



Office of Nikki Alvarez-Sowles, Esq. Pasco County Clerk & Comptroller

DATE: January 13, 2023

TO: Carl Mikyska
Metropolitan Planning Organization
WPGC, Suite 360

FROM: *KW* Kaylee Woods
Board Records

MEETING DATE: January 12, 2023

BOARD ACTION: Approved

SUBJECT: Item 6 MPO23-0060 – BPAC Bylaws

Enclosed are copies of documents regarding the above mentioned agenda item for your files.

If you have any questions, please contact me at extension 4912

/KW

Enclosure



**Bylaws
of the
Bicycle/Pedestrian Advisory Committee**

**Pasco County
Metropolitan Planning Organization**

Adopted: March 26, 2013

Amended: April 4, 2017

Amended: May 10, 2018

Amended: January 12, 2023

BYLAWS OF THE BICYCLE PEDESTRIAN ADVISORY COMMITTEE PASCO COUNTY METROPOLITAN PLANNING ORGANIZATION

ARTICLE I. NAME

The name of this committee shall be the Pasco County Metropolitan Planning Organization (MPO) Bicycle Pedestrian Advisory Committee, hereinafter called the "BPAC," first created on March 26, 2013.

The Bicycle/Pedestrian Advisory Committee (BPAC) was created by the MPO Board to serve as a vehicle by which public input can be solicited from the citizens of Pasco County, and to recommend and advise the MPO Board by reviewing, reacting to, and providing comments on bicycle and pedestrian planning issues and needs in support of the Comprehensive, Cooperative, and Continuing (3C) transportation planning process.

The BPAC Mission Statement is "To promote cycling and walking in Pasco County by promoting public awareness, improving safety, extending connectivity, as well as encouraging a friendly and healthy lifestyle through everyday transportation alternatives."

ARTICLE II. PURPOSE AND AUTHORITY

The purpose of these Bylaws is to establish and set forward the BPAC business, operations, delegation of authority, membership, and other related matters. The BPAC will follow Federal, State, and local laws and requirements set forth for transportation planning for all modes of travel.

Section 339.175, Florida Statutes, specifies the authority and responsibility of the MPO to engage in a continuing, cooperative, and comprehensive transportation planning process with the State of Florida for the Pasco County Urbanized Area that is consistent with the Federal laws and regulations. The MPO's duties pursuant to Section 339.175(6)(a), Florida Statutes, include developing transportation plans and programs that (a) increase the safety and security of the transportation system for nonmotorized users, (b) increase the accessibility and mobility options available to people, (c) enhance the integration and connectivity of the transportation system, across and between modes, for people, and (d) protect and enhance the environment, promote energy conservation, and improve quality of life. The MPO has created the BPAC to assist with the development of the plans and programs that will help achieve these goals.

ARTICLE III. FUNCTIONS AND RESPONSIBILITIES

The functions and responsibilities of the BPAC shall include, but are not limited to, the following major areas:

1) Bicycle/Pedestrian Planning

- a. Assist the Metropolitan Planning Organization (MPO) in the development of comprehensive bicycle and pedestrian plans and projects for Pasco County.
- b. Propose policies for the development of bicycle and pedestrian systems.

2) Plan Review

- a. A periodic review of MPO-related bicycle and pedestrian plans and proposed amendments.
- b. Review the Countywide Regional Transportation Improvement Program for inclusion of bicycle and pedestrian-related projects.

3) Plan Implementation

- a. Recommend bicycle and pedestrian priorities to the MPO for inclusion in State, County, or Local improvement programs.
- b. Recommend projects for inclusion in the MPO's annual list of Transportation Planning Programs (TIP) priority projects.
- c. Support other MPO programs and other bicycle/pedestrian initiatives such as: Transportation Alternatives (TA), Safe Routes to School (SRTS), and other funded programs.
- d. Recommend changes to regulations, or to typical roadway, trail or sidewalk cross-sections, to enhance bicycle and pedestrian safety and support the development of bicycle and pedestrian infrastructure and systems.

4) Education and Coordination

- a. Coordinate bicycle and pedestrian concerns and present them to the MPO.
- b. Promote the enforcement of rules, regulations, and safety programs for bicyclists and pedestrians.
- c. Assist in the dissemination of general bicycle and pedestrian information to

organizations and citizens throughout the County and the region where appropriate.

- d. Promote existing or new funding sources for bicycle and pedestrian infrastructure and systems.

