

BICYCLE/PEDESTRIAN ADVISORY COMMITTEE BY-LAWS

RULE 1.0 PURPOSE

The BPAC shall serve the TPO Governing Board on an advisory basis. The functions and responsibilities of the BPAC shall include, but not be limited to the following major areas:

1.01 Bicycle and Pedestrian Planning

- Assist the TPO in the development of a Bicycle Facilities Plan.
- Propose policies for the development of the bikeway system.
- Assist the TPO in the development of a Pedestrian Plan.
- Propose policies to improve pedestrian mobility.
- No less than annually review the Bicycle and Pedestrian Plans and propose amendments.
- Review the Miami-Dade County Long Range Transportation Plan and the Transportation Improvement Program (TIP) for inclusion of bicycle and pedestrian related projects.
- Review proposed projects and recommend improvements to bicycle and pedestrian mobility.
- Recommend Bicycle and Pedestrian Plan priorities to the TPO for inclusion in State, County or local Capital Improvements programs.

1.02 Education, Encouragement and Enforcement

- Identify bicycle and pedestrian concerns and present them to the TPO Governing Board with recommendations for action.
- Assist in the promotion of bicycling and walking, enforcement of bicycle and pedestrian laws and regulations, and safety programs.
- Assist in the dissemination of appropriate information to bicycle or pedestrian organizations and citizens throughout the County.

RULE 2.0 COMMITTEE COMPOSITION

As per TPO Governing Board's adopted "Prospectus for Transportation Improvements":

2.01 Qualifications

An appointee must be a permanent resident and elector of Miami-Dade County unless the TPO Governing Board, by a two-thirds (2/3) vote of its membership, waives this requirement. Appointee must have demonstrated an interest in bicycle and pedestrian issues.

2.02 Membership

The BPAC shall be composed of members appointed by resolution of the TPO Governing Board. Each member of the TPO Governing Board shall appoint one (1) member to the BPAC.

2.03 Term Limits for Members

No appointee shall serve more than eight (8) consecutive years on the BPAC. Considerations are as follows:

- An individual may be reappointed to a TPO citizens committee after a hiatus of two (2) years.
- A TPO Governing Board member may reappoint an existing appointee to serve in excess of the eight (8) year term limit, provided that said appointee has demonstrated exceptional dedication and service to the advisory committee and that the reappointment is presented to the TPO Governing Board in the form of a resolution and approved by a two-thirds (2/3) vote of the full membership of the TPO Governing Board.

An appointee's term shall automatically expire when:

- The appointing Board Member leaves office; or
- The appointing Board Member's term of office expires.

RULE 3.0 ATTENDANCE

As per the TPO Governing Board's adopted "Prospectus for Transportation Improvements", citizens of this committee are appointed by the TPO Board and serve at the pleasure of the appointing Board member. As per TPO Governing Board Resolution #1-13, a citizen committee member can be removed if:

1. In a given fiscal year: (i) he or she is absent from two (2) consecutive meetings without an acceptable excuse; or (ii) if he or she is absent from three (3) of the committee's meetings without an acceptable excuse.
2. A member of a TPO committee shall be deemed absent from a meeting when he or she is not present at the meeting at least seventy-five (75) percent of the time. An "acceptable excuse" is defined as an absence for medical reasons, business reasons, personal reasons, or any other reason which the TPO Board, by a two-thirds vote of the membership deems appropriate.

Additionally, a committee member shall be automatically removed if he or she is absent (excused and/or unexcused) for 50% of the total number of meetings held within a fiscal year.

The Fiscal Year for the BPAC is considered the Calendar Year.

RULE 4.0 OFFICERS

The BPAC shall have two Officers: a Chairperson and Vice Chairperson.

4.01 Election Process

The election process of the Chairperson and Vice Chairperson shall commence during the first regularly scheduled meeting of the calendar year, on even numbered years, as follows:

1. All nominations shall take place at the beginning of the meeting.
2. Any member may nominate another member to be an Officer.
3. The nominated member must accept the nomination to be eligible for election.
4. After all nominations are closed for each position, the election shall take place.
5. If there is only one (1) candidate for a position, a motion to elect that member as an Officer shall take place with a second on the motion and a majority vote of members present.
6. If there is more than one (1) candidate for a position, each nominee shall be given three (3) minutes to speak regarding his or her qualifications. The following shall then occur for the election process of the required position(s):

- (1) Ballots shall be distributed during the meeting at which time members shall cast their votes for each office that has more than one (1) candidate.
- (2) Results of the election shall be made public once the ballots have been turned in and tabulated.

