

Heartland Regional Transportation Planning Organization (HRTPO) Bylaws

Section 1. Name

The name of this organization shall be the Heartland Regional Transportation Planning Organization (HRTPO) covering the counties of DeSoto, Glades, Hardee, Highlands, Hendry, and Okeechobee, including the Sebring-Avon Park Urbanized Area.

Section 2. Purpose

The HRTPO in cooperation with the State of Florida shall be responsible for carrying out the Transportation Planning and Programming Process in the counties of DeSoto, Glades, Hardee, Highlands, Hendry, and Okeechobee, including the Sebring-Avon Park Urbanized Area.

- A. The HRTPO shall be the forum for cooperative decision making by principal elected officials of general purpose local government.
- B. The functions of the HRTPO shall include, but not be limited to, the following:
 1. To assure eligibility of the Sebring-Avon Park Urbanized Area for receipt of Federal capital and operating assistance for public transportation.
 2. To implement Title 23, United States Code, Section 134, and Title 49, United States Code, Sections 1602, 1603, and 1604, and Title 23, Code of Federal Regulations, Part 450, and Chapter 339.175, Florida Statutes.
 3. To develop and adopt a transportation plan as a product of, and subject to modification by, the continuous, comprehensive and cooperative transportation planning process.
 4. To adopt and amend plans and work programs.
 5. To adopt and implement a Public Participation Plan (PPP).
 6. To undertake other efforts as approved in the Unified Planning Work Program (UPWP).

Section 3. Membership

- A. **Apportionment of Membership** Pursuant to Section 339.175, *Florida Statutes*, the Governor of the State of Florida is authorized to designate and apportion the voting membership among the governmental entities that shall constitute the Metropolitan (or Transportation) Planning Organization based on an equitable population ratio and geographic factors. As designated by the Governor of the State of Florida, and as reflected in the April 28, 2015 Interlocal Agreement, the HRTPO Board shall consist of voting representatives from Highlands County, the City of Sebring, City of Avon Park, DeSoto County, Glades County, Hardee County, Hendry County and Okeechobee County, and one non-voting representative from the Florida Department of Transportation (FDOT). The apportioned number of votes is as follows:

County	County Population 2010	% of Total	Number of Members	Weight Per Vote
DeSoto	34,862	13.76%	1.0	13.76%
Glades	12,884	5.08%	1.0	5.08%
Hardee	27,731	10.94%	1.0	10.94%
Hendry	39,140	15.45%	1.0	15.45%
Okeechobee	39,996	15.78%	1.0	15.78%
Highlands (Unincorporated) + Lake Placid	79,459	31.36%	5.0	6.27%
Avon Park	8,836	3.49%	1.0	3.49%
Sebring	10,491	4.14%	1.0	4.14%
FDOT	N/A	N/A	1.0	Non-voting
Sub Total:	253,399	100.00%	12.00	-

Source: US Census Population 2010

- B. **Regular Members** The governmental body of each governing entity so designated shall appoint the appropriate number of members to the HRTPO Board from eligible elected officials. The Governor shall appoint individual members only when the local entity involved fails to appoint a member as required by law. Membership shall be terminated upon the member leaving his/her elective office for any reason or as replaced by the county or city governing body represented by the member government. Vacancies or new appointments shall be filled by the original appointing body. For the purposes of determining a quorum, a seat shall be considered vacant if the member, or the alternate, has missed three (3) consecutive noticed meetings.
- C. **Non-voting Member** A representative of the Florida Department of Transportation (FDOT) shall serve as a non-voting advisor of the HRTPO. Such representative shall include, but shall not be limited to, the District Secretary for District One or in his/her absence, the alternate for the FDOT.

Section 4. Alternate Membership

- A. A HRTPO member government entity may appoint, by action taken at an official meeting of the governmental entity, an alternate for one or more of its appointed HRTPO members.
- B. An alternate voting member must be an elected official and serve the same governmental entity or area that the regular member serves.
- C. An alternate voting member's term shall be for no longer than the term of the voting member he or she represents.
- D. The alternate member, when attending a HRTPO meeting in place of a regular member, shall have full voting rights and be counted towards a quorum.
- E. The member government entity shall notify the HRTPO Chair in writing that the appointed individual may act as an alternate member if the regular voting member cannot attend a meeting. A copy of the government entity's meeting minutes when the alternate member was appointed shall accompany this written notification.

