

Subject:	CFRPC Board Agenda Package for October 12, 2022 Virtual Meeting
From:	Patricia M. Steed, Executive Director
То:	Central Florida Regional Planning Council
Date:	October 4, 2022

As a result of the severe damage and flooding occurring in the Region due to Hurricane Ian, travel to and from the October 12, 2022 CFRPC Board meeting originally scheduled in Okeechobee County would be hazardous and difficult. The CFRPC Board does need to meet to, among other items, address impacts from Hurricane Ian with a declaration of regional emergency. An emergency order executed by the Governor authorizes a virtual meeting on the scheduled date. Please make every effort to attend the meeting virtually so that we will have a quorum to conduct necessary business. There are several other critical agenda items so we really appreciate your efforts to join the virtual meeting on October 12 at 9:30 a.m. The virtual meeting information is provided on the agenda.

Thank you and stay safe in recovery!



Meeting Agenda

Note: Virtual Meeting

Wednesday, October 12, 2022 | 9:30 a.m.

How to		Join meeting at: https://meet.goto.com/267699485
Attend:	Virtual	Audio available
Allenu.		or
		Call-in Number: (872) 240-3212
		Access Code: 267-699-485

Call To Order – Chair Keith Keene

- Invocation
- Pledge of Allegiance
- Roll Call
- Announcements

1) Resolution Declaring a Regional Emergency - page 5

Based upon post disaster impacts being experienced from Hurricane Ian in the Central Florida Region, and consistent with Executive Order 22-218 and Executive Order 22-219 by the Governor of the State of Florida, a Regional Emergency is declared by the Central Florida Regional Planning Council.

Actions Requested:	Adopt Resolution 2022-10A
Exhibits:	#1A: Resolution 2022-10A Declaration of Emergency #1B: Resolution 2020-05 Granting Temporary Powers, Responsibilities under State of Emergency (Information Only)

2) Opportunity for Public Comments

3) Council Administration

- A) Approval of Minutes
- B) August 2022 Financial Report

Actions Requested:	Approval by Council
Exhibits:	#3A: August 3, 2022 Council Meeting Minutes - page 9 #3B: August 2022 Financial Report - page 13

4) Recommendation from the Executive Director Search Committee - page 15

The Executive Director Search Committee met on September 14, 2022 to review the current Executive Director's resignation and options for a new Executive Director. The Committee's recommendation is provided and will be presented to the full Council.

Actions Requested:	Approval of Executive Director Search Committee Recommendations
Exhibits:	None

5) Amendment to Administrative Procurement Policy - page 16

Staff will present an amendment to address purchasing authority and procedures. This amendment will increase the dollar amount for purchasing allowed administratively and bring in line with other governmental organizations and current costs for supplies and services.

Actions Requested:	Approval of Amendment to Administrative Procurement Policy
Exhibits:	#5: Draft Amendment to the Administrative Procurement Policy

6) Consideration of a 401a Retirement Plan to Provide Staff Options - page 19

Staff will present an overview of a 401a Plan to be considered. This would add a voluntary retirement plan option to allow contributions that do not count toward plan limits to the current 457b plan administered by Nationwide Retirement Solutions. There would be no additional cost to the Council.

Actions Requested:	Approval of a 401a Retirement Plan Option for Employees
Exhibits:	None

7) CFRPC Policies for Federal Transit Administration (FTA) Grant Administration - page 20 As the eligible applicant for FTA transit grants for DeSoto, Hardee, Highlands, and Okeechobee Counties, the Florida Department of Transportation has directed the CFRPC to develop and adopt a series of required policies to guide the Community Transportation Coordinator as the operator of the multi-county transit service area.

Actions Requested:	Adopt CFRPC Transit Policy
Exhibits:	#7: CFRPC Transit Policy

8) Federal Transit Administration (FTA) Grant Applications - page 30

Each year the Council submits requests to the Florida Department of Transportation for FTA funding. The annual grant applications for operating and capital support the Transportation Disadvantaged Program, rural transit services and mobility management programs in DeSoto, Hardee, Highlands, and Okeechobee counties.

Actions Requested:	Adopt Resolution 2022-10B
Exhibits:	#8: Resolution 2022-10B covering FTA 5310, 5311, and 5339 Grant Programs

9) Heartland Regional Transportation Planning Organization (HRTPO) Activities Staff will brief the Council on activities of the six-county Heartland Regional Transportation Planning Organization (HRTPO) and other transportation issues.

Actions Requested:	Information Only
Exhibits:	None

10) Heartland Regional Resiliency Coalition Update

Staff will discuss resiliency efforts in the Heartland and provide an update regarding work to draft the Heartland Regional Resiliency Action Plan.

Actions Requested:	Information Only
Exhibits:	None

11) Appoint Nominating Committee for Council Officers for 2023

The Council Chair will appoint a committee to nominate officers of the Council for 2023. The election will take place at the December 14, 2022 Council Meeting.

Actions Requested:	Chair Appoint Nominating Committee
Exhibits:	None

12) Executive Director's Report - page 32

The Executive Director will report on current activities in the region.

A) Audit Schedule

b) FROA Upuale	
Actions Requested:	Information Only
Exhibits:	#12: FRCA Monthly Activities Report

13) Hurricane Ian Impacts on the Region

The Council will discuss storm impacts and recovery efforts throughout the Region.

Actions Requested:	Information Only
Exhibits:	None

14) Next Meeting and Other Business

- A) Next Meeting: December 14, 2022 at 9:30 am at the AdventHealth Fieldhouse & Conference Center, Room A
- B) Other Business

15) Adjourn

If any person decides to appeal any decision made by the Board with respect to any matter considered at this meeting or hearing, he/she will need to ensure that a verbatim record of the proceeding is made, which record includes the testimony and evidence from which the appeal is to be issued.

