

**BAY COUNTY
TRANSPORTATION PLANNING ORGANIZATION
AND
ADVISORY COMMITTEE
BYLAWS, POLICIES AND PROCEDURES**

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**BAY COUNTY TRANSPORTATION PLANNING ORGANIZATION
(TPO)
BYLAWS, POLICIES AND PROCEDURES**

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(TCC)
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BAY COUNTY TPO BYLAWS, POLICIES AND PROCEDURES

1.01 TPO PREAMBLE

The Bay County Transportation Planning Organization (TPO) is created in accordance with federal and state requirements to perform the area-wide transportation planning process in the Bay County TPO Study Area. The TPO Study Area includes all of Bay County. The powers, privileges and authority of the TPO are contained in the Interlocal Agreement for Creation of the Bay County TPO. In compliance with the Interlocal Agreement, the following sets forth the operating rules and procedures of the TPO.

1.02 TPO PURPOSE AND FUNCTIONS

- (1) The purposes of the TPO shall be the following:
 - (a) To carryout a continuing, cooperative, and comprehensive transportation planning process in Bay County consistent with applicable federal, state and local laws in cooperation with the Florida Department of Transportation;
 - (b) To develop transportation systems embracing various modes of transportation to maximize the mobility of people and goods within and through Bay County and minimize, to the maximum extent feasible, transportation-related fuel consumption and air pollution;
 - (c) To develop transportation plans and programs, in cooperation with the Florida Department of Transportation, which provide for the development of transportation facilities that will function as a multi-modal and intermodal transportation system for Bay County; and
 - (d) To assure the continued eligibility for the receipt of federal and state capital and operating assistance for transportation projects in Bay County.
- (2) The functions of the TPO shall include, but are not limited to the following:
 - (a) Update, adoption and maintenance of a Long Range Transportation Plan;
 - (b) Development and annual adoption of a Unified Planning Work Program (UPWP);
 - (c) Preparation and annual adoption of a Transportation Improvement Program (TIP);
 - (d) Development and annual adoption of a Congestion Management System (CMS) Plan;
 - (e) Assist the Florida Department of Transportation in mapping transportation planning boundaries required by federal and state law;
 - (f) Insure the compatibility of TPO plans and projects with state, and local county and city transportation plans and projects;

- (g) Insure that all jurisdictional areas within Bay County are included in the transportation planning process;
- (h) Insure that all transportation modes are considered in the transportation planning process;
- (i) Insure that the transportation needs of all persons, including the elderly and handicapped, are considered in the transportation planning process;
- (j) Insure meaningful citizens participation in the transportation planning process and establish/maintain a Citizens' Advisory Committee (CAC) to the TPO;
- (k) Insure local technical review and coordination with state and local plans in the transportation planning process and establish/maintain a Technical Coordinating Committee (TCC) to the TPO;
- (l) Insure local technical review and coordination of bicycle/pedestrian projects to improve safety and encourage these modes by establishing/maintaining a Bicycle/Pedestrian Advisory Committee (BPAC) to the TPO;
- (m) The TPO may also have other standing or ad-hoc advisory committees as necessary or specified in state statutes, such as the Local Coordinating Board for the Transportation Disadvantaged Program Bay County, corridor management teams; or freight advisory committees; and
- (n) Perform other duties delegated by federal and state laws or rules and regulations.

1.03 TPO MEMBERSHIP

- (1) The Voting Membership of the TPO is apportioned among the governmental entities, which constitute the TPO. TPO governmental entities appoint the appropriate number of members to the TPO from eligible officials, based on the Governor approved TPO Apportionment Plan.
- (2) A TPO Voting Member's term of office shall be held for the duration of their elected office. The membership of a member who is a public official automatically terminates upon said official leaving the elective or appointive office for any reason, or may be terminated by a majority vote of the total membership of the governmental entity represented by the member. A vacancy shall be filled by the original appointing entity.
- (3) The original appointing body shall appoint members to fill TPO membership vacancies.
- (4) The original appointing body shall appoint Alternate Voting Members from eligible officials to vote at TPO meetings in place of Voting Members who cannot attend.
- (5) Alternate Voting Members sit with the same rights and privileges as Voting Members.

- (6) Non-Voting Advisory Members may be appointed by the TPO as deemed necessary.
- (7) Non-Voting Advisory Members shall sit with the same rights and privileges as TPO Voting Members, except that Non-Voting Members shall not have the right to present resolutions, motions or second same, or to vote upon any motions or resolutions of the TPO.
- (8) Elected officials cannot serve on an advisory committee as either a voting member or an alternate.

1.04 TPO OFFICERS AND ELECTIONS

- (1) The officers of the TPO shall be the Chairman and Vice-Chairman. The officers shall be Voting Members elected by the TPO membership.
- (2) The Chairman shall preside at TPO meetings and be responsible for the preparation of agendas and minutes (with staff assistance), and appoint subcommittees as needed.
- (3) In the absence or incapacity of the TPO Chairman, the Vice-Chairman shall assume the duties of the Chairman.
- (4) Election of TPO officers shall be part of the regular TPO meeting in June (or in the event there is not a meeting in June, the election shall take place at the next TPO meeting). Newly elected officers shall assume their duties at the next meeting following the election. They shall hold office for one year, or until their successors are elected, and they shall be eligible for reelection.
- (5) The TPO chairman shall appoint a nominating committee at the regular TPO meeting in April. The nominating committee shall report its recommended candidates for officers at the June TPO meeting. In the event that a nominating committee is not formed or is formed and does not meet for any reason the TPO can make nominations from the floor at the scheduled June meeting and elect a chairman and vice-chairman directly.
- (6) Election of officers shall be by a majority vote of the TPO Voting Members present.
- (7) In the event that either the Chairman or Vice-Chairman position becomes vacant, a replacement shall be elected at the next scheduled TPO meeting.
- (8) The TPO shall elect a Member and Alternate to the Florida Metropolitan Planning Organization Advisory Council (MPOAC). They shall be Voting Members of the TPO. They shall be elected annually prior to the January MPOAC meeting. They shall hold office for one year, or until their successors are elected, and they shall be eligible for reelection.

