



The Florida Metropolitan Planning Organization Advisory Council

Commissioner Nick Maddox
Chair

MPOAC Executive Committee Meeting

Date: Wednesday, July 27, 2022

Time: 1:30 p.m. – 2:30 p.m.

Location: Florida Department of Transportation State Materials Lab
5007 N.E. 39th Avenue
Building C Conference Rooms
Gainesville, Florida 32609

**Chair Maddox will join by Teams through the following link:
(Teams link will be provided)**

Commissioner Nick Maddox, Presiding

- 1. Call to Order**
- 2. Approval of Minutes: April 28, 2022 meeting**
- 3. Public Comments (non-agenda items)**
- 4. Special Considerations Status**
 - A. Draft MPOAC Policies and Procedures Manual**
 - B. Draft MPOAC Bylaws**
 - C. Detailed Budget Review**
 - D. Executive Director Time Sheets/Travel**
 - E. Future Contracts**
- 5. Other Business**
- 6. Adjournment**

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

The needs of hearing or visually impaired persons shall be met by contacting the Council sponsoring such meeting at least 48 hours prior to the meeting. Please contact Mark Reichert at (850) 414-4062 or by email to mark.reichert@dot.state.fl.us.

Florida Metropolitan Planning Organization Advisory Council
Executive Committee Meeting
April 28, 2022
Orlando, Florida

- Draft Meeting Minutes -

ATTENDEES:

IN-PERSON (MPOs):

Vanessa Baugh, Vice-Chair, Sarasota/Manatee MPO
David Hutchinson, Sarasota/Manatee MPO
Don Scott, Lee County MPO
Gary Huttman, MetroPlan Orlando
Georganna Gillette, Space Coast TPO
Marybeth Soderstrom, Heartland Regional TPO
Mayra Uribe, MetroPlan Orlando
Parag Agrawal, Polk TPO
William McDaniel, Collier MPO

VIRTUAL (MPOs):

Nick Maddox, Chairman, Capital Region TPA
Mary Beth Washnock, Bay County TPO

IN-PERSON (OTHERS):

Mark Reichert, MPOAC
Alison Stettner, FDOT
Cathy Kendall, FHWA
Erika Thompson, FDOT
H. Wayne Gaither, FDOT District 1
Lisa Stone, MPOAC
Ned Baier, Volkert, Inc.
Paul Gougelman, MPOAC Legal Counsel

VIRTUAL (OTHERS):

Daniel Crotty, SEPI Inc.
Steven Bostel
Tia Boyd, CUTR

1. CALL TO ORDER/ROLL CALL

Vice-Chair Vanessa Baugh called the meeting to order at 1:30 p.m. Chairman Nick Maddox attended the meeting virtually due to a scheduling conflict. He delegated to Vice-Chair Baugh to lead the meeting on his behalf.

APPROVAL OF VIRTUAL PARTICIPATION/ABSENTEE ATTENDANCE: Mayra Uribe made a motion to approve the participation of those Executive Committee members attending virtually. The motion was seconded by Don Scott and approved unanimously by the in-person Committee attendees.

2. APPROVAL OF MINUTES

The February 22, 2022, Executive Committee Meeting minutes were reviewed by the Committee without comment. Don Scott made a motion to approve the minutes, the motion was seconded by Mayra Uribe and approved unanimously by the Committee.

3. PUBLIC COMMENTS

No public comments were made.

4. MPOAC BUSINESS

OIG Investigation of the MPOAC

A. Status (Mark Reichert):

On March 3, Mark submitted a letter under the Chairman's name acknowledging receipt of the "MPOAC Specific Conditions" letter received from FDOT dated February 18, 2022. On March 18, a second letter was submitted to FDOT under the Chairman's name providing and update on actions taken:

- CUTR Contracts/Agreements:
 - a. #BE821-CUTR for MPOAC Weekend Institute - all work was ceased,
 - b. #BDV25-CUTR for General Support – expires August 31, 2022, and
 - c. #PR11800334-CUTR for Support - expires June 30, 2022.
- Three accounts in question were addressed:
 - a. MPOAC FDOT Credit Union account - Account was closed with no remaining funds,
 - b. PayPal account – Account was closed with no remaining funds, and
 - c. Program Generating Income (PGI) account hosted by CUTR in process of being closed with the remaining balance (\$10.00) being returned to the FDOT Comptroller.
- Additional updates included current procurement and invoice processing activities, update of the MPOAC ByLaws and return of Local Funds to MPOs.

Alison Stettner noted that the MPOAC Specific Conditions Report was due to FDOT within 30 days of the date issued but is now at 60+ days. FDOT is aware that the MPOAC is working on it and expect to have the report completed by the end of October.

In discussion between Mark and Chairman Maddox it was decided that the MPOAC Executive Committee will serve as the MPOAC Financial Policies and Procedures Committee. As a state agency, the MPOAC is bound by state procedures for contracting, invoicing, and all financial activities. The MPOAC is up to date on payment of all invoices/bills, all invoices are paid within the designed timeframes.

B. Detailed Budget Discussion (Mark Reichert):

Mark presented a budget spreadsheet and provided an update on the current budget status. FDOT uses various budgeting programs and that are not interconnected. Mark and Lisa have met with the FDOT MPO liaison (Romero Dill), Comptroller, Work Program, and Budget staff to get the information provided. The most accurate capture of the budget is the FLAIR report with shows all of the MPOAC funding (other than FTA funds). As shown on the FLAIR report, the MPOAC budget is solid and funds will be left over at the end of the fiscal year. Mark will plan to continue to present the budget at the quarterly MPOAC Executive Committee and Governing Board meetings.

C. By-Laws (Mark Reichert):

Mark prepared a Draft of the MPOAC ByLaws and shared with the Executive Committee, Governing Board and Staff Directors asking for feedback. Language regarding timesheets and travel for the Executive Director were included in the draft.

Discussion was held on the language and purpose of the MPOAC Policies and Procedures vs. ByLaws. The following motion was made by David Hutchinson and seconded by Chairman Maddox, the motion was approved unanimously by the Committee:

Mark will proceed with updating the MPOAC ByLaws to address financial transparency and budgeting, future contract issues, timesheets, and travel. Suggestions from the MPOAC Partners (FDOT and FHWA) should also be incorporated. Once the ByLaws are drafted Mark will begin developing a Draft Policies & Procedures (including Operations and continuance of operations) manual related to the financial activities and how funds are handled. Mark will prepare a letter to FDOT under the Chairman's signature requesting additional time to finalize that document, draft to be completed by the July 27 Executive Committee Meeting and the final due by the October 27 Executive Committee Meeting. The draft(s) will be forwarded to the Executive Committee and FDOT for review two weeks prior to the meeting(s).

D. Executive Director Timesheets/Travel (Mark Reichert):

Language regarding the Executive Director's timesheets and travel has been included in the Draft ByLaws. Mark will continue to submit his timesheet bi-weekly (electronically through PeopleFirst), Lisa approves timesheets electronically, Mark then forwards a copy to the Chairman for approval/signature within a reasonable timeframe of submission. It was agreed that this process is acceptable as it follows the MPO Director's procedures.

Discussion was held regarding annual audits of the MPOAC. Currently there is no schedule, however, it was suggested that this be included in the policies and procedures manual - FDOT OIG conduct an annual audit, external audit every 3-5 years.

E. Future Contracts (Mark Reichert):

During recent conversations and future planning for MPOAC contractual services, Mark discussed the option of submitting an RFP or possibly contracting with a regional planning council or university. The preference was to go out with an RFP and combine the activities of our three CUTR contracts into one contract for \$170,000 which would possibly attract more candidates. In discussion with FDOT, that amount is not substantial enough to attract a lot of consultants. It was suggested that the MPOAC temporarily "piggy-back" on an existing FDOT OPP consultant contract (by Task Work Order with a sub-contractor) which would give us access to a few consultants we are all familiar with and currently do work with the MPOs. The Committee discussed and agreed to this route, we will move forward in working with FDOT OPP to secure consultant services.

5. OTHER BUSINESS

The MPOAC 2023 Quarterly Meeting(s) Schedule will be presented to the Governing Board and Staff Directors for approval. We will work to schedule all of the meeting(s) in the same (Orlando) when possible.

6. ADJOURNMENT

The next meeting of the MPOAC Executive Committee will be July 27, 2022 in Gainesville. A meeting notice will be sent out at least one month prior to the meeting date.

The meeting adjourned at approximately 2:30 p.m.

**FLORIDA METROPOLITAN
PLANNING ORGANIZATION ADVISORY
COUNCIL**

POLICIES AND PROCEDURES

Adopted October 27, 2022



MPOAC

Revised as of October 27, 2022

Metropolitan Planning Organization Advisory Council

Policies and Procedures

The Florida Metropolitan Planning Organization Advisory Council (MPOAC), created by s. 339.175(11), F.S. reviews and administers all policies and procedures applicable for State and Federal transportation funding to be received under Florida Statute 339.175. The management of the MPOAC must be administered in such a manner as to accomplish the requirements set forth in F.S. 339.175. The MPOAC has developed these Policies and Procedures to formalize the policies and operations of the agency and to document the procedures followed in its daily operations and production of required work products.

Policies require approval by the MPOAC Governing Board. Policies formalize specific processes and reflect the general goals and directives of the MPOAC. The authority to issue and/or revise Policies is reserved to the MPOAC Governing Board.

Procedures require approval by the MPOAC Executive Director. Procedures document the activities necessary to accomplish the goals and directives of policies and to formally document how specific work products are to be produced. Procedures are less formal than policies and mainly deal with the administration of the MPOAC. The authority to issue and/or revise Procedures is reserved to the MPOAC Executive Director.

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The following table reflects the record of adoption and amendments or updates that are processed.

POLICY	ADOPTED	AMENDED	RESOLUTION	ACTION

PROCEDURE	ADOPTED	AMENDED	RESOLUTION	ACTION

Policy - 1: Agency Organization and Operation

SECTION 1.0	INTRODUCTORY INFORMATION
SECTION 2.0	MEMBERSHIP; GOVERNING BOARD
SECTION 3.0	COMMITTEES
SECTION 4.0	FISCAL ACCOUNTABILITY
SECTION 5.0	MPOAC EXECUTIVE DIRECTOR AUTHORITY
SECTION 6.0	CONTINUATION OF OPERATIONS PLAN

SECTION 1.0: INTRODUCTORY INFORMATION

1.1 DEFINITIONS. Except as the context shall affirmatively dictate to the contrary, the following terms in all policies in these Policies and Procedures shall be defined to mean:

“FDOT” means the Florida Department of Transportation.

“FHWA” means the Federal Highway Administration.

“F.S.” means Florida Statutes, as amended from time to time. When citing to the Florida statutes, the term “s.” means section.

“FTA” means the Federal Transit Administration.

“Interlocal Agreement” means Restated Interlocal Agreement for the Creation of the Transportation Planning Organization was executed on July 15, 2014 and recorded in Official Records Book 7166, Page 2144 Public Records of Brevard County.

“LEP” means Limited English Proficiency.

“Lobbyist” means any natural person who, for compensation, seeks, or sought during the preceding 12 months, to influence the governmental decision making of any Public Officer required by Florida Law to make a full financial disclosure or a MPOAC Staff Member, or whose agency seeks, or sought during the preceding 12 months, to encourage the passage, defeat, or modification of any proposal or recommendation by the MPOAC required by Florida Law to make a full financial disclosure or an MPOAC Staff Member who is a Procurement Employee or whose agency. See s. 112.3148(2)(b)1., F.S.

“MPO” means Metropolitan Planning Organization

“MPOAC” means the Florida Metropolitan Planning Organization Advisory Council.

“Public Officer” includes, excerpt as otherwise specifically defined in a specific section hereof, includes any person elected or appointed to hold office in any agency, including any person serving on an advisory body.

“Personnel System” means the rules and procedures set forth in PLC-2 of these Policies and Procedures.

“Public Record” is defined as set forth in Section 119.011, Florida Statutes.

“TPA” means Transportation Planning Agency.

“TPO” means Transportation Planning Organization.

“UPWP” means Unified Planning Work Program.

1.2 PURPOSE. The MPOAC was created for the purpose of augmenting and not supplanting the role of the individual MPOs in the cooperative transportation planning process. It assists MPOs in carrying out

the urbanized area transportation planning process by serving as the principal forum for collective policy discussion pursuant to law. It serves as a clearinghouse for review and comment by MPOs on the Florida Transportation Plan and on other issues required to comply with federal or state law in carrying out the urbanized area transportation and systematic planning processes instituted pursuant to s. 339.155. This policy and procedures manual establishes who the MPOAC is, and how it will operate to fulfill the requirements of Section 339.175(11), Florida Statutes.

1.3 METROPOLITAN PLANNING ORGANIZATION ADVISORY COUNCIL MEMBERSHIP. The council consists of one representative from each M.P.O. Each M.P.O. will also elect an alternate representative to vote in the absence of the representative. Members of the council do not receive any compensation for their services but may be reimbursed from funds made available to council members for travel and per diem expenses incurred in the performance of their council duties as provided in s. 112.061.

1.4 AGENCY POWERS. Powers of the MPOAC are set forth in Section 339.175(11) F.S., as amended or replaced, and include but are not limited to:

- Enter into contracts with individuals, private corporations, and public agencies.
- Acquire, own, operate, maintain, sell, or lease personal property essential for the conduct of business.
- Bi-annually develop a UPWP.
- Accept funds, grants, assistance, gifts, or bequests from private, local, state, or federal sources.
- Establish bylaws by action of its governing board providing procedural rules to guide its proceedings and consideration of matters before the council, or, alternatively, adopt rules pursuant to ss. 120.536(1) and 120.54 to implement provisions of law conferring powers or duties upon it.
- Assist M.P.O.'s in carrying out the urbanized area transportation planning process by serving as the principal forum for collective policy discussion pursuant to law.
- Serve as a clearinghouse for review and comment by M.P.O.'s on the Florida Transportation Plan and on other issues required to comply with federal or state law in carrying out the urbanized area transportation and systematic planning processes instituted pursuant to s. 339.155.
- Employ an executive director and such other staff as necessary to perform adequately the functions of the council, within budgetary limitations. The executive director and staff are exempt from part II of chapter 110 and serve at the direction and control of the council. The council is assigned to the Office of the Secretary of the Department of Transportation for fiscal and accountability purposes, but it shall otherwise function independently of the control and direction of the department.
- Engaging in intergovernmental coordination.
- Adopt an agency strategic plan that prioritizes steps the agency will take to carry out its mission within the context of the state comprehensive plan and any other statutory mandates and directives.
- Promulgation of policies to effectuate its powers, responsibilities, and obligations.
- Performance of such other powers as provided by Federal law.