Public participation is solicited without regard to race, color, national origin, age, sex, religion, disability, income, or family status. Persons who require special accommodations under the Americans with Disabilities Act or persons who require translation services (free of charge) should contact the CFRPC Title VI/Nondiscrimination Coordinator, Brenda Torres, 863-534-7130, or via Florida Relay Service 711, or by email: btorres@cfrpc.org

La participación pública es solicitada sin distinción de raza, color, origen nacional, sexo, edad, discapacidad, religión o situación familiar. Las personas que requieren alojamiento bajo el Americans with Disabilities Act (ADA) o la traducción de idiomas, de forma gratuita deben ponerse en contacto Brenda Torres, CFRPC Título VI de Enlace, 863-534-7130 (voz), oa través de la Florida Relay Servicio 711, o por correo electronics <u>btorres @cfrpc.org</u> al menos Tres días antes del evento.

CENTRAL FLORIDA REGIONAL PLANNING COUNCIL

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Agenda Item #1 Resolution Declaring Regional Emergency

Actions Requested:	Adopt Resolution 2022-10A
	#1A: Resolution 2022-10A Declaration of Regional
	Emergency
Exhibits:	#1B: Resolution 2020-5A Granting Temporary
	Powers and Responsibilities under a State of
	Emergency (Information Only)

Background: Executive Order 22-218 and 22-219 have declared a state of emergency in response to Hurricane Ian. The Region has incurred extensive flooding and wind damage making it impossible for the Council to conduct day-to-day operations in a "business as usual" manner.

Resolution 2022-10A is provided to grant the Executive Director temporary powers and responsibilities that are outlined in the approved Resolution 2020-5A. Resolution 2022-10A coincides with the Governor's declared state of emergency within any of the five counties in the Region.



Exhibit #1A

RESOLUTION 2022-10A

The Governor of the State of Florida, through Executive Order 22-218 and Executive Order 22-219, declared a state of emergency in response to Hurricane Ian. The Governor's declaration and devastation in the Region including extensive flooding and wind damage make it impossible for the Council to conduct its day-to-day operations in a "business as usual" manner.

ACCORDINGLY, THE COUNCIL HEREBY DECLARES A STATE OF EMERGENCY and the Executive Director is granted the temporary powers and responsibilities delineated in Resolution 2020-5A. These temporary powers shall coincide with Governor's declared state of emergency within any of the five counties of the Region and shall expire when this resolution is rescinded by Council action.

DULY PASSED AND ADOPTED THIS 12th DAY OF OCTOBER 2022.

CENTRAL FLORIDA REGIONAL PLANNING COUNCIL

Keith Keene, Chair

ATTEST:

COUNCIL ATTORNEY:

Norman White



Exhibit #1B

RESOLUTION 2020-5A

Since its creation by interlocal agreement of the Counties of DeSoto, Hardee, Highlands, Okeechobee, and Polk and later designation by the State of Florida, the Central Florida Regional Planning Council has delegated its management and day-to-day activities to an Executive Director. The powers and responsibilities of the Executive Director have been enumerated in various past documents, including the Council By-laws, previous rules, past resolutions, employment agreements and budget provisions.

The Council finds that it is prudent and efficient to list and codify all the powers and responsibilities of the Executive Director in one document that can be easily referenced. That is the purpose of this resolution.

ACCORDINGLY, THE COUNCIL, IN OPEN SESSION, RESOLVES AS FOLLOWS:

Section One

The Executive Director of the Central Florida Regional Planning Council shall have the following powers and responsibilities:

- 1) To represent the Council before other government agencies and entities.
- 2) To approve, without Council authorization, all purchases having a total value under \$25,000.
- 3) To supervise the application for all grants or other requests for funds from other agencies or entities and to supervise the execution of all such grants or requests.
- 4) To negotiate, execute, supervise and direct all planning advisory services agreements with other agencies.
- 5) To prepare and submit to the Council the proposed annual Council Budget and any amendments thereto.
- 6) To administer the budget as approved by the Council.
- 7) To supervise the monthly preparation of the Council's financial report.
- 8) To be a signatory on various Council bank accounts.
- 9) To oversee the office and staff operations within the annual budget authorized by the Council.
- 10) To supervise and direct all employees of the Council. This responsibility shall include determining job descriptions, the hiring and firing of all employees, and the setting of all salaries and benefits in accordance with the Council budget and policies.
- 11) To supervise and direct all programs administered by the Council staff.
- 12) To prepare a Council agenda for each meeting and to present that agenda during the meeting.
- 13) To execute all contracts or agreements on behalf of the Council, except those specified as requiring signature of the Council Chair or requiring an authorizing resolution. This shall

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include consulting contracts, vendor contracts that are created in accordance with the appropriate bidding protocols, service agreements and any other agreements necessary to carry out the Council's business.

Section Two

In the event the Council Board declares that the Council must operate under emergency conditions, or a local, regional, state or national emergency order is declared affecting counties in which the Council provides services, the executive director shall have the following emergency powers and responsibilities. These temporary powers and responsibilities shall expire when the Council rescinds the declaration of emergency or the local, regional, state, or national emergency order expires. The emergency powers are

- 1) To execute general governmental contracts that are in the best interest of the Council and in accordance with the Continuity of Operations Plan {COOP}.
- 2) To make those decisions and execute those agreements necessary to meet time deadlines created by other government agencies, statutes, administrative regulations, or contractual obligations. In such event, and prior to exercising this temporary power, the executive director shall consult with the Council Chair and inform the Chair of the time constraint and the necessary action the executive director is taking. This temporary power shall be for operational decisions only and cannot be used to amend the budget or alter Council policy decisions.
- 3) To approve all purchases, without Council approval, over the value of \$25,000, while following standard Council procedures for procurement.

All exercise of temporary power and authority shall be documented and reported to the Council Chair as soon as possible and to the Council at the next scheduled meeting.

DULY PASSED AND ADOPTED THIS 13th DAY OF MAY 2020.

CENTRAL FLORIDA REGIONAL PLANNING COUNCIL

Neda Cobb. Chair

ATTEST: Kathryn Hall

COUNCIL ATTORNEY

Norman White



Central Florida Regional Planning Council

Meeting Minutes

Exhibit #3A

Wednesday, August 3, 2022 | 9:30 a.m.