1.05 TPO REGULAR MEETINGS

- (1) Regular meetings of the TPO shall be held as needed, at a time and place designated by the TPO Chairman; normally scheduled on the fourth Wednesday of the month.
- (2) In the event that the TPO Chairman wishes to cancel or change the meeting time of a regular TPO meeting, advance notice of such cancellation or change shall be made as soon as practicable or at least twenty-four (24) hours prior to when such meeting was to have taken place.

- (3) At least seven (7) days prior to a regular TPO meeting, public notice and tentative agendas shall be sent to the members of the TPO and local media services.
- (4) TPO Subcommittee meetings shall have the same meeting requirements as regular TPO meetings.

1.06 TPO SPECIAL MEETINGS

- (1) A special meeting of the TPO may be called by the TPO Chairman or a majority of the Voting Members at a regular TPO meeting. Each member of the TPO shall receive a notification of such special meeting stating the date, hour and place of the meeting and the purpose for which such meeting is called, and no other business shall be transacted at that meeting.
- (2) In the event that the TPO Chairman wishes to cancel or change the meeting time of a special TPO meeting, advance notice of such cancellation or change shall be made as soon as practicable or at least twenty-four (24) hours prior to when such meeting was to have taken place.
- (3) At least seven (7) days prior to a special TPO meeting, public notice and tentative agendas shall be sent to the members of the TPO and local media services stating the date, hour and place of the special meeting including a statement of the general subject matter to be considered.

1.07 TPO EMERGENCY MEETINGS

- (1) The TPO Chairman may call an emergency meeting of the TPO when in his or her opinion an emergency exists which requires immediate action by the TPO. When such meeting is called, each TPO member shall be notified, stating the date, hour and place of the meeting and the purpose for which it is called, and no other business shall be transacted at that meeting. At least a twenty-four (24) hour advance public notice of such emergency meeting shall be given to local media services before the time the meeting is held.
- (2) If after reasonable diligence, it becomes impossible to give notice to each TPO member, such failure shall not affect the legality of the emergency meeting if a quorum is present. The minutes of each emergency meeting shall show the manner and method by which notice of such meeting was given to each member of the TPO, or shall show a waiver of notice.

1.08 TPO PUBLIC HEARINGS AND WORKSHOPS

- (1) A public hearing or workshop may be called by the TPO and may be scheduled before, during or after a regular meeting at the same meeting place or may be scheduled at another time and place.
- (2) Public notice shall be given to local media services and each TPO member stating the date, hour and place of a public hearing or workshop including a statement of the general subject matter to be considered at least seven (7) days (or as required by federal and state regulations) prior the event.

- (3) No formal business, for which notice has not been given, shall be transacted at a public hearing or workshop.

1.09 TPO MEETING AGENDA

- (1) There shall be an official agenda for every meeting of the TPO, which shall determine the order of business conducted at the meeting.
- (2) Requests for agenda changes to any TPO meeting must be received by the Chairman (or TPO staff) at least one (1) working day prior to the meeting date.
- (3) The TPO shall not take action upon any matter, proposal or item of business not listed on the official agenda; however following call to order, the TPO Chairman may authorize addition of new business to the agenda with the approval of two thirds (2/3) of the Voting Members present.
- (4) No agenda item listed on the TPO agenda for public hearing or vote thereon may be deferred until a later time unless two-thirds (2/3) of the Voting Members present shall vote in favor of such deferral.
- (5) A TPO or advisory committee member, County Administrator, City Manager or the TPO staff may place an item on the TPO agenda. Any citizen may also place matters within the scope of jurisdiction of the TPO on the agenda.
- (6) This rule is not applicable to special or emergency meetings.

1.10 TPO OFFICIAL ACTIONS

- (1) All official actions of the TPO shall be by adoption of resolutions or motions as follows:
 - (a) Action by adoption of a resolution shall occur for all matters where adoption of a resolution is required by federal or state regulations and any other matters deemed by the TPO to be of sufficient importance to warrant adoption by a formal resolution.
 - (b) All other actions of the TPO shall be by adoption of a motion.
- (2) All official actions of the TPO shall be recorded in the TPO Actions Report and meeting minutes and kept in the TPO's permanent files. Verbatim minutes are not required but minutes shall include an accurate summary of discussions and actions taken.

1.11 TPO CONDUCT OF MEETINGS

- (1) All TPO meetings shall be consistent with the Florida Sunshine Law and open to the public and press.
- (2) Roberts Rules of Order shall be followed at all TPO meetings.
- (3) The attendance of 5 TPO Voting Members shall constitute a quorum. No official action shall be taken without a quorum. No resolution or motion shall be adopted by the TPO except upon the affirmative vote of a majority of the members present.

