

**RULES OF THE  
BROWARD METROPOLITAN PLANNING ORGANIZATION  
(BMPO)**

**1.0 General**

**1.01 Preamble.**

The Broward Metropolitan Planning Organization for Broward County, Florida (BMPO) is a federally mandated independent planning body responsible for transportation planning in the Broward County urbanized area.

Established in 1977 by the Florida Legislature, the BMPO was created to direct urban transportation planning and direct the expenditure of federal and state funds. It is the lead agency responsible for developing and administering plans and programs to maintain eligibility and receive federal funds for the transportation planning and funding allocation in Broward County, Florida. The BMPO works collaboratively with the public, planning organizations, government agencies, elected officials and community groups to develop transportation plans.

The 19 members of the BMPO include representatives from the municipalities within the County, the South Florida Regional Transportation Authority/Tri-Rail, the Broward County School Board, and the Broward County Board of County Commissioners. There are 18 alternate members who are eligible to vote when a member(s) is absent. The BMPO is divided into five separate districts. The regular and alternative voting membership in each district varies. Each of these members are now parties to the interlocal agreement for the creation of the Broward Metropolitan Planning Organization which was effective on August 3, 1977 and amended thereafter, in part, to provide for the current membership of the Organization<sup>1</sup>.

These rules shall serve to guide the proper functioning of the urban transportation planning process by the BMPO. These rules provide general procedures and policies for the BMPO, the BMPO Technical Coordinating Committee (TCC), the Community Involvement Roundtable (CIR), the Local Coordinating Board for Transportation Disadvantaged (LCB), and the BMPO Staff for fulfilling the requirements of the interlocal agreement that creates the BMPO; the applicable provisions of federal law; and the applicable provisions of Chapter 339, Florida Statutes.

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<sup>1</sup> Pursuant to Florida law, to be effective an Interlocal Agreement, and any amendments thereto, must be filed and recorded in the public records in the County where a party to the agreement is located. The Interlocal Agreement was amended and recorded as follows: December 18, 1979; September 11, 1986; February 18, 1994; April 24, 2000; September 30, 2002; September 13, 2005; and September 18, 2006.

1.02 Interpretation.

If any provision of these rules conflicts with the interlocal agreement that creates the BMPO, the interlocal agreement, as it may be amended from time to time, (the Interlocal Agreement) shall control. Furthermore, all provisions contained in these rules shall be interpreted to be consistent with applicable state and federal law.

1.03 Mission.

The mission of the BMPO is to influence the expenditure of federal and state funds to provide a regional transportation system that ensures the safe and efficient mobility of people and goods, optimizes transit opportunities, and enhances our community's environmental and economic well-being.

1.03.1 The BMPO proactively supports planning and funding initiatives that facilitate and enhance the accommodation of transit, pedestrian traffic, and bicycles as preferred transportation alternatives.

1.03.2 The BMPO actively and enthusiastically promotes cost-feasible partnering among Broward municipalities and adjoining Counties to maximize opportunities for enhancing and maintaining an affordable, efficient transportation system.

1.03.3 The BMPO enhances and maintains regional and community transportation goals by participating in SEFTC and supporting necessary and appropriate transportation connections between the tri-Counties.

1.03.4 The BMPO supports establishing a dedicated revenue source(s) to fund transportation projects in Broward County and the tri-County area with emphasis on a significant expansion of transit.

1.03.5 The BMPO shall create opportunities for all segments of the public to learn and become informed about issues and proposals under its consideration, particularly those affected by the outcomes or with special needs.

1.04 Vision.

Transform transportation in Broward County to achieve optimum mobility with emphasis on mass transit while promoting economic vitality, protecting the environment, and enhancing quality of life.

1.05 Acronyms/Definitions.

BMPO – Broward Metropolitan Planning Organization

BOARD – Broward MPO Board of Directors

CIR - Community Involvement Roundtable

CTC - Community Transportation Coordinator

CTD - Commission for the Transportation Disadvantaged

Executive Director -- The BMPO Executive Director, or his/her designee.

FDOT - Florida Department of Transportation

LCB – Local Coordinating Board

LRTP – Long-Range Transportation Plan

MPOAC -Florida Metropolitan Planning Organization Advisory Council

MPO Staff – BMPO Administrative Staff, including, but not limited to the  
BMPO's Executive Director, Deputy Director, General Counsel, etc.

PIP – Public Involvement Plan

RLRTP – Regional Long Range Transportation Plan

SEFTC – Southeast Florida Transportation Council

TCC - Technical Coordinating Committee

TDSP – Transportation Disadvantaged Service Plan

TIP - Transportation Improvement Program

UPWP - Unified Planning Work Program

**2.0 BMPO Board of Directors**

2.01 Membership

2.01.1 There shall be nineteen (19) members and eighteen (18) alternate

members of the BMPO Board of Directors, the “Board”. The membership of the Board shall be consistent with the Interlocal Agreement that creates the BMPO.

