she is the Chair of the Union 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 Union County Transportation Disadvantaged Coordinating Board the 12th day of July 2016.

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Woody Kitler, Chair  
Union County Transportation Disadvantaged Coordinating Board

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# Union County Transportation Disadvantaged Coordinating Board

## *Bylaws Team*

Scott R. Koons, AICP, Executive Director

\* Lynn Franson-Godfrey, AICP, Senior Planner

\* Primary Responsibility



Use the QR Reader App  
on your smart phone to  
visit our website!

**Union County  
Transportation Disadvantaged Coordinating Board**

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

[www.ncfrpc.org/td](http://www.ncfrpc.org/td)



**II . B .**  
Serving

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2009 NW 67th Place, Gainesville, FL 32653-1803 • 352.955.2200

July 5, 2016

TO: Union County Transportation Disadvantaged Coordinating Board  
FROM: Lynn Godfrey, AICP, Senior Planner  
SUBJECT: Union 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

July 12, 2016

Union County  
Transportation Disadvantaged Coordinating Board





# Transportation Disadvantaged Grievance Procedures

Approved by the

Union County  
Transportation Disadvantaged Coordinating Board

2009 NW 67th Place  
Gainesville, FL 32653-1603  
[www.ncfrpc.org/mtpo](http://www.ncfrpc.org/mtpo)  
352.955.2000

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**Woody Kitler, Chair**

with Assistance from



North Central Florida Regional Planning Council  
2009 NW 67th Place  
Gainesville, FL 32653-1603  
[www.ncfrpc.org](http://www.ncfrpc.org)  
352.955.2200

July 12, 2016

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# **Chapter I: Union County Transportation Disadvantaged Coordinating Board Grievance Procedures**

## **A. Preamble**

The following sets forth the procedures for the Union 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 Union 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 five (5) 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 recuses 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) 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:  
  
Union County Transportation Disadvantaged Coordinating Board  
Grievance Committee  
2009 N.W. 67th Place  
Gainesville, FL 32653-1603
- (4) If requested, the North Central Florida Regional Planning Council staff will provide assistance to individuals in preparing written grievances.
- (5) 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.
- (6) 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.
- (7) 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.
- (8) 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.
- (9) 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.
- (10) The Grievance Committee shall meet to hear the grievance within forty-five (45) calendar days from the date of receipt of the grievance.
- (11) 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.

- (12) 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.
- (13) 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.
- (14) A written report shall also be provided to the Community Transportation Coordinator's Governing Board.

## **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:

Union 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 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 Union 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 Union County Transportation Disadvantaged Coordinating Board the 12th day of July 2016.

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Woody Kitler, Chair  
Union County Transportation Disadvantaged Coordinating Board

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# Union County Transportation Disadvantaged Coordinating Board

## *Grievance Procedures Team*

Scott R. Koons, AICP, Executive Director

\* Lynn Franson-Godfrey, AICP, Senior Planner

\* Primary Responsibility



Use the QR Reader App  
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**Union County  
Transportation Disadvantaged Coordinating Board**

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

July 5, 2016

TO: Union County Transportation Disadvantaged Coordinating Board

FROM: Lynn Godfrey, AICP, Senior Planner

SUBJECT: 2016-2021 Memorandum of Agreement

STAFF RECOMMENDATION

**Approve the 2016-2021 Memorandum of Agreement between the Florida Commission for the Transportation Disadvantaged and Suwannee River Economic Council.**

BACKGROUND

The Memorandum of Agreement is a binding contract between the Florida Commission for the Transportation Disadvantaged and a designated Community Transportation Coordinator. The Memorandum of Agreement recognizes the Community Transportation Coordinator as a State contract vendor for a designated service area.

Attached is the Memorandum of Agreement between the Florida Commission for the Transportation Disadvantaged and Suwannee River Economic Council. The Memorandum of Agreement designates Suwannee River Economic Council the Community Transportation Coordinator for Union County. This Memorandum of Agreement is effective July 1, 2016 through June 30, 2021. The Board is required to approve the Memorandum of Agreement.

If you have any questions concerning the attached Memorandum of Agreement, please contact me at extension 110.

