

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

**1.0 General**

1.01 Preamble.

The Broward Metropolitan Planning Organization (BMPO) for Broward County, Florida 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 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 twenty-five (25) members of the BMPO include representatives from the municipalities within the County, the South Florida Regional Transportation Authority (SFRTA)/Tri-Rail, the Broward County School Board, and the Broward County Board of County Commissioners. There are thirteen (13) alternate members who are eligible to vote when a member(s) is absent. The BMPO is divided into five separate districts. The regular and alternate 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 (Interlocal Agreement) 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 Advisory Committee (TAC), the Citizens' Advisory Committee (CAC), the Transportation Disadvantaged (TD) Local Coordinating Board (LCB), the Complete Streets Advisory Committee (CSAC), the Freight Transportation Advisory Committee (FTAC) and the BMPO

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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; September 18, 2006; and February 10, 2016.

staff for fulfilling the requirements of the Interlocal Agreement; the applicable provisions of federal law; and the applicable provisions of Chapter 339, Florida Statutes (FS).

1.02 Interpretation.

If any provision of these Rules conflicts with the Interlocal Agreement, the Interlocal Agreement, as it may be amended from time to time, shall control. Furthermore, all provisions contained in these Rules shall be interpreted to be consistent with applicable state and federal law.

1.03 Mission.

To Collaboratively plan, prioritize and fund the delivery of diverse transportation options.

1.04 Vision.

Our work will have measurable positive impact by ensuring transportation projects are well selected, funded and delivered.

1.05 Goals & Objectives.

1.05.1 Mission Achievement.

- (a) Assist owners / operators in project development;
- (b) Identify projects with the greatest expected positive impacts;
- (c) Fund projects that deliver diverse transportation options;
- (d) Fund projects that maximize eligible funding sources;
- (e) Identify owner / operators who consistently deliver projects on-time and on-budget; and
- (f) Verify that actual outcomes match those expected for delivered projects.

1.05.2 Efficient Decision-making.

- (a) Strengthen Board training program;
- (b) Improve Board meetings and informational materials; and

(c) Expand Board involvement beyond meetings.

1.05.3 Effective Administration.

(a) Expand staff technical skills and support services;

(b) Expand MPO presence and community outreach; and

(c) Reorganize MPO to achieve its mission.

1.06 Values.

We provide responsibility and the authority to deliver.

We are aware of our own limitations and support each other on our path of continuous improvement.

We champion the organization and our colleagues over self.

1.07 Acronyms/Definitions.

BCT – Broward County Transit

BMPO – Broward Metropolitan Planning Organization

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

Board – Broward MPO Board of Directors

CAC – Citizens’ Advisory Committee

CSAC – Complete Streets Advisory Committee

CTC – Community Transportation Coordinator

CTD – Florida Commission for the Transportation Disadvantaged

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

FAC – Florida Administrative Code

FDOT – Florida Department of Transportation

FS – Florida Statutes

FTAC – Freight Transportation Advisory Committee

LCB – Local Coordinating Board

MOA – Memorandum of Agreement

MPOAC – Florida Metropolitan Planning Organization Advisory Council

MTP – Metropolitan Transportation Plan

PPP – Public Participation Plan

RTP – Regional Transportation Plan

SEFTC – Southeast Florida Transportation Council

SFRTA – South Florida Regional Transportation Authority

TAC – Technical Advisory Committee

TD – Transportation Disadvantaged

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 twenty-five (25) members and thirteen (13) alternate members of the BMPO Board of Directors (Board). The membership of the Board shall be consistent with the Interlocal Agreement.

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 keep officials of their respective district advised about matters that may affect transportation concerns.

2.01.3 Newly appointed members of the Board shall attend an orientation

meeting within three (3) months of the member's appointment date. In addition, all new members shall attend Florida Metropolitan Planning Organization Advisory Council (MPOAC) training within one year of the BMPO 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. The elected official appointed to the Board shall serve on the Board until that official's term of elected office expires. The appointing authority authorized to appoint a member(s) to the Board may, in its sole discretion and by majority vote, remove its member(s) as a Board representative(s) and, in its sole discretion and by majority vote, appoint a replacement.

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 Deputy 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 Rules. However, in the temporary absence of the Chair, the Vice Chair, or the Deputy 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 and assume all the responsibilities of the Chair; the Deputy Vice Chair shall automatically become the Vice Chair and assume all the responsibilities of the Vice Chair and the Board shall elect a new Deputy Vice Chair.

