

**HILLSBOROUGH COUNTY
METROPOLITAN PLANNING ORGANIZATION**

VOTING MEMBERSHIP

**Commissioner Les Miller (*Chair*)
Hillsborough County**

**Councilman Harry Cohen (*Vice-Chair*)
City of Tampa**

**Paul Anderson, CEO
Port Authority**

**Mayor Rick A. Lott
City of Plant City**

**Commissioner Kevin Beckner
Hillsborough County**

**Councilman Guido Maniscalco
City of Tampa**

**Wallace Bowers
HART**

**Councilwoman Lisa Montelione
City of Tampa**

**Mayor Frank Chillura
City of Temple Terrace**

**Commissioner Sandra Murman
Hillsborough County**

**Commissioner Victor Crist
(Alternate)
Hillsborough County**

**Cindy Stuart
Hillsborough County School Board**

**Trent Green
Planning Commission**

**Commissioner Stacy White
Hillsborough County**

**Commissioner Ken Hagan
Hillsborough County**

**Joseph Waggoner, Executive Director
Expressway Authority**

**Joe Lopano, CEO
Aviation Authority**

**Beth Alden, AICP
Executive Director**

**BY-LAWS OF
THE HILLSBOROUGH COUNTY
METROPOLITAN PLANNING ORGANIZATION
AND ITS COMMITTEES
Updated: March 8, 2017**

1.0 PURPOSE: These *By-laws* are adopted by the Hillsborough County Metropolitan Planning Organization hereinafter called the “MPO” to govern the performance of the MPO’s duties as well as those of MPO committees and to inform the public of the nature of the MPO’s internal organization, operations and other related matters.

2.0 DEFINITIONS:

2.1 EMERGENCY: Any occurrence or threat thereof, whether accidental or natural, caused by man, in war or in peace, which necessitates immediate action because it results or may result in substantial injury or harm to the population or the MPO or substantial damage to or loss of property or public funds.

2.2 GOOD CAUSE: A substantial reason which is put forward in good faith.

2.3 INTERESTED PERSON: Any person who has or may have or who represents any group or entity which has or may have some concern, participation or relation to any matter which will or may be considered by the MPO.

2.4 MEMBER(S): The MPO consists of sixteen (16) official members, with FDOT designated as a non-voting advisor. Each member government or authority may also appoint an alternate member, who may vote at any MPO meeting in place of a regular member. MPO committee membership is as provided in these By-laws.

2.5 PUBLIC HEARING: A meeting of the MPO convened for the purpose of receiving public testimony regarding a specific subject and for the purpose of taking action on amendment to or adoption of a plan or program. A public hearing may be convened with less than a quorum present; however, no official action other than adjournment or continuation of the public hearing to another time may be taken unless a quorum is present.

2.6 REGULAR MEETING: The regular scheduled meeting of the MPO at which all official business may be transacted.

2.7 SPECIAL MEETING: A meeting of the MPO held at a time other than the regularly scheduled meeting time. All official business may be transacted at a special meeting.

2.8 WORKSHOP: A conference where members are present and are meeting to discuss a specific subject. A workshop may be convened with less than a

quorum present; however, no official action other than adjournment or continuation of the workshop to another time may be taken.

3.0 MPO OFFICERS: There shall be a Chair and a Vice-Chair. All officers shall be voting members of the MPO.

3.1 TENURE: All officers shall hold office for one (1) year or until a successor is elected. However, any officer may be removed by a majority of the total members.

3.2 SELECTION: At the regular meeting in December, the members shall nominate one or more candidates to fill each office. Immediately following the close of nominations, the MPO shall vote to fill each office, with the vote for each office being taken in the order in which candidates for that office were nominated, until one is elected. New officers shall take office immediately upon the conclusion of the election of officers.

3.3 VACANCY IN OFFICE: A vacant office shall be filled by the MPO at its first regular meeting following the vacancy. The officer so elected shall serve the remainder of their predecessor's term in office.