ARTICLE IV. MEMBERSHIP, COMPOSITION, AND TERMS

- A. BPAC membership shall be composed of persons who have technical, professional or personal interest in the provision of safe non-motorized transportation.
- B. The BPAC membership shall be composed of a maximum of thirteen (13) members. All members shall be voting members.
- C. One alternate representative may be appointed to act on behalf of a regular member with the privileges accorded thereto. Alternate members may only vote on behalf of the single regular member for which they have been appointed to serve as an alternate and may not vote on behalf of any other regular member. However, alternate members may attend any meeting of the BPAC in a non-voting capacity.
- D. Each MPO Board voting member may appoint a BPAC member and up to one alternate. BPAC members must be Pasco County residents or be the majority owner (i.e. 51 percent or more) of a business in Pasco County, but do not have to reside or own a business in the district or municipality that they represent. Appointments by the individual MPO Board members require action or confirmation by the entire MPO Board. A maximum of nine (9) BPAC members shall be appointed by the individual MPO Board voting members. In the event that any MPO Board voting member leaves their elected office or ceases to be on the MPO Board, their appointment to the BPAC (or alternate) shall remain on the BPAC until their successor on the MPO Board appoints a replacement BPAC member (or alternate).

Nominations for the remaining four (4) at-large members or their alternates shall be made by the MPO Executive Director who shall nominate persons who have technical, professional, or business expertise relating to non-motorized transportation. In addition, to the extent that the nine (9) individual MPO Board appointments do not represent geographically diverse areas within Pasco County, the MPO Executive Director shall nominate at large members that further diverse geographic representation on the BPAC. The MPO Executive Director's nominations of at-large members, or their alternates, shall be presented to the entire MPO Board at a regularly scheduled meeting of the MPO Board, who may accept or reject such nominations. If a nomination is accepted

by majority vote of the MPO Board, the at-large member (or alternate) shall be considered a voting member (or alternate) of the BPAC as of the date of the vote. If the nomination is rejected by majority vote of the MPO Board, the MPO Executive Director shall nominate alternative at-large candidates until all four (4) of the at-large seats on the BPAC have been filled. The MPO Executive Director shall generally not have any obligation to find or nominate alternates for the four (4) at-large members and shall only provide nominations for at-large member alternates at the request of the MPO Board or the BPAC.

Total BPAC Membership: 13

- E. Regular and alternate members shall serve terms of three years. Three (3) absences during any one-year period by any BPAC member (and their alternate) are grounds for dismissal of that BPAC member (and their alternate) by the BPAC chairperson, who may unilaterally exercise such right prior to any vote or other official action being taken at the meeting, if necessary to obtain a quorum, provided that such dismissal is included in the minutes of the meeting. In addition, any BPAC member may be removed by majority vote of the MPO Board, with or without cause.
- F. BPAC members, including alternates:
 - 1) shall not reside in the same household with another current BPAC member.
 - 2) shall not be part of the immediate family of another current BPAC member.
 - 3) shall not hold an elected public office.
 - 4) shall not be a current member of another standing MPO committee.

ARTICLE V. OFFICERS AND THEIR DUTIES

- A. A BPAC chairperson and a vice-chairperson shall be elected at the first regularly scheduled BPAC meeting of each calendar year and shall hold office until their successors are elected.
- B. Any regular member may nominate, or be nominated as, a chairperson or vice-chairperson. Officers shall be elected by the majority vote of the members present.
- C. The chairperson shall conduct all meetings. During the absence of the chairperson or his/her inability to serve, the vice-chairperson shall exercise all the duties and powers of the chairperson. The vice-chairperson shall also

perform such other duties as may be assigned by the chairperson.

- D. If both the chairperson and vice-chairperson are absent from a meeting, a temporary chairperson, as selected by majority vote of the members present, shall chair the meeting.
- E. If, at any time, the BPAC feels that an officer is not properly performing his/her duties, that officer may be removed from office by a two-thirds vote of the members present at a regular meeting, provided that an item to that effect has been placed on the meeting agenda and has been distributed to the committee membership at least seven (7) days prior to the meeting.
- F. To replace a vacancy created by the resignation or replacement of a committee officer, a majority of the members present may request, at any meeting, an election of officers to fill a vacancy or vacancies.

ARTICLE VI. MPO STAFF RESPONSIBILITIES

- A. MPO staff shall be responsible for performing pertinent BPAC correspondence and disseminating information releases based on BPAC actions.
- B. MPO staff shall serve as liaison between the BPAC and the MPO Board. Whenever the need arises, subcommittees may be appointed by the BPAC chairperson with the approval of the BPAC. All BPAC subcommittee meetings shall be in accordance with the requirements of these Bylaws and Sections 286.011 and 286.0114, Florida Statutes.
- C. MPO staff shall prepare meeting agendas, agenda items and agenda packets and distribute via e-mail to the membership at least seven (7) days prior to any scheduled BPAC meeting.
- D. MPO staff shall publish committee meeting notices, agendas, and agenda packets to the MPO website at least seven (7) days prior to the meeting.
- E. MPO staff shall ensure that written minutes are prepared after each committee meeting or workshop in accordance with Section 286.011, Florida Statutes and distributed to the committee membership at least seven (7) days prior to the next regularly scheduled meeting.
- F. The "seven (7) days prior" requirement in paragraphs C., D. and E. above may be waived by the chairperson in the event (a) an emergency meeting of the BPAC is called by the chairperson, or (b) an emergency or technical difficulty prevents compliance with such requirements. However, in no event shall the information required by paragraphs C., D. and E. be published and distributed less than twenty-four (24) hours in advance of the meeting.