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

2.03.4 The Chair shall serve as the Board's appointment to the MPOAC. At the Chair's discretion, the Vice Chair or Deputy Vice Chair shall serve as the Chair's alternate to the MPOAC. If the Chair, Vice Chair or the Deputy Vice Chair is not 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.

2.04 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 9:30 a.m. in the MPO Board Room. 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 fourteen (14) 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 Deputy Vice Chair. Special meetings may also be called on the initiative of one-third ( $\frac{1}{3}$ ) of the voting membership 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, or designee, 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) whose 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 Board meeting.

2.05.3 Alternate Members who are present at a meeting of the Board but are not eligible to vote in the place of an absent member, shall participate in the discussions of the Board and shall 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. Current committees, such as the Executive Committee, Governance Committee, and Evaluation Committee, are examples of this. 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 (3) 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 Except as otherwise provided in these Rules, the most recent edition of *Roberts – Rules of Order* shall be used to conduct all committee and subcommittee 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 Rules adopted by the Board.

2.08.2 Whenever compliance with the requirements of the Procurement Rules 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.

2.09 Local Contributions.

The BMPO is authorized and may accept contributions from its member or other interested parties. Currently, the BMPO has a voluntary per capita fee which may be revisited from time to time. Any contributions received shall be maintained and expended in accordance with the BMPO Procurement Rules and as directed by the Board.

2.10 Requests for Items to be Placed on Agendas.

Requests for items to be considered for placement on an MPO agenda or advisory committee agenda require that an agenda request form must be completed by the requestor. This form is then evaluated by MPO staff for appropriateness to include on a future agenda. This request form along with an MPO staff recommendation is presented to the Executive Committee for discussion and action as appropriate.

**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, full public access to key decisions, and compliance with Title VI,



Limited English Proficiency (LEP) Plan and Disadvantaged Business Enterprise (DBE) requirements.

3.02 Public Participation Plan.

The Board shall adopt and amend as needed a Public Participation Plan (PPP) 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.

**4.0 Metropolitan Transportation Plan (MTP),  
Regional Transportation Plan (RTP),  
Unified Planning Work Program (UPWP) and  
Transportation Improvement Program (TIP) Update Procedures and Policies**

4.01 The Board shall adopt an MTP (formerly known as the Long Range Transportation Plan [LRTP]), RTP (formerly known as the Regional Long Range Transportation Plan [RLRTP]), UPWP and TIP, as prescribed by the most current transportation authorization bill, and drafts shall be reviewed by the TAC and CAC with a recommendation for action to the Board.

4.02 Amendments to MTP, RTP, UPWP or TIP.

The Board shall initiate procedures for considering a change to an adopted UPWP, MTP, RTP, 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 TAC may recommend a change on its own initiative; and (d) the Executive Director can recommend a change for consideration. Requests for MTP amendments may be submitted in June or January. Requests for RTP amendments may be submitted through the Board for ultimate approval by SEFTC and must be focused on a regional corridor. Requests for TIP amendments and related documentation must be submitted to the BMPO in accordance with the annual schedule of due dates to be reviewed by the TAC and CAC prior to Board action.

4.03 Requests for Amendment.

A request to the Board for consideration of an amendment to an adopted MTP 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 MTP and/or the TIP is not negatively impacted.
- 4.03.5 A request for an amendment to the MTP or TIP must be submitted to the BMPO by the date(s) established by the Board, amended annually or as needed. MTP amendments can only be submitted in June or January or as deemed necessary by the Executive Director.

4.04 Amendment Procedure.

The procedure for amending an adopted MTP, RTP, or TIP shall be as follows:

- 4.04.1 The Board shall follow the guidelines set forth in its PPP to notify interested parties that an amendment to the MTP, RTP, and/or the TIP is being 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, FTAC and/or CSAC will review each requested amendment to consider the comments relating to its respective area of expertise on issues received from interested persons.
- 4.04.7 When the LCB, FTAC and/or CSAC 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 TAC, CAC, LCB, FTAC or CSAC 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 meeting on the TAC, CAC, LCB, FTAC and CSAC 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, as needed, the modified amendment to the Florida Department of Transportation (FDOT) for their review, comment and forwarding to the appropriate federal agencies.

4.04.9.2 If the MTP and 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 TAC, the CAC, the LCB, the FTAC or the CSAC 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 TAC, the CAC LCB, FTAC and/or the CSAC 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, TAC, CAC LCB, FTAC and CSAC unless precluded by federal or state law or regulation. In those instances, the Executive Director shall notify the Board, TAC, CAC, LCB, FTAC and/or the CSAC 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, Deputy 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 Rules. 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 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 Executive Committee or Board as soon as practicable. The Chair, Vice Chair, Deputy Vice Chair, Executive Director or General Counsel will inform the Board, TAC, CAC, FTAC and LCB of any such emergency actions at the next available meeting.