CareerSource Heartland 5901 US Highway 27 South, Suite 1 Sebring, FL, 33870

Chair Keith Keene called the meeting to order at 9:30 a.m. Roll was called, and the following Council Members were in attendance:

Chair, Councilmember Keith Keene, City of Arcadia Commissioner Neda Cobb, City of Wauchula Commissioner Noel Chandler, City of Okeechobee Commissioner, Morris West, City of Haines City Jackie Tucker, DeSoto County Gubernatorial Appointee Jeff Kincart, Polk County Gubernatorial Appointee Commissioner Nathaniel Birdsong, City of Winter Haven Commissioner Kathleen Rapp, Highlands Donna Howerton, Highlands County Gubernatorial Appointee John Bohde, Polk County, Ex-officio Jon Iglehart, Department of Environmental Protection, Ex-officio Cindy Rodriguez, Southwest Florida Water Management District, Ex-officio

A quorum of members was present.

Announcements: Pat Steed, Executive Director, welcomed Council members and introduced CFRPC's newest employee Sheila McNamara, the Resiliency Manager.

1) Opportunity for Public Comments No public comments were received.

2) Council Administration

A) Approval of June 8, 2022, Minutes

- A motion was made by: Jackie Tucker
- The motion was seconded by: Noel Chandler
- The motion was approved by unanimous vote.

B) June 2022 Financial Report

- A motion was made by: Noel Chandler
- The motion was seconded by: Donna Howerton
- The motion was approved by unanimous vote.

3) Status of Regional Work Force

Ms. Donna Doubleday, Executive Director CareerSource Heartland shared information of issues related to the regional workforce. There is a 3.9% unemployment rate for June for the four-county area. Jobs have been increasing in the construction industry as well as the truck driving industry. Everyone is hiring and there are more jobs opening than there are people looking for work. The pandemic has shifted the workforce, many have resigned or

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changed jobs for those that have more flexible hours to support childcare, that allow remote work to avoid being exposed to the virus, and that support work/life balance.

Businesses are changing the way they attract new employees by offering sign on bonuses, increase wages, changing work hours, incentivizing employees to recruit new employees.

4) Economic Development Administration CARES Act Grant Work Accomplished - page 11

The CFRPC, in its capacity as the Economic Development District for the Heartland Region, was awarded grant funding from the Department of Commerce, Economic Development Administration through the Coronavirus Aid, Relief, and Economic Security (CARES) Act. CFRPC Staff will discuss work supporting our local business communities completed under this grant.

Beneshea Frazier, provided an overview of the impacts of Covid with a focus on downtown areas, Mainstreet programs, CRA's and local governments. Deliverables for this program included a series of webinars focused on disaster recovery and collaboration with partners to provide grant opportunities and information that could help organizations navigate impacts during Covid.

5) Adoption of the draft Comprehensive Economic Development Strategy (CEDS) for the Central Florida Economic Development District (EDD) for 2022-2027 - page 13

Staff provided an overview of the Comprehensive Economic Development Strategy (CEDS). The Comprehensive Economic Development Strategy is a 5 year regional economic development plan for the counties of DeSoto, Hardee, Highlands, Okeechobee, and Polk. The EDD maintains the CEDS through an ongoing planning and analysis process, working in conjunction with the CEDS Committee to develop yearly updates and a major update every five years. The Strategy analyzes the regional economy, identifies goals, key issues, target industries, key project and investment areas, and maintains a focus on job creation, quality of life issues related to economy, and economic diversification, stability, and resilience.

Publish for Public Comment the CEDS Document for 2022-2027 and submit to the US Economic Development Administration with Comments

- A motion was made by: Noel Chandler
- The motion was seconded by: Kathleen Rapp
- The motion was approved by unanimous vote.

6) Florida Wildlife Corridor - page 55

Staff provided an update on the work the Council is doing on the Florida Wildlife Corridor including the results of the pilot study recently completed.

CFRPC, in partnership with Archbold Biological Station, identified areas where potential development may occur within the Florida Wildlife Corridor Opportunity Areas within the Heartland counties of DeSoto, Glades, Hardee, Hendry, Highlands, Okeechobee, and Polk.

Adopt Resolution 2022-8A Authorizing Executive Director to Sign, Administer, and Approve Modifications to the Florida Department of Economic Opportunity Community Planning Technical Assistance Grant Agreement for FY 2022-2023 - page 59

Staff provided an update regarding applications filed for the State of Florida, Department of Economic Opportunity (DEO) for FY 2022-2023 Community Planning Technical Assistance Grants. Resolution 2022-8A authorizes the Executive Director to sign, administer, and Page 2

approve modification to the grant agreement to provide a Community Planning Technical Assistance Grant to develop a Heartland Regional Resiliency Action Plan.

The Florida Department of Economic Opportunity has awarded the CFRPC a Community Planning Technical Assistance Grant to develop a Regional Resiliency Action Plan as part of the efforts of the Heartland Regional Resiliency Coalition.

Authorize Executive Director to Sign, Administer and Approve Modifications to the Grant Agreement

- A motion was made by: Jackie Tucker
- The motion was seconded by: Noel Chandler
- The motion was approved by unanimous vote.

8) Heartland Regional Transportation Planning Organization (HRTPO) Activities

Staff briefed the Council on activities of the six-county Heartland Regional Transportation Planning Organization (HRTPO) and other transportation issues.

9) Avon Park Air Force Range Sentinel Landscape Program - page 63

Staff presented an update regarding activities of the Avon Park Air Force Range Sentinel Landscape Program including a report out on the 2022 Landowner Assistance Expo held in partnership with the Highlands Soil and Water Conservation District.

The CFRPC held a Landowner Assistance Expo to provide technical assistance, cost-share opportunities, conservation easements, and the financial implications of each program. Outreach representatives attended to provide brief overviews of local, State, Federal and non-governmental programs and receive feedback from attendees.

Serving as the coordinator of the Avon Park Air Force Range Sentinel Landscape Program, the CFRPC has developed a Conservation Guide providing information to assist landowners with contacts and programs for voluntary conservation easements.

10) Executive Director's Report - page 71

Pat Steed, Executive Director, provided an overview of the CFRPC activities providing information on recent staff presentations at local, state and national conferences and convenings.