4.02 Term Limits for Officers

An Officer's term is for two years, or until resignation or removal. No Officer shall hold the same position for more than two (2) consecutive terms. No member shall serve as an Officer for more than a total of eight (8) years. An Officer may be reelected after one term break after serving his or her initial two consecutive terms.

4.03 Officer Duties

The Chairperson shall preside at all meetings and shall be responsible, with the BPAC Coordinator, for the agendas, minutes, and conduct of all meetings. The Chairperson shall approve, with any necessary modifications, the agendas, which have been jointly developed with the BPAC Coordinator at least seven (7) days prior to any scheduled meeting. The Chairperson shall also serve as a liaison between the BPAC, the TPO Governing Board, and other technical committees whenever the need arises. If the need arises, special subcommittees of the BPAC shall be called by the Chairperson with the approval of the BPAC.

The Vice Chairperson shall, during the absence or inability of the Chairperson to serve, have and 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.

If both the Chairperson and Vice Chairperson are absent from a meeting, a temporary Chairperson will be selected by a majority vote of the members in attendance. Any vacancy in office created by resignation or removal shall be filled by a majority vote of members present at the next regular meeting utilizing the Election Process. The Officer so elected shall fill the remainder of the unexpired term of the vacant office.

4.04 Removal from Office

If, at any time, the BPAC membership determines that an Officer is not performing the duties of the office in accordance with Rule 4.03, 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 scheduled in accordance with Rule 6.03.

RULE 5.0 BPAC COORDINATOR'S DUTIES

A TPO staff member, who shall not be a member of the BPAC, shall be designated by the Miami-Dade TPO Executive Director to be the BPAC Coordinator, and shall report to the BPAC Chairperson. The BPAC Coordinator shall have the following duties and functions:

- **Administration:** Responsible for scheduling meetings, preparing agendas, giving notice, keeping minutes, interfacing with appropriate transportation agencies of Miami-Dade County and other governmental agencies, and any consultant or agency designated by the county, preparing such reports, documents, resolutions, or correspondence as the BPAC may direct, and, generally, administering the business and affairs of the Committee.
- **Attendance:** Responsible for keeping records of attendance to be reported to the TPO Governing Board. It shall be the duty of the Coordinator to notify the Chairperson, the TPO Clerk of the Board, and the appointing TPO Governing Board Member, when a member has violated the attendance requirement (Rule 3.0).
- **Sergeant of Arms:** The BPAC Coordinator shall be designated the Sergeant of Arms at every BPAC meeting. The Sergeant of Arms shall maintain order and be empowered to request the removal from the meeting of any committee or audience member who, after three (3) warnings (per meeting), has caused disorder.

RULE 6.0 MEETINGS' PROTOCOL

The BPAC shall meet prior to all TPO Governing Board meetings to ensure timely distribution of motions, resolutions, and meeting notes/reports to the TPO Governing Board for their consideration. The BPAC meeting dates shall be set after the approval of the TPO Governing Board meeting schedule for the calendar year. If circumstances warrant, the Chairperson may cancel or postpone a regular meeting and, if necessary, set a new date, time, and place for the meeting.

6.01 Quorum

The following are quorums for BPAC official business:

- A majority of the quorum shall be necessary to decide an issue before the BPAC.
- One third (1/3) of current members shall constitute a quorum for the regular meetings.
- Three (3) members shall constitute a quorum for a special subcommittee meeting.

6.02 Order of Business

All procedures and the order of business at all meetings shall be conducted in accordance with the official agenda. Any departure from the order of business set forth in the official agenda shall be made only upon a majority vote of the voting members of the BPAC present at the meeting.

6.03 Agendas

An agenda shall be prepared prior to each meeting and approved by the Chairperson. The agenda shall be distributed with the draft minutes of the previous meeting(s) at least four (4) calendar days prior to all regular meetings. The agenda and any changes to it will be approved by the BPAC at the start of each meeting.

6.04 Minutes

The minutes of the prior meeting shall be approved by a majority of the members present and upon such approval become the official minutes. Unless a reading of the minutes is requested by a majority of the members of the BPAC, such minutes, when approved by the BPAC, shall be considered approved without reading.

6.05 Voting

Each member shall have an equal vote. The vote on any matter shall be a voice vote, provided that any member may require a roll call vote upon any resolution or motion. In the case of a roll call vote the Chairperson must vote last.