SECTION 2.0: MEMBERSHIP; GOVERNING BOARD

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

- (1) Bay County Transportation Planning Organization;
- (2) Broward Metropolitan Planning Organization;
- (3) Capital Region Transportation Planning Agency;
- (4) Charlotte County-Punta Gorda Metropolitan Planning Organization;
- (5) Collier Metropolitan Planning Organization;
- (6) Florida-Alabama Transportation Planning Organization;
- (7) Forward Pinellas;
- (8) Heartland Regional Transportation Planning Organization;
- (9) Hernando/Citrus Metropolitan Planning Organization;
- (10) Hillsborough County Metropolitan Planning Organization;
- (11) Indian River County Metropolitan Planning Organization;
- (12) Lake-Sumter Metropolitan Planning Organization;
- (13) Lee County Metropolitan Planning Organization;
- (14) Martin Metropolitan Planning Organization;
- (15) MetroPlan Orlando;
- (16) Metropolitan Transportation Planning Organization for the Gainesville Urbanized Area;
- (17) Miami-Dade Transportation Planning Organization;
- (18) North Florida Transportation Planning Organization;
- (19) Ocala-Marion County Transportation Planning Organization;
- (20) Okaloosa-Walton Transportation Planning Organization;
- (21) Pasco County Metropolitan Planning Organization;
- (22) Palm Beach Transportation Planning Agency;
- (23) Polk Transportation Planning Organization;
- (24) River to Sea Transportation Planning Organization;
- (25) Sarasota/Manatee Metropolitan Planning Organization;
- (26) Space Coast Transportation Planning Organization; and
- (27) St. Lucie Transportation Planning Organization.

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

Regular Governing Board members or alternate members may be reappointed from time to time by their appointing MPO.

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

2.4 CERTIFICATION OF MEMBERSHIP. No individual is eligible to vote on the MPOAC until the appointing MPO certifies in writing or electronically by e-mail to the MPOAC that such individual is authorized to act as the representative or alternate representative of the certifying MPO. Each representative and each alternate representative of a MPO shall serve at the pleasure of the appointing MPO; provided, that a representative or an alternate representative on the MPOAC Governing Board must at all times be a representative sitting on the Governing Board of the appointing MPO. Vacancies shall be filled only by an appointment by the original appointing MPO.

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

2.6 GOVERNING BOARD OFFICERS. At its first meeting of the calendar year the MPOAC Governing Board elects a Chair and Vice-Chair as its officers. The Chair and Vice-Chair is selected by a majority vote of the membership of the Governing Board voting. The Chair and Vice-Chair will take office upon election and serve until the completion of the next regular election which will be held at the first meeting in the first quarter of the calendar year (or as soon thereafter as possible if a meeting is not held in the first quarter), or until a successor is elected, whichever event occurs first. The Chair and Vice-Chair must at all times during their term of office be members of the MPOAC Governing Board. If a vacancy occurs in any MPOAC Governing Board officer role, the MPOAC Governing Board will fill the vacancy, and the individual filling the vacancy will serve until the completion of the next regular election.

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

2.8 MEETINGS. The MPOAC Governing Board meets no less often than once each calendar quarter during the year. The meeting schedule may be amended by the Governing Board. The Chair is empowered to cancel any of the regular meetings, as necessary. Regular meetings may be held at a location, date, and time, to be determined annually by a majority of the Governing Board members voting. Special meetings may be called by the Governing Board Chair at a date, location, and time in the Chair's call or through a letter of petition from at least four (4) members of the Governing Board. All public notice requirements must be met. The letter of petition must state the purpose of the special meeting and may propose a time, location, and date for the special meeting.

If certain actions are not covered by this procedure, the most recent edition of Roberts Rules of Order as revised shall be used to govern the proceedings of the MPOAC Governing Board.

SECTION 3.0: COMMITTEES

3.1 MPOAC ADVISORY COMMITTEES. The MPOAC Governing Board is supported by five (5) advisory committees. These advisory committees are the Executive Committee, the Staff Directors' Advisory Committee, the Policy and Technical Committee, the Fright and Rail Committee, and the Noteworthy Practices Working Group. Each of these advisory committees fulfills a definable role in the work to be undertaken by the MPOAC.

3.2 EXECUTIVE COMMITTEE. The Executive Committee provides policy direction for the MPOAC between Governing Board meetings and performs the annual evaluation of the MPOAC Executive Director. The Executive Committee is generally advisory in nature, although the Committee may exercise certain authority delegated to it by the Governing Board. The Executive Committee may propose policies, concepts, and procedures for consideration by the MPOAC Governing Board. The Executive Committee may also place items on the agenda of the Governing Board for discussion, consideration, and approval as it determines to be in the interest of the MPOAC.

(A) **Membership.** The Executive Committee consists of the MPOAC Governing Board Chair and Vice-Chair, a member of the Governing Board serving at-large, the Staff Directors' Advisory Committee Chair and Vice-Chair. Service on the Executive Committee is considered an appointment to a position and not an office and is an ex officio part of the duties of the selected Governing Board Member or selected member of the Staff Director's Advisory Committee. The at-large Governing Board member of the Executive Committee will be selected at the same time that the Governing Board Chair and Vice-Chair are selected. If the at-large member position becomes vacant, the Governing Board will select a replacement to complete the term of the individual being replaced. All members of the Executive Committee are voting members.

(B) **Meetings.** Meetings of the Executive Committee occur at the call of the Chair, setting the date, time, and location of the meeting. Alternatively, a vote of a majority of the Executive Committee may set a meeting time, date, and location for an Executive Committee meeting. A vote of the Executive Committee takes precedence over a call for a meeting by the Chair. The Chair may cancel an Executive Committee meeting if the reasons for the meeting to be held no longer exist, or if there is a lack of business to be considered.

(C) **Minutes.** MPOAC staff shall maintain the minutes and other records of the Executive Committee. The minutes must accurately summarize the proceedings of the Executive Committee.

(D) **Quorum.** At least a majority of the voting members of the MPOAC Executive Committee must be present for the Executive Committee to conduct business. Voting on all issues require that a motion be adopted by a majority of those Executive Committee members present and voting.

(E) **Procedures.** Roberts Rules of Order as revised (most recent edition) will be used to govern proceedings of the Executive Committee.

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

(A) **Membership.** Each MPO Staff Director is designated by each MPO to serve on the Staff Directors' Advisory Committee. In addition, each MPO may also designate at least one (1) alternate member representative. Each MPO may appoint a primary alternate representative and, at its option, a secondary alternate representative to the Staff Directors' Advisory Committee. Alternate member

representatives vote, participate for the purpose of forming a quorum, make or second motions, and otherwise act as a member representative of the Staff Directors' Advisory Committee only in the absence of the member representative. However, alternate member representatives may always attend committee meetings and participate in debate.

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

(C) Staff Directors' Advisory Committee Officers. The MPOAC Staff Directors' Advisory Committee will elect a Chair and Vice-Chair as its officers at its first meeting of the calendar year. The Chair and Vice-Chair are selected by a majority vote of the membership of the Staff Directors' Advisory Committee voting. The Chair and Vice-Chair take office upon election at the first Staff Directors' Advisory Committee meeting in the first quarter (or as soon thereafter as possible if a meeting is not held in the first quarter) and serve until the completion of the next regularly scheduled election or until a successor is thereafter elected, whichever event occurs first. The Vice-Chair presides over the meetings in the absence of the Chair.

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

(E) Meetings. Regular meetings of the Staff Directors' Advisory Committee are held at least once each calendar year quarter based on an annual schedule established by the MPOAC Governing Board, unless cancelled or rescheduled by the Staff Directors' Advisory Committee Chair. A regular meeting schedule will be set by the Staff Directors' Advisory Committee annually by a majority of those members voting at a meeting. The Chair may cancel a meeting because of a lack of business to bring to the committee. Regular meetings are usually held immediately prior to, or at the option of the Chair, simultaneous with the meetings of the Governing Board. Joint meetings of the Staff Directors' Advisory Committee and Governing Board may be conducted.

Special meetings may be held at a date, time, and location to be determined by the Chair or a majority of the committee members voting. A vote of a majority of the members voting take precedence over a decision of the Chair. In addition, special meetings may be called through a letter of petition from at least four (4) members; provided.

If certain actions are not covered by this procedure, the most recent edition of Roberts Rules of Order as revised shall be used to govern the proceedings of the MPOAC Governing Board.

(F) Minutes. MPOAC staff will maintain the minutes and other records of the Staff Directors' Advisory Committee. The minutes will accurately summarize the proceedings of the Committee.

3.4 POLICY AND TECHNICAL COMMITTEE. The MPOAC Policy and Technical Subcommittee serves as a forum for initial consideration of statewide policy issues of importance to MPOs and makes recommendations to the MPOAC Staff Directors' Advisory Committee.

(A) Membership. The MPOAC Policy and Technical Subcommittee has an 11-person membership but is open to participation by any member of the MPOAC Governing Board or Staff Directors' Advisory Committee. In addition, each MPO may designate at least one (1) alternate member representative.

(B) Policy and Technical Committee Officers: The Governing Board Chair, or a majority of the Governing Board membership voting at a meeting, may select the committee Chair and Vice-Chair. The

vote of a majority of the Governing Board members takes precedence over an appointment by the Chair. If the MPOAC Governing Board Chair or Governing Board membership does not appoint a committee Chair and a Vice-Chair, the selection of the committee chair is left to the committee membership. The term of the Chair and Vice-Chair runs commensurate with the regular term of the Governing Board Chair.

(C) Quorum. The quorum of the Policy and Technical Committee is five. In any case where only five members of the committee are present, any action taken by the committee will require the affirmative vote of all five members present.

(D) Minutes. MPOAC staff will maintain the minutes and other records of the Policy and Technical Committee. The minutes will accurately summarize the proceedings of the Committee..

3.5 FREIGHT AND RAIL COMMITTEE. The Freight and Rail Committee serves as a clearinghouse of actionable ideas that allow Florida's Metropolitan Planning Organizations (MPOs) to foster and support sound freight planning and freight initiatives. The members of the committee seek to understand the economic effects of proposed freight-supportive projects; foster relationships between public agencies with responsibilities for freight movement and private freight interests; and reduce policy barriers to goods movement to, from, and within Florida.

(A) Membership. The membership of the Freight and Rail Committee is open to all interested members of the Governing Board and Staff Directors Advisory Committee, nominated by the Staff Directors Advisory Committee and confirmed by the Governing Board. In addition, each MPO may designate at least one (1) alternate member representative. The committee currently consists of fifteen (15) members.

(B) Freight and Rail Committee Officers. The Governing Board Chair, or a majority of the Governing Board membership voting at a meeting, may select the committee Chair and Vice-Chair. The vote of a majority of the Governing Board members takes precedence over an appointment by the Chair. If the MPOAC Governing Board Chair or Governing Board membership does not appoint a committee Chair and a Vice-Chair, the selection of the committee chair is left to the committee membership.

(C) Quorum. The quorum of the Policy and Technical Committee is five. In any case where only five members of the committee are present, any action taken by the committee will require the affirmative vote of all five members present.

(D) Minutes. MPOAC staff will maintain the minutes and other records of the Freight and Rail Committee. The minutes will accurately summarize the proceedings of the Committee..

3.6 NOTEWORTHY PRACTICES WORKING GROUP. The purpose of the Noteworthy Practices Working Group is to highlight the good work of the MPOs in Florida, allow members of the MPOAC to learn from each other, and elevate the state of the practice of metropolitan transportation planning across the state.

(A) Membership. The membership of the Noteworthy Practices Working Group is open to all interested members of the Governing Board and Staff Directors Advisory Committee, nominated by the Staff Directors Advisory Committee and confirmed by the Governing Board. In addition, each MPO may designate at least one (1) alternate member representative. The Working Group currently consists of thirteen (13) members.

(B) Noteworthy Practices Working Group Officers. The Governing Board Chair, or a majority of the Governing Board membership voting at a meeting, may select the Working Group Chair and Vice-Chair. The vote of a majority of the Governing Board members takes precedence over an appointment by the Chair. If the MPOAC Governing Board Chair or Governing Board membership does not appoint a Working Group Chair and a Vice-Chair, the selection of the chair is left to the Working Group membership.

(C) Quorum. The quorum of the Noteworthy Practices Working Group is five. In any case where only five members of the committee are present, any action taken by the committee will require the affirmative vote of all five members present.

(D) Minutes. MPOAC staff will maintain the minutes and other records of the Noteworthy Practices Working Group. The minutes will accurately summarize the proceedings of the Committee..

SECTION 4.0: FISCAL ACCOUNTABILITY

4.1 PURPOSE AND SCOPE. The purpose of the Budget and Financial Accountability section is to provide a financial document for the expenditure of MPOAC grant funds and the establishment of an internal Operating budget to process the handling of the funds and expenditures and to provide for fiscal accountability.

4.2 BUDGET. The MPOAC Governing Board has total review, approval, and adoption authority of the MPOAC's two-year Unified Planning Work Program (UPWP) and operating budgets.

(A) The MPOAC Governing Board has full control over the use, programming, and expenditure of MPOAC funds.

(B) MPOAC staff submits the adopted UPWP into the MPO Document Portal system using established guidelines.

4.3 UNIFIED PLANNING WORK PROGRAM (UPWP). The UPWP will be developed and approved by the MPOAC Governing Board bi-annually. The fiscal year of the UPWP is from July 1st to June 30th. MPOAC staff is tasked with providing a UPWP budget document bi-annually that will detail the expenditure of the MPOAC's grant funds by tasks. A draft UPWP will be submitted to the Staff Directors' Advisory Committee and Governing Board for review normally by March 15th and submit it for approval by the MPOAC Governing Board during the April MPOAC Governing Board meeting. A final UPWP will be approved no later than May 15th as required by the MPO Program Management Handbook. The full UPWP process is documented in the *MPO Program Management Handbook*.