- (4) The TPO Chairman may adjourn the meeting if he or she determines that no quorum is in attendance fifteen (15) minutes after the hour appointed for the meeting. In that event, those members present may, by unanimous agreement, select another hour or day to meet. Those members present may also, by unanimous agreement, select to continue the meeting as a workshop to discuss items on the agenda. The names of the members present and their action at such meeting shall be recorded in summary minutes.
- (5) All meetings of the TPO shall be conducted in accordance with the following:
- (a) The Chairman shall preside at all TPO meetings at which he or she is present;
 - (b) The Chairman shall take the chair at the hour appointed for the meeting, and shall call the TPO to order immediately;
 - (c) In the absence of the Chairman, the Vice-Chairman shall preside. In the absence of the Chairman or the Vice-Chairman, the TPO staff representative shall determine whether a quorum is present and in that event shall call for election of a temporary Chairman. Upon the arrival of the Chairman, or Vice-Chairman, the temporary Chairman shall relinquish the Chair upon conclusion of the business immediately before the TPO.
 - (d) The Chairman shall state every question coming before the TPO and announce the decision of the TPO on all matters;
 - (e) A majority vote of the members present shall govern and conclusively determine all questions of order not otherwise covered;
 - (f) Any TPO member who intends to be absent from any TPO meeting shall notify the TPO staff of the intended absence as soon as he or she conveniently can;
 - (g) In the event that a TPO member will be absent from any TPO meeting, an officially designated Alternate member may attend the TPO meeting and exercise full membership powers in the absence of the TPO member;
 - (h) When a conflict of interest exists, it shall be declared by the member(s) with a conflict upon opening of discussion of a matter by the TPO. Any member of the TPO who has a conflict of interest on a matter is required to fill out the necessary Conflict of Interest Form that will be attached to the minutes for the meeting and shall be deemed absent for the purpose of constituting a quorum, voting or for any other purpose for that particular matter only;
 - (i) No member may abstain from voting on any matter unless a conflict of interest is declared.
 - (j) The TPO vote upon any resolution or motion may be by a voice vote, unless the Chairman or any member requests that a show of hands or a roll call vote be taken;

- (k) Upon every TPO roll call vote the TPO staff representative shall call the roll, tabulate the votes, and announce the results;
- (l) The minutes of prior TPO meetings shall be approved by a majority of the members present and upon approval shall become the official minutes;
- (m) Unless a reading of the minutes of a TPO meeting is requested by a majority of the TPO, the minutes shall not be read for approval provided the TPO staff delivers a copy thereof to each TPO member at least two (2) full working days prior to the meeting;
- (n) Each person, other than TPO staff members, who addresses the TPO shall give the following information for the minutes:
 - (1) name;
 - (2) address;
 - (3) representing;
 - (4) whether or not he or she is being compensated by the person or persons for whom he or she speaks; and
 - (5) whether he or she or any member of his or her immediate family has a personal financial interest in the pending matter, other than that set forth in (4) above;
- (o) Unless further time is granted by the TPO, each person shall limit his or her address to five (5) minutes; and
- (p) All remarks shall be addressed to the TPO as a body and not to any member thereof. No person, other than TPO members, and the persons having the floor, shall be permitted to enter into any discussion, either directly or through a member, without permission of the Chairman. No question shall be asked a governing board member except through the Chairman.

1.12 TPO CITIZENS' PARTICIPATION

- (1) Citizens' participation in the TPO transportation planning process is strongly encouraged and any citizen shall be entitled to be placed on the official agenda of a regular meeting of the TPO and be heard concerning any matter within the scope of the jurisdiction of the TPO.
- (2) The regular TPO meeting agenda shall include a "Public Forum" agenda item to provide an opportunity for citizens to address the TPO at each TPO meeting. In addition, the Chairman may recognize citizens to speak on agenda items immediately following discussion by the TPO and prior to a vote on the matter by the TPO.

1.13 TPO SUBCOMMITTEES

TPO Subcommittees may be designated by the TPO as necessary to investigate and report on specific subject areas of interest to the TPO.

1.14 TPO CORRESPONDENCE AND POSITIONS OF COMMITTEE MEMBERS

- (1) TPO stationary or stationary which resembles the official TPO stationary, is only to be used in correspondence by the TPO Chairperson, his or her designee, and the TPO staff. Any and all correspondence on TPO stationary shall represent the Bay County TPO's policy or position. TPO stationary or any stationary resembling TPO stationary shall never be used to present any position that contradicts the official policy or position of the Bay County TPO.
- (2) Any correspondence conducted by individual TPO members concerning TPO matters shall be represented as individual comments and opinions. Only when a position has been adopted by the TPO as a whole shall it be represented as being the opinion of the TPO.
- (3) Notwithstanding the provisions of this rule, any member of the TPO has the inalienable right under the First Amendment to the United States Constitution to make public his or her opinion on any matter related to TPO actions and policies, whether negative or positive.

1.15 TPO ADMINISTRATION

- (1) The West Florida Regional Planning Council (WFRPC) Transportation staff shall serve as the planning staff of the TPO.
- (2) The WFRPC Transportation staff is responsible for producing all notices and agendas for TPO meetings and recording the minutes of all meetings.
- (3) The WFRPC staff shall furnish a recording secretary for all TPO meetings.
- (4) The WFRPC staff shall prepare, duplicate, and distribute all materials necessary for TPO meetings.
- (5) All official actions of the TPO are to be recorded and kept in permanent minute files by the WFRPC. These files shall be open for public inspection during regular office hours at the WFRPC/TPO office.
- (6) The TPO is responsible for the supervision and review of all financial matters concerning it. In order to best execute this, the WFRPC will keep, maintain, and manage all accounts, records, and documents, both of the technical and financial nature, for the TPO as specified in the Memorandum of Agreement between the TPO and the WFRPC.

**BAY COUNTY TPO
TECHNICAL COORDINATING COMMITTEE (TCC)
BYLAWS, POLICIES AND PROCEDURES**

2.01 TCC PREAMBLE

The TPO's Technical Coordinating Committee (TCC) has been created in accordance with federal and state requirements to provide technical assistance to the TPO in the performance of the transportation planning process in Bay County. The following sets forth the operating rules and procedures of the TCC.