3.4 DUTIES: The officers shall have the following duties:

3.4.1 CHAIR: The Chair shall:

- (a) Preside at all regular and special meetings, workshops and public hearings.
- (b) Represent the MPO on the West Central Florida MPO Chairs Coordinating Committee (CCC) and the Florida MPO Advisory Council (MPOAC).
- (c) Establish such ad hoc committees as the Chair may deem necessary and appoint their members and chairs.
- (d) Call special meetings and workshops and public hearings.
- (e) Sign all contracts, resolutions, and other official documents of the MPO, unless otherwise specified by the *By-laws* or *Policies*.
- (f) Express the position of the MPO as determined by vote or consensus of the MPO.
- (g) See that all actions of the MPO are taken in accordance with the *By-laws*, *Policies* and applicable laws.
- (h) Perform such duties as are usually exercised by the Chair of a commission or board, and perform such other duties as may from time to time be assigned by the MPO.

3.4.2 Vice-Chair: the Vice-Chair shall, during the absence of the Chair or the Chair's inability to act, have and exercise all of the duties and powers of the Chair, and shall perform such other duties as may from time to time be assigned to the Chair by the MPO.

4.0 COMMITTEES:

4.1 AD HOC COMMITTEES:

4.1.1 Chair and Expiration: An ad hoc committee shall consist of a committee chair, who shall be a member of the MPO. All ad hoc committees shall have an expiration time identified by the Chair at the time of creation or shall dissolve at the expiration of the Chair's term.

4.1.2 Purpose: The purpose of establishing ad hoc committees is to facilitate the accomplishment of a specific task identified by the Chair.

4.2 STANDING COMMITTEES:

4.2.1 Appointment of Committee Members: Members and alternate members of all committees shall be appointed by action of the MPO. Members representing an organization on a committee, as specified in the committee membership list, shall be nominated in writing by their organization. Members representing the citizens of Hillsborough County, and not representing any particular entity as specified in the committee membership list, shall be recommended for membership by action of the committee on which they would like to serve. Using the same procedure, alternate members may be designated to act on behalf of regular members with all the privileges accorded thereto. The MPO shall not appoint committee applicants who are affiliated with private MPO consultants or contractors. If such an affiliation occurs, an existing committee member shall be deemed to have resigned.

4.2.2 Termination of Committee Membership: Any member of any committee may resign at any time by notice in writing to the Chair. Unless otherwise specified in such notice, such resignation shall take effect upon receipt thereof by the Chair. Each member of each committee is expected to demonstrate his/her interest in the committee's activities through attendance of the scheduled meetings, except for reasons of an unavoidable nature. In each instance of an unavoidable absence, the absent member should ensure that his/her alternate will attend. The MPO may review, and consider rescinding, the appointment of any member of any committee who fails to attend three (3) consecutive meetings. In each case, the MPO will warn the member in writing, and if applicable the member's nominating organization, thirty days in advance of an action to rescind membership. At a minimum, committee member attendance will be reviewed annually. In the case of members representing an organization on a committee as specified in the committee membership list, the individual's membership may also be rescinded by the nominating organization, by letter to the Chair.

4.2.3 Officers of Standing Committees: The committee shall hold an organizational meeting each year for the purpose of electing a committee chair (unless designated by the MPO), a committee vice-

chair, and, at the discretion of the committee chair, an officer-at-large. Officers shall be elected by a majority vote of a quorum of the members. Except as otherwise provided in these By-laws, officers shall serve a term of one year starting with the next meeting. The powers and duties of the committee chair shall be to preside at all meetings; to express the position of the committee as determined by vote or consensus of the committee; and to ensure that all actions of the committee are taken in accordance with the bylaws and applicable law. The committee vice chair shall have these same powers and responsibilities in the absence of the committee chair. The officer-at-large shall, during the absence of both the committee chair and the committee vice-chair or their inability to act, have these same duties and responsibilities, and in addition shall perform other duties as may from time to time be assigned by the committee chair.

4.2.4 Conduct of Committee Meetings: Sections 5 through 9, excluding Section 8.1, of these MPO By-laws shall be used for the conduct of all MPO committee meetings.

4.2.5 Standing Committee Sub-Committees: An MPO standing committee or the MPO may establish such sub-committees to a standing committee as deemed necessary to investigate and report on specific subject areas within the scope of the standing committee. Such sub-committees shall be of limited duration and shall dissolve at such time as designated at the time of establishment or upon completion of the task(s) specified at the time of establishment. These MPO By-laws shall be used for the conduct of such sub-committees meetings in the same manner as the MPO committees.