6.06 Special Subcommittee Meetings

The Chairperson may call a special subcommittee meeting during a full committee meeting, when it is deemed necessary. A vote shall be taken by the membership in attendance to determine if more than three members will be present to constitute quorum for that meeting. If it is deemed that a quorum will be reached for the special subcommittee meeting, the agenda and meeting notice will be developed by the Chairperson and the BPAC Coordinator.

6.07 Outside Meetings and Media Relations

BPAC members must receive permission from the Chairperson to represent the Committee in any outside meeting. BPAC members attending such meetings, in which the member signed in or participated as an identified member of the BPAC, shall be

required to report orally, or in writing, to the BPAC a summary of that outside meeting and the extent of the BPAC member's participation in the meeting.

All media inquiries to a BPAC member must be forwarded to the BPAC Coordinator.

6.08 Decorum

Any person making impertinent or slanderous remarks or who becomes boisterous while addressing the BPAC may be barred from further audience before the Committee by the presiding Officer, unless permission to continue or again address the Committee be granted by the majority vote of the Committee members present. No applauding, heckling, or verbal outbursts in support or opposition to a speaker or his or her remarks shall be permitted. No signs or placards shall be utilized by the audience in demonstration for or against an issue. Persons exiting the meeting room shall do so quietly.

Talking on cell phones during meetings is not permitted. Ringers must be set to silent mode to avoid disruption of proceedings. Individuals must exit the meeting room to answer incoming cell phone calls.

RULE 7.0 RESOLUTIONS AND MOTIONS

All actions of the BPAC shall be by a resolution or motion and forwarded to the TPO Governing Board. No resolution or motion shall be adopted by the BPAC except upon the affirmative vote of a majority of the members present.

7.01 Resolutions

A resolution shall be required to:

- Submit BPAC recommendations to the TPO Governing Board.
- Take any other official action as deemed appropriate.

Those members dissenting on a resolution shall be named in that meeting's published minutes, when such minutes are distributed in the next meeting's agenda material distribution.

7.02 Motions

A motion will be in order to:

- Request assistance and information from TPO staff and/or applicable transportation agencies.
- Act upon other routine or minor matters deemed worthy of a formal expression.

Motions shall be reduced to writing and included in that meeting's published minutes, when such minutes are distributed in the next meeting's agenda material distribution.

RULE 8.0 RULES OF DEBATE

The conduct of the business of the BPAC shall be governed by Robert's Rule of Order in all cases.

8.01 Recognition

Every member desiring to speak shall address the Chairperson by a raise of hand, and upon recognition, shall confine themselves to the question under debate. Physically disabled members may use an alternate form of recognition other than the raise of a hand.

8.02 Close of Debate

The member moving the adoption of a motion or resolution shall have the privilege of final closing remarks.

8.03 Reconsideration

An action of the BPAC may be reconsidered only at the same meeting at which the action was taken or at the next meeting thereafter in accordance with the following procedure.

8.03.1 A motion to reconsider may be made only by a member who voted on the prevailing side of the question and must be concurred by a majority of those present at the meeting, during which the motion was passed.

8.03.2 A motion to reconsider shall not be considered unless at least the same number of members are present as participated in the original vote under consideration, and upon affirmative vote of two-thirds (2/3) of those members present.

RULE 9.0 MEETINGS OPEN TO PUBLIC

All meetings of the BPAC shall be listed in the Miami-Dade TPO's calendar on the agency's website, and shall be open to the public. Individuals, other than members of the BPAC, may present their views during the public comment section of the agenda.

9.01 Public Comment

Public comment shall be limited to three (3) minutes for each person, and may be extended at the will of the Chairperson. Each person, other than members of the TPO staff, who addresses the Committee shall give the following information in an audible tone of voice for the minutes:

- a. Their name,
- b. Their address,
- c. Whether they speak for themselves, a group of persons, or a third party,

- d. Whether they are being compensated by the person or persons for whom they speak, and
- e. Whether they or any member of their immediate family has a personal financial interest in the pending matter, other than set forth in (d).

All remarks shall be addressed to the BPAC as a body and not to any member thereof. No person, other than the person having the floor, shall be permitted to enter into any discussion, either directly or through a member, without permission of the Chairperson. No question shall be asked by a BPAC member except through the Chairperson.

RULE 10.0 BY LAWS

The By Laws shall be reviewed during the first regularly scheduled meeting of the calendar year, on even numbered years. Suggested changes to the By-Laws must be adopted by a majority of those members present (Rule 6.01). The modified By-Laws will be posted on the MPO's website within one week of the adopted modifications.

Date Adopted: **February 8, 2022**



Kevin C. Walford
BPAC Coordinator