## **5.0 The Technical Advisory Committee (TAC)**

### **5.01 Membership.**

5.01.1 The membership of the TAC shall include forty-four (44) voting members. Thirty-two (32) members shall be individual appointees of the municipalities represented on the Board. Twelve (12) members, with expertise in matters related to transportation, tribal interests, land use and environmental planning, shall be from the agencies set forth below in 5.01.2 and 5.01.3.

5.01.2 Countywide regional members shall include the following:

- (a) The FDOT, District 4 Office may appoint nonvoting advisory member(s);
- (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 South Florida Regional Council may appoint one member.

5.01.3 The Broward County members shall include the following:

- (a) The Broward County Traffic Engineering Division may appoint one member;
- (b) The Broward County Aviation Department may appoint one

member;

- (c) The Broward County Port Everglades Department may appoint one member;
- (d) The Broward County Environmental Protection & Growth Management Department may appoint one member;
- (e) The Broward County Transit Division (BCT) may appoint one member;
- (f) The Broward County Highway Construction & Engineering Division may appoint one member; and
- (g) The Broward County Planning Council may appoint one member.

#### 5.01.4 Municipal Membership.

Each municipality represented on the Board shall appoint a member to the TAC. The municipality with the highest population may appoint two (2) members as consistent with the Interlocal Agreement.

#### 5.01.5 Alternate Membership.

To preserve continuity and assure consistency in communication between appointed members, respective Board representative and MPO staff, alternate member appointment is not permitted. However, alternates to the appointed member may attend and participate at meetings but with no voting privileges.

#### 5.02 Appointment, Qualification and Terms of Office of TAC Members.

Each governmental unit and agency, in selecting its representative to the TAC, shall name technically qualified persons of director level, or a designee with the authority to make decisions and communicate with the elected body, who are 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. Appointments to the TAC shall be made in writing by either a city manager or Board member.

#### 5.03 Officers and Duties.

5.03.1 The TAC 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 TAC meeting.

5.03.2 Officers shall be elected by a majority of the members of the TAC 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 TAC shall normally be held on the fourth Wednesday 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 TAC to accommodate desirable changes because of holidays or other reasons.

5.04.2 The presence of ten (10) TAC 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 TAC shall be necessary in order to adopt any measures.

5.04.3 The TAC 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 TAC.

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 TAC petitioning the Chair or Executive Director.

5.04.5 The Executive Director, or designee, is responsible for the TAC meeting minutes and all notices and agendas for future meetings.

5.04.6 TAC 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 TAC meeting. Members of the public are allowed to comment on items on the agenda at the appropriate time.

5.05 Responsibilities and Functions.

- 5.05.1 The TAC 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 TAC shall assist the Board by providing technical resources and recommendations as requested.
- 5.05.2 In all cases, when the TAC has voted affirmatively for recommended issues for action or consideration by the Board, the following process shall be followed:
- 5.05.2.1 The Executive Director, or designee, shall communicate the request of the TAC to the Board through the Board's agenda.
- 5.05.2.2 The Board may choose to take action and if action is taken, the Executive Director, or designee, through the TAC agenda, shall inform the TAC.
- 5.05.3 TAC recommendations to the Board shall be based upon the technical sufficiency, accuracy, and completeness of studies, plans and programs and in accordance with the Board's mission, vision, and policy statements.
- 5.05.4 The TAC 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, boards, or councils and with the concurrence of the Board.
- 5.05.5 Each member of the TAC is expected to demonstrate interest in the TAC's activities through attendance at the regularly scheduled monthly meeting except for reasons of an unavoidable nature. TAC members are expected to maintain a constant, direct line of communication with their respective Board member and provide them with feedback on proposed plans, programs, and projects. Board members shall be provided with regular updates on TAC members' attendance records, and BMPO staff shall reconfirm appointments to the TAC from time to time.

5.06 TAC Subcommittees.

As necessary, subcommittees shall be designated by the TAC Chair to investigate and report on specific subject areas of interest to the TAC. The TAC 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 (3) 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 TAC at its next available meeting.