2.02 TCC PURPOSE AND FUNCTIONS

- (1) The purposes of the TCC shall be the following:
 - (a) To insure coordination and consistency with local, state and regional plans, programs and projects; and
 - (b) To provide technical review of TPO plans, programs, and projects to determine the need, feasibility, and technical accuracy.
- (2) The TCC shall assist the TPO in carrying out the TPO's planning function through recommendations to the TPO on various transportation issues.
- (3) As an advisory committee to the TPO, all TCC recommendations shall be in the form of recommendations to the TPO and not to other governmental entities, private organizations or individuals.
- (4) The functions of the TCC shall include, but not be limited to the following:
 - (a) Nominate studies and projects to be undertaken by the TPO and/or the Florida Department of Transportation;
 - (b) Provide data to the TPO to assist the TPO with achieving coordination and consistency with local comprehensive plans, programs, and projects and TPO plans, programs, and projects. For example: accident data, parcel data, GIS files, local transportation revenue resources, capital improvement programs, existing and future land use, and other data;
 - (c) Identify projects with school safety concerns in the TPO's Long Range Plan and Transportation Improvement Program (TIP); and
 - (d) Conduct any other functions assigned to the TCC by the TPO.

2.03 TCC MEMBERSHIP

- (1) The TCC includes technically qualified persons representing the various local and state governmental entities, including: local government representatives, local aviation, port, and public transit agency

representatives, local utility and transportation authority representatives, school board representatives, and other appropriate representatives with some level of expertise in the area of transportation planning.

- (2) TCC Voting Memberships are attained through the appointment of members by the local governments represented on the TPO and other agencies to fill TPO approved standing TCC positions.
- (3) TCC Voting Members who fill the standing TCC positions serve at the pleasure of the appointing agency and the TPO.
- (4) In the event that the appointed member is unable to attend a TCC meeting, an alternate from their department or agency may serve as their representative at the meeting.
- (5) TCC Voting Members shall retain their membership so long as the local government or agency employs them in the position approved by the TPO.
- (6) If a Voting Member chooses to no longer serve on the TCC, or is removed from the committee, the local government or agency they represent shall appoint a replacement who holds a similar position in that organization.
- (7) There is no limit on number of Voting Members who may serve on the TCC.
- (8) The TCC shall have additional Non-Voting Advisory Members as necessary and desirable, however, they must be approved by the TPO.
- (9) Non-Voting Members shall sit with the same rights and privileges as other members, except that Non-Voting Members shall not have the right to present motions or second same, or to vote upon any motions of the TCC.
- (10) An elected official cannot serve on the TCC as either a voting or a non-voting member.

2.04 TCC OFFICERS AND ELECTIONS

- (1) The officers of the TCC shall be the Chairman and Vice-Chairman. The officers shall be Voting Members elected by the TCC membership.
- (2) The Chairman shall preside at TCC meetings and be responsible for the preparation of agendas and minutes (with staff assistance), and appoint subcommittees as needed.
- (3) In the absence or incapacity of the TCC Chairman, the Vice-Chairman shall assume the duties of the Chairman.
- (4) Election of officers shall be part of the regular monthly meeting in June (or in the event there is not a meeting in June, the election shall take place at the next TCC meeting). Newly elected officers shall assume their duties at the next meeting following the election. They shall hold office for one year, or until their successors are elected, and they shall be eligible for reelection.
- (5) The TCC chairman shall appoint a nominating committee at the regular TCC meeting in April. The nominating committee shall report its recommended candidates for officers at the June TCC meeting.

In

the event that a nominating committee is not formed or is formed and does not meet for any reason the TCC can make nominations from the floor at the scheduled June meeting and elect a chairman and vice-chairman directly.

- (6) Election of officers shall be by a majority vote of the TCC Voting Members present.
- (7) In the event that either the Chairman or Vice-Chairman position becomes vacant, a replacement shall be elected at the next scheduled TCC meeting.

2.05 TCC REGULAR MEETINGS

- (1) Regular meetings of the TCC shall be held as needed, at a time and place designated by the TCC Chairman; normally the day before the TPO meeting is scheduled.
- (2) In the event that the TCC Chairman wishes to cancel or change the meeting time of a regular TCC meeting, advance notice of such cancellation or change shall be made as soon as practicable or at least twenty-four (24) hours prior to when such meeting was to have taken place.
- (3) At least seven (7) days prior to a regular TCC meeting, public notice and tentative agendas shall be sent to the members of the TCC and local media services.
- (4) TCC Subcommittee meetings shall have the same meeting requirements as regular TCC meetings.

2.06 TCC SPECIAL MEETINGS

- (1) A special meeting of the TCC may be called by the TCC Chairman or a majority of the Voting Members at a regular TCC meeting. Each member of the TCC shall receive a notification of such special meeting stating the date, hour and place of the meeting and the purpose for which such meeting is called, and no other business shall be transacted at that meeting.
- (2) In the event that the TCC Chairman wishes to cancel or change the meeting time of a special TCC meeting, advance notice of such cancellation or change shall be made as soon as practicable or at least twenty-four (24) hours prior to when such meeting was to have taken place.
- (3) Seven (7) days before such special meeting, public notice shall be given of the date, hour and place of the special meeting including a statement of the general subject matter to be considered.

2.07 TCC EMERGENCY MEETINGS

- (1) The Chairman may call an emergency meeting of the TCC when in his or her opinion an emergency exists which requires immediate action by the TCC. When such a meeting is called, each TCC member shall be notified, stating the date, hour and place of the meeting and the purpose for which it is called, and no other business shall be transacted at that meeting. At least a twenty-four (24) hour advance

notice of such emergency meeting shall be given before the time the meeting is held.

- (2) If after reasonable diligence, it becomes impossible to give notice to each TCC member, such failure shall not affect the legality of the emergency meeting if the Chairman deems a quorum is present. The minutes of each emergency meeting shall show the manner and method by which notice of such meeting was given to each member of the TCC, or shall show a waiver of notice.