(A) Operating Budget. The MPOAC Operating Budget will be based on and developed according to the detailed spreadsheets provided in the UPWP. It will be approved by the MPOAC Governing Board annually. MPOAC staff will prepare a detailed expenditure and revenue budget (operating budget) report no less than quarterly in preparation for each MPOAC Governing Board meeting. This quarterly report is produced from the Florida Accounting Information Resource (FLAIR) system.

(B) Amendments/Revisions to the UPWP.

(1) Modifications: Modifications to the UPWP do not change the FHWA or FTA approved budget and do not change the scope of the funded work task(s). Modifications do not require MPOAC Governing Board approval and are processed by MPOAC staff with approval by the MPOAC Executive Director. The MPOAC Governing Board, FDOT Central Office Liaison, and FHWA will be advised in writing of any revisions made to the UPWP.

(2) Amendments. Changes to the approved UPWP in which the scope of work task(s) is added to or deleted are considered amendments. Any change in the total grant funding shall also be considered an amendment. All amendments must be approved by the MOAC Governing Board and by FHWA.

(C) Reports and Monitoring.

(1) MPOAC staff will monitor the budget to ensure that funding levels are maintained and will file any necessary paperwork as needed.

(2) MPOAC staff will ensure that purchase orders are prepared and invoicing for payment to the vendors are made according to all state procurement rules.

(3) SCTPO staff will prepare quarterly reports of the MPOAC operating budget summarizing expenditures and revenues. The summary report will be included in the MPOAC Governing Board and Staff Directors' Advisory Committee agenda packages.

(4) MPOAC staff will prepare an end-of-year budget report that summarizes total grant expenditures and revenues showing any remaining balances in preparation for each July Governing Board and Staff Directors' Advisory Committee meetings.

4.4 **PURCHASING.** The purpose of this section is to specify requirements for the establishment, use, accountability, legal liability and control of Procurements and Purchasing Cards. As a State agency, the MPOAC is required to follow all procurement, purchasing, and invoicing practices established in federal and state law and procedures. All purchasing, contracts and invoices will be processed consistent with all Federal and State procedures, including CFO Memorandum 5, Federal Acquisition Regulation 31.201-2(d), Disbursement Handbook for Employees and Managers, DOFSO Internal Processing Handbook, CFO Reference Guide to State Expenditures, Contractual Services and Commodities Manual, and all procedures necessary for the procurement of Professional Services.

(A) **Micro-Purchases.** The purchase of supplies or services that support day to day operations of the SCTPO shall follow thresholds as set forth in CFR §200.67. Micro-purchase thresholds are set by the Federal Acquisition Regulation at 48 CFR Subpart 2.1. Currently, purchases may be made up to \$3,000, however, this may be adjusted periodically for inflation. Micro purchases are for the acquisition of routine office supplies, office equipment, maintenance, licenses, operations, etc. and may be authorized by the MPOAC Executive Director or designee.

(B) **General Purchases more than Micro Purchase Threshold and less than \$10,000.**

(1) Purchases required for the day-to-day general operating needs of the office such as routine office supplies, minor office equipment and/or office furniture costing more than the Micro Purchase Threshold but less than \$10,000 (per item) may be authorized by the MPOAC Executive Director.

(2) If an item is not considered a micro-purchase, it shall be supported by at least 3 price quotes, except in the case where the item is a sole source.

(3) To qualify as a sole source, vendor documentation must be shown of attempts to locate the item by searching the web, or other reasonable method, and confirming that they are the only vendors meeting the precise description of the item to be purchased.

(4) Once authorization is obtained, and bids have been reviewed, these purchases may be made with the use of the office purchasing card (see procedures for use of the purchasing card).

(C) **General Purchases over \$10,000 and less than \$25,000.**

(1) General operating materials for the office that exceed \$10,000 and are less than \$25,000, must be approved by the MPOAC Governing Board.

(2) Upon receiving authorization, a purchase order will be created and sent to the vendor for the purchase of said item. A vendor must be able to provide a current W-9 form, to establish them as a qualified vendor.

(3) These purchases shall be made based upon the best price found, supported by at least three price quotes, unless the item is a sole source item.

(4) To qualify as a sole source vendor documentation must be shown of attempts to locate the item by searching the web, or other reasonable method, and confirming that they are the only vendors meeting the precise description of the item to be purchased.

(5) Upon receipt of the vendor's invoice, the MPOAC staff will process and submit to the FDOT Comptroller's Office for payment within five workdays from receipt of the invoice.

(D) **Capital Purchases.** A capital purchase is defined as office equipment and/or office furniture in excess of \$5,000 per item. Capital purchases need the review and approval of the MPOAC Governing Board and the FHWA. Capital purchases can be included as part of the UPWP. Once a UPWP

is approved and adopted, no further approval is needed as the item is considered approved as part of the UPWP adoption process.

(1) Following approval by the MPOAC Governing Board, and FHWA, these items will be considered to be authorized for purchase.

(2) Items to be purchased will be researched and selection made based upon the best price found, supported by at least three (3) price quotes, except in the case where the item is considered to be a sole source item.

(3) To qualify as sole source, vendor documentation must be shown of attempts to locate the item by searching the web, or other reasonable method, and confirming that they are the only vendors meeting the precise description of the item to be purchased.

(4) A capital purchase may be made with the office purchasing card up to \$10,000. If the purchase amount is over \$10,000, a "purchase order" must be used. The purchase order will then be sent to the vendor to order the item. A vendor must be able to provide a W-9 form to establish them as a qualified vendor.

(5) Upon receipt of the vendor's invoice, the MPOAC staff will process and submit the invoice to the FDOT Comptroller's Office for payment within five workdays from receipt of the invoice.

(E) Processing of Payments to Vendors. It is the MPOAC's policy to adhere to the Local Government Prompt Payment Act, s. 218.70 et seq. for payment of invoices to vendors either by use of the office purchasing card or by payment of an invoice generated by a purchase order. Payments will always be made in a timely manner.

(F) Purchasing Card.

(1) The MPOAC Executive Director is responsible for determining the need to assign a MPOAC staff member a purchasing card.

(2) MPOAC staff will be authorized a purchase limit of \$1,500 for a single item. The Executive Director will have the authority to adjust this purchase limit up or down based upon need but will not authorize any limit above \$4,999 for a single item unless pre-approval has been obtained as a capital purchase.

SECTION 5.0: MPOAC EXECUTIVE DIRECTOR AUTHORITY

5.1 Purpose and Scope. The executive director is responsible for carrying out policy determinations and directives of the MPOAC Governing Board. The MPOAC is required to execute governmental documents related to administrative operations. In the interest of efficiency this policy is being established to allow the MPOAC to delegate the administrative functions of executing contracts, financial accountability, and general operating functions to the MPOAC Executive Director.

5.2 Types of Documents.

(A) Fiscal. The MPOAC, is funded by Federal grants. The MPOAC Executive Director is authorized to approve all forms and fiscal documents related to the administration of these grants.

(B) Personnel. The MPOAC Executive Director will maintain appropriate staff to support and carryout the work products of the MPOAC. The MPOAC Executive Director is authorized to approve all forms and administrative documents related to maintaining the MPOAC staff.

(C) Contracts.

(a) Operating Contracts. The MPOAC outsources services to both enhance productivity and to provide services that cannot otherwise be performed by staff. These contracts typically include printing services, copier contracts and other contracts necessary to perform the day-to-day operations of the MPOAC office. The MPOAC Executive Director is authorized to approve and execute all of these types of contracts.

(b) **Special Service Contracts.** The MPOAC Governing Board will approve the selection of vendors and contracts for special services that include Legal Services, or other service contracts of significance to the MPOAC. The MPOAC Executive Director is authorized to approve minor changes to these contracts as long as they do not change the scope or intent of the original contract and is authorized to approve minor budget changes and work orders as necessary.

5.3 **Emergency Circumstances.** Emergency situations may arise from time to time that require immediate action and may not be postponed until the next scheduled MPOAC Board meeting. This policy addresses two types of emergency situations:

(A) **Time Deadlines.** Due to unforeseen circumstances, time constraints may dictate action on an item prior to the next MPOAC Governing Board meeting. Under such circumstances, the MPOAC Executive Director will confer with the MPOAC Governing Board Chair, or in the Chair's absence or unavailability, the Vice-Chair on appropriate action to be taken. If the Chair or Vice-Chair are not available, the MPOAC Executive Director, using the Director's best judgment and in keeping with established MPOAC policies, is granted authority to make said decision. The MPOAC Executive Director will report on the item at the next scheduled MPOAC Governing Board meeting. This authority is limited to operational situations only, and under no circumstances is the MPOAC Executive Director authorized to approve any item that is related to establishing a policy or making a statement of position for the MPOAC Governing Board without prior approval from the MPOAC Governing Board.

(B) **Natural/Man-made Disasters.** The MPOAC Executive Director is granted authorization to execute general governmental documents that are in the best interest of the MPOAC in the event of a natural or man-made disaster. The procedures followed under this type of emergency will adhere to the guidelines established in the MPOAC's Continuing of Operations Plan (COOP).

5.4 **Time Sheet/Travel Authorization Approval.** The executive director reports for day-to-day supervision to the Chair of the MPOAC Governing Board. All timesheets and travel authorizations of the Executive Director, at a minimum, will be retroactively reviewed by the Chair of the Governing Board or the Executive Committee on at least a quarterly basis to ensure proper oversight.

5.5 **Agency Clerk.** As a part of the duties of the position of Executive Director, the executive director serves ex officio as the agency clerk. The duties and responsibilities of the agency clerk are to: index and file agency resolutions, orders, and bylaws in a manner not inconsistent with applicable provisions of the Florida Rules of Appellate Procedure; send notices of workshops and meetings; transcribe minutes of the MPOAC Governing Board, committee, and subcommittee meetings and workshops; maintain all agency files and records; make certifications of true copies and actions; attest to the signatures of MPOAC officers; and perform such other duties as determined by the MPOAC Governing Board.

5.6 **Effective Date; Revocation.** This policy will become effective upon adoption by the MPOAC Governing Board. The MPOAC Governing Board may revoke this policy and the delegation of authority to the MPOAC Executive Director at any time.

SECTION 6.0 CONTINUATION OF OPERATIONS PLAN

6.1 **Purpose.** The purpose of the COOP is to address how the MPOAC would resume functions and operations in the event of a catastrophic natural or man-made disaster event, including operations when both the Executive Director and Executive Assistant positions are vacated at the same time. The COOP also addresses the MPOAC's role in post-disaster recovery efforts. In particular, the COOP provides

guidance on how and where the MPOAC would meet, personnel and chain-of-command issues, records/equipment recovery and storage, and other issues.

6.2 Activation of Policy, Continuation of Operations Plan. The MPOAC Executive Director or the Director's designee and the MPOAC General Counsel will consult with the MPOAC Chair (or Vice-Chair should the Chair be unavailable) to discuss if it is necessary to activate the COOP to perform mission critical functions and activities related to the operations of the MPOAC. Factors to be considered in activating the COOP will be evaluated in respect to the type of event that has occurred. After consultation and reviewing the type of event that has occurred, the MPOAC Chair (or Vice Chair should the Chair be unavailable) will have sole responsibility for activating the COOP. Activation will be documented and signed by the MPOAC Chair (Vice Chair) and MPOAC Executive Director or designee.

6.3 Alerting and Activating Employees. Alerting employees to the status of the event and its impact will be initiated by the MPOAC Executive Director. A staff contact directory listing home phone, cell phone, e-mail address and other contact information will be maintained by the MPOAC Executive Assistant. All employees will be provided a copy of the contact directory.

6.4 Order of Succession. The emergency chain-of-command that will be utilized when this COOP has been activated begins with the MPOAC Executive Director, followed by the MPOAC Staff Directors' Advisory Committee Chair and then Vice-Chair. The essential functions and necessary steps to re-establish agency operations will be the main priority. The chain of command will also be used to delegate authority. Succession is triggered by the absence or incapacitation of the persons holding the previous position. Succession should occur immediately upon notification.

6.5 Delegation of Authority. For staff-related and administrative/internal concerns, the MPOAC Executive Director will take the lead in providing instructions and direction. In the event of the Executive Director's absence or incapacitation, the Chair of the Staff Directors' Advisory Committee will perform the essential functions of the MPOAC. For external concerns, particularly those normally requiring action by the MPOAC Governing Board, the MPOAC Governing Board Chair will serve as the lead person. In the event that the Chair is unavailable or incapacitated, then the MPOAC Governing Board Vice Chair will be given the responsibility of ensuring that external mission-essential functions are performed.

6.6 Re-Location Notification. The MPOAC will work with Florida Department of Transportation to secure temporary re-location space which will include communications support, if the MPOAC offices are not available or unsafe to occupy. Once critical communications have been re-established, the MPOAC Executive Director should notify its transportation partners (primarily other MPOs and FDOT) of the MPOAC's new location and contact information. Notification should occur by every means available, including phone, email, mail, fax, and through the MPOAC's website. The MPOAC's Executive Assistant will maintain electronic and hard copies of complete contact information for the MPOAC's transportation partner agencies for use in post-event communication.

6.7 Remote/Telecommute Notification. There may be emergency situations that require limited to no travel and staff may be authorized to work from home. The Executive Director in consultation with the MPOAC Chair may authorize remote work.

6.8 Identification and Prioritization of Mission-Essential Functions. The following products and activities associated with their development have been identified as essential to the mission of the

MPOAC of providing a continuing, cooperative, and coordinated transportation planning program for the State's 27 MPOs.

(A) Unified Planning Work Program (UPWP). Following the provisions set forth in Federal and State law, the MPOAC is required to bi-annually develop and adopt a UPWP. The UPWP documents the programming of FHWA and the FTA planning and research funds to be used in the upcoming fiscal year(s) by the MPOAC. In the event that this COOP is activated during the time when the draft or final UPWP is due, then approval will be made by the MPOAC Governing Board Chair or Vice Chair in the Chair's absence subject to ratification by the full Governing Board at the next full Governing Board meeting.