Attachment

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STATE OF FLORIDA  
COMMISSION FOR THE TRANSPORTATION DISADVANTAGED  
**MEMORANDUM OF AGREEMENT**

This Memorandum of Agreement is between the COMMISSION FOR THE TRANSPORTATION DISADVANTAGED, hereby referred to as the "Commission," and Suwannee River Economic Council, Inc., Post Office Box 70, Live Oak, FL 32064, the COMMUNITY TRANSPORTATION COORDINATOR, designated pursuant to Chapter 427, F.S., to serve the transportation disadvantaged for the community that includes the entire area of Union county(ies), and hereafter referred to as the "Coordinator."

This Agreement is made in consideration of the mutual benefits to both parties; said consideration acknowledged hereto by the parties as good and valuable consideration.

The Parties Agree:

I. The Coordinator Shall:

- A. Become and remain totally apprised of all of the Transportation Disadvantaged resources available or planned in their designated service area. This knowledge will be used to plan, coordinate, and implement the most cost effective transportation disadvantaged transit system possible under the economic and other conditions that exist in the designated service area.
- B. Plan and work with Community Transportation Coordinators in adjacent and other areas of the state to coordinate the provision of community trips that might be handled at a lower overall cost to the community by another Coordinator. This includes honoring any Commission-approved statewide certification program that allows for intercounty transportation opportunities.
- C. Arrange for all services in accordance with Chapter 427, Florida Statutes, and Rule 41-2, FAC, and as further required by the Commission and the local Coordinating Board approved Transportation Disadvantaged Service Plan.
- D. Return any acquired profits or surplus funds originating through the course of business as the Coordinator that are beyond the amounts(s) specifically identified and approved in the accompanying Transportation Disadvantaged Service Plan. Such profits or funds shall be returned to the Coordinator's transportation system or to any subsequent Coordinator, as a total transportation system subsidy, to be applied to the immediate following operational year. The Coordinator will include similar language in all coordination contracts to assure that transportation disadvantaged related revenues are put back into transportation disadvantaged services.

E. Accomplish this Project by:

1. Developing a Transportation Disadvantaged Service Plan for approval by the local Coordinating Board and the Commission. Coordinators who are newly designated to a particular service area shall submit a local Coordinating Board approved Transportation Disadvantaged Service Plan, within 120 calendar days following the execution of the Coordinator's initial memorandum of agreement with the Commission, for approval by the Commission. All subsequent Transportation Disadvantaged Service Plans shall be submitted and approved with the corresponding memorandum of agreement. The approved Transportation Disadvantaged Service Plan will be implemented and monitored to provide for community-wide transportation services for purchase by non-sponsored transportation disadvantaged persons, contracting social service agencies, and other entities that use local, state, or federal government funds for the purchase of transportation for the transportation disadvantaged.
2. Maximizing the use of available public school transportation resources and public fixed route or fixed schedule transit services and assuring that private or public transit, paratransit operators, and school boards have been afforded a fair opportunity to participate to the maximum extent feasible in the planning process and in the development of the provisions of the Transportation Disadvantaged Service Plan for the transportation disadvantaged.
3. Providing or arranging 24-hour, 7-day per week transportation disadvantaged service as required in the designated service area by any Federal, State or Local Government agency sponsoring such services. The provision of said services shall be furnished in accordance with the prior notification requirements identified in the local Coordinating Board and Commission approved Transportation Disadvantaged Service Plan.
4. Complying with all local, state, and federal laws and regulations that apply to the provision of transportation disadvantaged services.
5. Submitting to the Commission an Annual Operating Report detailing demographic, operational, and financial data regarding coordination activities in the designated service area. The report shall be prepared on forms provided by the Commission and according to the instructions of said forms.

F. Comply with Audit and Record Keeping Requirements by:

1. Utilizing the Commission recognized Chart of Accounts defined in the *Transportation Accounting Consortium Model Uniform Accounting System for Rural and Specialized Transportation Providers* (uniform accounting system) for all transportation disadvantaged accounting and reporting purposes. Community Transportation Coordinators with existing and equivalent accounting systems are not required to adopt the Chart of Accounts in lieu of their existing Chart of Accounts but shall prepare all reports, invoices, and fiscal documents relating to the transportation disadvantaged functions and activities using the chart of accounts and accounting definitions as outlined in the above referenced manual.