2.01.2 The municipal membership of the Board is predicated upon a district concept with members and alternates representing the district’s overall interests. It is expected that the members and alternates shall attempt to keep officials of the other municipalities advised about matters that may affect transportation concerns within the district.

2.01.3 Newly appointed members of the Board shall attend an orientation meeting within three (3) months of the member’s appointment date.

2.02 Appointment, Qualification, and Terms of Office.

The governing body of a governing entity and signatory to the Interlocal Agreement shall, as the appointing authority and designated for membership on the Board, select a member(s) to represent them and serve on the Board. Non-voting Members shall serve a four-year term and may be reappointed for one or more four-year terms. However, if a voting member is an elected official, that official’s term of office on the Board shall automatically expire upon the member leaving elected office; if the member is an appointed official, the term of office of that member on the Board shall automatically expire upon that member leaving the appointed office. The appointing authority authorized to appoint a member(s) to the Board may, in its sole discretion, remove its member(s) as a Board representative(s).

2.03 Officers and Duties.

2.03.1 The Board shall hold an annual organizational meeting for the purpose of electing officers at the Board’s regularly scheduled June meeting, the term to commence at the next scheduled monthly Board meeting. The minimum officers shall include a Chair, Vice Chair and Second Vice Chair. The officers shall be elected by a majority of those present and voting.

2.03.2 The Chair shall preside at all meetings and shall sign official documents of the BMPO, unless the Chair or Board authorizes in writing that the Executive Director may sign utilizing the Chair’s electronic signature; or the authority is otherwise delegated to the Executive Director pursuant to these Rules or the adopted BMPO Procurement Code. However, in the temporary absence of the Chair, the Vice-Chair, or the Second Vice Chair may fulfill all of the duties set forth in these regulations as being duties of the Chair. If the Chair is unable to serve the remainder of the Chair’s term, the Vice-Chair shall automatically become the Chair; the

Second Vice Chair shall automatically become the Vice Chair and the Board shall elect a new Second Vice-Chair.

2.03.3 In the absence of the Chair, Vice-Chair, and Second Vice-Chair those present shall elect a Chair pro tem.

2.03.4 The Chair shall serve as the Board's appointment to the Florida Metropolitan Planning Organization Advisory Council (MPOAC). At the Chair's discretion, the Vice-Chair or Second Vice Chair shall serve as the Chair's alternate to the MPOAC. If the Chair, Vice Chair or the Second Vice Chair is able to serve, the Chair shall make an appointment to the MPOAC from the Board membership.

2.03.5 The Chair shall serve as the BMPO's appointment to the Southeast Florida Transportation Council (SEFTC). An alternate, who is a member of the Board may be designated by the Chair.

2.03.6 The Chair shall be responsible for working with and directing the General Counsel and the Executive Director on the day-to-day operational concerns of the BMPO.

2.03.7 The Vice Chair shall assume all the responsibilities of the Chair should the Chair be unable to perform the duties of Chair.

#### 2.04 Meetings.

2.04.1 Unless otherwise determined by the Board, the regular meeting of the Board shall be held on the second Thursday of each month at a time and place designated by the Board. Regular meeting dates and times may be changed by action of the Board to accommodate desirable changes because of holidays or other reasons.

2.04.2 It shall be the obligation of the members to provide at least three days advance notice to the Executive Director when they will not be attending a meeting.

#### 2.04.3 Quorum.

The presence of ten (10) members of the Board who are authorized to vote shall constitute a quorum for the transaction of business. An affirmative vote of a majority of the voting members present and voting at any meeting of the Board shall be necessary in order to adopt any measures.

2.04.4 Special meetings of the Board may be called by the Chair, or in the

absence of the Chair, by the Vice Chair or Second Vice Chair. Special meetings may also be called on the initiative of four (4) or more voting members petitioning the Chair.

2.04.5 The Board may choose to hold workshops from time to time. A quorum shall not be necessary for conducting a workshop; however, all workshops shall be noticed in the same manner as regular meetings of the Board.

2.04.6 All BMPO meetings shall be open to the public. Members of the public are allowed to speak on any items not on the Agenda during the Public Comment period, with established time limits, and by providing a Speaker Card to the Executive Director prior to the commencement of the meeting. Members of the public are allowed to comment on items on the agenda at the appropriate time.

2.04.7 Reconsideration.

Any member who voted on the prevailing side may make a motion for reconsideration at the meeting during which the vote was taken or at the next regularly scheduled meeting. Any member who was not present at the meeting at which the vote was taken shall be deemed to be on the prevailing side unless the absence was unexcused. A motion to reconsider cannot be renewed if it has been voted on and defeated except by unanimous consent of those present at the meeting.

2.04.8 Except as otherwise provided in these rules, the most recent edition of *Roberts – Rules of Order*, shall be used to conduct all meetings of the Board.