(B) Other Essential Functions. If any other document or function is required of the MPOAC in order to be consistent with the provisions of Federal and/or State law, then the MPOAC Chair, in coordination with the MPOAC Executive Director and general counsel, will be authorized to submit information, reports or documents on behalf of the MPOAC that are deemed essential by the FHWA and/or the FDOT. However, if any recommended action is considered of significant importance by either the MPOAC Chair, MPOAC Executive Director or general counsel, then the action will be brought before the full MPOAC Governing Board at the next scheduled meeting for ratification.

(C) Meetings of the MPOAC Governing Board and the Staff Directors' Advisory Committee. It is important to understand that every member of the MPOAC Governing Board represents a local government. For this reason, in a disaster event, their first priority will be to their local government, not to the MPOAC. Accordingly, the MPOAC Governing may not be able to meet for some time after a disaster event, even if the MPOAC staff office is functioning normally. The MPOAC Staff Directors' Advisory Committee may choose to meet regardless of the status of the MPOAC Governing Board.

(D) Virtual Meetings. Meetings of the MPOAC Governing Board and its Committees may also conduct meetings and business virtually when the law permits. Virtual meetings using communication media technologies may be employed. Further details will be provided on a case-by-case basis at the time of such an incident occurring.

6.9 Vacancy of the MPOAC Executive Director Position. The search for a MPOAC Executive Director can extend over a long period of time. In such instances, the MPOAC is without management. In situations where the Executive Director position remains vacant for an extended period of time, the Chair of the MPOAC Staff Directors' Advisory Committee will act as the interim Executive Director. In the rare instance when both the MPOAC Executive Director and Executive Assistant are simultaneously vacant, the Chair of the MPOAC Staff Directors' Advisory Committee will act as the interim Executive Director and the staff of his/her respective MPO will take on the duties that normally would be the responsibility of the Executive Assistant.

Policy - 2: Travel Policy & Procedures

SECTION 1.0 TRAVEL POLICY AND DEFINITIONS

SECTION 2.0 TRANSPORTATIONS REQUIREMENTS AND REIMBURSEMENTS

SECTION 1.0 TRAVEL POLICY AND DEFINITIONS

1.1 TRAVEL POLICY.

(A) Objective. The objective of this policy is to prescribe MPOAC Board policy for the reimbursement of authorized traveler's expenses incurred during the performance of their official duties.

(B) References. Section 112.061, Florida Statutes – Per diem and traveling expenses of Public Officers, employees, and authorized persons.

(C) Directives.

(1) Travel status A & B for the MPOAC Executive Director and MPOAC staff must be retroactively reviewed by the MPOAC Executive Committee on no less than a quarterly basis. In the event travel is of an emergency nature or when travel must be authorized on short notice to the MPOAC, any authorization may be made by the MPOAC Governing Board Chair and/ or Vice- Chair. The MPOAC Executive Director will ensure that all travel is for the business and purposes of the MPOAC.

(2) The MPOAC Executive Director will authorize all class C travel made by MPOAC staff and shall ensure that all travel is for the business and purposes of the MPOAC. The MPOAC Executive Committee will retroactively review all class C travel approved by the MPOAC Executive Director.

(3) Travel reimbursement for the MPOAC will be in accordance with Section 112.061, Florida Statutes.

(4) The MPOAC Executive Director will advise the MPOAC Governing Board of all anticipated travel plans by providing supporting documentation, if available, so costs and arrangements for the travel may be included in the UPWP and budget process.

(5) Adoption by the MPOAC Governing Board of the UPWP and the Annual Operating Budget shall authorize said trips for payment of registration, hotels, and airline costs.

(6) MPOAC staff class C and approved class A & B travel reimbursements will be signed and approved by the MPOAC Executive Director with retroactive review by the MPOAC Executive Committee on no less than a quarterly basis.

(7) MPOAC Executive Director and staff member travel reimbursements will be signed and approved by the MPOAC Governing Board Chair or the Executive Director.

(D) Purpose and Scope. The purpose and scope of this policy is to implement the MPOAC Governing Board Travel Policy and provide instructions for the reimbursement of expenses for authorized travel on MPOAC business.

1.2 DEFINITIONS AND REFERENCES. As used in this Section, the following terms and reference will apply:

“Class A Travel” means continuous travel of twenty-four (24) hours or more away from headquarters.

“Class B Travel” means continuous travel of less than twenty-four (24) hours which requires overnight absence from official headquarters.

“Class C Travel” means short or day trips where the traveler is not away from his official headquarters overnight.

“Common Carrier” means commercial airlines, train, bus, or rental cars of an established rental firm.

“Official Headquarters” means Tallahassee, Florida, which is the city in which the MPOAC office is located. In the event a person is located in the field, the official headquarters is the city or town designated by the agency nearest to the area where the majority of the official business is conducted.

“Section 112.061, Florida Statutes” This provision provides for traveling expenses of Public Officers, employees, and authorized persons of the MPOAC.

“Traveler” is a term that includes the MPOAC Executive Director, staff employee, or MPOAC Governing Board member, authorized to travel on official MPOAC business.

SECTION 2.0 TRANSPORTATION REQUIREMENTS AND REIMBURSEMENTS

2.1 TRANSPORTATION REQUIREMENTS. Travel is required to be accomplished by routes of travel and modes of travel as set forth herein.

(A) Mode Determination. The most economical and efficient mode of travel will be used for each trip. The type of travel (conference, meeting, training, or other type of travel), which will determine the mode, include the nature of business, value of time of the traveler, cost of transportation or subsistence required for the number of travelers, and the amount of equipment or material to be transported.

(B) Routes of Travel. All travel must be by a usually traveled route. Any extra costs incurred by a traveler using an indirect route for the traveler’s own convenience will be the responsibility of the traveler.

2.2 ALLOWABLE METHODS.

(A) Common Carrier. Airplane tickets for authorized travel will be obtained for the traveler following research to determine the lowest cost carrier based on coach class seating. Any traveler insisting on a higher-class seating will be required to pay for the difference in cost. Tickets may be purchased through the use of an authorized office purchasing card.

(B) Travel by Motor Vehicle.

(1) Rental Vehicle.

(a) Request by any traveler for use of a rental vehicle will be authorized for travel ONLY when it is demonstrated that there is a reasonable need for the traveler to have the use of a vehicle.

(b) Rental vehicles will be used when a demonstrated cost savings compared to use of a privately owned vehicle or use of local transportation provider is demonstrated. Demonstrated savings as used in this provision will include the cost of the rental, parking your vehicle at the rental facility, mileage, gas, and rate of pay of the driver/traveler.

(c) When possible, the traveler is encouraged to pick up and return their rental vehicle during their normal work schedule. When a rental vehicle requires the traveler to go beyond their normal work schedule to pick up and return the vehicle, the traveler is encouraged to flex their work schedule to reimburse themselves for their travel time.

(2) Privately Owned Vehicles. Privately owned vehicles may be utilized for official business, if authorized by the MPOAC Executive Director. However if the privately owned vehicle is more expensive to use, including fuel costs than using a rental vehicle, including fuel costs, reimbursement will be at the rental car rate plus estimated fuel costs. It is recommended that privately owned vehicles carry a business travel insurance addendum on their personal vehicle policy.

2.3 SUBSISTENCE APPROVAL.

(A) Class A and B travel approved by the MPOAC Governing Board as part of the UPWP and/or annual operating budget process does not require subsequent MPOAC Governing Board approval. Class A and B travel, for MPOAC staff not approved by the MPOAC Governing Board as part of the UPWP and/or annual operating budget process must be approved by the MPOAC Executive Director prior to travel with subsequent review by the MPOAC Executive Committee. In the event travel is of an emergency nature or due to short notice to the MPOAC, authorization may be made by the MPOAC Chair or Vice- Chair or the Executive Director.

(B) The traveler will advise, in writing or by email, the MPOAC Executive Director of their desire or business need to attend a function so that arrangements for the travel may be made in advance of the travel dates to take advantage of any special rates. A completed Travel Authorization form using the State Travel Management System (STMS), completed by the traveler, will be provided for review and approval.

(C) Class A and B travel approved as part of the UPWP and/or annual operating budget process requires MPOAC Governing Board approval if the travel exceeds the original Board approved amount by 20%.

(D) A summary of Class A, B and C travel expenses may be provided to the MPOAC Governing Board for their review as part of the regular agenda package on an annual or other agreed upon schedule.

2.4 ELIGIBILITY CRITERIA. Class A and B travel will include any assignment on official business away from the traveler's official headquarters when it is considered reasonable and necessary to stay overnight and for which travel expenses are approved. The time, for purposes of reimbursement, is calculated as follows:

- (1) The travel day for Class A travel will be a calendar day beginning at midnight and consisting of four 6-hour quarters.
- (2) The travel for Class B travel is based on 6-hour cycles beginning at the hour of departure and ending at the hour of return.

2.5 RATES OF REIMBURSEMENT.

(A) Class A and B travelers, when traveling within or outside the State to conduct official business will receive the following reimbursement. Actual expenses for lodging at a single occupancy rate to be substantiated by paid bills and an amount not to exceed the following rates for authorized meals:

- (1) Breakfast - \$6.00 is authorized when a traveler is on travel status prior to 6:00 am and extending beyond 8:00 am.
- (2) Lunch - \$11.00 is authorized when a traveler is on travel status prior to 12:00 noon and extending beyond 2:00 pm.
- (3) Dinner - \$19.00 is authorized when a traveler is on travel status prior to 6:00 pm and extending beyond 8:00 pm.

(B) Class C Traveler Meals.

(1) Meals for Class C travelers may be reimbursable at authorized rates specified when the meal is integrally associated with the Class C travel requirement and is clearly considered to be a public purpose.

(2) Travel Expense Reports, which include Class C meals, must have authorization from the MPOAC Executive Director, and in the case of the MPOAC Executive Director, Class C travel will require authorization by the MPOAC Governing Board Chair.

(3) Class C meals are subject to Federal and employment taxes and will be reported on the employee's W-2 form as taxable income. An individual who claims Class C meals within the scope of their official duties and the travel is not related to a registration does not need to complete a Travel Request.

(C) The MPOAC Executive Director will be responsible for ensuring that all employees comply with this procedure.

2.6 TRAVELERS EXPENSE REIMBURSEMENT REQUIREMENTS.

(A) All requests for reimbursement of traveling expenses must be itemized on the MPOAC Travel Expense form in the STMS. All Class A and B travel must be pre-approved by the MPOAC Executive Director.

(B) All MPOAC Travel expense reimbursement forms must be approved by the MPOAC Executive Director. Travel expense reimbursement forms must be reviewed by the MPOAC Executive Committee no less than quarterly each year. The authorizing signature cannot be a subordinate of the traveler.

(D) Specific instructions for completion of a MPOAC Travel Expense form for reimbursement consideration is provided as follows:

(1) Mileage for Privately-Owned Vehicle - Allowable mileage.

(a) Only the mileage determined to be for official MPOAC business is eligible for reimbursement. Travelers will receive the same rate per mile as established and published by state guidelines for privately owned vehicles.

(b) When an authorized person is required to report to an initial work location other than their official work location, mileage is allowed only in an amount equal to the difference between the distance from residence to initial work site and the distance from residence to the official work location. If the distance to initial work location is less than the official distance traveled to authorized persons' official work location, then no mileage is allowed.

(c) Mileage for travel to a residence from the last work location other than the official work location is allowed only in an amount equal to the difference between the distance from the last work location to residence and the distance from official work location to residence. If the distance from the last work location is less than the distance ordinarily traveled, then no reimbursement for mileage is allowable.

(d) Those employees working on an emergency basis or special work assignment, as defined and approved by the MPOAC Executive Director, will be allowed mileage reimbursement when traveling from their residence to an assigned work location and when returning to their residence after completion of assignment.

(e) An entry will be listed for each point of origin to point of destination. Travelers will indicate the city of origin/destination. Only complete words may be used when listing the city and destination, and the name of the event or conference. Under NO circumstances will abbreviations or acronyms be used. The traveler is to use as many spaces as needed to be able to completely write out the name of the event and destination.

(f) If a traveler decides to use what is considered to be an unreasonable cost for hotel parking (valet), the use of a rental car instead of available ground transportation, or in the event that the hotel nightly fee is higher than \$175, the traveler must provide written justification explaining why they should be reimbursed the additional expense, or they may choose to pay the additional costs at their own expense and not seek reimbursement for the additional costs. Approval of excess expenses is at the discretion of the MPOAC Executive Director based on a justification that the additional expense is in the public interest or otherwise reasonable.

(g) The specific purpose of every entry must be stated.

(h) If reimbursement is claimed for meals or per diem, the time of departure and return must be shown.

(2) In-County Mileage. Mileage must be determined by use of MapQuest or Google and must be the most direct route. Mileage claimed must be shown in the "Map Mileage Claimed"

column. Any mileage traveled in addition to map mileage for an entry must be shown in the "Vicinity Mileage Claimed" column. The Traveler shall include a copy of the method they used to determine their mileage. The traveler must ensure that total individual miles, and the total miles reported for reimbursement, are not rounded up.

(3) Out-of-County Mileage. Mileage must be determined by use of MapQuest or Google and must be the most direct route. Mileage claimed must be shown in the "Map Mileage Claimed" column. Any mileage traveled in the vicinity of the out-of-County destination must be shown in the "Vicinity Mileage Claimed" column. The traveler must include a copy of the method they used to determine their mileage. The traveler must ensure that the individual miles, and the total miles reported for reimbursement, are not rounded up.

(4) Incidental Expenses.

(a) The following expenses must be authorized for reimbursement when incurred while on travel status and are required for the approved travel:

1. Taxi and ferry fares
2. Tolls
3. Storage and parking fees
4. Official communications
5. Convention registration fees
6. Shuttle service

(b) The amount and type of incidental expenses must be listed on the report under "Incidental Expenses." A substantiated paid receipt for each expense must accompany the report for reimbursement.

(E) Class A and B Expenses.

(1) The time of departure and time of return must be shown for all travel.

(2) If the travel is complimentary, the abbreviation "Comp" must be inserted in the "Map Mileage Claimed" column.

(3) The traveler must ensure that the individual miles, the total miles reported, the calculated mileage costs, and the total costs for reimbursement are not rounded up.

(4) If a private vehicle was used, the mileage must be shown on the report as specified for mileage for a privately owned automobile.