2. Assuming the responsibility of invoicing for any transportation services arranged, unless otherwise stipulated by a purchase of service contract or coordination contract.
  3. Maintaining and filing with the Commission, local Coordinating Board, and all purchasing agencies/entities such progress, fiscal, inventory, and other reports as those entities may require during the period of this Agreement.
  4. Providing copies of finance and compliance audits to the Commission and local Coordinating Board as requested by the Commission or local Coordinating Board.
- G. Retain all financial records, supporting documents, statistical records, and any other documents pertinent to this Agreement for a period of five (5) years after termination of this Agreement. If an audit has been initiated and audit findings have not been resolved at the end of five (5) years, the records shall be retained until resolution of the audit findings. The Coordinator shall assure that these records shall be subject to inspection, review, or audit at all reasonable times by persons duly authorized by the Commission or this Agreement. They shall have full access to and the right to examine any of the said records and documents during the retention period.
- H. Comply with Safety Requirements by:
1. Complying with Section 341.061, F.S., and Rule 14-90, FAC, concerning System Safety; or complying with Chapter 234.051, F.S., regarding school bus safety requirements for those services provided through a school board; and
  2. Assuring compliance with local, state, and federal laws, and Commission policies relating to drug testing. Conduct drug and alcohol testing for safety sensitive job positions within the coordinated system regarding pre-employment, randomization, post-accident, and reasonable suspicion as required by the Federal Highway Administration and the Federal Transit Administration.
- I. Comply with Commission insurance requirements by maintaining at least minimum liability insurance coverage in the amount of \$200,000 for any one person and \$300,000 per occurrence at all times during the existence of this Agreement for all transportation services purchased or provided for the transportation disadvantaged through the Community Transportation Coordinator. Upon the execution of this Agreement, the Coordinator shall add the Commission as an additional **named insured** to all insurance policies covering vehicles transporting the transportation disadvantaged. In the event of any cancellation or changes in the limits of liability in the insurance policy, the insurance agent or broker shall notify the Commission. The Coordinator shall insure that contracting transportation operators and coordination contractors also maintain the same minimum liability insurance, or an equal governmental insurance program. Insurance coverage in excess of \$1 million per occurrence must be approved by the Commission and the local Coordinating Board before inclusion in the Transportation Disadvantaged Service Plan or in the justification of rates and fare structures. Such coverage may be provided by a self-insurance program established and operating under the laws of the State of Florida and written verification of insurance protection in accordance with Section 768.28, Florida Statutes, shall be provided to the Commission upon request.

- J. Safeguard information by not using or disclosing any information concerning a user of services under this Agreement for any purpose not in conformity with the local, state and federal regulations (45 CFR, Part 205.50), except upon order of a court, written consent of the recipient, or his/her responsible parent or guardian when authorized by law.
- K. Protect Civil Rights by:
1. Complying with state and federal laws including but not limited to laws regarding discrimination on the basis of sex, race, religion, age, disability, sexual orientation, or national origin. The Coordinator gives this assurance in consideration of and for the purpose of obtaining federal grants, loans, contracts (except contracts of insurance or guaranty), property, discounts, or other federal financial assistance to programs or activities receiving or benefiting from federal financial assistance and agreeing to complete a Civil Rights Compliance Questionnaire if so requested by the Commission.
  2. Agreeing that compliance with this assurance constitutes a condition of continued receipt of or benefit from federal financial assistance, and that it is binding upon the Coordinator, its successors, subcontractors, transferee, and assignees for the period during which such assistance is provided. Assure that all operators, subcontractors, subgrantee, or others with whom the Coordinator arranges to provide services or benefits to participants or employees in connection with any of its programs and activities are not discriminating against those participants or employees in violation of the above statutes, regulations, guidelines, and standards. In the event of failure to comply, the Coordinator agrees that the Commission may, at its discretion, seek a court order requiring compliance with the terms of this assurance or seek other appropriate judicial or administrative relief, to include assistance being terminated and further assistance being denied.
- L. To the extent allowed by Section 768.28, Florida Statutes, and only to the monetary and other limitations contained therein, indemnify and hold harmless the Commission and all of the Commission's members, officers, agents, and employees; purchasing agency/entity officers, agents, and employees; and the local, state, and federal governments from any claim, loss, damage, cost, charge or expense arising out of any act, action, neglect or omission by the Coordinator during the performance of this Agreement, whether direct or indirect, and whether to any person or property to which the Commission or said parties may be subject, except that neither the Coordinator nor any of its sub-contractors will be liable under this section for damages arising out of injury or damage to persons or property directly caused or resulting from the sole negligence of the Commission or any of its members, officers, agents or employees; purchasing agency/entity, officers, agents, and employees; and local, state, or federal governments. Nothing herein is intended to serve as a waiver of sovereign immunity by any agency/entity or Coordinator to which sovereign immunity may be applicable. Nothing herein shall be construed as consent by a state agency/entity or political subdivision of the State of Florida or the federal government to be sued by third parties in any matter arising out of any Agreement or contract. Notwithstanding the foregoing, pursuant to Section 768.28, Florida Statutes, no agency or subdivision of the state shall be required to indemnify, insure, or assume any liability for the Commission's negligence.