2.05 Alternate Voting Members.

2.05.1 At any given meeting, if a municipal district's member(s) is absent, the district's alternate(s), in order of population, may vote in place of the absent member(s). Any other alternates present, in order of population, may vote in place of any other absent municipal member(s) who's alternate(s) are also not present or in place of any absent non-municipal member.

2.05.2 It shall be the obligation of the members within the same district to provide reasonable notice to the alternates when they will not be attending a meeting. Board

2.05.3 Alternate Members who are present at a meeting of the Board but are not eligible to vote i in the place of an absent member, may participate in the

discussions of the Board and may be seated with the Members.

2.06 Board Committees and Subcommittees.

As necessary, committees and subcommittees shall be designated by the Chair to investigate and report on specific subject areas of interest to the Board. The Board may veto a designation of a committee or subcommittee, by an affirmative vote of a majority of those present. A committee or subcommittee shall consist of at least three members. A majority of the members must be present for the committee or subcommittee to take formal action. The committee or subcommittee shall meet and determine the Chair and Vice Chair. The Chair or Vice Chair shall report to the Board at its next available meeting on the committee's or subcommittee's activities.

2.07 General Policies Applicable to All Committees and Subcommittees of the BMPO.

2.07.1 All committees and subcommittees shall make recommendations regarding actions, such as motions to adopt, support, and enact, to its creating authority, unless a state or federal law or regulation specifically requires a more formal document or grant procedure.

2.07.2 The BMPO proactively supports planning and funding initiatives that facilitate and enhance the accommodation of transit, pedestrian traffic, and bicycles as preferred transportation alternatives.

2.07.3 The BMPO actively and enthusiastically promotes cost-feasible partnering among Broward cities and adjoining Counties to maximize opportunities for enhancing and maintaining an affordable, efficient transportation system.

2.07.4 The BMPO enhances and maintains regional and community transportation goals by participating in SEFTC and supporting necessary and appropriate transportation connections between the adjoining counties.

2.07.5 The BMPO supports establishing a dedicated revenue source(s) to fund transportation projects in Broward County and the adjoining county area with emphasis on a significant expansion of transit.

2.07.6 The BMPO shall create opportunities for all segments of the public to learn and become informed about issues and proposals under its consideration, particularly those affected by the outcomes or with special needs.

2.07.7 Except as otherwise provided in these Rules, the most recent edition of *Roberts – Rules of Order*, shall be used to conduct all meetings of the BMPO.

2.08 Procurement of Services and Goods.

2.08.1 Whenever the BMPO, as the contracting party, wishes to obtain goods or services from any individual or entity other than a government agency, the BMPO shall utilize the provisions set forth in the Procurement Code adopted by the Board. Whenever compliance with the requirements of the Procurement Code is impractical or impossible and not in the public interest, the Board may by motion, adopt an alternate procedure for obtaining specific goods or services. The Chair with the approval of the Board shall make appointments to selection negotiating committees.

2.08.2 The BMPO is authorized and may accept contributions from its member or other interested parties. Any contributions received shall be maintained and expended in accordance with the BMPO Procurement Code.

**3.0 Public Involvement Process**

3.01 Federal and State Law Public Involvement Requirement.

Federal and state law requires the metropolitan transportation planning process to include proactive public involvement that provides complete information, timely public notice, and full public access to key decisions.

3.02 Public Involvement Plan.

3.02.1 The Board shall adopt and amend as needed a Public Involvement Plan (PIP) in conjunction with federal certification site visits for the purpose of establishing and communicating its public involvement techniques, performance measures, and methods for including the public in decisions related to plans and programs of the Board.

3.02.2 The Executive Director shall review, at least annually, the current list of organizations authorized to appoint members to the CIR and recommend to the Board whether to amend the list of organizations authorized to appoint a member to the CIR at any time.



**4.0 Long Range Transportation Plan (LRTP), Regional Long Range Transportation Plan (RLRTP), Unified Planning Work Program (UPWP) and Transportation Improvement Program (TIP) Update Procedures and Policies**

4.01 The Board shall adopt a LRTP, RLRTP, UPWP and TIP, as prescribed by the most current transportation authorization bill, and drafts shall be reviewed by the TCC and CIR with a recommendation for action to the Board.

4.02 Amendments to LRTP, RLRTP, UPWP or TIP.

The Board shall initiate procedures for considering a change to an adopted UPWP, LRTP, RLRTP, or TIP, at its discretion when a request is received in writing from (a) a local governing body of a member government; (b) a transportation operating agency providing service in Broward County; (c) the Board or the TCC may recommend a change on its own initiative; and (d) the Executive Director can recommend a change for consideration. Requests for LRTP amendments may be submitted in June or January. Requests for RLRTP amendments may be submitted through the Board for ultimate approval by SEFTC and be on a regional corridor. Requests for TIP amendments must be submitted to the BMPO in accordance with the annual schedule of due dates to be reviewed by the TCC and CIR prior to Board action.