She also provided information on new grant assistance.

FDEP Resilient Grant Program

- Assisted with preparation of application for Polk County and its municipalities for a Vulnerability Assessment
- Answered questions and collaborated with several local governments and with CHNEP

Safe Streets and Roads for All Planning Grant for HRTPO Region

Reconnecting Communities Pilot Discretionary Grant Program

Working with City of Lakeland of potential grant application

11) Council Chair Report

Chair, Keith Keene, informed the board that Pat Steed would be stepping down from Executive Director for the CFRPC at the end of the year. A new Executive Director must be selected, and he recommended a Selection Committee be established and asked that Neda Cobb serve as chair of the selection committee. He also asked Kathy Rapp, Rick Wilson, Donna Howerton, Nathaniel Birdsong to serve with him on the committee to select a new Executive Director.

- A motion was made by: Jackie Tucker
- The motion was seconded by: Noel Chandler
- The motion was approved by unanimous vote.

12) Next Meeting and Other Business

The next Council meeting will be held on October 12, 2022, at 9:30 am at the Okeechobee County Board of County Commissioners Chambers

13) Adjourn

There being no further business, the meeting adjourned.

Respectfully submitted,

Keith Keene, Chair

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CENTRAL FLORIDA REGIONAL PLANNING COUNCIL STATEMENT OF ACTIVITIES FY 2021-2022 For the Month Ended August 31, 2022

Exhibit #3B

	UNAUDITED					August	= 92%
					ACTUAL	Approved Budget	ACCRUAL
		A	ugust 2022	Au	ugust 2022	Budget	% of Budget
	ORDINARY INCOME/EXPENSE		-9		. <u>g</u>		,, en Lauger
	INCOME						
1	Use of Prior Year Surplus	\$	-	\$	-		0%
2	Member Assessments		277,969		277,969	277,968	100%
3	Local Revenue		877,879		939,958	843,188	104%
4	State Revenue		244,442		243,070	309,507	79%
5	Federal Revenue		3,100,101		3,080,041	4,498,610	69%
6	TOTAL INCOME		4,500,391		4,541,038	5,929,273	76%
7	EXPENSE						
8	Salaries & Fringe Benefits		1,946,835		1,947,557	2,320,106	84%
9	Consultants		182,730		262,705	354,387	52%
10	Transportation for the Disadvantaged Trips		1,795,077		1,907,135	2,280,000	79%
12	Accounting/Payroll Services		2,111		2,111	2,000	106%
13	Advertising		3,791		3,784	10,000	38%
14	Audit		27,038		27,038	26,500	102%
15	Auto Expense		10,259		10,597	13,000	79%
16	Building Security		763		569	1,600	48%
17	Dues & Fees		37,599		37,769	50,000	75%
18	Equipment Expense		9,999		9,999	9,000	111%
19	File Management		6,588		270	8,600	77%
20	Insurance		33,047		28,373	37,000	89%
21	Janitorial/Maintenance		7,886		7,186	12,500	63%
22	Legal Fees		31,097		31,097	33,000	94%
23	Meeting Expense		1,497		1,530	8,000	19%
24	Miscellaneous		535		535	1,000	54%
25	Office Supplies		13,582		13,971	15,000	91%
26	Postage & Delivery		967		946	5,000	19%
27	Printing		4,390		4,464	6,000	73%
28	Repair & Maintenance		7,432		11,377	6,500	114%
29	Technology Supplies		41,069		41,663	45,000	91%
30	Telephone		16,502		16,640	20,000	83%
31	Travel & Registration Fees		49,535		53,555	52,000	95%
32	Utilities		8,531		9,362	10,000	85%
33	Capital Outlay - Office & Technology		31,349		33,149	45,000	70%
34	Capital Outlay - Vehicle		-		-	-	0%
34	Capital Outlay - TD Vehicle		189,596		-	510,080	37%
35	Capital Outlay - Building	¢	36,824	¢	36,824	48,000	77%
36 37	TOTAL EXPENSE	\$	4,496,629	\$	4,500,206	\$ 5,929,273	76%
	INCOME OVER (UNDER) EXPENSE	\$	3,762	\$	40,832	\$ -	
			0,702	<u> </u>		T	
	CASH ON HAND 8/31/2022		000 007				
	Checking Account + Petty Cash	\$	209,697				
	Cash Held in Reserve:	^	075 500				
	Money Market Account	\$	275,538				
	Local Govt Investment Pool	\$	9,520				

Total Cash

\$

494,755

CENTRAL FLORIDA REGIONAL PLANNING COUNCIL STATEMENT OF NET ASSETS August 31, 2022

	UNAUDITED	A	CCRUAL
	ASSETS		
1	Cash	\$	209,682
2	Petty Cash		15
3	Accounts Receivable		464,338
4	Unbilled Costs		654,983
5	Prepaid Expenses		36,157
6	Fixed Assets		1,113,434
7	Funds Held in Reserve		285,058
8			
9	TOTAL ASSETS	\$	2,763,667
10			
11	LIABILITIES & EQUITY		
12			
13	Liabilities		
14	Accounts Payable	\$	507,077
15	Compensated Absences Liability		157,708
16	Deferred Revenue		87,062
17	Total Liabilities		751,847
18			
19	Fund Balance		2,011,820
20			
21	TOTAL LIABILITIES & EQUITY	\$	2,763,667

Agenda Item #4 Recommendation from the Executive Director Search Committee

Actions Regulasted.	Approval of Executive Director Search Committee Recommendations
Exhibits:	None

Background: The Executive Director Search Committee met on September 14, 2022 to review the current Executive Director's resignation and options for hiring a new Executive Director.