2.08 TCC WORKSHOPS

- (1) A workshop may be called by the TCC and may be scheduled before, during or after a regular meeting at the same meeting place or may be scheduled at another time and place.
- (2) Public notice shall be given to local media services and each TCC member stating the date, hour and place of the workshop including a statement of the general subject matter to be considered at least seven (7) days before the event.
- (3) No formal business, for which notice has not been given, shall be transacted at such workshops.

2.09 TCC MEETING AGENDA

- (1) There shall be an official agenda for every meeting of the TCC, which shall determine the order of business conducted at the meeting.
- (2) Requests for agenda changes to any TCC meeting must be received by the Chairman (or TPO staff) at least one (1) working day prior to the meeting date.
- (3) The TCC shall not take action upon any matter, proposal or item of business not listed on the official agenda; however following call to order, the TCC Chairman may authorize addition of new business to the agenda with the approval of two thirds (2/3) of the Voting Members present.
- (4) No agenda item listed on the TCC agenda for a vote thereon may be deferred until a later time unless two-thirds (2/3) of the Voting Members present shall vote in favor of such deferral.
- (5) A TCC member, the TPO or the TPO staff may place matters on the TCC agenda.
- (6) This rule is not applicable to special or emergency meetings.

2.10 TCC OFFICIAL ACTIONS

- (1) As an advisory committee to the TPO, all TCC recommendations shall be in the form of recommendations to the TPO and not to other governmental entities, private organizations or individuals. The TCC shall have the authority, however, to adopt motions to request information and studies to assist in formulating a recommendation to the TPO.
- (2) All official actions of the TCC shall be by adoption of motions as follows:
 - (a) Action by adoption of a motion to recommend the TPO approve a resolution shall occur for all matters where adoption of a resolution is required by federal or state regulations and any

other

matters deemed by the TPO to be of sufficient importance to warrant adoption by a formal resolution

(b) All other actions of the TCC shall be by adoption of a motion.

- (3) All official actions of the TCC shall be recorded in the meeting minutes and kept in the TPO's permanent files. Verbatim minutes are not required but minutes shall include an accurate summary of discussions and actions taken.

2.11 TCC CONDUCT OF MEETINGS

- (1) All TCC meetings shall be consistent with the Florida Sunshine Law and open to the public and press.
- (2) Roberts Rules of Order shall be followed at all TCC meetings.
- (3) The TCC Chairman shall have the authority to determine when a representative number of members are present to declare a quorum and conduct committee business. No official action shall be taken unless the TCC Chairman declares there is a quorum present. No resolution or motion shall be adopted by the TCC except upon the affirmative vote of the majority of the members present.
- (4) The TCC Chairman may adjourn the meeting if he or she determines that no quorum is in attendance fifteen (15) minutes after the hour appointed for the meeting. In that event, those members present may, by unanimous agreement, select another hour or day to meet. Those members present may, by unanimous agreement, select to continue the meeting as a workshop to discuss items on the agenda as per paragraph 2.08. The names of the members present and their action at such meeting shall be recorded in summary minutes.
- (5) All meetings of the TCC shall be conducted in accordance with the following:
- (a) The Chairman shall preside at all TCC meetings at which he or she is present;
 - (b) The Chairman shall take the chair at the hour appointed for the meeting, and shall call the TCC to order immediately;
 - (c) In the absence of the Chairman, the Vice-Chairman shall preside;
 - (d) The Chairman shall state every question coming before the TCC and announce the decision of the TCC on all matters;
 - (e) A majority vote of the members present shall govern and conclusively determine all questions of order not otherwise covered;
 - (f) In the absence of the TCC Chairman and Vice-Chairman, the TCC staff representative shall determine whether a quorum is present and in that event shall call for election of a temporary Chairman. Upon the arrival of the Chairman, or Vice-Chairman, the temporary Chairman shall relinquish the Chair upon conclusion of the business immediately before the TCC;
 - (g) Any TCC member who intends to be absent from any TCC meeting shall, send a representative to the meeting from their department or agency as their representative, or notify

the TPO staff

of the intended absence as soon as he or she conveniently can;

- (h) When a conflict of interest exists, it shall be declared by the member(s) with a conflict upon opening of discussion of a matter by the TCC. Any member of the TCC who has a conflict of interest on a matter is required to fill out the necessary Conflict of Interest Form that will be attached to the minutes for the meeting and shall be deemed absent for the purpose of constituting a quorum, voting or for any other purpose for that particular matter only;
- (i) No member may abstain from voting on any matter unless a conflict of interest is declared.
- (j) The TCC vote upon any resolution or motion may be by a voice vote, unless the Chairman or any member requests that a show of hands or a roll call vote be taken;
- (k) Upon every TCC roll call vote the TPO staff representative shall call the roll, tabulate the votes, and announce the results;
- (l) The minutes of prior TCC meetings shall be approved by a majority of the members present and upon approval shall become the official minutes;
- (m) Unless a reading of the minutes of a TCC meeting is requested by a majority of the TCC members present, the minutes shall not be read for approval provided the TPO staff delivers a copy thereof to each TCC member at least two (2) full working days prior to the meeting;
- (n) Each person, other than TPO staff members, who addresses the TCC shall give the following information for the minutes;
 - (1) name;
 - (2) address;
 - (3) representing;
 - (4) whether or not he or she is being compensated by the person or persons for whom he or she speaks; and
 - (5) whether he or she or any member of his or her immediate family has a personal financial interest in the pending matter, other than that set forth in (4) above;
- (o) Unless further time is granted by the TCC Chairman, each person shall limit his or her address to five (5) minutes; and
- (p) All remarks shall be addressed to the TCC as a body and not to any member thereof. No person, other than TCC members, and the persons having the floor, shall be permitted to enter into any discussion, either directly or through a member, without permission of the Chairman. No question shall be asked a TCC member except through the Chairman.

2.12 TCC SUBCOMMITTEES

TCC Subcommittees may be designated by the TCC as necessary to investigate and report on specific subject areas of interest to the TCC.