4.03 Requests for Amendment.

A request to the Board for consideration of an amendment to an adopted LRTP or TIP shall include:

4.03.1 Location and description of the link(s) and/or facilities in the transportation network.

4.03.2 Kind of change requested (i.e., capacity, location or classification).

4.03.3 Statement of reason and technical justification for requested change.

4.03.4 A financial analysis demonstrating the financial feasibility of the LRTP and/or the TIP is not negatively impacted.

4.03.5 A request for an amendment to the LRTP or TIP must be submitted to the BMPO by the date(s) established by the Board, amended annually or as needed. LRTP amendments can only be submitted in June or January.

4.04 Amendment Procedure.

The procedure for amending an adopted LRTP, RLRTP, or TIP shall be as follows:

- 4.04.1 The Board shall follow the guidelines set forth in its Public Involvement Plan (PIP) to notice interested parties that an amendment to the LRTP, RL RTP, and/or the TIP is contemplated.
- 4.04.2 Interested parties shall be notified where the technical and policy information regarding the amendment is located.
- 4.04.3 Proposed amendments and the comments received from all interested persons shall be forwarded to the appropriate committees or subcommittees for their review and comment.
- 4.04.4 The committees will review each requested amendment based on any possible impact on the total transportation network, the comments received from interested persons, and other pertinent considerations.
- 4.04.5 The committees will review each requested amendment to consider the comments received from interested persons and may make a recommendation for additional public involvement if they conclude such additional public involvement is warranted.
- 4.04.6 When appropriate, the LCB committees will review each requested amendment to consider the comments relating to paratransit issues received from interested persons.
- 4.04.7 When the LCB reviews are completed the requesting authority and the Board shall be notified of the resulting recommendations and the reasons for or against its recommendation. In cases where the TCC, CIR, or LCB defer action or fail to act on an amendment, the Board may take whatever action it deems appropriate.
- 4.04.8 If the proposed amendment differs significantly, including but not limited to capacity, operation or impact, from the original amendment made available for public comment or if it raises new material issues that interested persons could not reasonably have foreseen, an additional opportunity for public comment shall be made available.
- 4.04.9 The Board may take action at a public hearing on the TCC, CIR, and LCB recommendations. The Board shall make available all significant written and oral comments received as a result of the public involvement process.
  - 4.04.9.1 If a requested amendment is approved, the Board will then submit the modified amendment to FDOT for their review, comment and forwarding to the appropriate federal agencies.

4.04.9.2 If the LRTP and RL RTP are amended, the BMPO shall make available updated maps and lists, including the date and nature of the amendment to member agencies and interested parties.

4.05 Board Action.

4.05.1 In situations where an immediate decision is required for input to be effective, the Board may act without recommendations from the TCC, the CIR or the LCB unless precluded by federal or state law or regulation. Even in those circumstances, the Board will make every effort to ensure opportunity for public comment. In those instances, the BMPO shall notify the TCC, the CIR and/or the LCB of the action taken and reason for acting without a recommendation.

4.05.2 In situations where an immediate decision is required for input to be effective, is administrative in nature, and occurs while the Board is on break, the Executive Director may act without recommendations from the Board, TCC, CIR and LCB unless precluded by federal or state law or regulation. In those instances, the Executive Director shall notify the Board, TCC, CIR and/or the LCB of the action taken and reason for acting without a recommendation at their next regular meeting.

4.05.3 In the event the Federal government or the Governor declares a “State of Emergency” the Chair, Vice Chair, Second Vice Chair, or Executive Director may authorize the purchase of, or contract for, goods or services required in contemplation of, preparation for, or during an emergency without utilizing the competitive bidding or competitive proposal procedures set forth in the BMPO’s Procurement Code. During a “State of Emergency”, the Executive Director shall be authorized to provide for the distribution of federal or state aid for repairs, replacements, or the distribution of aid. Notwithstanding the foregoing at least two signatures, one by a BMPO Board Officer (use of an electronic signature may be authorized for this purpose) and one by either the Executive Director or the General Counsel, shall be required to effectuate an emergency expenditure. Emergency purchases of goods or services where the expenditure by the BMPO is estimated to be \$30,000 or greater shall be subject to ratification by the Board as soon as practicable. The Chair, Vice Chair, Second Vice Chair, Executive Director or General Counsel will inform the BMPO Board, TCC, CIR and LCB of any such emergency actions at the next available meeting.

**5.0 The Technical Coordinating Committee (TCC)**

5.01 Membership.

5.01.1 The TCC shall consist of a representative from the each permanent voting member of the Board, alternate voting member of the Board, and representatives, with expertise in matters related to transportation, tribal interests, land use and environmental planning from the agencies set forth below.