Recommendation of the Executive Director Search Committee:

The Search Committee attendees included Neda Cobb, Committee Chair; Keith Keene, Council Chair; Kathy Rapp, Council Vice-Chair; Donna Howerton, Finance Committee Member; and Nathaniel Birdsong, Policy Board Member. The Committee considered the options for replacement of the current Executive Director including seeking outside applicants or promoting from the existing staff of CFRPC. After thorough review of the duties and responsibilities of the Executive Director and required qualifications, the Committee unanimously recommends that the Council:

- 1. Offer the position of Executive Director to Jennifer Codo-Salisbury, CFRPC's Deputy Director. She meets and exceeds all qualifications of the position, has worked for the Council for 15 years, and served as Deputy Director since 2015.
- 2. Authorize the Chair and Council Attorney to negotiate a contract with Jennifer Codo-Salisbury to serve as Executive Director beginning January 1, 2023.
- 3. Accept the resignation of Patricia M Steed from the position of Executive Director effective December 31, 2022.

Agenda Item #5 <u>Amendment</u> to Administrative Procurement Policy

Actions Requested:	Approval of Amendment to Administrative Procurement Policy
Exhibits:	#5: Draft Amendment to the Administrative Procurement Policy

Background: Staff will present an amendment to address purchasing authority and procedures. This amendment will increase the dollar amount thresholds for purchasing allowed administratively and bring in line with other governmental organizations and current costs for supplies and services.

CENTRAL FLORIDA REGIONAL PLANNING COUNCIL POLICY AMENDMENT

XIII. PURCHASING

The procedures of this section constitute a set of rules that provide for appropriate segregation of functional responsibility; a system of authorization and record procedures adequate to provide reasonable accounting control over assets, liabilities, income and expenses; and sound practices to be followed in the performance of duties and functions of the organizational departments and divisions.

The following procedures are policy of the Council for the purchasing of materials:

- 1. All purchases of supplies or equipment require a Purchase Order (PO).
- 2. All Purchase Orders must be authorized by the Executive Director or his designee prior to ordering any merchandise.
- 3. All purchases shall require, in addition to the PO, a Purchase Requisition (PR).
- 4. The PO must contain an exact description of the merchandise to be ordered and quantities.
- 5. The Finance Director or other appropriate staff is responsible for obtaining vendor quotes and/or catalog prices and ordering merchandise.
- 6. Only merchandise on an approved PO will be ordered.
- 7. In the purchase of equipment, consideration shall be given to the possibility of leasing rather than purchasing.

The Executive Director will be responsible for the following:

- A. To approve, without Council authorization, all purchases having a total value under \$25,000.
- B. To administer the budget as approved by the Council.
- C. To oversee the office and staff operations within the annual budget authorized by the Council.
- D. To execute all contracts or agreements on behalf of the Council, except those specified as requiring signature of the Council Chair or requiring an authorizing resolution. This shall include consulting contracts, vendor contracts that are created in accordance with the appropriate bidding protocols, service agreements and any other agreements necessary to carry out the Council's business.

Purchase Cost	Authority	Competitive Price Established
<u>Up to \$5,000</u>	Finance Director	Best judgment and/or three Telephone Quotes
\$ 5,000 \$ <u>10,000</u>	Executive Director	Three (3) Written Quotes
\$ 5,001 \$ <u>10,001</u> to \$25,000	Executive Director	Competitive Sealed Bids
More than \$25,000	Executive Committee	Competitive Sealed Bids

Authorization for purchase of budgeted items shall be in accordance with the following schedule:

Items costing in excess of \$10,000 shall be advertised for bids and shall be purchased from the lowest responsible bidder offering delivery within the time specified in the request for bids. In the acquisition of equipment, consideration shall be given to the possibility of leasing rather than purchasing.

Surplus Equipment and Supplies

- A. <u>There shall be no transfer, sale, trade, or other disposal of equipment, materials and supplies</u> <u>owned by the Council, without authorization of the Executive Director or Deputy Director.</u>
- B. <u>The Executive Director shall dispose of surplus goods and equipment in a manner that</u> provides the best value to the Council, consistent with the provisions of this policy, and recognizing that some assets may be deteriorated such that they have essentially no market value.
- C. <u>Surplus equipment, materials and supplies will be offered for sale through appropriate</u> methods or donation to other government entities and non-profit organizations.
- D. <u>Disposal shall consider opportunities for recycling, free transfer, and other environmentally</u> <u>sound approaches.</u>

Grant Programs/Funding

Procurement and Purchasing standards required by specific grant programs shall be followed and shall supersede any provisions herein.

Other Provisions

All purchasing and procurement processes shall conform to Federal and State procurement standards, as applicable.

Agenda Item #6 Consideration of a 401(a) Retirement Plan to Provide Staff Options

Actions Requested:	Approval of a 401(a) Retirement Plan Option for Employees
Exhibits:	None

Background: Employees of the CFRPC are not members of a Pension plan or State of Florida Retirement System. To increase employee retirement saving options, staff will present an overview of a 401(a) Plan to be considered. The 401(a) Plan allows voluntary contributions separate from the current 457(b) Plan which both the employee and Council contribute to, therefore allowing employees to maximize their retirement contributions without reaching plan limits. The Council's current 457(b) plan is administered by Nationwide Retirement Solutions, which would also administer the 401(a) Plan. Council contributions for employees will be unchanged and there is no additional cost to the Council.

A 401(a) Plan is an **employer-sponsored retirement plan** that allows contributions from both the employee and employer. These contributions may be a specific dollar amount or a percentage of the employee's salary. Many employers in the U.S. establish 401(a) retirement plans and 457(b) retirement plans for people who work for state governments, municipal governments and some tax exempt organizations. The Internal Revenue Service affords the same tax-deferred status to these plans as it does to pensions and 401(k) accounts.

The Central Florida Regional Planning Council would establish a 401(a) Plan with Nationwide Retirement Solutions which is a voluntary employee only contribution through payroll deduction. There is no cost to CFRPC.

Opportunities offered by the 401(a) Plan include:

- Maximize employee savings potential
- Taxable income does not increase
- Flexible investment options
- Multiple distribution options upon retirement

Agenda Item #7 CFRPC Policies for Federal Transit Administration (FTA) Grant Administration

Actions Requested:	Adopt CFRPC Transit Policy
Exhibits:	#7: CFRPC Transit Policy

Background: As the eligible applicant for FTA transit grants for DeSoto, Hardee, Highlands, and Okeechobee Counties, the Florida Department of Transportation has directed the CFRPC to develop and adopt a series of required policies to guide the Community Transportation Coordinator (CTC) as the operator of the multi-county transit service area.