(5) If single occupancy lodging and meals are claimed, the amounts claimed must be itemized in the "Meals, Lodging" column. Itemized receipts for lodging (including expenses paid in advance) must accompany each report for any Class A or B travel reimbursement.

(G) Fraudulent Claims.

(1) Any traveler requesting reimbursement for false or fraudulent travel expenses is subject to legal prosecution and/or discipline in accordance with the MPOAC Personnel Policies and Procedures.

(2) All travelers requesting reimbursement must certify that the statement of travel expenses is true and correct and incurred in the conduct of MPOAC business and for a public purpose authorized by law.

(3) Travel and/or reimbursement for the following is not authorized:

- (a) Any meals or lodging included in a convention registration fee.
- (b) Transportation or mileage when gratuitously transported or when transported by another traveler who is entitled to mileage or transportation.
- (c) Expenses incurred using an indirect route for convenience of the traveler.
- (d) Travel for the purpose of job placement activities.
- (e) Hotel Accommodations not authorized by the MPOAC Executive Director.

Policy - 3: Social Media

SECTION 1.0 OBJECTIVE

1.1 OBJECTIVE.

(A) The creation of social media network sites provides an ability to communicate and transmit information in a timely manner. The purpose of this policy is to establish guidelines for MPOAC staff to follow in the use of these sites.

(B) This policy applies to any and all “social media” sites through which communications are made for and about the MPOAC. It does not apply to personal social media accounts held by individual MPOAC staff. Personal communications will at all times be respectful of the communities that the communicator serves and the MPOAC. Information provided on a communicator’s personal social media site may be viewed by the MPOAC Governing Board and depending upon the nature of the communication may be considered to be a Public Record. Communications could also be, depending upon the content of the communication, libelous or defamatory subjecting the communicator to civil liability.

(C) Any MPOAC staff found in violation of this policy may be subject to disciplinary action to include termination of position or appointment.

SECTION 2.0 DEFINITIONS

2.1 DEFINITIONS.

(A) Definitions. The following terms when used in this Policy will be defined to mean as follows, unless the context clearly indicates to the contrary:

(1) “Administrator” means the person appointed or designated by the MPOAC Governing Board or the Executive Director to have custody and control over any MPOAC official Social Media Site.

(2) “Blog” means a type of website usually maintained by an individual who posts regular entries such as social activities, comments on topics, hosting of videos or graphics.

(3) “Social Media Site” means websites that provide exchange of information in digital words, sounds, videos, and pictures to other users of the website through blogs, social networking, or wiki.

(4) “Social Networking Sites” means a website where users can join to interact and connect with other users and organizations.

(5) “Trade Secret” is defined in s. 812.081, F.S.

(B) References. References in support of this policy include but are not limited to:

(1) Chapter 119, Florida Statute.

(2) Attorney General Opinion 2009-19, Records, municipal Facebook page.

(3) Davison v. Loudoun County Board of Supervisors, Case No. 1:16cv932(JCC/ID) (E.D. Va. Memo. Of decision July 25, 2017); and

(4) State v. City of Clearwater, 863 So.2d 149 (Fla. 2003).

SECTION 3.0 DIRECTIVES

3.1 DIRECTIVES.

(A) The MPOAC website www.mpoac.org is the official and predominant internet presence of the MPOAC.

(B) All activities on MPOAC authorized social media sites will restrict MPOAC staff, MPOAC Governing Board members, MPOAC Staff Directors' Advisory Committee members, or any other subcommittee or committee members from engaging in an exchange of information on items that will be brought before them for official action because of possible Government in the Sunshine laws restrictions.

(C) Social media sites, such as Facebook and Twitter, that have been specifically approved by either the MPOAC Executive Director or the MPOAC Governing Board for MPOAC official business, will be considered authorized for the purposes of communicating MPOAC information and/or program updates. Need to expand these sites will be reviewed on an annual basis by the MPOAC Executive Director. It is prohibited for any MPOAC staff, MPOAC Governing Board member, MPOAC Staff Directors' Advisory Committee member, or any other subcommittee or committee members to use a MPOAC authorized media site for personal use.

(D) The MPOAC Executive Director, or the Executive Director's designee, will have the authority to remove or restrict any or all material posted on a MPOAC Social Media Site that is in violation of MPOAC policy. All information removed will be digitally retained, stored and timely disposed of in the manner necessary to meet the requirements of applicable Public Records laws and to comply with Public Record retention schedules set by the Florida Secretary of State, regardless of whether a post is removed from a MPOAC Social Media Site.

(E) Postings on social media sites should not disclose any information that is confidential or exempt from the Public Records laws or federal law, or which is proprietary to the MPOAC or to any third party or that is a Trade Secret pursuant to s. 815.04(3), F.S., that has disclosed information to the MPOAC.

(F) If MPOAC staff, MPOAC Governing Board members, MPOAC Staff Directors' Advisory Committees members, or any other subcommittees or committees comment on any aspect of the organization's business, they must clearly identify themselves as an employee or as an official of the MPOAC (including their position) and include a disclaimer that the views expressed are theirs and theirs alone.

(G) At no time shall MPOAC staff, MPOAC Governing Board members, MPOAC Staff Directors' Advisory Committees members, or any other subcommittees or committees give the impression that they are speaking on the behalf of the MPOAC, any board member, or third-party affiliates.

(H) All postings must adhere to all rules regarding copyright, privacy, fair use, financial disclosure, and any other applicable laws.

(I) The MPOAC reserves the right to limit the subjects to which MPOAC staff, MPOAC Governing Board members, MPOAC Staff Directors' Advisory Committees members, or any other subcommittees or committees may respond.

(J) The MPOAC further reserves the right to block or take down any posting which does not meet proper etiquette such as the use of expletives and defamatory comments.

(K) At no time will the MPOAC's logo or name be used when expressing any commentary or opinions.

SECTION 4.0 ADMINISTRATON

4.1 ADMINISTRATION.

(A) The MPOAC Executive Director, or the Executive Director's designee, will review and forward to the full MPOAC Governing Board a request for authorization to use a MPOAC Social Media Site and assign an Administrator. An Administrator must be assigned for each MPOAC Social Media Site.

(B) The assigned Administrator of the MPOAC Social Media Site is responsible for the administration, updating and monitoring of the site. The Administrator must not reveal an account password or allow another to post content on their site. All materials posted must comply with MPOAC Policy.

- (C) Profile/usernames must clearly identify the name of the agency/office/program.
- (D) E-mail addresses used for the account set up must be a MPOAC issued email address. No personal e-mail address may be registered with an account.
- (E) MPOAC Social Media Sites must also clearly indicate that the content posted or submitted for posting is subject to public disclosure under Florida's Public Records laws.
- (F) Only the MPOAC Executive Director, or the Executive Director's designee, may authorize use of the MPOAC Logo on any MPOAC Social Media Site.
- (G) No copyrighted material will be shared, posted, or uploaded on any MPOAC Social Media Site authorized under this Policy unless the MPOAC has an active, legitimate license for such purpose or consent of the author.

SECTION 5.0 RECORDS

5.1 RECORDS.

- (A) It will be the responsibility of the Administrator to retain, store, and dispose of all content made or received relating to MPOAC business, to ensure compliance with Chapter 119, Florida Statutes AGO 2009-19, and other materials referenced herein. In particular the Administrator will keep a record of all posts, direct messages, tweets, re-tweets, responses, comments made on a Social Media Site, or replies made by the Administrator. The Administrator must configure the account settings or use a service which either delivers the content to a MPOAC email mailbox or to a database (*e.g.* - Tweetback.com), as provided by the procedures established.
- (B) To engage public participation, the Administrator will set any privacy settings on the MPOAC Social Media Site so the content on the site is as open to as many members of the general public as possible. No user will be denied from viewing the site.
- (C) Material posted on the MPOAC Social Media Sites and all responses to a user of those sites shall be factual, accurate, and in compliance with all MPOAC policies and procedures. The Administrator for the site will seek assistance before offering advice, support, or comment on any topic that falls outside the Administrator's duties or responsibilities.

Policy - 4: Conflict of Interest

SECTION 1.0 PURPOSE AND SCOPE

1.1 OBJECTIVES.

(A) The purpose of this policy is to establish the public's trust and confidence in the ability of the MPOAC and its affiliated committees and employees to discharge their public duties without regard to personal and special private gain, personal favoritism, and avoiding even the appearance or perception of impropriety. It is essential that any persons referenced in this policy avoid any and all situations that represent conflicts between their personal interests and public duties. Furthermore, it is incumbent upon them to refrain from taking any official action with reference to such situations, and to inform their appointing authority of any actual, potential, or apparent conflicts of interest or ethical violation.

(B) Perceived or real conflicts of interest may affect a member's or alternate's ability to vote or otherwise take action to move an issue forward when it comes before the MPOAC Governing Board, Executive Committee, Staff Directors' Advisory Committee, or any other subcommittee or committee.

(C) This policy will apply equally to all persons serving as MPOAC staff, the MPOAC Governing Board, Staff Directors' Advisory Committee, or any appointment to a review or study committee or task force or is employed either through a contract or on paid salary with the MPOAC.

(D) At all times, parties referenced in this policy will maintain the highest standards of personal integrity, truthfulness, and fairness in carrying out their duties. Anyone found to be in violation of this policy may be subject to disciplinary action to include termination of appointment or staff position.

1.2 DEFINITIONS AND REFERENCES.

(A) Definitions. As used in this Policy the following terms are defined below, unless the context affirmatively indicates the contrary:

(1) "Alternate Member" means an individual chosen to serve as a backup appointment to the primary MPOAC Governing Board or Staff Directors' Advisory Committee member.

(2) "Conflict" or "Conflict of Interest" as defined in s. 112.312(8), F.S., "means any situation in which regard for a private interest tends to lead to disregard of a public duty or interest."

(3) "Corruptly" means done with a wrongful intent and for the purpose of obtaining, or compensating or receiving compensation for, any benefit resulting from some act or omission of a public servant which is inconsistent with the proper performance of his or her public duties. s. 112.312(9), F.S.

(4) "Gift" means that which is accepted by a donee or by another on the donee's behalf, or that which is paid or given to another for or on behalf of a donee, directly, indirectly, or in trust for the donee's benefit or by any other means, for which equal or greater consideration is not given within 90 days, including:

- i. Real property.
- ii. The use of real property.
- iii. Tangible or intangible personal property as defined in s. 192.001(11)(b), F.S.
- iv. The use of tangible or intangible personal property.
- v. A preferential rate or terms on a debt, loan, goods, or services, which rate is below the customary rate and is not either a government rate available to all other similarly situated government employees or officials or a rate which is available to similarly situated members of the public by virtue of occupation, affiliation, age, religion, sex, or national origin.
- vi. Forgiveness of indebtedness.

- vii. Transportation, other than that provided to a Public Officer or employee by an agency in relation to officially approved government business, lodging, or parking.
- viii. Food or beverage.
- ix. Membership dues.
- x. Entrance fees, admission fees or tickets to events, performances, or facilities.
- xi. Plants, flowers, or floral arrangements.
- xii. Services provided by person pursuant to a professional license or certificate.
- xiii. Other personal services for which a fee is normally charged by the person providing the services; or
- xiv. Any other similar service or thing having an attributable value not already provided for in this section. s. 112.312(12)(a), F.S.

(5) "Indirect" or "indirect interest" means an interest in which legal title is held by another as trustee or other representative capacity, but the equitable or beneficial interest is held by the person required to file under this part. A "representative capacity" means the actual physical attendance on behalf of a client in an agency proceeding, the writing of letters or filing of documents on behalf of a client, and personal communications made with the officers or employees of any agency on behalf of a client. ss. 112.312(13) and (22), F.S.

(6) "Lobbyist" means any natural person who, for compensation, seeks, or sought during the preceding 12 months, to influence the governmental decision making of any Public Officer required by Florida Law to make a full financial disclosure or a MPOAC Staff Member who is a Procurement Employee, or whose agency or seeks, or sought during the preceding 12 months, to encourage the passage, defeat, or modification of any proposal or recommendation by the MPOAC Public Officer required by Florida Law to make a full financial disclosure or an MPOAC Staff Member who is a Procurement Employee of the agency. See s. 112.3148(2)(b)1., F.S.

(7) "Member" means an individual appointed to the MPOAC Governing Board or MPOAC Staff Directors' Advisory Committee.

(8) "Procurement Employee" means any MPOAC Staff member who has participated in the preceding 12 months through decision, approval, disapproval, recommendation, preparation of any part of a purchase request, influencing the content of any specification or procurement standard, rendering of advice, investigation, or auditing or in any other advisory capacity in the procurement of contractual services or commodities as defined in s. 287.012, F.S., if the cost of such services or commodities exceeds or is expected to exceed \$10,000 in any fiscal year. See s. 112.3148(2)(e), F.S.

(9) "Public Officer" includes any person who is a Member or an Alternate Member, elected or appointed to hold a voting delegate's position, or that of an Alternate Member on the MPOAC Governing Board or the MPOAC Staff Directors' Advisory Committee or other body.

(10) "Special Committee Designate" means a person designated by the MPOAC Governing Board or the Executive Director for membership of a request for proposals consultant selection review panel or a study group or review committee designated by the MPOAC for consultant selection, review of project studies, or other specified projects.

(11) "MPOAC Staff Member" means either a contracted or salaried member of the MPOAC hired to perform those duties set forth in their job description to carry out the required functions of the organization.

(B) References. References in support of this policy include but are not limited to:

- (1) The Code of Ethics for Public Officers and Employees, Part III, Chapter 112, Florida Statutes.
- (2) Section 286.011 and 286.0113, Florida Statutes (the Government-in-the-Sunshine Act").

1.3 DIRECTIVES.

(A) Conflicts of Interest. Any conflict of interest between personal interests and official responsibilities are to be resolved by consciously avoiding potential conflicts of interest and when the conflict of interest occurs with regard to any matter on which a Member of any MPOAC board is called upon to vote by publicly disclosing the basis of the voting conflict of interest, decisions can be reviewed or made by others.