5.01.2 Countywide regional members shall include the following:

- (a) The FDOT, District 4 Office may appoint three members;
- (b) The SFRTA may appoint one member;
- (c) The Broward County School Board may appoint one member;
- (d) The Seminole Tribe of Florida may appoint one member.
- (e) The Broward County Planning Council may appoint one member;
- (f) The South Florida Regional Planning Council may appoint one member; and
- (g) The Florida Department of Environmental Protection may appoint one member;

5.01.3 The Broward County members shall include the following:

- (a) Broward County Public Works Department may appoint 2 members;
- (b) Fort Lauderdale/Hollywood International Airport at Dania Beach may appoint one member;
- (c) Port Everglades may appoint one member; and
- (d) Broward County Natural Resource Protection may appoint two members.

5.01.4 Municipal Membership.

Each municipal member on the BMPO Board shall appoint a member to the TCC. Alternates shall be based on BMPO District representation.

5.01.5 As necessary, subcommittees shall be designated by the chair to investigate and report on specific subject areas of interest to the TCC. The TCC may veto a designation of a subcommittee by an affirmative vote of a majority of those present. A subcommittee shall consist of at least three members. A majority of the subcommittee members must be present for the committee to take formal action. The subcommittee shall meet and determine the chair and vice-chair of the subcommittee. The subcommittee chair or vice-chair is required to report back to the TCC at its next available meeting on the subcommittee's activities.

5.02 Appointment, Qualification and Terms of Office of TCC Members.

5.02.1 Each governmental unit and agency, in selecting its representative to the TCC, shall name technically qualified persons employed by governmental units or agencies for the purpose of planning transit, pedestrian and bicycle facilities, land use, traffic engineering, or civil engineering with a responsibility to that governmental unit or agency for some aspect of the control, planning, development, or improvement of the transportation system.

5.02.2 Each member of the TCC is expected to demonstrate interest in the TCC's activities through attendance at the regularly scheduled monthly meeting except for reasons of an unavoidable nature. A majority of the TCC may recommend the removal of any member who fails to attend, or arrange for an alternate to attend, three or more meetings in a one-year period. Such recommendations shall be forwarded to the appointing agency or governmental unit through the Executive Director.

5.03 Officers and Duties.

5.03.1 The TCC shall hold an annual organizational meeting as part of its regular scheduled June meeting for the purpose of electing a Chair and Vice Chair, the term to commence at the next scheduled TCC meeting.

5.03.2 Officers shall be elected by a majority of the members of the TCC present and authorized to vote. Officers shall serve a term of one (1) year but may be elected for consecutive terms.

5.03.3 The Chair shall preside at all meetings. In the event of the absence of the Chair, or at the Chair's direction, the Vice-Chair shall temporarily assume the powers and duties of the Chair. In the absence of the Chair and Vice-Chair, those present shall elect a Chair pro tem.

5.04 Meetings.

- 5.04.1 Regular meetings of the TCC shall normally be held on the fourth Monday of each month at a time and place to be designated by the Board or Executive Director. Regular meeting dates and times may be changed by the Board or Executive Director and affirmed by action of the TCC to accommodate desirable changes because of holidays or other reasons.
- 5.04.2 The presence of ten (10) TCC members who are authorized to vote shall constitute a quorum for the transaction of business. An affirmative vote of a majority of the voting members present and voting at any meeting of the TCC shall be necessary in order to adopt any measures.
- 5.04.3 The TCC may choose to hold workshops from time to time. A quorum shall not be necessary for conducting a workshop; however, all workshops shall be noticed in the same manner as regular meetings of the TCC.
- 5.04.4 Special meetings may be called by the Chair or in the absence of the Chair, the Vice-Chair. Special meetings may also be called on the initiative of four (4) or more voting members of the TCC petitioning the Chair or Executive Director.
- 5.04.5 The Executive Director is responsible for the TCC meeting minutes and all notices and agendas for future meetings.
- 5.04.6 TCC meetings shall be open to the public. Members of the public are allowed to speak on any issues not on the Agenda during the Public Comment period, with established time limits, and by providing a Speaker Card prior to the commencement of the TCC meeting. Members of the public are allowed to comment on items on the Agenda at the appropriate time.

5.05 Alternate Voting Members.

An alternate to the TCC may vote only when the member(s) from the appointing authority is not present at the meeting. If a non-municipal member of the TCC is unable to attend, the member shall be responsible for notifying the alternate. If a municipal member of the TCC is unable to attend, the member shall be responsible for notifying, in order of population, the district's alternates.

5.06 TCC Responsibilities and Functions.

- 5.06.1 The TCC serves in an advisory capacity to the Board on matters related to coordinating transportation planning and programming including but not limited to, review of Board-related transportation studies, reports,

plans and programs. The TCC shall assist the Board by providing technical resources and recommendations as requested.