ARTICLE VII. MEETINGS

- A. The BPAC shall generally attempt to meet no earlier than 14 calendar days prior to each regularly scheduled MPO Board meeting. The day, time, or place of the BPAC meeting may be changed by the chairperson. MPO staff shall provide notice of such change(s) via email to all committee members and known visitors no later than five (5) business days prior to the meeting.
- B. In the event (a) the chairperson becomes aware that the BPAC is unlikely to obtain a quorum for a scheduled meeting, (b) the MPO Executive Director advises the chairperson that there are no matters for the BPAC to consider at a scheduled meeting, or (c) the Governor or Board of County Commissioners declare a state of emergency of any type, the BPAC chairperson shall have the authority to cancel a scheduled committee meeting. A meeting cancellation notice shall be provided by MPO staff via email to all committee members and known visitors at least twelve (12) hours before the scheduled time of the meeting.
- C. The BPAC chairperson may call a special or emergency BPAC meeting as needed or desired when requested by the MPO Executive Director, two (2) or more BPAC members, or by a majority of the MPO Board.
- D. A meeting quorum shall consist of the physical presence of a majority of the BPAC members (or their officially designated alternates) on the filled membership roster at the time any vote or official action is taken at the meeting. If all BPAC positions have been filled, the required quorum shall be seven (7) members; if an even number of BPAC positions have been filled, the required quorum shall be fifty percent (50%) of the filled positions. Members with a voting conflict pertaining to any matter on the BPAC agenda shall count toward the required quorum, even if such member abstains from voting on such matter. Virtual attendance and voting by BPAC voting members is permitted only where (a) a quorum of the BPAC is physically present at the meeting, (b) the BPAC or MPO Board has determined that extraordinary circumstances, such as an illness, prevent the BPAC voting member from physically attending the meeting, and (c) the BPAC voting member attending virtually is able to be both seen and heard when speaking at the meeting, and is able to see and hear the other meeting attendees. Each regular member, or their officially designated alternate, will have an equal vote. A quorum shall be required prior to the BPAC taking any vote or other official action but shall not be required for the BPAC members to merely receive information or reports. Except where these Bylaws require a two-thirds vote, a vote, decision or recommendation on any matter will be determined by a simple majority voice vote of the members present, not counting any member with a declared voting conflict. If the chairperson is having difficulty determining whether a majority (or two-thirds, if applicable) vote was obtained on any matter based on the voice vote, the chairperson may request a

roll call vote on the matter. In the event of a tie vote on any matter, the matter shall either (a) be automatically continued to the next BPAC meeting if the matter is not time sensitive, or (b) if the matter is time sensitive, transmitted to the MPO Board with no recommendation as the result of a tie vote.

- E. All committee meetings shall be open to the public. Public participation at all meetings shall be conducted at the direction of the chairperson and in accordance with Section 286.0114, Florida Statutes.
- F. Members may request items to be placed on the meeting agenda by notification to MPO staff in writing at least 14 days prior to the meeting date.
- G. Except as otherwise provided in these Bylaws, meeting protocols contained in the latest edition of "*Roberts Rules of Order*" shall be followed at all meetings.

ARTICLE VIII. REVISIONS

- A. The BPAC Bylaws may be revised by an affirmative vote of two-thirds of the BPAC committee and an affirmative vote by a majority vote of the MPO Board. The proposed revision(s) shall be provided to all members at least five (5) business days prior to the meeting.
- B. These Bylaws and all revisions to the Bylaws will supersede any previous versions and become effective upon an affirmative vote of two-thirds of the BPAC committee and an affirmative vote by a majority vote of the MPO Board.

PASCO COUNTY
METROPOLITAN PLANNING ORGANIZATION
BICYCLE/PEDESTRIAN ADVISORY COMMITTEE

[Signature] 1-4-23
Chairperson Date
Bicycle/Pedestrian Advisory Committee

PASCO COUNTY METROPOLITAN PLANNING
ORGANIZATION BOARD

[Signature] 01/12/2023
Chairperson Date
Pasco County MPO Board



Attested by: Kayla Woods, DC
FOR: Nikki Alvarez-Sowles, Esq.
Pasco County Clerk & Comptroller

Dated this 12th day of January,
2023.