- M. Comply with standards and performance requirements of the Commission, the local Coordinating Board approved Transportation Disadvantaged Service Plan, and any purchase of service contracting agencies/entities. Failure to meet the requirements or obligations set forth in this MOA, and performance requirements established and monitored by the local Coordinating Board in the approved Transportation Disadvantaged Service Plan, shall be due cause for non-payment of reimbursement invoices until such deficiencies have been addressed or corrected to the satisfaction of the Commission.
- N. Comply with subcontracting requirements by executing or negotiating contracts for transportation services with Transportation Operators and Coordination Contractors, and assuring that the conditions of such contracts are maintained. The requirements of Part 1, Paragraph E.5. through M are to be included in all contracts, subcontracts, coordination contracts, and assignments made by the Coordinator for services under this Agreement. Said contracts, subcontracts, coordination contracts, and assignments will be reviewed and approved annually by the Coordinator and local Coordinating Board for conformance with the requirements of this Agreement.
- O. Comply with the following requirements concerning drivers and vehicles:
1. Drivers for paratransit services, including coordination contractors, shall be required to announce and identify themselves by name and company in a manner that is conducive to communications with the specific passenger, upon pickup of each rider, group of riders, or representative, guardian, or associate of the rider, except in situations where the driver regularly transports the rider on a recurring basis. Each driver must have photo identification that is in view of the passenger. Name patches, inscriptions or badges that affix to driver clothing are acceptable. For transit services, the driver photo identification shall be in a conspicuous location in the vehicle.
  2. The paratransit driver shall provide the passenger with boarding assistance, if necessary or requested, to the seating portion of the vehicle. The boarding assistance shall include opening the vehicle door, fastening the seat belt or utilization of wheelchair securement devices, storage of mobility assistive devices, and closing the vehicle door. In certain paratransit service categories, the driver may also be required to open and close doors to buildings, except in situations in which assistance in opening/closing building doors would not be safe for passengers remaining on the vehicle. Assisted access must be in a dignified manner. Drivers may not assist wheelchair up or down more than one step, unless it can be performed safely as determined by the passenger, guardian, and driver.
  3. All vehicles shall be equipped with two-way communications in good working order and be audible to the driver at all times to the base.
  4. All vehicles providing service within the coordinated system, shall have working air conditioners and heaters in each vehicle. Vehicles that do not have a working air conditioner or heater will be scheduled for repair or replacement as soon as possible.

P. Comply with other requirements as follows:

1. Transport an escort of a passenger and dependent children as locally negotiated and identified in the local Transportation Disadvantaged Service Plan.
2. Determine locally in the Transportation Disadvantaged Service Plan, the use, responsibility, and cost of child restraint devices.
3. Transport with the passenger at no additional charge, passenger property that can be carried by the passenger and/or driver in one trip and can be safely stowed on the vehicle. Additional requirements may be negotiated for carrying and loading rider property beyond this amount. Passenger property does not include wheelchairs, child seats, stretchers, secured oxygen, personal assistive devices, or intravenous devices.
4. Provide shelter, security, and safety of passengers at vehicle transfer points.
5. Post a local or other toll-free number for complaints or grievances inside each vehicle. The local complaint process shall be outlined as a section in the local Transportation Disadvantaged Service Plan including advising the dissatisfied person about the Commission's Ombudsman Program as a step within the process as approved by the local Coordinating Board.
6. Provide out-of-service-area trips, when determined locally and approved by the local Coordinating Board, except in instances where local ordinances prohibit such trips.
7. Keep interior of all vehicles free from dirt, grime, oil, trash, torn upholstery, damaged or broken seats, protruding metal or other objects or materials which could soil items placed in the vehicle or provide discomfort for the passenger.
8. Determine locally by the local Coordinating Board and provide in the local Transportation Disadvantaged Service Plan the billing requirements of the Community Transportation Coordinator. All bills shall be paid to subcontractors within 7 calendar days after receipt of said payment by the Coordinator, in accordance with Section 287.0585, Florida Statutes.
9. Maintain or have access to a passenger/trip database on each rider being transported within the system.
10. Provide each rider and escort, child, or personal care attendant adequate seating for paratransit services. No more passengers than the registered passenger seating capacity shall be scheduled or transported in a vehicle at any time. For transit services provided by transit vehicles, adequate seating or standing space will be provided to each rider and escort, child, or personal care attendant, and no more passengers than the registered passenger seating or standing capacity shall be scheduled or transported in a vehicle at any time.
11. First Aid shall be determined locally and provided in the local Transportation Disadvantaged Service Plan.