(B) Stated conflicts will be incorporated into the minutes and become a Public Record upon filing. See s. 112.3143(3)(a) and (4)(b), F.S. When a conflict of interest exists, it will be declared by the Member with a conflict upon opening of discussion of a matter by the MPOAC. Pursuant to Sections 286.012 and 112.3143, F.S., when the MPOAC Governing Board or MPOAC Staff Directors' Advisory Committee Members or Alternate Members, Special Committee Designates, or MPOAC Staff members serving on a MPOAC committee, have a voting conflict of interest or when the member ascertains that there appears to be a possible voting conflict of interest pursuant to Sections 112.311, 112.313, or 112.3143, F.S., the Member must abstain from voting on the issue with which the member has or there is a possible voting or other conflict of interest. See s. 286.012, F.S.

(C) Such individual will, prior to the vote being taken, publicly state to the assembly the nature of the officer's interest in the matter from which the Member is abstaining from voting. Any member of the MPOAC Governing Board, Staff Directors' Advisory Committee, sub-committee, specially designated committee, or MPOAC Staff Member, who has a voting conflict of interest on a matter is required to file within 15 days after the vote occurs with the Agency Clerk the appropriate Conflict of Interest Form as promulgated by the Florida Commission on Ethics. See s. 112.3143(3)(a) and (4)(b), F.S. The disclosure form must be attached to the minutes of the meeting at which the vote abstained from was taken.

(D) Prohibited Conduct, Misuse of Public Office or Employment. As provided by Section 112.313(6), F.S., a Public Officer or MPOAC Staff Member will not Corruptly use or attempt to use their individual official position or any property or resource of the MPOAC which may be within the individual's trust, or perform official duties to secure a special privilege, benefit, or exemption for themselves or others. In addition, all Public Officers, or MPOAC Staff Members are expected to scrupulously adhere to the Code of Ethics for Public Officers and Employees, Part III, Chapter 112, F.S.

(E) Outside Employment. No outside employment is permitted of MPOAC Staff except as provided under the MPOAC policies. MPOAC Staff must receive written approval from the MPOAC Executive Director prior to engaging in outside employment. Under no circumstances will a MPOAC Staff member accept outside employment or render other than official services to a private interest where MPOAC time, equipment, or material is to be used, or where a real or apparent conflict of interest with one's official or public duties is possible.

(F) Financial Interest. These restrictions are not intended to preclude the opportunity for MPOAC Staff to acquire and maintain private financial interests. However, private financial interests should be examined in terms of potential conflicts of interest. In the event a real or apparent conflict of interest exists, the MPOAC Staff Member will contact the MPOAC Executive Director to resolve the conflict or potential conflict.

(G) Solicitation and Acceptance of Compensation, Payment, or things of value.

(1) As provided in Section 112.313(2), F.S., no MPOAC Staff, Governing Board or Staff Directors' Advisory Committee Member, Alternate Member, or Special Committee Designate will solicit or accept anything of value to the recipient, including a Gift, loan, reward, promise of future employment, favor or service based upon any understanding that their vote, official action or judgment would be influenced thereby.

(2) As provided in Section 112.313(4), F.S., no MPOAC Staff, Governing Board or Staff Directors' Advisory Committee Member, Alternate Member, or Special Committee Designate, or their

spouse or minor child, can accept any compensation, payment, or thing of value that with the exercise of reasonable care, the MPOAC Staff Member, Member, Alternate Member, or Special Committee Designate, should know, that it was given to influence a vote or other action in which the MPOAC Staff Member or Public Officer was expected to participate.

SECTION 2.0 GIFTS AND GRATUITIES

2.1 ACCEPTANCE OF GIFTS.

(A) As used in this Section relating to the acceptance of a Gift, the following terms are defined to mean:

- (1) "Gift". See Policy 4, Section 1.2(4).
- (2) "Immediate family" means any parent, spouse, child or sibling. See s. 112.3148(2)(a), F.S.
- (3) "Lobbyist". See Policy 4, Section 1.2.(6).
- (4) "Procurement Employee". See Policy 4, Section 1.2(8).
- (5) "Reporting individual" means any individual, including a candidate upon qualifying, who is required by law, pursuant to s. 8, Art. II of the State Constitution or s. 112.3145, to file full or limited public disclosure of his or her financial interests or any individual who has been elected to, but has yet to officially assume the responsibilities of, public office. For purposes of implementing this section, the "agency" of a reporting individual who is not an officer or employee in public service is the agency to which the candidate seeks election, or in the case of an individual elected to but yet to formally take office, the agency in which the individual has been elected to serve. s. 112.3148(2)(d), F.S.
- (6) "Vendor" means a business entity doing business directly with an agency, such as renting, leasing, or selling any realty, goods, or services. s. 112.3148(2)(f), F.S.

(B) As provided in Section 112.3148(3), Florida Statutes, a Reporting Individual or MPOAC Procurement Employee, is prohibited from soliciting any Gift from a Vendor doing business with the MPOAC or a Lobbyist (of the partner, firm, employer, or principal of such lobbyist) who lobbies the MPOAC, where such Gift is for the personal benefit of the Reporting individual or Procurement Employee, another Reporting Individual or Procurement Employee, or any member of the immediate family of either of the foregoing.

(C) As provided in Section 112.3148(4), F.S., and except as otherwise specifically permitted by Florida law, a Reporting Individual or a MPOAC procurement employee or any other person on behalf of the aforementioned is prohibited from knowingly accepting, directly or Indirectly, a Gift from a Vendor doing business with the MPOAC, or a Lobbyist who lobbies the MPOAC, directly or Indirectly on behalf of the partner, firm, employer, or principal of a Lobbyist, if he or she knows or reasonably believes that the Gift has a value in excess of \$100; however, such a Gift may be accepted by such person on behalf of a governmental entity or a charitable organization. If the Gift is accepted on behalf of a governmental entity or charitable organization, the person receiving the Gift shall not maintain custody of the Gift for any period of time beyond that reasonably necessary to arrange for the transfer of custody and ownership of the Gift. Notwithstanding the foregoing, a Reporting Individual may accept a Gift having a value in excess of \$100 from an entity of the legislative or judicial branch, a department or commission of the executive branch, a water management district created pursuant to s. 373.069, F.S., the South Florida Regional Transportation Authority, a county, a municipality, an airport authority, or a school board, if a public purpose can be shown for the gift; and the Reporting Individual who is an officer of the MPOAC supported by a direct-support organization specifically authorized by law to support such governmental entity may accept such a Gift from such direct-support organization. s. 112.3148(5)(b), F.S.

(D) A non-monetary Gift, including meals or entertainment, when offered gratuitously and carrying a total value of less than twenty-five dollars (\$25.00) may be accepted if the MPOAC employee

can ensure that it was not offered to influence said employee's judgment, action or vote. It is the employee's responsibility to avoid the appearance of conflict of interest and discretion should be used in accepting Gifts valued under the amount stated above. If there is any doubt about the intent of the person giving the Gift or its value is \$25.00 or greater, then the employee must decline to accept it.

(E) (1) As provided in s. 112.3148(7), F.S., the value of a Gift provided to a Reporting Individual or Procurement Employee shall be determined using actual cost to the donor, less taxes and gratuities, except as otherwise provided in this subsection, and, with respect to personal services provided by the donor, the reasonable and customary charge regularly charged for such service in the community in which the service is provided shall be used. If additional expenses are required as a condition precedent to eligibility of the donor to purchase or provide a gift and such expenses are primarily for the benefit of the donor or are of a charitable nature, such expenses shall not be included in determining the value of the gift.

(2) Compensation provided by the donee to the donor, if provided within 90 days after receipt of the Gift, shall be deducted from the value of the gift in determining the value of the Gift.

(3) If the actual Gift value attributable to individual participants at an event cannot be determined, the total costs shall be prorated among all invited persons, whether or not they are Reporting Individuals or Procurement Employees.

(4) Transportation shall be valued on a round-trip basis unless only one-way transportation is provided. Round-trip transportation expenses shall be considered a single Gift. Transportation provided in a private conveyance shall be given the same value as transportation provided in a comparable commercial conveyance.

(5) Lodging provided on consecutive days shall be considered a single Gift. Lodging in a private residence shall be valued at the per diem rate provided in s. 112.061(6)(a)1., F.S., less the meal allowance rate provided in s. 112.061(6)(b), F.S.

(6) Food and beverages which are not consumed at a single sitting or meal and which are provided on the same calendar day shall be considered a single Gift, and the total value of all food and beverages provided on that date shall be considered the value of the Gift. Food and beverage consumed at a single sitting or meal shall be considered a single Gift, and the value of the food and beverage provided at that sitting or meal shall be considered the value of the Gift.

(7) Membership dues paid to the same organization during any 12-month period shall be considered a single Gift.

(8) Entrance fees, admission fees, or tickets shall be valued on the face value of the ticket or fee, or on a daily or per event basis, whichever is greater.

(9) Except as otherwise specified in this section, a Gift shall be valued on a per occurrence basis.

(10) The value of a Gift provided to several individuals may be attributed on a *pro rata* basis among all of the individuals. If the gift is food, beverage, entertainment, or similar items, provided at a function for more than 10 people, the value of the Gift to each individual shall be the total value of the items provided divided by the number of persons invited to the function, unless the items are purchased on a per person basis, in which case the value of the Gift to each person is the per person cost.

(11) The value of a Gift of an admission ticket will not include that portion of the cost which represents a charitable contribution, if the Gift is provided by the charitable organization.

(F) The MPOAC will make a reasonable effort to communicate sections of this policy relating to Gifts to local, county or state Vendors.

2.2 TIPS AND GRATUITIES. As provided in Section 112.313(4), Florida Statutes, a tip or gratuity can be considered to be unauthorized compensation. Consequently, no MPOAC Governing Board member, Staff Directors' Advisory Committee member, Alternate member, Special Committee Designate, or

MPOAC Staff member, will accept any tip or gratuity. Employee classifications for which the acceptance of tips and gratuities are permitted may be designated by the Executive Director and will only include positions with duties of a personal nature where tipping is traditional.

SECTION 3.0 TRAINING

3.1 ETHICS TRAINING.

(A) Public Officers, and MPOAC Staff members, as public servants, are considered stewards of the public trust and should aspire to the highest level of integrity and character. Public Officers and MPOAC Staff members will be informed of their ethical responsibilities at the start of their public service (or during employee orientation in the case of MPOAC Staff Members) and receive updates and training materials on ethics issues throughout the span of their public service.

(B) MPOAC Staff members will receive periodic ethics training. This will include at a minimum four (4) hours of ethics training annually that addresses, at a minimum, Article II, Section 8 of the Florida Constitution; Part III, Chapter 112, Part III, Florida Statutes (the Code of Ethics for Public Officers and Employees); the Public Records (Chapter 119, Florida Statutes); and Government-in the Sunshine public meetings laws (Chapter 286, Florida Statutes) of this state. This requirement may be satisfied by completion of a continuing legal education class or other continuing professional education class, seminar, ongoing Employee Development Program, or other presentation if the required subjects are covered.

SECTION 4.0 ADMINISTRATIVE

4.1 ADMINISTRATION.

(A) As used in this Section, the following terms are defined as follows:

(1) "Agency" means any state, regional, county, local, or municipal government entity of this state, whether executive, judicial, or legislative; any department, division, bureau, commission, authority, or political subdivision of this state therein; any public school, community college, or state university; or any special district as defined in s. 189.012, F.S.

(2) "Principal by Whom Retained" means an individual or entity, other than an Agency, that for compensation, salary, pay, consideration, or similar thing of value, has permitted or directed another to act for the individual or entity, and includes, but is not limited to, one's client, employer, or the parent, subsidiary, or sibling organization of one's client or employer.

(3) "Relative" means any father, mother, son, daughter, husband, wife, brother, sister, father-in-law, mother-in-law, son-in-law, or daughter-in-law.

(4) "Special Private Gain or Loss". See PLC-1, Section 1.1.

(B) As provided by Section 112.3143(3), Florida Statutes, no MPOAC Governing Board member, Staff Directors' Advisory Committee member, Alternate member, or other appointed Public Officer, will vote in an official capacity upon any measure:

(1) which would inure to his or her Special Private Gain or Loss;

(2) which he or she knows would inure to the Special Private Gain or Loss of any Principal by Whom he or she is Retained or to the parent organization or subsidiary of a corporate principal by which he or she is retained, other than an agency; or

(3) which he or she knows would inure to the Special Private Gain or Loss of a Relative or business associate of the Public Officer.

(C) Appointed Official.

(1) As provided by Section 112.3143(4), Florida Statutes, unless the Member has first disclosed the nature of his or her interest in the matter, no appointed MPOAC Governing Board member,

Staff Directors Advisory Committee member, Alternate member, Special Committee Designate, or MPOAC Staff Member, serving on a board, will participate in any matter which:

(a) would inure to the officer's Special Private Gain or Loss; the officer knows would inure to the Special Private Gain or Loss of any Principal by Whom he or she is Retained or to the parent organization or subsidiary of a corporate principal by which he or she is retained; or

(b) he or she knows would inure to the Special Private Gain or Loss of a Relative or business associate of the Public Officer, without first disclosing the nature of his or her interest in the matter.

(2) The term "participate" means any attempt to influence the decision by oral or written communication, whether made by the MPOAC Governing Board member, Staff Directors Advisory Committee member, Alternate Member, Special Committee Designate, or MPOAC Staff Member. Prior to participating, the appointed MPOAC Governing Board member, Staff Directors' Advisory Committee member, Alternate Member, Special Committee Designate, or MPOAC Staff Member, serving on a board, will file with the person responsible for recording in the minutes of the meeting, a memorandum of a conflict of interest on a form promulgated by the Florida Commission on Ethics. Any such memorandum will become a Public Record upon filing, will immediately be provided to the other individuals serving on the Board, and will be read publicly at the next meeting held subsequent to the filing of this written memorandum.

The undersigned hereby certifies that he is the Chair of the Metropolitan Planning Organization Advisory Council Governing Board and that the foregoing is a full, true, and correct copy of the policies of the Metropolitan Planning Organization Advisory Council, the 27th day of October, 2022.

Nick Maddox, MPOAC Governing Board Chair

RESOLUTION NO. 2022-~~0102~~

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

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

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

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

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

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

WHEREAS, it is the desire of the MPOAC Governing Board to streamline and further amend these by-laws pursuant to this Resolution No. 2022-~~402~~, effective ~~January~~ October 27, 2022,

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

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

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

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

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

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

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

Section 2. MPOAC Organizational Structure.