## **6.0 The Citizens' Advisory Committee (CAC)**

### **6.01 Membership.**

6.01.1 The membership of the CAC shall include forty-five (45) voting members. Twenty-five (25) members shall be individual appointees of the regular members of the Board. Seventeen (17) members shall be appointed by service, civic or other organizations or groups authorized by the Board to appoint a member to the CAC. Three (3) members shall be nominated by the CAC.

6.01.2 CAC members are expected to demonstrate interest in CAC activities through participation in scheduled meetings. A majority of the CAC or Executive Director may recommend the removal of any member who fails to attend, three (3) or more meetings in a one (1)-year period. Such recommendations shall be forwarded to the appointing agency or governmental unit through the Executive Director.

### **6.02 Term of Office.**

CAC 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 CAC at its sole discretion.

### **6.03 Officers and Duties.**

6.03.1 The CAC 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 CAC meeting.

6.03.2 Officers shall be elected by a majority of the members of the CAC 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 Meetings.

- 6.04.1 Regular meetings of the CAC shall normally be held on the fourth Wednesday of each month at a time and place to be designated by the Board, Executive Director, or Executive Director's designee. Regular meeting dates and times may be changed by the Board, Executive Director, or Executive Director's designee and affirmed by action of the CAC to accommodate desirable changes because of holidays or other reasons.
- 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 CAC petitioning the Chair, Executive Director, or Executive Director's designee.
- 6.04.3 The CAC, in addition to its regular and special meetings, may hold public meetings 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 CAC shall be necessary in order to make recommendations to the Board for their adoption.
- 6.04.5 The CAC 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 CAC.
- 6.04.6 The Executive Director shall furnish a recording secretary for regularly scheduled CAC meetings. The Executive Director is responsible for the CAC meeting minutes and all notices and agendas for future meetings.
- 6.04.7 CAC 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 CAC 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 CAC. The CAC 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 CAC to:

6.05.1 Provide a citizen's review of the preliminary findings and make recommendations to the Board.

6.05.2 Assist in other functions as deemed desirable by the Board or TAC.

6.05.3 Based on its findings, the CAC 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.

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

6.05.4.1 The Executive Director, or designee, shall communicate the request of the CAC to the Board through the Board's agenda.

6.05.4.2 The Board may choose to take action and if action is taken, the Executive Director, or designee, through the CAC agenda, shall inform the CAC.

6.05.5 Each member of the CAC is expected to demonstrate interest in the CAC's activities through attendance at the regularly scheduled monthly meeting except for reasons of an unavoidable nature. CAC members are expected to maintain a constant, direct line of communication with their respective appointing Board member or entity and provide them with feedback on proposed plans, programs, and projects. Board members shall be provided with regular updates on CAC members' attendance records, and BMPO staff shall reconfirm appointments to the CAC from time to time.

6.06 CAC Subcommittees.

As necessary, subcommittees shall be designated by the CAC Chair to investigate and report on specific subject areas of interest to the CAC. The subcommittee will determine a chair and vice chair. The CAC 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 (3) members. A majority of the appointed subcommittee members must be present for the subcommittee to take

formal action.

**7.0 Transportation Disadvantaged (TD) Local Coordinating Board (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 (FAC), 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 first regularly scheduled meeting of the year 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.

7.02 Term of Office.

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, or designee, 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 workshop to elicit public input regarding the provision and delivery of TD 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, FAC, as amended, and the performance results of the most recent TDSP. 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, FS, concerning voting conflicts of interest.

7.05 Responsibilities and Functions.

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

7.05.2 The LCB shall recommend to the CTD a single CTC to continue annually and be redesigned every five (5) years as required.

7.05.3 The TIP shall include a TD 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 MTP/LRTP 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, or designee, 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, or designee, through the LCB agenda, shall inform the LCB.

7.06 Subcommittees.

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 (3) 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.

## **8.0 The Complete Streets Advisory Committee (CSAC)**

### **8.01 Membership.**

8.01.1 The CSAC shall consist of representatives with expertise in matters related to multimodal transportation (with emphasis on bicycle, pedestrian and transit), land use, and planning including, but not limited to, the agencies set forth below.

8.01.2 Countywide regional members may include:

- (a) The FDOT, District 4 Office may appoint one member;
- (b) The SFRTA may appoint one member;
- (c) The Broward County Planning Council may appoint one member;  
and
- (d) The Broward County School Board may appoint one member.

8.01.3 The Broward County members may include the following:

- (a) The Broward County Traffic Engineering Division may appoint one member;
- (b) The Broward County Aviation Department may appoint one member;
- (c) The Broward County Port Everglades Department may appoint one member;
- (d) BCT may appoint one member; and
- (e) The Broward County Highway Construction & Engineering Division may appoint one member.