12. Cardiopulmonary Resuscitation shall be determined locally and provided in the local Transportation Disadvantaged Service Plan.

II. The Commission Shall:

- A. Recognize the Coordinator as the entity described in Section 427.011(5), Florida Statutes, and Rule 41-2.002(4), F.A.C.
- B. Attempt to insure that all entities with transportation disadvantaged funds will purchase transportation disadvantaged services through the Coordinator's system.

III. The Coordinator and the Commission Further Agree:

- A. Nothing in this Agreement shall require the Commission to observe or enforce compliance with any provision thereof, perform any other act or do any other thing in contravention of any applicable state law. If any of the provisions of this Agreement is found by a court of law to violate any applicable state law, the purchasing agency/entity will at once notify the Commission in writing in order that appropriate changes and modifications may be made by the Commission and the Coordinator to the end that the Coordinator may proceed as soon as possible with the provision of transportation services.
- B. If any part or provision of this Agreement is held invalid, the remainder of this Agreement shall be binding on the parties hereto.
- C. Termination Conditions:
  1. Termination at Will - This Agreement may be terminated by either party upon no less than thirty (30) days notice, without cause. Said notice shall be delivered by certified mail, return receipt required, or in person with proof of delivery.
  2. Termination for Breach - Unless the Coordinator's breach is waived by the Commission in writing, the Commission may, by written notice to the Coordinator, terminate this Agreement upon no less than twenty-four (24) hours notice. Said notice shall be delivered by certified mail, return receipt requested, or in person with proof of delivery. Waiver by the Commission of breach of any provision of this Agreement shall not be deemed to be a waiver of any other breach and shall not be construed to be a modification of the terms of this Agreement, and shall not act as a waiver or estoppel to enforcement of any provision of this Agreement. The provisions herein do not limit the Commission's right to remedies at law or to damages.
- D. This agreement will expire unless an extension is granted to the Coordinator in writing by the Commission, in accordance with Chapter 287, Florida Statutes.
- E. Renegotiations or Modifications of this Agreement shall only be valid when they have been reduced to writing, duly approved by the Commission, and signed by both parties hereto.

F. Notice and Contact:

The name and address of the contract manager for the Commission for this Agreement is: **Executive Director, 605 Suwannee Street, MS-49, Tallahassee, FL 32399-0450**. The representative/position of the Coordinator responsible for administration of the program under this Agreement is:

Ms. Frances Terry, Executive Director  
PO Box 70, Live Oak, FL 32064

In the event that either party designates different representatives after execution of this Agreement, notice of the name and address of the new representative will be rendered in writing to the other party and said notification attached to originals of this Agreement.

This document has been reviewed in its entirety and approved by the local Coordinating Board at its official meeting held on \_\_\_\_\_.

\_\_\_\_\_  
Coordinating Board Chairperson

WITNESS WHEREOF, the parties hereto have caused these presents to be executed.