5.06.2 In all cases, when the TCC has voted affirmatively for recommended issues for action or consideration by the Board, the following process shall be followed:

5.06.2.1 The Executive Director shall communicate the request of the TCC to the Board through the Board's agenda.

5.06.2.2 The Board may choose to take action and if action is taken, the Executive Director through the TCC agenda shall inform the TCC.

5.06.3 TCC recommendations to the Board shall be based upon the technical sufficiency, accuracy, and completeness of studies, plans and programs and in accordance with the Boards mission, vision, and policy statements.

5.06.4 The TCC may serve as an advisory committee to any duly constituted area-wide transportation authorities and boards, as well as area-wide planning boards or councils for physical development or comprehensive planning upon direct request of such authorities, board, or councils and with the concurrence of the Board.

#### 5.07 TCC Subcommittees.

As necessary, subcommittees shall be designated by the TCC Chair or the Executive Director to investigate and report on specific subject areas of interest to the TCC. The TCC may veto a designation of a subcommittee, by an affirmative vote of a majority of those present. A subcommittee shall consist of at least three members. A majority of the appointed subcommittee members must be present for the subcommittee to take formal action. The subcommittee shall select a chair and a vice chair. The subcommittee is required to report its actions back to the TCC at its next available meeting.

### **6.0 The Community Involvement Roundtable (CIR)**

#### 6.01 Membership.

6.01.1 The membership of the CIR shall include forty-five (45) voting members. Nineteen (19) members shall be individual appointees of the regular members of the Board. Twenty-one (21) members shall be appointed by service, civic or other organizations or groups authorized

by the Board to appoint a member to the CIR. Five (5) members shall be nominated by the CIR.

6.01.2 Names of nominees recommended by the CIR shall be approved by the Board.

6.01.3 CIR members are expected to demonstrate interest in CIR activities through participation in scheduled meetings. A majority of the CIR may recommend the removal from membership of any member who fails to attend, or arrange for an alternate to attend, three or more meetings in a one-year period. Such recommendations shall be forwarded to the appointing agency or governmental unit through the Executive Director.

6.01.4 As necessary, subcommittees shall be designated by the CIR Chair to investigate and report on specific subject areas of interest to the CIR. The CIR may veto a designation of a subcommittee by an affirmative vote of a majority of those present. A subcommittee shall consist of at least three members. A majority of the subcommittee members must be present for the subcommittee to take formal action. The subcommittee shall meet and determine the chair and vice-chair of the subcommittee. The subcommittee chair or vice-chair is required to report back to the CIR at its next available meeting on the subcommittee's activities.

6.02 Term of Office.

CIR members are appointed and serve at the pleasure of the appointing member or entity. If the appointing member is no longer on the Board, then the new Board member may choose to keep or replace the appointment. Members appointed by a designated entity (service, civic or other organizations or groups) authorized by the Board shall serve at the pleasure of the appointing entity. The Board may remove any member on the CIR, at its sole discretion.

6.03 CIR Officers and Duties.

6.03.1 The CIR shall hold an annual organizational meeting as part of its regularly scheduled June meeting for the purpose of electing a Chair and Vice-Chair, the term to commence at the next scheduled CIR meeting.

6.03.2 Officers shall be elected by a majority of the members of the CIR present and authorized to vote. Officers shall serve a term of one (1) year but may be elected for consecutive terms.

6.03.3 The Chair shall preside at all meetings. In the event of the absence of the Chair, or at the Chair's direction, the Vice Chair shall temporarily assume the powers and duties of the Chair. In the absence of the Chair



and Vice Chair, those present shall elect a Chair pro tem.

6.04 CIR Meetings.

6.04.1 The CIR shall hold at least eight (8) regular meetings a year and shall, at each meeting, determine the date for the following meeting. Regular meeting dates may be changed by the Executive Director and affirmed by action of the CIR accommodating holiday or other conflicts.

6.04.2 Special meetings may be called by the Chair or in the absence of the Chair, the Vice-Chair. Special meetings may also be called on the initiative of four (4) or more voting members of the CIR petitioning the Chair or the Executive Director

6.04.3 The CIR, in addition to its regular and special meetings, may hold public hearings to elicit public input and to determine the degree of acceptance that a plan may have on all segments of the population.

6.04.4 The presence of ten (10) voting members who are authorized to vote shall constitute a quorum for the transaction of business. An affirmative vote of a majority of the voting members present and voting at any meeting of the CIR shall be necessary in order to make recommendations to the Board for their adoption.

6.04.5 The CIR may choose to hold workshops from time to time. A quorum shall not be necessary for conducting a workshop; however, all workshops shall be noticed in the same manner as regular meetings of the CIR.

6.04.6 The Executive Director shall furnish a recording secretary for regularly scheduled CIR meetings. The Executive Director is responsible for the CIR meeting minutes and all notices and agendas for future meetings.