2.13 TCC CORRESPONDENCE AND POSITIONS OF COMMITTEE MEMBERS

- (1) TPO stationary or stationary which resembles the official TPO stationary, is only to be used in correspondence by the TPO Chairperson, his or her designee, and the TPO staff. Any and all correspondence on TPO stationary shall represent the Bay County TPO's policy or position. TPO stationary or any stationary resembling TPO stationary shall never be used to present any position that contradicts the official policy or position of the Bay County TPO.
- (2) Any correspondence conducted by individual TCC members concerning TPO matters shall be represented as individual comments and opinions. Only when a position has been adopted by the TCC as a whole shall it be represented as being the opinion of the TCC.
- (3) The TCC is an advisory committee to the Bay County TPO and serves at the pleasure of the TPO. Unless otherwise authorized by the TPO, all actions of the TCC shall be recommendations to the TPO.
- (4) TCC members may discuss issues with TPO members and the organizations which they represent to affect and effect the transportation policy decision-making process.
- (5) Notwithstanding the provisions of this rule, any member of the TCC has the inalienable right under the First Amendment to the United States Constitution to make public his or her opinion on any matter related to TPO actions and policies, whether negative or positive.

2.14 TCC ADMINISTRATION

- (1) The West Florida Regional Planning Council (WFRPC) Transportation staff shall serve as the planning staff of the TCC.
- (2) The WFRPC Transportation staff is responsible for producing all notices and agendas for TCC meetings and recording the minutes of all meetings.
- (3) The WFRPC staff shall furnish a recording secretary for all TCC meetings.
- (4) The WFRPC staff shall prepare, duplicate, and distribute of all materials necessary for TCC meetings.
- (5) All official actions of the TCC are to be recorded and kept in permanent minute files by the WFRPC. These files shall be open to public inspection during regular office hours at the WFRPC/TPO office.

**BAY COUNTY TPO
CITIZENS' ADVISORY COMMITTEE (CAC)
BYLAWS, POLICIES AND PROCEDURES**

3.01 CAC PREAMBLE

The TPO's Citizens' Advisory Committee (CAC) has been created in accordance with federal and state requirements to provide a forum for citizens' review and input to the TPO on the performance of the transportation planning process in Bay County. The following sets forth the operating rules and procedures of the CAC.

3.02 CAC PURPOSE AND FUNCTIONS

- (1) The purposes of the CAC shall be the following:
 - (a) To seek public reaction to planning proposals and to provide comment to the TPO with respect to the concerns of various segments of the population in regard to their transportation needs; and
 - (b) To provide citizens' review of TPO plans, programs, and projects to determine the need, feasibility, and desirability from the citizens' perspective.
- (2) The CAC shall assist the TPO in carrying out the TPO's planning function through recommendations to the TPO on various transportation issues.
- (3) As an advisory committee to the TPO, all CAC recommendations shall be in the form of recommendations to the TPO and not to other governmental entities, private organizations or individuals.
- (4) The functions of the CAC shall include, but not be limited to the following:
 - (a) Carryout the processes described in the adopted "TPO Public Involvement Procedures," which includes the establishment of a CAC.
 - (b) Recommend updated transportation goals and objectives for TPO approval, which guide the TPO's planning efforts, including the development of the Long Range Transportation Plan;
 - (c) Evaluate the effects of TPO transportation plans, programs, and projects on various segments/interest groups of the community and provide recommendations to the TPO based on this evaluation; and
 - (d) Assist in any other functions as deemed desirable by the TPO.

3.03 CAC MEMBERSHIP

- (1) CAC Voting Memberships are approved by the TPO and CAC members serve at the pleasure of the TPO. CAC members shall serve terms of indefinite length unless otherwise specified by the TPO.

- (2) A CAC Voting Membership may be attained in one of the following ways:
 - (a) A citizen of Bay County may be nominated for CAC membership by a TPO member, local government, the CAC, or other organizations and be approved by the TPO; or
 - (b) A citizen of Bay County may directly petition the CAC for nomination for CAC membership and be approved by the TPO.
- (3) There is no limit on the number of Voting Members who may serve on the CAC.
- (4) Voting Members shall not be elected officials or employees of public agencies directly involved in transportation or land-use planning.
- (5) Non-Voting members represent the West Florida Regional Planning Council (WFRPC), and the Florida Department of Transportation District Three Planning Office.
- (6) The CAC may have other Non-Voting advisory members as deemed necessary; however, they must be approved by the TPO.
- (7) Non-Voting members shall not have the right to present or second motions, or to vote on motions before the CAC. They are entitled to participate in all other functions to the same extent as other members.
- (8) The TPO strives to maintain an equitable balance in CAC membership to represent all segments of the Bay County population, the varied interests groups in the community, and all geographic areas of the community.
- (9) The CAC shall advise the TPO when additional members are needed to achieve that goal, and shall actively seek nominations of qualified citizens as needed.
- (10) Each CAC member is expected to demonstrate his or her interest in TPO planning activities by regular attendance of CAC meetings, except for unavoidable reasons.
- (11) Any member who expects to be absent from a meeting shall inform the TPO staff as soon as practicable to receive an excused absence. If a member is consistently absent without an excused absence, the CAC may recommend to the TPO that the member be removed from the CAC. Members who have four (4) or more unexcused absences during the fiscal year may be replaced by the TPO.
- (12) Prospective new members must complete and submit an application along with a resume or Background Form for TPO consideration. Existing members must complete and sign an application in June of each year stating their desire to continue to serve on the committee along with an updated resume or Background Form. The purpose is to maintain updated information on the members. Members do not have to be re-approved annually for membership. Information on CAC and BPAC members will be presented annually to the TPO.