4.2.6 MPO Technical Advisory Committee (TAC): Established pursuant to Section 339.175, Florida Statutes, the TAC shall be responsible for considering safe access to schools in the review of transportation project priorities, long-range transportation plans and transportation improvement programs and shall advise the MPO on such matters. In addition, the TAC shall be responsible for assisting in the development of transportation planning work programs; coordinating transportation planning and programming; review of all transportation studies, reports, plans and/or programs, and making recommendations to the MPO that are pertinent to the subject documents based upon the technical sufficiency, accuracy, and completeness of and the needs as determined by the studies, plans and/or programs. The TAC shall coordinate its actions with the School Board of Hillsborough County and other local programs and organizations within Hillsborough County that participate in school safety activities and shall also coordinate its actions with the appropriate representatives of the Florida Department of Transportation.

TAC Membership: The TAC shall be composed of technically qualified representatives for the purpose of planning, programming and engineering of the transportation system within the Hillsborough County Metropolitan Planning Organization area boundary.

The membership shall be composed of: two (2) members from Hillsborough County, two (2) members from City of Tampa, two (2) members from the Hillsborough County City-County Planning Commission, one (1) member from the Tampa Hillsborough Expressway Authority, one (1) member from the Hillsborough Area Regional Transit Authority, one (1) member from Environmental Protection Commission, one (1) member from the Tampa Port Authority, one (1) member from City of Temple Terrace, one (1) member from the Tampa Bay Regional Planning Council, one (1) member from the Florida Department of Environmental Protection, one (1) member from City of Plant City, one (1) member from the Hillsborough County Aviation Authority, one (1) member from the Hillsborough County School Board, one (1) member from the Tampa Bay Area Regional Transportation Authority, one (1) member from the Tampa Historic Streetcar, Inc., one (1) member from the Department of Health-Hillsborough and one (1) member from the Florida Trucking Association.

Terms of Membership: Members shall serve terms of indefinite length at the pleasure of their respective nominating organizations and the MPO.

4.2.7 MPO Citizens Advisory Committee (CAC): The CAC shall be responsible for providing information and overall community values and needs into the transportation planning program of the MPO; evaluating and proposing solutions from a citizens perspective concerning alternative transportation proposals and critical issues; providing knowledge gained through the CAC into local citizen group discussions and meetings; and establishing comprehension and promoting credibility for the MPO Program.

CAC Membership: The CAC shall be composed of appointed citizens (transportation agency staff are not eligible) who together shall represent a broad spectrum of social and economic backgrounds and who have an interest in the development of an efficient, safe and cost-effective transportation system. Minorities, the elderly and persons with disabilities must be adequately represented on the CAC.

All members must be residents of Hillsborough County. Membership will be as follows: one (1) member nominated by each member of the Board of County Commissioners serving on the MPO, one (1) member nominated by each member from the City of Tampa serving on the MPO, one (1) member from the City of Temple Terrace nominated by the Mayor of the City of Temple Terrace, one (1) member from the City of Plant City nominated by the Mayor of the

City of Plant City, one (1) member nominated by each respective Chairperson of the Hillsborough County Aviation, Tampa-Hillsborough Expressway, Tampa Port and Hillsborough Area Regional Transit Authorities, one (1) member representing the transportation disadvantaged nominated by the Chairman of the Transportation Disadvantaged Coordinating Board, one (1) member nominated by the Chairperson of the Hillsborough County City-County Planning Commission and one (1) member nominated by the School Board member serving on the MPO. In addition, there shall be six (6) at-large members nominated by local organizations representing the following constituencies or through application directly to the CAC as provided in Section 4.2.1. These shall comprise one (1) person of Hispanic ethnicity, one (1) person of African-American descent, one (1) person under the age of 30, one (1) woman, one (1) person to represent neighborhoods, and one (1) person to represent the business community.

Terms of appointment shall be for a two-year period with an opportunity for reappointment thereafter, unless the official who appointed the member leaves office or the MPO board during the term of the member's appointment. In that case, the member shall be deemed to have resigned from the CAC and the new official shall have the right to appoint a new member or reappoint the same member. A member of the committee whose term has expired shall continue to serve until they are reappointed or replaced. The terms of appointment notwithstanding, CAC members shall serve at the pleasure of the MPO.