In coordination with the CTC and aligned with the Transportation Disadvantaged Service Plan for the multi-county service area, the following policies will ensure compliance with the federal, state and local regulations related specifically to Federal (Section 5310, 5311, and 5339) and State Transit funding:

Section 1: Americans with Disabilities Act of 1990 (ADA) Policy and Procedures

Section 2: Charter Service Policy

Section 3: School Bus Service Policy

Section 4: Disadvantaged Business Enterprise (DBE) Program Policy

Section 5: Substance Abuse Policy for Safety-Sensitive Employees

Section 6: Equal Employment Opportunity (EEO) Policy

Section 7: Procurement and Purchasing Policy for Purchases Using Federal and State Transit Funds

Section 8: Equipment Disposal Policy for Federal and State Transit Funded Equipment

Central Florida Regional Planning Council (CFRPC) Americans with Disabilities Act of 1990 (ADA) Policy and Procedures

Date: <u>October 12, 2022</u>

Signature:

Keith Keene, CFRPC Chair

Purpose

This policy is written to establish operating and service guidelines and procedures for the implementation of the requirements of the American with Disabilities Act of 1990 (ADA) the U.S. Department of Transportation regulations for implementing ADA (49 CFR Parts 27, 37 and 38), and Florida laws and regulations. The Central Florida Regional Planning Council (CFRPC), through agreement, administers operating funds and capital equipment to the designated Community Transportation Coordinator (CTC) for DeSoto, Hardee, Highlands and Okeechobee Counties to fulfill public transportation services through demand response and deviated fixed route basis. Deviated Fixed Route services are offered to all members of the public, not just persons with disabilities, therefore the service is considered "demand response" and so the CTC is not required to provide ADA complementary paratransit.

The CFRPC and CTC complies with ADA requirements with respect to such services:

- Demand Response Services DeSoto, Hardee, Highlands, and Okeechobee Counties
- Deviated Fixed Route DeSoto-Arcadia Regional Transit (DART) Bus

Policy Statement

It is the policy of CFRPC to comply with all the legal requirements of federal and state laws and regulations as they pertain to individuals with disabilities. If state laws and federal regulations are contradictory, the federal ADA regulations prevail. The transit system provides quality transportation services without discrimination to all persons including individuals with disabilities. Discrimination on the basis of disability against any person by transit system employees will not be condoned or tolerated.

Goals: Service is provided in a manner that meets these goals to:

- 1. Provide safe, accessible, and dignified services to all persons, including individuals with disabilities
- 2. Ensure that eligible individuals who are unable to board, ride or disembark from the fixed route service are provided complementary paratransit with comparable service availability and quality to the fixed route service
- 3. Expedite the safe and efficient boarding, securing, transporting, and alighting of all passengers, regardless of mobility status
- 4. Accommodate the wide range of mobility aids within the confines of available vehicles and commercial standard equipment

Applicability: This policy applies to all transit system employees, services, facilities and vehicles. It applies equally to all persons needing and/or using the services provided by the system.

Central Florida Regional Planning Council (CFRPC) Charter Service Policy

Date: <u>October 12, 2022</u>	Signature:		
		Keith Keene, CFRPC Chair	

Title 49 U.S.C. 5323(d) limits charter service provided by Federally assisted public transportation operators. FTA regulations specify these limitations in 49 CFR part 604-Charter Service, amended effective April 30, 2008 (73 FR 2326, Jan. 14, 2008). Each recipient must enter into an agreement with FTA that the recipient will not engage in charter service unless permitted by FTA charter service regulations. FTA includes that agreement in its annual publication of certifications and assurances.

Charter service is defined based on whether a third party requests the service or whether the transit agency initiates the service. If a third-party requests service, FTA will utilize four characteristics of charter service to determine whether the proposed service meets the definition of charter. If a transit agency initiates the service, FTA will look at whether the transit agency also charges a premium fare or accepts a subsidy from a third party.

For more information see FTA "Charter Bus Service Regulations" web page:

https://www.transit.dot.gov/regulations-and-guidance/access/charter-bus-service/charter-bus-service-regulations-0

The CFRPC does not provide Charter Services using FTA or FDOT funds, equipment or facilities.

Central Florida Regional Planning Council (CFRPC) School Bus Service Policy

Date: <u>October 12, 2022</u>	Signature:	
	Keith Keene, CFRPC Chair	

Recipients are prohibited from providing school bus service in competition with private school bus operators unless the service qualifies and is approved by the Federal Transit Administration (FTA) Administrator under an allowable exemption. Federally funded equipment or facilities cannot be used to provide exclusive school bus service.

A recipient may not engage in school bus operations unless it meets one of three exemptions, has received FTA approval, and uses only locally-funded equipment and facilities. There are three statutory exemptions under which an FTA recipient may operate exclusive school bus service:

1. The recipient operates a school system in its urban area and also operates a separate and exclusive school bus program for that school system.

2. Existing private school bus operators in the urban area are unable to provide adequate transportation at a reasonable rate and in conformance with applicable safety standards.

3. The recipient, a public entity, has operated exclusive school bus service:

a. In the case of an award involving the purchase of buses-anytime during the 12-month period immediately prior to August 13, 1973.

b. In the case of an award for construction or operating of facilities and equipment made pursuant to the FT Act as amended (49 U.S.C. 1601 et seq.), anytime during the 12-month period immediately prior to November 26, 1974.

A recipient wishing to engage in school bus operations under one of these exemptions must provide an opportunity for public comment, including providing written notice to all private school bus operators and publishing notice in the local newspaper.

The Central Florida Regional Planning Council does not provide School Bus Services using FTA or FDOT funds, equipment or facilities.

Central Florida Regional Planning Council (CFRPC) Disadvantaged Business Enterprise (DBE) Program Policy

Date: <u>October 12, 2022</u>	Signature:	
	Keith Keene, CFRPC Chair	

Section 26.1, 26.23 Objectives / Policy Statement: The Central Florida Regional Planning Council (CFRPC) Transit Program has established a Disadvantaged Business Enterprise (DBE) program in accordance with regulations of the U.S. Department of Transportation (DOT), 49 CFR Part 26. The CFRPC has received Federal financial assistance from the Department of Transportation, and as a condition of receiving this assistance, the CFRPC has signed an assurance that it will comply with 49 CFR Part 26.