- 13) Prospective new members must have read and understood all provisions in the application form.
- 14) Prospective new members will be available for questions, if possible, from the appropriate committee and the TPO.

3.04 CAC OFFICERS AND ELECTIONS

- (1) The officers of the CAC shall be the Chairman and Vice-Chairman. The officers shall be Voting Members elected by the CAC membership.
- (2) The Chairman shall preside at CAC meetings, be responsible for the preparation of agendas and minutes (with staff assistance), appoint subcommittees as needed and communicate CAC actions to the TPO (with staff assistance),
- (3) In the absence or incapacity of the CAC Chairman, the Vice-Chairman shall assume the duties of the Chairman.
- (4) Election of officers shall be part of the regular monthly meeting in June (or in the event there is not a meeting in June, the election shall take place at the next CAC meeting). Newly elected officers shall assume their duties at the next meeting following the election. They shall hold office for two years, or until their successors are elected, and they shall be eligible for reelection.
- (5) The CAC chairman shall appoint a nominating committee at the regular TPO meeting in April. The nominating committee shall report its recommended candidates for officers at the June CAC meeting. In the event that a nominating committee is not formed or is formed and does not meet for any reason the CAC can make nominations from the floor at the scheduled June meeting and elect a chairman and vice-chairman directly.
- (6) Election of officers shall be by a majority vote of the CAC Voting Members present.
- (7) In the event that either the Chairman or Vice-Chairman position becomes vacant, a replacement shall be elected at the next scheduled CAC meeting.

3.05 CAC REGULAR MEETINGS

- (1) Regular meetings of the CAC shall be held as needed, at a time and place designated by the CAC Chairman; normally the day before the TPO meeting is scheduled.
- (2) In the event that the CAC Chairman wishes to cancel or change the meeting time of a regular CAC meeting, advance notice of such cancellation or change shall be made as soon as practicable or at least twenty-four (24) hours prior to when such meeting was to have taken place.

- (3) Seven (7) days prior to a regular CAC meeting, public notice and tentative agendas shall be sent to the members of the CAC and local media services.
- (4) CAC Subcommittee meetings shall have the same meeting requirements as regular CAC meetings.

3.06 CAC SPECIAL MEETINGS

- (1) A special meeting of the CAC may be called by the CAC Chairman or a majority of the Voting Members at a regular CAC meeting. Each member of the CAC shall receive a notification of such special meeting stating the date, hour and place of the meeting and the purpose for which such meeting is called, and no other business shall be transacted at that meeting.
- (2) In the event that the CAC Chairman wishes to cancel or change the meeting time of a special CAC meeting, advance notice of such cancellation or change shall be made as soon as practicable or at least twenty-four (24) hours prior to when such meeting was to have taken place.
- (3) Seven (7) days before such special meeting, public notice shall be given of the date, hour and place of the special meeting including a statement of the general subject matter to be considered.

3.07 CAC EMERGENCY MEETINGS

- (1) An emergency meeting of the CAC may be called by the Chairman when in his or her opinion, an emergency exists which requires immediate action by the CAC. When such a meeting is called, each CAC member shall be notified, stating the date, hour and place of the meeting and the purpose for which it is called, and no other business shall be transacted at that meeting. At least a twenty-four (24) hour advance notice of such emergency meeting shall be given before the time the meeting is held.
- (2) If after reasonable diligence, it becomes impossible to give notice to each CAC member, such failure shall not affect the legality of the emergency meeting if the Chairman deems a quorum is present. The minutes of each emergency meeting shall show the manner and method by which notice of such meeting was given to each member of the CAC, or shall show a waiver of notice.

3.08 CAC PUBLIC HEARINGS AND WORKSHOPS

- (1) A public hearing or workshop may be called by the CAC and may be scheduled before, during or after a regular meeting at the same meeting place or may be scheduled at another time and place.
- (2) Public notice shall be given to local media services and each CAC member stating the date, hour and place of the hearing or workshop including a statement of the general subject matter to be considered at least seven (7) days (or as required by federal and state regulations) before the event.
- (3) No formal business, for which notice has not been given, shall be transacted at such public hearings or workshops.

3.09 CAC MEETING AGENDA

- (1) There shall be an official agenda for every meeting of the CAC, which shall determine the order of business conducted at the meeting.
- (2) Requests for agenda changes to any CAC meeting must be received by the Chairman (or TPO staff) at least one (1) working day prior to the meeting date.
- (3) The CAC shall not take action upon any matter, proposal or item of business not listed on the official agenda; however following call to order, the CAC Chairman may authorize addition of new business to the agenda with the approval of two thirds (2/3) of the Voting Members present.
- (4) No agenda item listed on the CAC agenda for public hearing or vote thereon may be deferred until a later time unless two-thirds (2/3) of the Voting Members present shall vote in favor of such deferral.
- (5) A CAC member, the TPO or the TPO staff may place matters on the CAC agenda. Any citizen may also place matters within the scope of jurisdiction of the TPO on the agenda.
- (6) This rule is not applicable to special or emergency meetings.

3.10 CAC OFFICIAL ACTIONS

- (1) As an advisory committee to the TPO, all CAC recommendations shall be in the form of recommendations to the TPO and not to other governmental entities, private organizations or individuals. The CAC shall have the authority, however, to adopt motions to request information and studies to assist in formulating a recommendation to the TPO.
- (2) All official actions of the CAC shall be by adoption of motions as follows:
 - (a) Action by adoption of a motion to recommend the TPO approve a resolution shall occur for all matters where adoption of a resolution is required by federal or state regulations and any other matters deemed by the TPO to be of sufficient importance to warrant adoption by a formal resolution; and
 - (b) All other actions of the CAC shall be by adoption of a motion.
- (3) All official actions of the CAC shall be recorded in the minutes and kept in the TPO's permanent files. Verbatim minutes are not required but minutes shall include an accurate summary of discussions and actions taken.