8.01.4 Municipal Membership

Each municipality in the Broward region may appoint one member.

#### 8.01.5 Other Members

- (a) The Broward Regional Health Planning Council may appoint one member;
- (b) The Florida Department of Health may appoint one member;
- (c) The Broward YMCA may appoint one member; and
- (d) Other agencies and non-profit organizations may appoint representatives at the discretion of the Complete Streets Program Manager.

#### 8.02 Appointment, Qualification and Terms of Office of CSAC Members.

8.02.1 Each governmental unit and agency, in selecting its representative to the CSAC, 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.

8.02.2 Each member of the CSAC is expected to demonstrate interest in the CSAC's activities through attendance at the regularly scheduled meeting every other month except for reasons of an unavoidable nature. A majority of the CSAC and/or the Complete Streets Project Manager may recommend the removal of any member who fails to attend, or arrange for an alternate to attend, three (3) or more meetings in a one-year period. Such recommendations shall be forwarded to the appointing agency or governmental unit through the Complete Streets Project Manager.

#### 8.03 Meetings.

8.03.1 Regular meetings of the CSAC shall normally be held on the second Monday of every other month at a time and place to be designated by the CSAC, Executive Director, or Executive Director's designee. Regular meeting dates and times may be changed by the CSAC or Complete Streets Program Manager to accommodate desirable changes because of holidays or other reasons.

8.03.2 The CSAC may choose to hold workshops from time to time. All workshops shall be noticed in the same manner as regular meetings of the CSAC.

- 8.03.3 Special meetings may be called by the CSAC, Executive Director, or Executive Director's designee.
- 8.03.4 The Executive Director, or designee, is responsible for the CSAC meeting minutes and all notices and agendas for future meetings.
- 8.03.5 CSAC meetings shall be open to the public. Members of the public are allowed to speak on any issues with established time limits. Members of the public are allowed to comment on items on the agenda at the appropriate time.

8.04 CSAC Responsibilities and Functions.

- 8.04.1 The CSAC serves in advisory capacity to BMPO staff and guides the BMPO's Complete Streets Initiative. As an advisory committee, it assists BMPO staff in coordinating transportation planning and programming including, but not limited to, the review of Board-related transportation studies, reports, plans and programs. The CSAC engages both traditional and "nontraditional" groups such as AARP, the Florida Department of Health, and other nonprofit agencies. The CSAC shall assist BMPO staff and the Board by providing technical resources and recommendations as requested.
- 8.04.2 In all cases, when the CSAC recommends issues for action or consideration by the Board, the following process shall be followed:
  - 8.04.2.1 The Executive Director, or designee, shall communicate the request of the CSAC to the Board through the Board's agenda.
  - 8.04.2.2 The Board may choose to take action and if action is taken, the Executive Director, or designee, through the CSAC agenda, shall inform the CSAC.
  - 8.04.2.3 The Board may choose to take action and if action is taken, the Complete Streets Project Manager shall inform the CSAC at the next available meeting.
- 8.04.3 CSAC recommendations to BMPO staff shall be based upon the technical sufficiency, accuracy, and completeness of studies, plans and programs and in accordance with the Board's mission, vision, and policy statements.
- 8.04.4 The CSAC 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, boards, or councils and with the concurrence of the Board.

8.05 CSAC Subcommittees.

As necessary, subcommittees shall be designated by the CSAC or the Complete Streets Program Manager to investigate and report on specific subject areas of interest to the CSAC. A subcommittee shall consist of at least three (3) members. A majority of the appointed subcommittee members must be present for the subcommittee to take formal action. The subcommittee is required to report its actions back to the CSAC at its next available meeting.

**9.0 Freight Transportation Advisory Committee (FTAC)**

9.01 Membership and Qualifications.

9.01.1 The membership of the FTAC shall consist of representatives with expertise in matters related to the various aspects of the freight industry including, but not limited to, shipping, warehousing, trucking, airport or seaport operations, freight forwarding, truck parking, rail, industrial real-estate, and wholesale activity.

9.02 Appointment and Terms of Office of FTAC Members.

9.02.1 FTAC members and BMPO staff may recommend new members up to the total number of members. Nominated members are to be approved by voice vote of the existing committee. There is no term of office for FTAC members. They may serve until such time that they resign their membership or are removed for non-participation.