4.2.8 MPO Policy Committee: The MPO Policy Committee shall be responsible for the review and in-depth discussion of items and issues proposed to come before the MPO and for development of recommendations to the MPO, as appropriate, regarding such items and issues in order to facilitate the accomplishment of the MPO's responsibilities to manage a continuing, cooperative and comprehensive transportation planning process and the development of transportation plans and programs.

Membership: The Policy Committee shall be composed of at least five (5) members of the MPO who shall serve on a voluntary basis. Volunteers for membership will be solicited at the MPO meeting at which the Chair is elected and at any MPO meeting thereafter if the total membership of the Policy Committee falls below five (5). Those MPO members requesting to be made Policy Committee members in response to such solicitation or upon the initiative of an individual MPO member shall be so appointed by action of the MPO and shall serve terms that last until the next MPO meeting at which the Chair is elected.

4.2.9 Transportation Disadvantaged Coordinating Board (TDCB): The primary purpose of the TDCB is to assist the MPO in identifying local

service needs and providing information, advice, and direction to the Community Transportation Coordinator (CTC) on the coordination of services to be provided to the transportation disadvantaged pursuant to Section 427.0157, Florida Statutes.

The following agencies or groups shall be represented on the TDCB as voting members:

- an elected official serving on the Hillsborough County MPO who has been appointed by the MPO to serve as TDCB Chairperson;
- a local representative of the Florida Department of Transportation;
- a local representative of the Florida Department of Children & Families;
- a local representative of the Public Education Community, which could include, but is not limited to, a representative of Hillsborough County Public Schools, School Board Transportation Office or Headstart Program;
- a local representative of the Florida Division of Vocational Rehabilitation or the Division of Blind Services, representing the Department of Education;
- a person recommended by the local Veterans Service Office representing the veterans in the county;
- a person who is recognized by the Florida Association for Community Action (President) as representing the economically disadvantaged in the county;
- a person over sixty years of age representing the elderly citizens in the county;
- a person with a disability representing the disabled citizens in the county;
- two citizen advocates in the county, one of whom must be a user of the transportation services of the coordinated transportation disadvantaged system as their primary means of transportation;
- a local representative for children at risk;
- the chairperson or designee of the local mass transit system's board except when they are also the CTC;
- a local representative of the Florida Department of Elder Affairs;
- a local representative of the local for-profit transportation industry;
- a local representative of the Florida Agency for Health Care Administration;
- a local representative of the Regional Workforce Development Board, and;
- a representative of the local medical community, which may include, but is not limited to, kidney dialysis centers, long term care facilities, assisted living facilities, hospitals, local health department or other home and community based services.

TDCB Terms of Appointment. Except for the TDCB Chairperson, the members of the TDCB shall be appointed for three (3) year terms which shall be staggered equally among the membership. The TDCB Chairperson shall serve until elected term of office has expired or is otherwise replaced by the MPO.

TDCB Duties. The TDCB shall perform the following duties which include those specified in Chapter 41-2, Florida Administrative Code and Section 427.0157, Florida Statutes.

- a. Maintain official meeting minutes, including an attendance roster, reflecting official actions and provide a copy of same to the Commission for the Transportation Disadvantaged and the MPO Chairperson;
- b. Review and approve the CTC's memorandum of agreement and the transportation disadvantaged service plan;
- c. On a continuing basis, evaluate services provided under the transportation disadvantaged service plan. Not less than annually provide the MPO with an evaluation of the CTC's performance relative to the standards adopted by the Commission for the Transportation Disadvantaged and the MPO. Recommendations relative to performance and the renewal of the CTC's memorandum of agreement with the Commission for the Transportation Disadvantaged shall be included in the report;
- d. In cooperation with the CTC, review and provide recommendations to the Commission for the Transportation Disadvantaged and the MPO on all applications for local, state, or federal funds relating to transportation of the transportation disadvantaged in the county to ensure that any expenditures within the county are provided in the most cost effective and efficient manner;
- e. Review coordination strategies for service provision to the transportation disadvantaged in the county to seek innovative ways to improve cost effectiveness, efficiency, safety, working hours, and types of service in an effort to increase ridership to a broader population. Such strategies should also encourage multi-county and regional transportation service agreements between area CTCs and consolidation of adjacent counties when it is appropriate and cost effective to do so;
- f. Appoint a Grievance Subcommittee to process, investigate, resolve complaints, and make recommendations to the TDCB for improvement of service from agencies, users, or potential users, of the systems in the county. This Subcommittee shall meet as often as necessary to resolve complaints in a timely manner;
- g. In coordination with the CTC, jointly develop applications for funds that may become available;