It is the policy of the CFRPC to ensure that DBEs are defined in part 26, have an equal opportunity to receive and participate in DOT-assisted contracts. It is also our policy:

- 1. To ensure nondiscrimination in the award and administration of DOT assisted contracts;
- 2. To create a level playing field on which DBEs can compete fairly for DOT-assisted contracts;
- 3. To ensure that the DBE Program is narrowly tailored in accordance with applicable law;
- 4. To ensure that only firms that fully meet 49 CFR Part 26 eligibility standards are permitted to participate as DBEs;
- 5. To help remove barriers to the participation of DBEs in DOT assisted contracts;
- 6. To assist the development of firms that can compete successfully in the market place outside the DBE Program.

The Administrative Director has been delegated as the DBE Liaison Officer. In that capacity, the Administrative Director is responsible for implementing all aspects of the DBE program.

Implementation of the DBE program is accorded the same priority as compliance with all other legal obligations incurred by the CFRPC in its financial assistance agreements with the Department of Transportation.

The CFRPC has disseminated this policy statement to the Council and all of the components of our organization. We have distributed this statement to DBE and non-DBE business communities that perform work for us on DOT- assisted contracts.

Section 5: Substance Abuse Policy

Central Florida Regional Planning Council (CFRPC) Substance Abuse Policy for Safety-Sensitive Employees

Date: October 12, 2022

Signature:

Keith Keene, CFRPC Chair

The Central Florida Regional Planning Council (CFRPC) is dedicated to providing safe, dependable, and economical transportation services to its patrons, through agreement with the designated Community Transportation Coordinator (CTC) for DeSoto, Hardee, Highlands and Okeechobee Counties to fulfill public transportation services through demand response and deviated fixed route basis. Employees are a valuable resource and it is also our goal to provide a safe, healthy and satisfying working environment for our employees. In meeting these goals, it is our policy to:

- 1. Assure that employees are not impaired in their ability to perform assigned duties in a safe, productive, and healthy manner;
- 2. Create a workplace environment free from the adverse effects of drug and alcohol abuse or misuse;
- 3. Prohibit the unlawful manufacture, distribution, dispensing, possession, or use of controlled substances;
- 4. Encourage employees to seek professional assistance when substance abuse adversely affects their ability to perform their assigned duties.

This Substance Abuse Policy implements a drug and alcohol testing program for all safety-sensitive employees. Each employee shall be provided a signed copy of the adopted policy. Policy items implemented under the authority of the CFRPC are italicized throughout this policy. All other policy items are implemented under the authority of the US DOT and/or the Federal Transit Administration.

Violation of this substance abuse policy will result in termination of employment and/or exclusion from hire.

Central Florida Regional Planning Council (CFRPC) Equal Employment Opportunity (EEO) Policy

Date: <u>October 12, 2022</u>	Signature:	
		Keith Keene, CFRPC Chair

Statement of EEO Policy

The CFRPC has a commitment to be an equal opportunity employer. We strive to be a workplace reflective of the diversity of our community. No person is excluded from employee opportunities in regards to race, color, religion, national origin, sex (including gender identity, sexual orientation, and pregnancy), age, genetic information, disability, veteran status, or other local, state or federally protected class.

The CFRPC policy applies to all employment actions including, but not limited to, recruitment, hiring, promotion, transfer, demotion, layoff, termination or other forms of compensation. Our EEO plan is available for review by any employee or applicant for employment upon request.

The EEO Program is assigned to the Administrative Director who reports directly to the Executive Director. Applicants and employees have the right to file complaints alleging discrimination with the EEO Officer or our main office/HR. Retaliation against an individual who files a charge or complaint of discrimination, participates in an employment discrimination proceeding, or otherwise engages in protected activity is prohibited and will not be tolerated.

We will provide reasonable accommodations to applicants and employees who need them for a disability or religious observation, as long as it does not produce an undue hardship for the CFRPC. The Administrative Director is responsible for the overall implementation and administration of the EEO Program. Shannon McPherson is the current Administrative Director. Their office is located at: 555 E. Church Street, Bartow, FL 33830. Their phone number is 863-534-7130. The designated Equal Employment Officer is Shannon McPherson. They are responsible for ensuring that hiring and recruitment follow all equal employment laws, regulations, and programs, as well as administrating the grievance.

The CFRPC assigns specific tasks to managers and supervisors to ensure and achieve compliance. The performance of managers, supervisors, and others based on the success of the EEO Program in the same manner that the agency evaluates their performance in and will review these items at the employee's yearly performance review-insert review time.

Questions regarding the EEO Program should be discussed with the Administrative Director. The CFRPC will not retaliate against staff or potential staff regarding these communications.

Central Florida Regional Planning Council (CFRPC) Procurement and Purchasing Policy for Purchases Using Federal and State Transit Funds

Date: <u>October 12, 2022</u>	Signature:	
	Keith Keene, CFRPC Chair	

Purpose

The Central Florida Regional Planning Council (CFRPC), through agreement, administers operating funds and capital equipment to the designated Community Transportation Coordinator (CTC) for DeSoto, Hardee, Highlands and Okeechobee Counties to fulfill public transportation services through demand response and deviated fixed route basis.

This policy is written to comply with the federal, state and local regulations and provide additional policy guidance related specifically to Federal (Section 5310, 5311, and 5339) and State Transit Fund purchases. The procurement guidelines enclosed herein reflect applicable clauses and purchasing requirements. Based on the procurement method used Federal certifications and requirements are included. Procurements will conform to all applicable federal and state laws. These guidelines comply with 49 CFR 18.36, FTA C 4220.IF, Chapter 3 and Florida Statutes, 287.