6.04.7 CIR meetings shall be open to the public. Members of the public are allowed to speak on any issues not on the Agenda during the Public Comment period, with established time limits, and by providing a Speaker Card prior to the commencement of the CIR meeting. Members of the public are allowed to comment on items on the agenda at the appropriate time.

6.05 Responsibilities and Functions.

The community at large shall be represented in the transportation planning process by the CIR. The CIR serves in an advisory capacity to the Board for the purpose of seeking reaction to planning proposals and providing comment

with respect to the concerns of various segments of the population regarding their transportation needs. It shall be the function of the CIR to:

6.05.1 Assist the Board in formulation of their goals and objectives and recommending public information plan.

6.05.2 Providing citizens review of the preliminary findings and making recommendations to the Board.

6.05.3 Assist in other functions as deemed desirable by the Board or TCC.

6.05.4 The CIR shall review the Board's PIP and provide recommendations as appropriate.

6.05.5 Based on its findings, the CIR shall note the proposals that appear to be harmful or detrimental to the community and shall note those proposals that fail to benefit or that tend to create a disincentive to the interests of the various segments of the community. These recommendations and findings shall be transmitted to the Board for consideration through the Executive Director.

6.05.6 In all cases, when the CIR has voted affirmatively for recommended issues for action or consideration by the Board, the following process shall be followed:

6.05.6.1 The Executive Director shall communicate the request of the CIR to the Board through the Board's agenda.

6.05.6.2 The Board may choose to take action and if action is taken, the Executive Director through the CIR agenda shall inform the CIR.

6.06 CIR Subcommittees.

As necessary, subcommittees shall be designated by the CIR Chair or the Executive Director to investigate and report on specific subject areas of interest to the CIR. The subcommittee will determine a chair and vice chair. The CIR may veto a designation of a subcommittee by an affirmative vote of a majority of those present. A subcommittee shall consist of at least three members. A majority of the appointed subcommittee members must be present for the subcommittee to take formal action.

**7.0 Local Coordinating Board For Transportation Disadvantaged (LCB)**

7.01 Membership.

7.01.1 The membership of the LCB shall include seventeen (17) voting members as prescribed by Chapter 41-2 of the Florida Administrative Code (F.A.C), as amended.

7.01.2 The LCB Chair shall be appointed by the Board. The appointed Chair shall be an elected official in Broward County.

7.01.3 The LCB shall hold an annual organizational meeting as a part of its regular scheduled June meeting for the purpose of electing a Vice Chair, the term to commence at the next scheduled LCB meeting. The Vice Chair shall be elected by a majority vote of a quorum of the members of the LCB present and voting at the organizational meeting.

7.01.4 The Board shall review the recommendation by the LCB and consider rescinding, the appointment of any member who fails to attend, or arrange for an alternate to attend, three (3) consecutive meetings. The LCB shall notify the Florida Commission for the Transportation Disadvantaged (CTD) if any state agency member or alternate fails to attend three (3) consecutive meetings.

7.01.5 As necessary, subcommittees shall be designated by the LCB Chair to investigate and report on specific subject areas of interest to the LCB. The LCB may veto a designation of a subcommittee by an affirmative vote of a majority of those present. A subcommittee shall consist of at least three members. A majority of the subcommittee members must be present for the subcommittee to take formal action. The subcommittee shall meet and determine the chair of the subcommittee. In the absence of the Chair, those present shall elect a Chair pro tem. The subcommittee chair is required to report back to the LCB at its next available meeting on the subcommittee's activities.

7.02 Term of Office.

7.02.1 Except for the Chair, the non-agency members of the LCB shall be appointed for three (3) year staggered terms. The Chair shall serve until elected term of office has expired or is otherwise replaced by the Board.

7.03 LCB Meetings.

7.03.1 The LCB shall meet at least quarterly. The Chair shall preside at all meetings. In the event of the absence of the Chair, or at the Chair's direction, the Vice-Chair shall temporarily assume the powers and duties of the Chair. In the absence of the Chair and Vice-Chair, those present

shall elect a Chair pro tem.

7.03.2 The Executive Director shall furnish a recording secretary for regularly scheduled LCB meetings. The Executive Director is responsible for the LCB meeting minutes and all notices and agendas for future meetings. A copy of official meeting minutes, including an attendance roster, reflecting official LCB actions shall be provided to the CTD.

7.03.3 Special meetings may be called by the Chair or in the absence of the Chair, the Vice-Chair. Special meetings may also be called on the initiative of four (4) or more voting members of the LCB petitioning the Chair.

7.03.4 The presence of a majority of appointed LCB members who are authorized to vote shall constitute a quorum for the transaction of business. An affirmative vote of a majority of the voting members present and voting at any meeting of the LCB shall be necessary in order to adopt any measures.