(a) The Governing Board

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

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

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

(ii) Appointment of Governing Board representatives.

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

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

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

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

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

(iii) Governing Board Governance.

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

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

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

~~(4) Agenda preparation. After consultation with the Chair of the Governing Board, the Executive Director is responsible for the preparation of agendas for future meetings.~~

Commented [RM1]: This is covered in the agenda section of the Bylaws.

~~(54)~~– Quorum. At least nine (9) of the voting members of the MPOAC Governing Board must be present for the MPOAC Governing Board to conduct business. All votes must pass by a vote of a majority of those members present and voting or by seven (7) votes, whichever number shall be greater.

~~(65)~~ Meetings. The MPOAC Governing Board shall meet no less often than once each calendar quarter during the year based on an annual schedule established by the Governing Board which schedule may be amended from time to time by the Governing Board, unless said meeting is cancelled or rescheduled by the Chair. The Chair shall be empowered to cancel any of the foregoing regular meetings, as necessary. Regular meetings may be held at a location, date, and time, to be determined annually by a majority of the Governing Board members voting.

~~(76)~~ Special meetings may be called by the Governing Board Chair at a date, location, and time in the Chair's call for the special meeting or through a letter of petition from at least four (4) members of the Governing Board; provided, that all public notice requirements are satisfied. The letter shall state the purpose

of the special meeting and may propose a time, location, and date for the special meeting. In the event of any petition which does not set a time, location, and date for a special meeting, the Chair, after coordinating with the Executive Director, shall set the time, location, and date of the meeting.

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

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

(b) Staff Directors' Advisory Committee.

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

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

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

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

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

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

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

(iii) Staff Directors' Advisory Committee Governance

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

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

absence of the Chair.

~~(3) — Agenda preparation. After consultation with the Chair of the Staff Directors' Advisory Committee, the Executive Director is responsible for the preparation of agendas for future meetings.~~

Commented [RM2]: This is covered in the Agenda section of the Bylaws.

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

~~(54) Meetings. Regular meetings of the Staff Directors' Advisory Committee shall be held at least once each calendar year quarter based on an annual schedule established by the MPOAC Governing Board, unless cancelled or rescheduled by the Staff Directors' Advisory Committee Chair. A regular meeting schedule shall be set by the Staff Directors' Advisory Committee annually by a majority of those members voting at a meeting.~~ The Chair may cancel a meeting as a result of a lack of business to bring to the committee. Regular meetings shall usually be held immediately prior to, ~~or at the option of the Chair, simultaneous with the meetings of~~ the Governing Board. Joint meetings of the Staff Directors' Advisory Committee and Governing Board may be conducted, and those meetings may be called as provided in Section 4.(f)(4). Joint meetings of the Governing Board and the Staff Directors' Advisory Committee shall be held in the same location as the Governing Board meeting.

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

~~(66)~~ Subcommittees may be established by the Chair or by a majority vote of those voting at a Staff Directors' Advisory Committee meeting as necessary to assist the Staff Directors' Advisory Committee. Sub-committee members, including a Chair and Vice-Chair, shall be appointed by the Staff Directors' Advisory Committee Chair, or a majority of those voting at a meeting. A vote of the Staff Directors' Advisory Committee shall take precedence over an appointment by the Chair.

(c) The Executive Committee.

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

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

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

approved by the Chair or Vice-Chair.

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

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

(d) Other MPOAC Committees.

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

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

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

(3) Committee members and alternate members shall be appointed by the Governing Board Chair, or a majority of the Governing Board voting at a duly called meeting. The vote of a majority of the Governing Board members shall take precedence over an appointment by the Chair. ~~Additionally, in the event that two or more individuals are appointed as alternate members for a specific member, the alternate members must be designated as first alternate, second alternate, or otherwise, to designate the order in which alternates may serve in place of a regular member.~~

(4) The Governing Board Chair, or a majority of the Governing

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

(5) A committee may be composed of members and alternate members of the Governing Board and of the Staff Directors' Advisory Committee, as Committee members or alternate members, and may have non-member advisers to serve the Committee. Appointment to a committee is considered an appointment to a position and not an office and is an *ex officio* part of the duties of a Governing Board Member or the Staff Director's Advisory Committee, or alternate members.

~~(6) In the event that two or more individuals are appointed as alternate members for a specific member, the alternate members must be designated as first alternate, second alternate, or otherwise, to designate the order in which alternates may serve in place of a regular member.~~

~~(7) The quorum of other committees established by the MPOAC Governing Board (other than the Executive Committee), including but not limited to the Freight and Rail Committee and the Policy and Technical Committee, shall consist of one-third of the Committee's membership, or in the case of a committee made up of less than fifteen members, the quorum shall be five. In such cases, any action taken by said committee shall require the affirmative vote of all five members.~~

Commented [RM3]: Peter Buchwald suggested that a committee should have a minimum quorum requirement (maybe no less than 5).

~~(8) Meetings of the committee established (other than the Executive Committee or the Staff Directors' Advisory Committee) shall occur at the call of the Chair, setting the date, time, and location of said meeting. Alternatively, a vote of a majority of the committee may set a meeting time, date, and location for an Executive Committee meeting. A vote of the committee shall take precedence over a determination to call a meeting by the Chair. In addition, upon petition of the three (3) of the members of the committee, a special meeting may be called. In the event that the petition does not include the date, time or location of the meeting, the Chair, after consultation with the Executive Director, may determine the time, date, or location of the meeting.~~

~~(9) The Chair may cancel a committee meeting if the reasons for the meeting to be held no longer exist, or if there is a lack of business to be considered.~~

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

(i) The MPOAC will be staffed by an ~~executive~~ executive director ~~director who hires, supervises, and may terminate or suspend MPOAC staff or consultants.~~ The executive director serves as the agency clerk. The MPOAC may retain a general counsel and other staff as necessary to perform adequately the functions of the MPOAC within budgetary limitations.

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

Commented [RM4]: This matches the minimum requirements set for the MPO Staff Directors.

(2) Agency Clerk. As a part of the duties of the position of Executive Director, the executive director shall serve *ex officio* as the agency clerk. The duties and responsibilities of the agency clerk shall be to: index and file agency resolutions, orders, and bylaws in a manner not inconsistent with applicable provisions of the Florida Rules of Appellate Procedure; send notices of workshops and meetings; transcribe minutes of the Governing Board, committee, and subcommittee meetings and workshops; maintain all agency files and records; make certifications of true copies and actions; attest to the signatures of MPOAC officers; and perform such other duties as determined by the MPOAC Governing Board.

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

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

(a) Open Meetings.

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

(b) Public Records.

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

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(c) Principal Office of the MPOAC.

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

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

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Section 4. Setting the Agenda.

(a) Governing Board meeting.

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

(b) Staff Directors' Advisory Committee.

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

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(c) Other Committees.

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

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(d) Agenda Procedures.

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

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

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

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

Section 5. Notice of Meetings and Workshops.

(a) Governing Board Meetings.

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

Commented [RM5]: Peter Buchwald asked if we still have to use the FAR?

Commented [RM6R5]: I confirmed that we still have to use the FAR.

Commented [RM7]: Peter Buchwald suggested that we don't need to specify how we send them out or what we send out. Should just need to provide notice and agenda.

Commented [RM8R7]: May want to delete this section.

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

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

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

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

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

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

Section 6. Emergency Meetings.

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

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

(c) Following an emergency meeting the agency clerk shall cause to be published on the MPOAC website, notice as set forth in Section 8(a)(3), a statement setting forth the reasons why an emergency meeting was necessary, and a statement setting forth the action taken at the meeting.

Section 7. Rules of Procedure; Action by Consent.

(a) Rules of Procedure.

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

(b) Action by Consent.

(+) By general, unanimous, or silent consent, the Governing Board, Staff Directors' Advisory Committee, or any committee of the MPOAC, can do business with little regard for the rules of procedure, as they are made for the protection of the minority, and when there is no minority to protect, there is little need for the restraint of the rules, except such as to protect the rights of absent members. In the former case the consent of the absentees cannot be given. A single objection defeats a request for general consent. By the legitimate use of the principle that the rules are designed for the protection of the minority, and generally need not be strictly enforced when there is no minority to protect, business may be greatly

Commented [RM9]: Do we still need to do this. MPOAC is not subject to it.

Commented [RM10R9]: Using the FAR is still a requirement.

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expedited. When there is evidently no opposition, except in the case of state law requiring a recorded vote or when a written resolution is being adopted in final form, the formality of voting can be avoided by the Chair asking if there is any objection to the proposed action, and if there is none, announcing the result. The action thus taken is said to be done by general consent, or unanimous or silent consent. Thus, after an order has been adopted limiting the speeches to three minutes each, if a speaker is so interesting that when said speaker's time has expired, there is a general demand for the speaker to be permitted to continue making remarks, the Chair as the presiding officer, instead of waiting for a motion and taking a vote, could accept it as the will of the assembly that the speaker's time be extended, and would direct the speaker to proceed. Or the speaker's time might say that if there is no objection, the member's time will be extended two minutes, or some other time. (Excerpted from Robert's Rules of Order).

Commented [RM11]: Peter Buchwald asked if we need all of this when we mention Roberts Rules of Order.

Commented [RM12R11]: This seems like a question to be answered by Paul Gougelman.

Commented [RM13R11]: Paul recommends we keep the language.

Section 8. Public Comment.

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

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

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

Commented [RM14]: Peter Buchwald asked if we need this? It seems logical that members may want to question speakers.

Commented [RM15R14]: Paul recommends we keep this language.

Commented [RM16R14]: Paul since changed course and is OK with deleting it.

(b) Public Comment with regard to Agenda Items.

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

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

(c) Addressing the Governing Board; Decorum.

(i) Members of the public or non-agency personnel seeking to address the Governing Board, the Executive Committee, the Staff Directors' Advisory Committee, or another MPOAC committee, should prepare their remarks before addressing the Governing Board, the Executive Committee, the Staff Directors' Advisory Committee, or another MPOAC committee, in an effort to be concise and to the point. Speakers must come to the lectern to speak, but they may come to the lectern only after they have been recognized by the presiding Chair. Members of the public shall not address individual members of the Governing Board, the Executive Committee, individual members of the Staff Directors' Advisory Committee, or another MPOAC committee, but shall address the board or committee being addressed as a whole through the presiding Chair.

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

the speaker's seat, or to refrain from further outbursts, the Chair may ask a law enforcement officer to remove the speaker from the meeting.

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

Section 9. Amendment of Bylaws.

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

~~(b) These policies and procedures may be adopted, amended, suspended, or repealed by a two-thirds vote of the Governing Board members voting.~~

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

FLORIDA METROPOLITAN PLANNING ORGANIZATION ADVISORY COUNCIL

By: _____
Commissioner Nick Maddox, Chair

ATTEST:

(AGENCY SEAL)

Mark Reichert, Agency Clerk



Manager Employee

FL Dept of Transportation

Manager / My Team / Time and Attendance / Timesheet



Timesheet

MARK E REICHERT - EXECUTIVE DIRECTOR-MPOAC

Reports

[Timesheet Summary](#)

[Leave Audit Report](#)



[View Calendar](#)



[Leave Request](#)



[Leave Balance](#)



Information



Print



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Work Period < April 15 - 28, 2022 SUBMITTED >

Charge Object	Hours Type	FMLA/ FSWP	4/15 Fri	4/16 Sat	4/17 Sun	4/18 Mon	4/19 Tue	4/20 Wed	4/21 Thu	4/22 Fri	4/23 Sat	4/24 Sun	4/25 Mon	4/26 Tue	4/27 Wed	4/28 Thu	Total Hours
43933931101 - 601	WORK-REGULAR		8.00			8.00	8.00	8.00	8.00	8.00			8.00	8.00	8.00	8.00	80.00
																	0.00
																	0.00
																	0.00
																	0.00
	Totals		8.00	0.00	0.00	8.00	8.00	8.00	8.00	8.00	0.00	0.00	8.00	8.00	8.00	8.00	80.00
	Schedule		8.00	0.00	0.00	8.00	8.00	8.00	8.00	8.00	0.00	0.00	8.00	8.00	8.00	8.00	80.00

Grand Total Hours: 80.00

Work Period < April 29 - May 12, 2022 >

Charge Object	Hours Type	FMLA/ FSWP	4/29 Fri	4/30 Sat	5/1 Sun	5/2 Mon	5/3 Tue	5/4 Wed	5/5 Thu	5/6 Fri	5/7 Sat	5/8 Sun	5/9 Mon	5/10 Tue	5/11 Wed	5/12 Thu	Total Hours	
Select or enter a ...	LEAVE-ANNUAL									5.00							5.00	
43933931101 - 601	WORK-REGULAR		8.00			8.00	11.00	8.00	8.00				8.00	8.00	8.00	8.00	8.00	75.00
Select or enter a ...	Select or enter a ...																	0.00
Select or enter a ...	Select or enter a ...																	0.00
Select or enter a ...	Select or enter a ...																	0.00
Totals			8.00	0.00	0.00	8.00	11.00	8.00	8.00	5.00	0.00	0.00	8.00	8.00	8.00	8.00	8.00	80.00
Schedule			8.00	0.00	0.00	8.00	8.00	8.00	8.00	8.00	0.00	0.00	8.00	8.00	8.00	8.00	8.00	80.00

Grand Total Hours: 80.00

Work Period < May 13 - 26, 2022 SUBMITTED >

Charge Object	Hours Type	FMLA/ FSWP	5/13 Fri	5/14 Sat	5/15 Sun	5/16 Mon	5/17 Tue	5/18 Wed	5/19 Thu	5/20 Fri	5/21 Sat	5/22 Sun	5/23 Mon	5/24 Tue	5/25 Wed	5/26 Thu	Total Hours	
	LEAVE-ANNUAL								4.00	1.00							5.00	
43933931101 - 601	WORK-REGULAR		8.00			8.00	8.00	8.00	4.00	7.00			8.00	8.00	8.00	8.00	8.00	75.00
																		0.00
																		0.00
																		0.00
																		0.00
		Totals	8.00	0.00	0.00	8.00	8.00	8.00	8.00	8.00	0.00	0.00	8.00	8.00	8.00	8.00	8.00	80.00
		Schedule	8.00	0.00	0.00	8.00	8.00	8.00	8.00	8.00	0.00	0.00	8.00	8.00	8.00	8.00	8.00	80.00