- h. Prepare quarterly reports outlining the accomplishments and activities or other areas of interest to the Commission for the Transportation Disadvantaged and the MPO;
- i. Consolidate the annual budget of local and federal government transportation disadvantaged funds estimates and forward them to the Commission for the Transportation Disadvantaged. A copy of the consolidated report shall also be used by the TDCB for planning purposes;
- j. Develop and maintain a vehicle inventory and utilization plan of those vehicles purchased with transportation disadvantaged funds for inclusion in the transportation disadvantaged service plan for the Commission for the Transportation Disadvantaged;
- k. Assist the MPO in preparing a Transportation Disadvantaged Element in their Transportation Improvement Program (TIP);
- l. Assist the CTC in establishing eligibility guidelines and priorities with regard to the recipients of nonsponsored transportation disadvantaged services that are purchased with Transportation Disadvantaged Trust Fund moneys;
- m. Work cooperatively with regional workforce boards established in Chapter 445, Florida Statutes, to provide assistance in the development of innovative transportation services for participants in the welfare transition program.

4.2.10 MPO Intelligent Transportation Systems (ITS) Committee: The ITS Committee is responsible for assisting in the development of Intelligent Transportation System (ITS) planning work programs, as well as reviewing ITS related studies, reports, plans, projects (including consistency with regional architecture and other standards and/or programs) and making recommendations to the MPO and/or other agencies. ITS Committee recommendations to the MPO shall be based upon the technical sufficiency, accuracy, and completeness of studies, plans and/or programs. The ITS Committee shall coordinate its actions with the appropriate representatives of the Florida Department of Transportation.

ITS Committee Membership: The ITS Committee shall be composed of members technically qualified in the planning, programming, engineering and/or implementation of intelligent transportation systems or projects within the Hillsborough County Metropolitan Planning Organization area boundary or in the case of the member nominated by the Environmental Protection Committee, technically qualified in the area of air quality impacts of transportation. The membership shall be composed of: one (1) member each from Hillsborough County, the City of Tampa, the Environmental Protection Commission, Tampa-Hillsborough Expressway Authority, Hillsborough Area Regional Transit Authority, the City of Plant City and the City of Temple Terrace. Members and Alternate Members shall serve terms of indefinite

length at the pleasure of their respective governmental bodies or agencies and the MPO.

4.2.11 MPO Bicycle/Pedestrian Advisory Committee (BPAC): The BPAC shall be responsible for making recommendations to the MPO, Hillsborough County, City of Tampa, City of Plant City, City of Temple Terrace, the Hillsborough County Environmental Protection Commission, the Florida Department of Transportation, the Southwest Florida Water Management District, and others, on matters concerning the planning, implementation and maintenance of a comprehensive bikeway and pedestrian system. In addition, the BPAC shall be responsible for studying and making recommendations concerning the safety, security, and regulations pertaining to bicyclists and pedestrians. The BPAC shall coordinate its actions with the appropriate representatives of the Florida Department of Transportation.

BPAC Membership: The BPAC shall be composed of up to twenty-five members. One member shall represent each of the following entities, except as noted: City of Tampa (three seats), City of Temple Terrace, City of Plant City, Hillsborough County (three seats), University of South Florida USF, the Environmental Protection Commission of Hillsborough County, the Hillsborough County City-County Planning Commission, HART, and the Florida Health Department. The remaining members shall be citizen representatives.

All members of this Committee shall serve for a two-year term, ending on June 30th of its respective year. Without restriction, each member can be appointed to serve an unlimited number of two-year terms.

4.2.12 MPO Livable Roadways Committee (LRC): The LRC shall be responsible for integrating Livable Roadways principles into the design and use of public rights-of-way and the major road network throughout Hillsborough County. The LRC seeks to accomplish this responsibility by: making recommendations to create a transportation system that balances design and aesthetics with issues of roadway safety and function; ensuring that public policy and decisions result in a transportation system that supports all modes of transportation, with a special emphasis on pedestrian and bicycle infrastructure and transit infrastructure and service; providing information and assistance to the MPO, local governments and transportation agencies relating to the mission of the Committee; and enhancing coordination among MPO member agencies and public participation in the transportation planning process. The LRC shall coordinate its actions with the appropriate representatives of the Florida Department of Transportation.