- F. The HRTPO Board shall acknowledge the appointment of each alternate member by reading the notification of appointment into the minutes of the first HRTPO Board meeting following notification by the governmental entity.

Section 5. Officers and Duties

- A. The HRTPO Board shall hold an annual organizational meeting on the last Board meeting of the calendar year for the purpose of electing the following officers from its voting membership for the following calendar year:
 - 1. Chair
 - 2. Vice-Chair
 - 3. Representative to the Governing Board of the Florida Metropolitan Planning Organization Advisory Committee (MPOAC)
 - 4. Alternate representative to the Governing Board of the Florida Metropolitan Planning Organization Advisory Committee (MPOAC)
- B. The Chair and Vice-Chair shall be members of different member governments, and hold the position for no more than two (2) consecutive years.
- C. Any voting member may nominate, or be nominated as, an officer. All officers shall be elected by a majority of the votes of members present at the organizational meeting when a quorum is present.
- D. The Chair shall preside at all meetings. In the event of the Chair's absence, or at the Chair's direction, the Vice-Chair shall assume the powers and duties of the Chair. In the absence of both a Chair and Vice-Chair at a regular or special Board meeting, a temporary Chair shall be elected by majority vote at said meeting to serve as the Chair of the meeting. The temporary Chair shall serve only until either the arrival of an officer or the end of the meeting. The Chair shall:
 - 1. Sign, on behalf of the HRTPO, resolutions, contracts, deeds, certifications, vouchers and all other instruments whether relating to real or personal property or otherwise;
 - 2. Appoint subcommittees as needed;
 - 3. Approve or revise the final agenda presented by the HRTPO Staff;
 - 4. Accept agenda items from other HRTPO members, with advice of the HRTPO Staff to ensure that the addition is submitted on a timeline that allows them to be fully staffed and distributed with the regular agenda materials;
 - 5. Have authority to approve HRTPO expenditures of greater than \$5,000, but not greater than \$25,000; and
 - 6. Perform such other duties as, from time to time, may be assigned by the HRTPO Board.
- E. Any vacancy in the office of HRTPO Board Chair or Vice Chair shall be filled by a majority vote of the members. Any Officer elected shall fill the remainder of the unexpired term of the vacant office.

Section 6. Meetings

- A. The HRTPO Board shall meet at least quarterly at a date, time and place acceptable to a majority of the voting members. No later than the last scheduled meeting in a calendar year, a regular meeting schedule for the next calendar year shall be adopted by the HRTPO Board.
- B. Other meetings may be scheduled by the Chair at the request of HRTPO Staff. Notice of such meetings shall be given to members at least seven (7) days in advance.
- C. Special meetings may be called by the Chair with a minimum of three (3) calendar days' notice indicating the reason for the meeting and notifying all members of the HRTPO Board.
- D. A quorum shall consist of a simple majority of voting members (or authorized alternates) and shall be required for the conduct of all official business.
- E. Voting shall be by voice, but a member may have his/her vote recorded in the minutes upon request. A roll call vote shall be conducted upon request of any member.
- F. Except in the case of special meetings or workshops, the HRTPO shall give at least seven (7) days public notice of any meeting or workshop through the issuance of a press release to local print and broadcast media in the Region. The press release notice of such meeting or workshop shall provide:
 - 1. The date, time, and place or access number to participate in the event.
 - 2. A brief description of the purpose of the event.
 - 3. The address where interested parties may write to obtain a copy of the agenda.A copy of the Agenda may be obtained by writing to the HRTPO Staff. Agendas may also be obtained by e-mail at staff@heartlandregionalTPO.org or by accessing the HRTPO's Web site at heartlandregionalTPO.org.
- G. All meetings and hearings will be open to the public. It is the policy of the HRTPO Board to encourage public involvement throughout the decision-making process. The HRTPO shall maintain an adopted Public Participation Plan (PPP), which shall govern all public involvement activities of the HRTPO.
- H. At least seven (7) days prior to a meeting or workshop, the HRTPO staff shall prepare and make available an agenda for distribution on request by any interested person. The agenda shall list the items in the order they are to be considered; provided, however, that for good cause stated in the record by the person who is designated to preside at the meeting, items may be considered out of their listed order.
- I. The agenda shall be specific as to the items to be considered. All matters shall be listed on the agenda.
- J. The Chair shall consult Roberts Rules of Order, Newly Revised when necessary to determine appropriate parliamentary procedure, a copy of which will be provided.