Grand Total Hours: 80.00

Nick Maddox

06/06/2022

Work Period < May 27 - June 9, 2022 >

Charge Object	Hours Type	FMVA/ FSYVP	5/27 Fri	5/28 Sat	5/29 Sun	5/30 Mon	5/31 Tue	6/1 Wed	6/2 Thu	6/3 Fri	6/4 Sat	6/5 Sun	6/6 Mon	6/7 Tue	6/8 Wed	6/9 Thu	Total Hours
Select or enter a ...	LEAVE-ANNUAL		2.00														2.00
43933931101 - 601	WORK-REGULAR		4.00				8.00	8.00	8.00	10.00			8.00	8.00	8.00	8.00	70.00
Select or enter a ...	HOLIDAY-STATE PAID					8.00											8.00
Select or enter a ...	Select or enter a...																0.00
Select or enter a ...	Select or enter a...																0.00
		Totals	5.00	0.00	0.00	8.00	8.00	8.00	8.00	10.00	0.00	0.00	8.00	8.00	8.00	8.00	80.00
		Schedule	8.00	0.00	0.00	8.00	8.00	8.00	8.00	8.00	0.00	0.00	8.00	8.00	8.00	8.00	80.00

Grand Total Hours: 80.00

x  Nick Maddox

06/09/22

Work Period < June 10 - 23, 2022 >

Charge Object	Hours Type	FMLA/ FSWP	6/10 Fri	6/11 Sat	6/12 Sun	6/13 Mon	6/14 Tue	6/15 Wed	6/16 Thu	6/17 Fri	6/18 Sat	6/19 Sun	6/20 Mon	6/21 Tue	6/22 Wed	6/23 Thu	Total Hours
4393931101 - 601	WORK-REGULAR		9.00		4.00	8.00	12.50	7.00	8.00	8.00			7.00	8.00	8.00	8.00	87.50
Select or enter a ...	Select or enter a...																0.00
Select or enter a ...	Select or enter a...																0.00
Select or enter a ...	Select or enter a...																0.00
Select or enter a ...	Select or enter a...																0.00
		Totals	9.00	0.00	4.00	8.00	12.50	7.00	8.00	8.00	0.00	0.00	7.00	8.00	8.00	8.00	87.50
		Schedule	8.00	0.00	0.00	8.00	8.00	8.00	8.00	8.00	0.00	0.00	8.00	8.00	8.00	8.00	80.00

Grand Total Hours: 87.50

x 

Nick Maddox

06/24/2022

Work Period < June 24 - July 7, 2022 >

Charge Object	Hours Type	FMLA/ FSWP	6/24 Fri	6/25 Sat	6/26 Sun	6/27 Mon	6/28 Tue	6/29 Wed	6/30 Thu	7/1 Fri	7/2 Sat	7/3 Sun	7/4 Mon	7/5 Tue	7/6 Wed	7/7 Thu	Total Hours
4393931101 - 601	WORK-REGULAR		8.00				8.00	8.00	8.00	8.00				8.00	8.00	8.00	72.00
Select or enter a ...	HOLIDAY-STATE PAID												8.00				8.00
Select or enter a ...	Select or enter a...																0.00
Select or enter a ...	Select or enter a...																0.00
Select or enter a ...	Select or enter a...																0.00
Totals			8.00	0.00	0.00	8.00	8.00	8.00	8.00	8.00	0.00	0.00	8.00	8.00	8.00	8.00	80.00
Schedule			8.00	0.00	0.00	8.00	8.00	8.00	8.00	8.00	0.00	0.00	8.00	8.00	8.00	8.00	80.00

Grand Total Hours: 80.00

X 

Nick Maddox

07/11/2022

Work Period < July 8 - 21, 2022 SUBMITTED >

Charge Object	Hours Type	FMLA/ FSWP	7/8 Fri	7/9 Sat	7/10 Sun	7/11 Mon	7/12 Tue	7/13 Wed	7/14 Thu	7/15 Fri	7/16 Sat	7/17 Sun	7/18 Mon	7/19 Tue	7/20 Wed	7/21 Thu	Total Hours
43933941101 - 601	WORK-REGULAR		12.00			8.00	8.00	8.00	7.00	7.00			8.00	11.00	8.00	8.00	85.00
																	0.00
																	0.00
																	0.00
																	0.00
																	0.00
		Totals	12.00	0.00	0.00	8.00	8.00	8.00	7.00	7.00	0.00	0.00	8.00	11.00	8.00	8.00	85.00
		Schedule	8.00	0.00	0.00	8.00	8.00	8.00	8.00	8.00	0.00	0.00	8.00	8.00	8.00	8.00	80.00

Grand Total Hours: 85.00

x 

Nick Maddox

07/22/2022

Trip Form
408452



- FORM DETAILS

MASTER TRIP INVOICE #
000312949

FORM TYPE
Authorization

FORM ID
408452

* TRAVELER NAME ?

Mark Reichert

* TRAVELER AGENCY LINK

Mark Reichert-DOT-55420000940

TRAVELER ORGANIZATION CODE ?

55420000940

PREPARER NAME ?

Lisa Stone

STATUS ?

Authorized

SECURED RECORD ?

HEADQUARTERS CITY
TALLAHASSEE

HEADQUARTERS STATE
FL

HOME IS HEADQUARTERS
No

TYPE OF EMPLOYEE
State Employee

SUPERVISOR NAME ?

Mark Reichert

FISCAL AUDITOR NAME ?

- TRIP DETAILS

* POINT OF ORIGIN ?

Tallahassee

* DESTINATION ?

Melbourne

* DEPARTURE DATE AND TIME ?

5/2/2022 9:00 AM

* RETURN DATE AND TIME ?

5/4/2022 5:00 PM

TRAVEL CLASSIFICATION

CLASS C OVERRIDE

* PRIMARY MODE OF TRANSPORTATION

Rental Car

* TYPE OF TRAVEL ?

In State

* MISSION CRITICAL STATEMENT

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

* PURPOSE OF TRAVEL ?

Routine Job Duties

BENEFIT TO STATE ?

Space Coast Transportation Planning Organization

COMMENT ?

Attend the Space Coast TPO TMA Certification Review.

* WAS TELECOMMUNICATION CONSIDERED? ?

Yes

* GOVERNOR DECLARED EMERGENCY? ?

No

* FEMA EMERGENCY? ?

No

* TRIP INCLUDES OFF DUTY TIME ?

No

OFF DUTY TIME BEGINS ?

OFF DUTY TIME ENDS ?

CASE # ?

CIRCUIT # ?



- FORM DETAILS

MASTER TRIP INVOICE #
000307264

FORM TYPE
Authorization

FORM ID
400555

* TRAVELER NAME ?

Mark Reichert

* TRAVELER AGENCY LINK

Mark Reichert-DOT-55420000940

TRAVELER ORGANIZATION CODE ?

55420000940

PREPARER NAME ?

Lisa Stone

STATUS ?

Authorized

SECURED RECORD ?



HEADQUARTERS CITY
TALLAHASSEE

HEADQUARTERS STATE
FL

HOME IS HEADQUARTERS
No

TYPE OF EMPLOYEE
State Employee

SUPERVISOR NAME ?

Mark Reichert

FISCAL AUDITOR NAME ?

- TRIP DETAILS

* POINT OF ORIGIN ?

Tallahassee

* DESTINATION ?

Ft. Lauderdale

* DEPARTURE DATE AND TIME ?

5/15/2022 8:45 PM

* RETURN DATE AND TIME ?

5/20/2022 9:15 PM

TRAVEL CLASSIFICATION

CLASS C OVERRIDE

* PRIMARY MODE OF TRANSPORTATION

Airplane

* TYPE OF TRAVEL ?

In State

* MISSION CRITICAL STATEMENT

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

* PURPOSE OF TRAVEL ?

Routine Job Duties

BENEFIT TO STATE ?

Association of Metropolitan Planning Organizations Meeting

COMMENT ?

AMPO is tailored to the requirements of the MPOs, bringing together MPO staff and practitioners to share information on technical issues, provide training for the MPO community.

* WAS TELECOMMUNICATION CONSIDERED? ?

Yes

* GOVERNOR DECLARED EMERGENCY? ?

No

* FEMA EMERGENCY? ?

No

* TRIP INCLUDES OFF DUTY TIME ?

No

OFF DUTY TIME BEGINS ?

OFF DUTY TIME ENDS ?

CASE # ?



- FORM DETAILS

MASTER TRIP INVOICE #
000325384

FORM TYPE
Authorization

FORM ID
425446

* TRAVELER NAME ?

Mark Reichert

* TRAVELER AGENCY LINK

Mark Reichert-DOT-55420000940

TRAVELER ORGANIZATION CODE ?

55420000940

PREPARER NAME ?

Lisa Stone

STATUS ?

Authorized

SECURED RECORD ?



HEADQUARTERS CITY
TALLAHASSEE

HEADQUARTERS STATE
FL

HOME IS HEADQUARTERS
No

TYPE OF EMPLOYEE
State Employee

SUPERVISOR NAME ?

Mark Reichert

FISCAL AUDITOR NAME ?

- TRIP DETAILS

* POINT OF ORIGIN ?

Tallahassee

* DESTINATION ?

Miami

* DEPARTURE DATE AND TIME ?

6/2/2022 9:45 AM

* RETURN DATE AND TIME ?

6/4/2022 12:45 AM

TRAVEL CLASSIFICATION

Class A

CLASS C OVERRIDE

* PRIMARY MODE OF TRANSPORTATION

Airplane

* TYPE OF TRAVEL ?

In State

* MISSION CRITICAL STATEMENT

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

* PURPOSE OF TRAVEL ?

Routine Job Duties

BENEFIT TO STATE ?

Attend the 2022 SMART Trends Transportation Summit

COMMENT ?

* WAS TELECOMMUNICATION CONSIDERED? ?

Yes

* GOVERNOR DECLARED EMERGENCY? ?

No

* FEMA EMERGENCY? ?

No

* TRIP INCLUDES OFF DUTY TIME ?

No

OFF DUTY TIME BEGINS ?

OFF DUTY TIME ENDS ?

CASE # ?

CIRCUIT # ?



- FORM DETAILS

MASTER TRIP INVOICE #
000333002

FORM TYPE
Authorization

FORM ID
435947

* TRAVELER NAME ?

Mark Reichert

* TRAVELER AGENCY LINK

Mark Reichert-DOT-55420000940

TRAVELER ORGANIZATION CODE ?

55420000940

PREPARER NAME ?

Lisa Stone

STATUS ?

Authorized

SECURED RECORD ?



HEADQUARTERS CITY
TALLAHASSEE

HEADQUARTERS STATE
FL

HOME IS HEADQUARTERS
No

TYPE OF EMPLOYEE
State Employee

SUPERVISOR NAME ?

Mark Reichert

FISCAL AUDITOR NAME ?

- TRIP DETAILS

* POINT OF ORIGIN ?

Tallahassee

* DESTINATION ?

Haines City/Miami

* DEPARTURE DATE AND TIME ?

6/9/2022 11:00 AM

* RETURN DATE AND TIME ?

6/14/2022 8:00 PM

TRAVEL CLASSIFICATION

Class A

CLASS C OVERRIDE



* PRIMARY MODE OF TRANSPORTATION

Rental Car

* TYPE OF TRAVEL ?

In State

* MISSION CRITICAL STATEMENT

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

* PURPOSE OF TRAVEL ?

Routine Job Duties

BENEFIT TO STATE ?

Speak/Attend Meetings for MPOAC

COMMENT ?

(1) Central Florida MPO Alliance (Orlando), (2) Road User Charging Conference (Miami)

* WAS TELECOMMUNICATION CONSIDERED? ?

Yes

* GOVERNOR DECLARED EMERGENCY? ?

No

* FEMA EMERGENCY? ?

No

* TRIP INCLUDES OFF DUTY TIME ?

Yes

OFF DUTY TIME BEGINS ?

6/10/2022 5:00 PM

OFF DUTY TIME ENDS ?

6/12/2022 12:00 PM

CASE # ?

ACCOUNT # ?

339.175(11) METROPOLITAN PLANNING ORGANIZATION ADVISORY COUNCIL.—

(a) A Metropolitan Planning Organization Advisory Council is created to augment, and not supplant, the role of the individual M.P.O.'s in the cooperative transportation planning process described in this section.

(b) The council shall consist of one representative from each M.P.O. and shall elect a chairperson annually from its number. Each M.P.O. shall also elect an alternate representative from each M.P.O. to vote in the absence of the representative. Members of the council do not receive any compensation for their services, but may be reimbursed from funds made available to council members for travel and per diem expenses incurred in the performance of their council duties as provided in s. 112.061.

(c) The powers and duties of the Metropolitan Planning Organization Advisory Council are to:

1. Enter into contracts with individuals, private corporations, and public agencies.
2. Acquire, own, operate, maintain, sell, or lease personal property essential for the conduct of business.
3. Accept funds, grants, assistance, gifts, or bequests from private, local, state, or federal sources.
4. Establish bylaws by action of its governing board providing procedural rules to guide its proceedings and consideration of matters before the council, or, alternatively, adopt rules pursuant to ss. 120.536(1) and 120.54 to implement provisions of law conferring powers or duties upon it.
5. Assist M.P.O.'s in carrying out the urbanized area transportation planning process by serving as the principal forum for collective policy discussion pursuant to law.
6. Serve as a clearinghouse for review and comment by M.P.O.'s on the Florida Transportation Plan and on other issues required to comply with federal or state law in carrying out the urbanized area transportation and systematic planning processes instituted pursuant to s. 339.155.
7. Employ an executive director and such other staff as necessary to perform adequately the functions of the council, within budgetary limitations. The executive director and staff are exempt from part II of chapter 110 and serve at the direction and control of the council. The council is assigned to the Office of the Secretary of the Department of Transportation for fiscal and accountability purposes, but it shall otherwise function independently of the control and direction of the department.
8. Adopt an agency strategic plan that prioritizes steps the agency will take to carry out its mission within the context of the state comprehensive plan and any other statutory mandates and directives.