LRC Membership: The LRC shall be composed of representatives of local government departments, transportation agencies and other organizations. They may be elected officials, appointed officials, organization members, designated representatives or staff, but may not be staff to the MPO. Members will represent the following: City of Plant City; City of Tampa Parks and Recreation Department, Public Works, Transportation Division, or Urban Development Department (up to two members); City of Temple Terrace; Hillsborough County Planning and Infrastructure (up to two members); Hillsborough Area Regional Transit; Hillsborough County MPO Board Member (appointed by the MPO to serve as chair of the committee); Hillsborough County City-County Planning Commission; Tampa Hillsborough Expressway Authority and five members from professional organizations whose mission is consistent with the principles of Livable Roadways (such as American Planning Association; American Society of Landscape Architects; Urban Land Institute; Institute of Transportation Engineers; Congress for New Urbanism and American Institute of Architects); University of South Florida; New North Transportation Alliance; Tampa Downtown Partnership; Westshore Alliance; Person with disabilities; Neighborhood representative; Transit user representative; Citizen advocate for livable communities and/or multimodal transportation.

5 MEETINGS:

5.1 SCHEDULE OF MPO MEETINGS:

- 5.1.1 Regular Meetings:** Regular meetings shall take place on the first Tuesday of each month, unless otherwise decided by the MPO and shall be held in the Chamber of the Hillsborough County Board of County Commissioners or at another suitable location designated by the Chair.
- 5.1.2 Special Meetings and Workshops:** Special meetings and workshops shall be held at the call of the Chair or majority of officers. Special meetings and workshops shall convene at a time designated by the Chair and shall be held in the Chambers of the Hillsborough County Board of County Commissioners or at another suitable location designated by the Chair.
- 5.1.3 Public Hearings:** Public hearings of the MPO shall be held at a time designated by the Chair. A public hearing can be continued until a date and time certain, with due allowance of time for public notice of the continuation of the public hearing. Public hearings shall be held in the Chambers of the Hillsborough County Board of County Commissioners or at another suitable location designated by the Chair.

5.2 SCHEDULE OF STANDING COMMITTEE MEETINGS: Each standing committee shall meet monthly, with the exception of the Intelligent Transportation Systems Committee and the Transportation Disadvantaged

Coordinating Board which shall meet every two months, at a regular date and time designated by the Chair.

- 5.3 SCHEDULE OF AD HOC COMMITTEE MEETINGS:** Each ad hoc committee shall meet at the call of the committee chair. Ad hoc committee meetings shall not be scheduled during the times reserved for MPO meetings. Ad hoc committee meetings shall be held at a suitable location designated by the committee chair.
- 5.4 NOTICE OF MPO AND COMMITTEE MEETINGS:** The Executive Director of the MPO shall be responsible for providing written public notice of all MPO meetings, public hearings and committee meetings. Except in case of emergencies, written notice of any meeting shall be given at least five (5) days prior to the meeting. In case of emergency, notice of such meeting shall be given to each member as far in advance of the meeting as possible and by the most direct means of communications. In addition, notice of such emergency meeting shall be given to the media, utilizing the most practicable method. Written notice of any meeting shall state the date, time and place of the meeting, a brief description of the agenda for the meeting, and shall be provided in accordance with the requirements of Florida law and the MPO's Public Participation Plan.
- 5.5 AGENDA OF MPO AND COMMITTEE MEETINGS:** The agenda for all MPO regular and special meetings, workshops and public hearings shall be established by the Chair with the assistance of the Executive Director. Members or the Executive Director may request that an item be placed on the agenda by communicating such request to the Executive Director at least ten (10) days prior to the meeting date. The Chair shall consider with the Executive Director on a month to month basis whether there shall be a consent agenda.

The agenda for each committee meeting shall be established by the committee chair and shall be prepared by the Executive Director or designated MPO support staff. Members of a committee or the Executive Director may request that an item be placed on a committee agenda by communicating such request to the MPO support staff assigned to the committee, or the Executive Director at least ten (10) days prior to the committee meeting date.