3.11 CAC CONDUCT OF MEETINGS

- (1) All CAC meetings shall be consistent with the Florida Sunshine Law and open to the public and press.
- (2) Roberts Rules of Order shall be followed at all CAC meetings.

- (3) The CAC chair shall have the authority to determine when a representative number of members are present to declare a quorum and conduct committee business. No official action shall be taken unless the CAC chair declares there is a quorum present. No recommendation or motion shall be adopted by the CAC except upon the affirmative vote of the majority of the members present.
- (4) All meetings of the CAC shall be conducted in accordance with the following:
- (a) The Chairman shall preside at all CAC meetings at which he or she is present;
 - (b) The Chairman shall take the chair at the hour appointed for the meeting, and shall call the CAC to order immediately;
 - (c) In the absence of the Chairman, the Vice-Chairman shall preside;
 - (d) The Chairman shall state every question coming before the CAC and announce the decision of the CAC on all matters;
 - (e) A majority vote of the members present shall govern and conclusively determine all questions of order not otherwise covered;
 - (f) In the absence of the CAC Chairman and Vice Chairman, the CAC shall select a temporary Chairman. Upon the arrival of the Chairman or Vice-Chairman, the temporary Chairman shall relinquish the Chair upon conclusion of the business immediately before the CAC;
 - (g) Any CAC member who intends to be absent from any CAC meeting shall notify the TPO staff of the intended absence as soon as he or she conveniently can;
 - (h) When a conflict of interest exists, it shall be declared by the member(s) with a conflict upon opening of discussion of a matter by the CAC. Any member of the CAC who has a conflict of interest on a matter is required to fill out the necessary Conflict of Interest Form that will be attached to the minutes for the meeting and shall be deemed absent for the purpose of constituting a quorum, voting or for any other purpose for that particular matter only;
 - (i) No member may abstain from voting on any matter unless a conflict of interest is declared.
 - (j) The CAC vote upon any resolution or motion may be by a voice vote, unless the Chairman or any member requests that a show of hands or a roll call vote be taken;
 - (k) Upon every CAC roll call vote the TPO staff representative shall call the roll, tabulate the votes, and announce the results;
 - (l) The minutes of prior CAC meetings shall be approved by a majority of the members present and upon approval shall become the official minutes;
 - (m) Unless a reading of the minutes of a CAC meeting is requested by a majority of the CAC members present, the minutes shall not be read for approval provided the TPO staff delivers a copy thereof to each CAC member at least two (2) full working days prior to the meeting;

- (n) Each person, other than TPO staff members, who addresses the CAC shall give the following information for the minutes;
 - (1) name;
 - (2) address;
 - (3) representing;
 - (4) whether or not he or she is being compensated by the person or persons for whom he or she speaks; and
 - (5) whether he or she or any member of his or her immediate family has a personal financial interest in the pending matter, other than that set forth in (4) above;
- (o) Unless further time is granted by the CAC Chairman, each person shall limit his or her address to five (5) minutes; and
- (p) All remarks shall be addressed to the CAC as a body and not to any member thereof. No person, other than CAC members, and the persons having the floor, shall be permitted to enter into any discussion, either directly or through a member, without permission of the Chairman. No question shall be asked a CAC member except through the Chairman.

3.12 CAC CITIZENS' PARTICIPATION

- (1) Citizens' involvement in the TPO transportation planning process is encouraged and any citizen shall be entitled to be placed on the official agenda of a regular meeting of the CAC and be heard concerning any matter within the scope of the jurisdiction of the TPO.
- (2) The regular CAC meeting agenda shall include a "Public Forum" agenda item to provide an opportunity for citizens to address the CAC at each CAC meeting. In addition the CAC Chairman may recognize citizens to speak on agenda items immediately following discussion by the CAC and prior to a vote on the matter by the CAC.

3.13 CAC SUBCOMMITTEES

CAC Subcommittees may be designated by the CAC as necessary to investigate and report on specific subject areas of interest to the CAC.

3.14 CAC CORRESPONDENCE AND POSITIONS OF COMMITTEE MEMBERS

- (1) TPO stationary or stationary which resembles the official TPO stationary, is only to be used in correspondence by the TPO Chairperson, his or her designee, and the TPO staff. Any and all correspondence on TPO stationary shall represent the Bay County TPO's policy or position. TPO stationary or any stationary resembling TPO stationary shall never be used to present any position that contradicts the official policy or position of the Bay County TPO.
- (2) Any correspondence conducted by individual CAC members concerning TPO matters shall be represented as individual comments and opinions. Only when a position has been adopted by the TCC as a whole shall it be represented as being the opinion of the TCC.

- (3) The CAC is an advisory committee to the Bay County TPO and serves at the pleasure of the TPO. Unless otherwise authorized by the TPO, all actions of the CAC shall be recommendations to the TPO.
- (4) CAC members may discuss issues with TPO members and the organizations which they represent to affect and effect the transportation policy decision-making process.
- (5) Notwithstanding the provisions of this rule, any member of the CAC has the inalienable right under the First Amendment to the United States Constitution to make public his or her opinion on any matter related to TPO actions and policies, whether negative or positive.

3.15 CAC ADMINISTRATION

- (1) The West Florida Regional Planning Council (WFRPC) Transportation staff shall serve as the planning staff of the CAC.
- (2) The WFRPC Transportation staff is responsible for producing all notices and agendas for CAC meetings and recording the minutes of all meetings.
- (3) The WFRPC staff shall furnish a recording secretary for all CAC meetings.
- (4) The WFRPC staff shall prepare, duplicate, and distribute of all materials necessary for CAC meetings.
- (5) All official actions of the CAC are to be recorded and kept in permanent minute files by the WFRPC. These files shall be open to public inspection during regular office hours at the WFRPC/TPO office