9.02.2 FTAC may choose to remove members for non-attendance of three (3) consecutive meetings or four (4) meetings in any two (2)-year time period. MPO staff shall inform the committee when any member is in the position to be removed. A vote of the committee is required to remove a member.

9.03 Officers and Duties.

9.03.1 The FTAC shall hold an organizational meeting every two (2) years as part of its regular scheduled January meeting for the purpose of electing a Chair and Vice Chair, the term to commence at the next scheduled FTAC meeting.

9.03.2 Officers shall be elected by a majority of the FTAC members who are present and authorized to vote. Officers shall serve a term of two (2) years and may be elected for consecutive terms.

9.03.3 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.

9.04 Meetings.

9.04.1 Regular meetings of the FTAC shall normally be held quarterly in January, April, July, and October at a time and place to be designated by the FTAC Chair. Regular meeting dates and times may be changed by action of the FTAC to accommodate desirable changes because of holidays or other reasons.

9.04.2 The presence of 50% of the FTAC members 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 FTAC shall be necessary in order to adopt any measures.

9.04.3 The FTAC 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 FTAC.

9.04.4 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 members of the FTAC petitioning the Chair or Executive Director.

9.04.5 The Executive Director, or designee, is responsible for the FTAC meeting minutes and all notices and agendas for future meetings.

9.04.6 FTAC meetings shall be open to the public. Members of the public are allowed to speak on any issues relevant to committee business but 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 FTAC meeting. Members of the public are allowed to comment on items on the agenda at the appropriate time.

9.05 Responsibilities and Functions.

9.05.1 The FTAC serves in an advisory capacity to the Board on matters related to coordinating freight transportation planning and programming including, but not limited to, review of Board-related transportation studies, reports, plans and programs. The FTAC shall assist the Board by providing technical resources and recommendations as requested.

9.05.1.1 The FTAC shall provide input and review the freight section of the MTP.

9.05.1.2 The FTAC shall provide input and review the TIP.

9.05.1.3 The FTAC shall provide input and review the UPWP.

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

9.05.2.1 The Executive Director, or designee, shall communicate the request of the FTAC to the Board through the Board's agenda.

9.05.2.2 The Board may choose to take action and if action is taken, the Executive Director, or designee, through the FTAC agenda, shall inform the FTAC.

9.05.3 FTAC recommendations to the Board shall be based upon the technical sufficiency, accuracy, and completeness of studies, plans and programs and in accordance with the Board's mission, vision, and policy statements.

9.05.4 The FTAC 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, boards, or councils and with the concurrence of the Board.

9.05.5 Each member of the FTAC is expected to demonstrate interest in the FTAC's activities through attendance at the regularly scheduled monthly meeting except for reasons of an unavoidable nature.

9.06 FTAC Subcommittees.

9.06.1 As necessary, subcommittees shall be designated by the FTAC Chair to investigate and report on specific subject areas of interest to the FTAC. The FTAC 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 (3) 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 FTAC at its next available meeting.

## **10.0 Executive Director**

- 10.01 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.
- 10.02 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.
- 10.03 The Executive Director, or designee, shall maintain an administrative/personnel manual that includes the administrative policies governing the administrative procedures of the BMPO staff. The Executive Director shall be responsible for disseminating and enforcing the administrative policies within the manual.
- 10.04 The Executive Director, or designee, is responsible for the Board meeting minutes and all notices and agendas for future meetings.
- 10.05 The Executive Director, or designee, shall be authorized to expend funds and acquire services in accordance with the Procurement Rules 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.
- 10.06 The Executive Director, or designee, shall maintain and keep current an administrative code for the purpose of implementing the Rules and administrative procedures and policies of the Board.
- 10.07 The Executive Director, or designee, 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.
- 10.08 The Executive Director shall be evaluated annually by the Evaluation Committee. The results of this evaluation, along with recommendations from the Evaluation Committee, will be presented to the Board at the next scheduled Board meeting for review and approval.

## **11.0 General Counsel**

- 11.01 The General Counsel shall serve as chief legal advisor to the BMPO, the Executive Director and BMPO Staff.

- 11.02 The Board shall appoint and hire the General Counsel. The compensation of the General Counsel shall be fixed by the Board.
- 11.03 The General Counsel shall represent the BMPO in all legal proceedings and perform such other related duties as the Board may deem necessary.
- 11.04 The General Counsel shall be evaluated annually by the Evaluation Committee. The results of this evaluation, along with recommendations from the Executive Committee, will be presented to the Board at the next scheduled Board meeting for review and approval.

**12.0 Amendments to Rules of BMPO**

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