Section 7. HRTPO Staff

- A. The HRTPO Staff is responsible to the HRTPO Board and will oversee and coordinate all aspects of the Transportation Planning and Programming Process.
- B. The HRTPO Staff will act as a liaison between the HRTPO, Technical Advisory Committee (TAC), Citizens' Advisory Committee (CAC), and Mobility Advisory Committee (MAC).

- C. The HRTPO Staff shall assist the Chair for the HRTPO, TAC, CAC, and MAC in preparation and dissemination of agendas, notices, correspondence and reports.
- D. The HRTPO Staff shall be authorized to take such actions as may be required, consistent with applicable statutes, ordinances and agreements, to enable the HRTPO to achieve its purposes.
- E. Emergency Circumstances: Emergency situations may arise from time to time that require immediate action and may not be postponed until the next HRTPO Board meeting.
 - a. (1) Time Deadlines. Due to unforeseen circumstances, time constraints may dictate action on an item prior to the next HRTPO meeting. Under such circumstances, the HRTPO Staff Services Director shall confer with the HRTPO Chair, or in the Chair's absence or unavailability, the Vice Chair on appropriate action to be taken. If the Chair or Vice Chair is not available, the HRTPO Staff Services Director, using the Director's best judgment and in keeping with established HRTPO policies, shall be granted authority to make said decision. The HRTPO Staff Services Director shall report on the item at the next scheduled HRTPO meeting. This authority is limited to operational situations only, and under no circumstances is the HRTPO Staff Services Director authorized to approve any item that is related to establishing a policy or making a statement of position for the HRTPO Governing Board without prior approval from the HRTPO Governing Board.
 - b. (2) Local, State, or Federal Declared Emergency. The HRTPO Staff Services Director shall be granted authorization to execute general governmental documents that are in the best interest of the HRTPO in the event of a declared emergency. The procedures followed during the emergency shall adhere to the guidelines established in the HRTPO's Continuity of Operations Plan (COOP).

Section 8. Funding

Highlands County shall pay the operating costs of the HRTPO, over and above the amount annually provided by federal and state sources as defined in the Interlocal Agreement between the member governments and FDOT. The HRTPO staff will perform only those services required by applicable Federal Code and State Statute. If tasks are requested by the HRTPO Board that are not part of the statutory duty of the HRTPO staff, additional funding will be provided by the member governments

Section 9. Public Information and Inspection of Records

All HRTPO documents, publications or recorded actions shall be public records and available for inspection and copying at the HRTPO staff's principal office. Copies of such records shall be available at a charge for the service and the cost of copying such records consistent with Florida Statutes. Copies are also available on the HRTPO web site at www.heartlandregionalTPO.org.

Section 10. Standing Committees

The HRTPO shall have three (3) standing committees which are: the Technical Advisory Committee (TAC), the Citizens Advisory Committee (CAC) and the Mobility Advisory Committee (MAC). These shall be governed by separate committee by-laws.

Section 11. Amendments

These Bylaws may be amended by a majority vote of the voting members of the HRTPO Board, provided a copy of the proposed amendment shall have been sent to every member at least seven (7) calendar days before it is to be voted on.

Adopted April 29, 2015 by vote of qualifying members at a regular meeting of the Heartland Regional Transportation Planning Organization. The meeting was held at the Bert J. Harris, Jr. Agricultural Center in Sebring, Florida.

Amended September 21, 2016 by vote of qualifying members at a regular meeting of the Heartland Regional Transportation Planning Organization. The meeting was held at the Highlands County Board of County Commissioners Board Room in Sebring, Florida.

Amended April 15, 2020 by roll-call vote of qualifying members at a regular meeting of the Heartland Regional Transportation Planning Organization. The meeting was held by toll-free teleconference.