The agenda shall list the items in the order they are to be considered. For good cause stated in the record, items on the agenda may be considered out of order with the approval of the MPO Chair or the committee chair.

The agenda for any MPO or committee meeting shall be delivered to each member at least five (5) days prior to the meeting date and shall be mailed or delivered to interested persons at that time, except in case of an emergency meeting, where the agenda will be provided to members, and interested parties as far in advance of such meetings as practicable.

5.6 RULES OF ORDER: Except where they are inconsistent with the *By-laws*, *Roberts Rule of Order* shall be used for the conduct of all MPO and committee meetings.

5.7 QUORUM: A simple majority of the total non-vacant membership of the MPO or MPO committee shall constitute a quorum for the transaction of business at all regular and special meetings and public hearings, except seven (7) members shall constitute a quorum for the CAC. Public hearings may be conducted with less than a quorum, but no action, other than as noted at the end of this section, shall be taken unless a quorum is present. When a quorum is present, a majority of those present may take action on matters properly presented at the meeting. Workshops may be conducted with less than a quorum, but no official action may be taken. A majority of the members present, whether or not a quorum exists, may adjourn any meeting or continue any public hearing to another time.

5.8 CONDUCT OF MEETINGS:

5.8.1 Chair Participation: The presiding MPO Chair, or committee chair, shall not be deprived of any rights and privileges by reason of being presiding Chair, but may move or second a motion only after the gavel has been passed to the Vice-Chair or another member.

5.8.2 Form of Address: Each member shall address only the presiding Chair for recognition; shall confine his/her remarks to the question under debate; and shall avoid personalities or indecorous language or behavior.

5.8.3 Public Participation: Any member of the public may address the MPO or MPO committee at a regular or special meeting, public hearing, or public participation type workshop, after signing in with the MPO Staff for a specific item. When recognized by the Chair, a member of the public shall state their name, address, the person on whose behalf they are appearing and the subject of their testimony. Each member of the public shall limit his or her presentation to three (3) minutes unless otherwise authorized by the Chair.

5.8.4 Limitation of Testimony: The Chair may rule testimony out of order if it is redundant, irrelevant, indecorous or untimely.

5.8.5 Motions: The Chair shall restate motions before a vote is taken and shall state the maker of the motion and the name of the supporter.

5.8.6 Voting: Voting shall be done by voice, as a group, but a member shall have his/her vote recorded in the minutes of the meeting if so desired. A roll call vote shall be taken if any member so requests. Any member may give a brief explanation of his/her vote. A tie vote shall result in failure of a motion.

5.8.7 Reconsideration: A motion to reconsider an item on which vote has been taken may be made only by a member who voted with the prevailing side. The motion to reconsider must be made on the day the vote to be reconsidered was taken, or at the next succeeding meeting of the same type of meeting at which the vote to be reconsidered was taken (i.e., at the next succeeding regular meeting if the vote to be reconsidered was taken at a regular meeting). To be in order, the motion to reconsider must be made under the consideration of old business. Adoption of a motion to reconsider requires the approval of at least a simple majority of the votes cast. If a motion to reconsider is adopted, the members shall consider the need for additional notice to interested persons before a vote subject to the motion for reconsideration was taken at a special meeting or a public hearing for which no subsequently scheduled meeting will provide an opportunity for reconsideration of the item, then the motion to reconsider may be made at the next regular meeting in the manner provided.

5.9 ORDER OF BUSINESS AT MEETINGS: The order of business shall be determined by the Chair; however, the following is provided as a guide:

5.9.1 Regular MPO Meetings:

- (a) Call to Order and Pledge of Allegiance
- (b) Approval of minutes of prior meetings, workshops and public hearings.
- (c) Public input on Agenda Items, MPO Committee Reports
- (d) Presentation of the Chair's Report
- (e) Presentation of the Executive Director's Report
- (f) Consideration of Action Items
- (g) Consideration of Status Reports
- (h) Public input regarding general concerns
- (i) Consideration of items under old business
- (j) Consideration of items under new business
- (k) Adjournment

5.9.2 Special Meetings or Workshops

- (a) Call to Order
- (b) Consideration of individual agenda items
- (c) Adjournment

5.9.3 Public Hearings

- (a) Call to Order
- (b) Consideration of individual agenda items
 - 1. Presentation by staff
 - 2. Public comment
 - 3. Board deliberation
- (c) Adjournment

5.9.4 Order of Consideration of Action Items: The order of consideration of any individual agenda item shall be as follows unless otherwise authorized by the Chair:

- (a) Chair introduces the agenda item.
- (b) Staff presents the agenda item.
- (c) Other invited speaker(s) make presentations.
- (d) MPO or committee members ask questions.
- (e) Motion is made, seconded and debated.
- (f) Vote is taken.