7.03.5 LCB meetings shall be open to the public. Members of the public are allowed to speak on any issues not on the Agenda during the Public Comment period, with established time limits, and by providing a Speaker Card prior to the commencement of the LCB meeting. Members of the public are allowed to comment on items on the agenda at the appropriate time

7.03.6 The LCB, in addition to its regular and special meetings, shall hold an annual public hearing to elicit public input regarding the provision and delivery of transportation disadvantaged services.

#### 7.04 LCB Duties.

7.04.1 The LCB shall review and approve the Memorandum of Agreement (MOA) between the CTD and the CTC, and the Transportation Disadvantaged Service Plan (TDSP) prior to submittal to the CTD

7.04.2 Annually, provide the Board with an evaluation of the CTC's performance in general and using criteria developed by the CTD and local standards as referenced in Rule 41-2.006, F.A.C, as amended, and the performance results of the most recent TDSP. As part of the CTC's performance, the LCB shall also set an annual percentage goal for the number of trips provided within the system for ridership on public transit, where applicable. This evaluation will be submitted to the CTD upon approval by the LCB.

7.04.3 Appoint a Grievance Subcommittee to serve as a mediator to hear and investigate grievances, from agencies, users, transportation operators, potential users of the system and the CTC in the Broward County service area, and make recommendations to the LCB, CTC, or the CTD when local resolution cannot be found for improvement of service. The LCB shall establish a process and procedures to provide regular opportunities for issues to be brought before such subcommittee and to address them in a timely manner. Rider brochures or other documents provided to users or potential users of the system shall provide information about the complaint and grievance process including the publishing of the CTD's TD Helpline service when local resolution has not occurred. All materials shall be made available in accessible format, upon request by the citizen. Members appointed to the committee shall be voting members of the LCB.

7.04.4 All LCB members should be trained on and comply with the requirements of Section 112.3143, F.S., concerning voting conflicts of interest.

7.05 Responsibilities and Functions.

7.05.1 The LCB is responsible in identifying local service needs and to provide information, advice, and direction to the CTC on the services to be provided to the transportation disadvantaged.

7.05.2 The Board shall recommend to the CTD a single community transportation coordinator to continue annually and redesigned every five (5) years as required.

7.05.3 The TIP shall include a Transportation Disadvantaged element. Such element shall include a project and program description, the planned costs and anticipated revenues for the services, identification of the year the project or services are to be undertaken and implemented, and assurances that there has been coordination with local public transit and local government comprehensive planning bodies, including input into the mass transit or other elements of local and regional comprehensive planning activities. Areas not required to develop a federally-required TIP shall report equivalent information in the TDSP.

7.05.4 In collaboration with the CTC and LCB, the Board shall approve the TDSP annual update. The TDSP shall be developed consistent with the comprehensive plan, long range transportation plan, and other local, regional, and state transportation plans. The TDSP shall be reviewed for approval by the LCB and CTD.

7.05.5 The Executive Director shall communicate the requests of the LCB to the Board through the Board's agenda.

7.05.6 The Board may choose to take action and if action is taken, the Executive Director through the LCB agenda shall inform the LCB.

## **8.0 Executive Director**

8.01 The Executive Director shall be the chief executive officer and the chief administrative officer of the BMPO. The Board shall appoint and hire the Executive Director. The compensation of the Executive Director shall be fixed by the Board. The Executive Director shall be responsible for carrying out the policies of the BMPO membership.

8.02 In addition to those powers provided by law or resolution of the Board, the Executive Director may hire deputy director(s) and other staff as needed. The Executive Director shall have general supervision over the staff and work program of the BMPO.

8.03 The Executive Director shall maintain an administrative/personnel manual that includes the administrative policies governing the administrative procedures of the MPO staff. The Executive Director shall be responsible for disseminating and enforcing the administrative policies within the manual.

8.04 The Executive Director is responsible for the Board meeting minutes and all notices and agendas for future meetings.

8.05 The Executive Director shall be authorized to expend funds and acquire services in accordance with the procurement code adopted by the Board. The Executive Director shall execute all formal service contracts on behalf of the Board. Such contracts shall be reviewed and approved by the BMPO General Counsel.

8.06 The Executive Director shall maintain and keep current an administrative code for the purpose of implementing the Rules and administrative procedures and policies of the Board.

8.07 The Executive Director shall perform such other and additional duties as are necessary to carry out the objectives and functions of the BMPO and the directives from the Board.

## **9.0 General Counsel**

9.01 The General Counsel shall serve as chief legal advisor to the BMPO, the

Executive Director and MPO Staff.

- 9.02 The Board shall appoint and hire the General Counsel. The compensation of the General Counsel shall be fixed by the Board.
- 9.03 The General Counsel shall represent the BMPO in all legal proceedings and perform such other related duties, as the Board may deem necessary.

**10.0 Amendments to Rules of BMPO**

Changes in the provisions of these Rules may be made only by the Board upon two-thirds (2/3) vote of those members present and authorized to vote.