COMMUNITY TRANSPORTATION  
COORDINATOR:

STATE OF FLORIDA, COMMISSION FOR  
THE TRANSPORTATION DISADVANTAGED:

\_\_\_\_\_  
Agency Name

\_\_\_\_\_  
Printed Name of Authorized Individual

\_\_\_\_\_  
Printed Name of Authorized Individual

Signature: \_\_\_\_\_

Signature: \_\_\_\_\_

Title: Executive Director

Title: \_\_\_\_\_



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July 5, 2016

TO: Union County Transportation Disadvantaged Coordinating Board  
FROM: Lynn Godfrey, AICP, Senior Planner  
SUBJECT: Elect Vice-Chair

RECOMMENDATION

**Re-elect Ms. Sandra Collins as the Board's Vice-Chair or elect a new Vice-Chair.**

BACKGROUND

Chapter I. F. of the Board's Bylaws requires the Board to hold an organizational meeting each year for the purpose of electing a Vice-Chair. The Vice-Chair shall serve a term of one year starting with the next meeting. In the event of the Chair's absence, the Vice-Chair shall assume the duties of the Chairperson and conduct the meeting.

If you have any questions concerning this matter, please contact me at extension 110.

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Dedicated to improving the quality of life of the Region's citizens,  
by coordinating growth management, protecting regional resources,  
promoting economic development and providing technical services to local governments.





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July 5, 2016

TO: Union County Transportation Disadvantaged Coordinating Board

FROM: Lynn Godfrey, AICP, Senior Planner

SUBJECT: Operations Reports

RECOMMENDATION

**No action required. This agenda item is for information only.**

BACKGROUND

Attached are the following reports for the Board's review:

1. January - March 2016 Operations Report;
2. Fiscal Year 2015/16 Transportation Disadvantaged Trust Fund Status Report;
3. January - March 2016 Complaint/Commendation Report; and
4. January - March 2016 Trip Denial Report.

If you have any questions regarding the attached reports, please do not hesitate to contact me.

**Attachments**

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**QUARTERLY OPERATING REPORT  
UNION COUNTY  
JANUARY - MARCH 2016**

OPERATING DATA	TOTAL
<b>NUMBER OF INVOICED TRIPS</b>	<b>1,019</b>
Florida Transportation Disadvantaged Program	558
Florida Managed Medical Care Program (Medicaid)	244
Aging Program - Title III B	217
<b>TOTAL VEHICLE MILES</b>	<b>11,064</b>
<b>TOTAL VEHICLE HOURS</b>	<b>846</b>
<b>TOTAL DOLLARS INVOICED</b>	<b>\$43,015.82</b>
Florida Transportation Disadvantaged Program	\$26,194.52
Florida Managed Medical Care Program (Medicaid)	\$14,651.30
Aging Program - Title III B	\$2,170.00
<b>AVERAGE COST PER TRIP</b>	<b>\$42.21</b>
Florida Transportation Disadvantaged Program	\$46.94
Florida Managed Medical Care Program (Medicaid)	\$60.05
Aging Program - Title III B	\$10.00
<b>AVERAGE COST PER MILE</b>	<b>\$3.89</b>
<b>AVERAGE COST PER HOUR</b>	<b>\$50.85</b>
<b>TRIP PURPOSE*</b>	
Medical	802
Employment	0
Education/Training	0
Shopping	0
Meal Site	217
Recreation	0
Other	0
<b>NUMBER OF TRIPS DENIED</b>	<b>0</b>
<b>NUMBER OF SINGLE PASSENGER TRIPS PROVIDED</b>	<b>74</b>
<b>PERCENT OF SINGLE PASSENGER TRIPS</b>	<b>7%</b>
<b>NUMBER OF ACCIDENTS</b>	<b>0</b>
<b>AVERAGE TRIPS PER VEHICLE</b>	<b>204</b>
<b>NUMBER OF VEHICLES</b>	<b>5</b>
<b>NUMBER OF ROADCALLS</b>	<b>0</b>