The Chair may expand all time limitations established by this section.

5.9 OPEN MEETINGS: All MPO regular and special meetings, workshops and public hearings, MPO committee meetings, and all meetings of the committees are open to the public as provided by Florida's Government-in-the-Sunshine Law, Section 286.011, Florida Statutes.

6.0 ATTENDANCE: Members are expected to attend all regular and special meetings, public hearings and workshops of the MPO and its committees.

6.1 EXCUSAL FROM MEETINGS: Each member who knows that his/her attendance at a regular or special meeting, public hearing or workshop will not be possible, shall notify the Executive Director, or committee support staff, of the anticipated absence and the reason thereof. The Executive Director, or committee support staff, shall communicate this information to the Chair who may excuse the absent member for good cause.

7.0 CODE OF ETHICS:

7.1 COMPLIANCE WITH LAWS: Members shall comply with the applicable provisions of the Code of Ethics for Public Officers and Employees, Part III, Chapter 112, Florida Statutes.

7.2 REQUESTS FOR INFORMATION: Members may request information readily available to the general public directly from the appropriate staff person. Requests for information not readily available to the general public, or information which would involve the expenditure of staff time in preparation or compilation, shall be made to the Executive Director, who may consult with the Chair for guidance.

7.3 LOBBYING ACTIVITIES: Members shall use their discretion in conducting private discussions with interested persons regarding MPO business, as long as all interested persons are treated equally. Any written material received by a member in connection with a private discussion with an interested person shall be given to the Executive Director for distribution to other members and as appropriate, to staff.

7.4 GOVERNMENT IN THE SUNSHINE: Members shall refrain from participating in any private communications regarding MPO business

involving two or more members. For purposes of this section, a private discussion is one that is not conducted in accordance with the requirements of Florida's Government-in-the-Sunshine Law, Section 286.011, Florida Statutes.

Any written material received by a member in connection with MPO Business shall be given to the Executive Director or the member's committee support staff for distribution to other members and as appropriate, to staff.

7.5 STATEMENTS BY MEMBERS: Members will from time to time be asked to give their opinions regarding matters which have been or will be considered by the MPO or one of its committees. No member shall be prohibited from stating his/her individual opinion on any matter; however, in doing so, each member shall take care to make clear that the opinion expressed is his/her own, and does not constitute the official position of the MPO or one of its committees.

8.0 ADMINISTRATION: The administration of MPO activities shall be accomplished through official actions of the MPO in accordance with the following guidelines:

8.1 POLICIES: The MPO shall adopt, by a vote of a majority of the total membership, *Policies* to guide the administration of the MPO. The *Policies* shall be published in conjunction with the *By-laws*. The *Policies* may be amended from time to time by a vote of a majority of the total voting membership of the MPO.

8.2 STATUTES: The MPO shall abide by legislation authorizing and specifying its duties and functions and all other requirements of Florida law.

8.3 STAFF: The staff of the MPO shall consist of the Executive Director and such additional employees as provided by the Hillsborough County City-County Planning Commission. The staff shall be directed by the Executive Director of the MPO.

9.0 RULES OF CONSTRUCTION: The following rules apply to the text of this document.

9.1 The particular controls the general.

9.2 The word "shall" is mandatory and not discretionary. The word "may" is permissive.

9.3 Words used in the present tense include the future; words used in the singular number shall include the plural and the plural the singular unless the context indicates the contrary.

9.4 Words not defined shall have the meaning commonly ascribed to them.

10.0 AMENDMENT: The *By-laws* may be amended by two-thirds majority vote of the total voting membership of the MPO. Any amendment shall be proposed at a regular meeting and voted upon the next regular meeting.