**2015/16 TRANSPORTATION DISADVANTAGED TRUST FUND REPORT  
UNION COUNTY**

**CTC: SUWANNEE RIVER ECONOMIC COUNCIL**

**Rates Charged to TD Trust Fund:**

**Ambulatory: \$1.98 per passenger mile**

**Wheelchair: \$3.40 per passenger mile**

**Stretcher: \$7.08 per passenger mile**

<b>MONTH/YEAR</b>	<b>STATE ALLOCATION</b>	<b>STATE FUNDS SPENT</b>	<b>STATE FUNDS REMAINING</b>	<b>NUMBER OF TRIPS</b>	<b>AVERAGE COST PER TRIP</b>
Jul-15	\$94,303.00	\$7,852.93	\$86,450.07	205	#DIV/0!
Aug-15	-	\$7,868.14	\$78,581.93	186	#DIV/0!
Sep-15	-	\$7,858.62	\$70,723.31	151	#DIV/0!
Oct-15	-	\$7,842.38	\$62,880.93	188	#DIV/0!
Nov-15	-	\$7,873.22	\$55,007.71	187	#DIV/0!
Dec-15	-	\$8,731.42	\$46,276.29	168	#DIV/0!
Jan-16	-	\$8,731.44	\$37,544.85	182	#DIV/0!
Feb-16	-	\$8,732.14	\$28,812.71	191	#DIV/0!
Mar-16	-	\$8,730.94	\$20,081.77	185	#DIV/0!
Apr-16	-		#VALUE!		#DIV/0!
May-16	-		#VALUE!		#DIV/0!
Jun-16	-		#VALUE!		#DIV/0!
<b>TOTAL</b>	-	<b>\$0.00</b>	-	<b>0</b>	<b>#DIV/0!</b>

**UNION COUNTY  
SERVICE COMPLAINTS/COMMENDATIONS  
JANUARY - MARCH 2016**

<b>TYPE OF COMPLAINT</b>	<b>Suwannee River Economic Council</b>	<b>Resolved</b>
Vehicle Condition	0	-
Driver's Behavior	0	-
Client Behavior	0	-
No Show by Client	0	-
Tardiness - Late pickup	0	-
Tardiness - Late dropoff	0	-
No Show by Operator	0	-
Dispatch/Scheduling	0	-
Other	0	-
<b>TOTALS</b>	<b>0</b>	<b>-</b>
<b>COMMENDATIONS</b>	<b>0</b>	<b>-</b>

**UNION COUNTY  
UNMET TRANSPORTATION NEEDS  
JANUARY - MARCH 2016**

<b>REASON FOR TRIP DENIAL</b>	<b>NUMBER OF TRIP DENIALS</b>
<b>Lack of Funding</b>	0
<b>Trip Purpose</b>	0
<b>Out of Service Area Trip</b>	0
<b>Insufficient Advance Notice</b>	0
<b>After Hours Trip Request</b>	0
<b>Weekend Trip Request</b>	0
<b>Other</b>	0
<b>TOTALS</b>	<b>0</b>

**ATTENDANCE RECORD**

**UNION COUNTY  
TRANSPORTATION DISADVANTAGED  
COORDINATING BOARD**

<b>MEMBER/ORGANIZATION</b>	<b>NAME</b>	<b>07/22/2015</b>	<b>10/13/2015</b>	<b>01/12/2016</b>	<b>04/12/2016</b>
Chair	Commissioner Woody Kitler	P	A	P	P
Florida Department of Transportation Alternate Member	Sandra Collins Janell Damato	P A	P A	P A	P A
Florida Department of Children and Families Alternate Member	Jaime Sanchez-Bianchi (Vacant)	A	A	A	A
Florida Agency for Health Care Administration Alternate Member	Deweese Ogden Pamela Hagley		P P	P A	P A
Florida Department of Education Alternate Member	Melinda Jordan Jeffrey Aboumrad	P	P	A P	A P
Public Education Alternate Member	Mike Pittman (Vacant)	A	A	A	A
Citizen Advocate Alternate Member	Doyle Archer (Vacant)	A	A	A	A
Citizen Advocate-User Alternate Member	(Vacant) (Vacant)				
Elderly Alternate Member	Donald Pettit (Vacant)	A	A	A	A
Veterans Alternate Member	Barbara Fischer (Vacant)	P	P	P	P
Persons with Disabilities Alternate Member	Bill McGill (Vacant)	P	P	P	P
Florida Association for Community Action Alternate Member	(Vacant) (Vacant)				
Florida Department of Elder Affairs Alternate Member	(Vacant) (Vacant)				
Children at Risk Alternate Member	(Vacant) (Vacant)				
Regional WorkfoRce Board Alternate Member	Jeannie Carr Sifoa Nunu			A P	P A
Local Medical Community Alternate Member	(Vacant) (Vacant)				

LEGEND KEY: P-Present A-Absent - Not Applicable (newly appointed member)

ATTENDANCE POLICY: According to Article III, Section 5 of the Coordinating Board bylaws: "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."