Graduated Purchasing Authority

Staff shall acquire authorization for purchases in accordance with the following:

• [Per Administrative Procurement Policy]

Purchase Procedures for Federal (Section 5310, 5311, and 5339) and State Funds by Threshold

The CFRPC shall purchase products and services in accordance with the following:

- Micro Purchases procurements less than or equal to \$2,500
 - Equitably distribute among qualified suppliers.
 - Document that the purchase was "fair and reasonable" with a description of how this determination was made.
- Small Purchases procurements greater than \$2,500 but less than \$35,000
 - Preform a price or cost analysis.
 - Avoid unreasonable qualifications, specifying brand, and geographic preference.
 - Obtain documented price or rate quotations from an adequate number of qualified sources.
 - Perform a cost or price analysis.
- Large Purchases procurements greater than \$35,000
 - o Formal bid process adhering to all FTA procurement requirements

Appeal and Protest Procedures

Any bidder, vendor, or contractor who is aggrieved in connection with the solicitation or award of a bid or contracted products and services may file an appeal with the CFRPC. Bidders or contractors may submit an appeal of an award to the Administrative Director in accordance with the following procedure:

- 1. Bidder or contractor shall submit an appeal no later than five (5) business days after notification of the bid award. Such appeals must be received by the Administrative Director no later than 5:00 p.m. within five (5) days of notice of award postmark date.
- 2. All appeals must be in writing and signed by the bidder or an authorized agent of the bidder.
- 3. The appeal shall include the name and address of the bidder or contractor.
- 4. The appeal shall include a detailed description of the facts and disagreement that form the basis of the bidder/vendor/contractor's appeal and supporting documentation and the specific decision requested. The bidder or contractor shall also promptly provide any additional documentation related to the appeal upon request from the Administrative Director.
- 5. The Administrative Director (or authorized representative of the CFRPC) will provide the allegedly aggrieved bidder or contractor with a written decision within five (5) business days after receipt of the appeal. Decision by the Administrative Director of the CFRPC is final. If additional time is mutually agreed on, the Administrative Director shall notify the bidder or contractor of any delay.
- 6. Failure to comply with the appeal procedure shall render an appeal untimely or inadequate and result in rejection by the CFRPC.

In case of FDOT-grant funded operation, the vendor may further file a protest of the decision that resulted in the appeal process to FDOT. The protest to FDOT shall include a detailed description of the facts and disagreement that form the basis of the bidder's or contractor's protest and supporting documentation and the specific decision requested.

Central Florida Regional Planning Council (CFRPC) Equipment Disposal Policy for Federal and State Transit Funded Equipment

Date: <u>October 12, 2022</u>	Signature:	
		Keith Keene, CFRPC Chair

Purpose

The Central Florida Regional Planning Council (CFRPC), through agreement, administers operating funds and capital equipment to the designated Community Transportation Coordinator (CTC) for DeSoto, Hardee, Highlands and Okeechobee Counties to fulfill public transportation services through demand response and deviated fixed route basis.

This policy pertains only to capital procurement of rolling stock using the FTA Section 5310, Section 5311 programs as the funding source. This may include vehicles purchased under the State Transit Block Grant Program, State Transit Corridor Program, State Transit Service Development Program, or other applicable Departmental programs.

Statement of Policy

CFRPC staff will use the useful life specified by Federal and State guidance as the basis for determining the minimum disposal criteria unless there are extenuating circumstances which justify premature disposal actions. (For example: major accident/incident resulting in total loss).

Fair Market Value

When a vehicle is declared as surplus (end of life) it shall be entered into a competitive sale, either via auction or sealed bid sale.

Proceeds from Sale

As stated in Circular 5010.1E, page IV-21, "FTA retains a federal interest in any federally assisted property financed. If a transit agency disposes of any FTA-funded property with a market value exceeds \$5,000, the agency may retain the federal share of the first \$5,000 and the non-federal share of the proceeds, but is required to return to FTA the federal share of the remaining proceeds (i.e. above the first \$5,000) from the disposition of equipment. If a transit agency disposes of FTA-funded property with a unit market value of \$5,000 or less, FTA does not require reimbursement.

Agenda Item #8 Federal Transit Administration (FTA) Grant Applications

Actions Requested:	Adopt Resolution 2022-10A	
Exhibits:	#8: Resolution 2022-10A covering FTA 5310, 5311, and 5339 Grant Programs	

Background: Each year the Council submits requests to the Florida Department of Transportation for FTA funding. The annual grant applications for operating and capital support the Transportation Disadvantaged Program, rural transit services and mobility management programs in DeSoto, Hardee, Highlands, and Okeechobee counties.

Available Grant Programs:

- Enhanced Mobility of Seniors and Individuals With Disabilities (FTA Section 5310)
- Formula Grants for Rural Areas (FTA Section 5311)
- Bus and Bus Facilities (FTA Section 5339)



RESOLUTION 2022-10B

Exhibit #8

A RESOLUTION OF THE CENTRAL FLORIDA REGIONAL PLANNING COUNCIL AUTHORIZING THE SIGNING AND SUBMISSION OF A GRANT APPLICATIONS AND SUPPORTING DOCUMENTS AND ASSURANCES TO THE FLORIDA DEPARTMENT OF TRANSPORTATION, THE ACCEPTANCE OF A GRANT AWARD FROM THE FLORIDA DEPARTMENT OF TRANSPORTATION, AND THE PURCHASE OF VEHICLES AND/OR EQUIPMENT AND/OR EXPENDITURE OF GRANT FUNDS PURSUANT TO A GRANT AWARD.

WHEREAS, the Central Florida Regional Planning Council has the authority to apply for, accept grants, and make purchases and/or expend funds pursuant to grant awards made by the Florida Department of Transportation as authorized by Chapter 341, Florida Statutes and/or by the Federal Transit Administration Act of 1964, as amended;

NOW, THEREFORE, BE IT RESOLVED BY THE Central Florida Regional Planning Council, Florida:

- 1. This resolution applies to the Federal Program under U.S.C. Section 5310, 5311, and 5339.
- 2. The submission of a grant application, supporting documents, and assurances to the Florida Department of Transportation is approved.
- 3. Patricia M. Steed, Executive Director is authorized to sign the application, accept a grant award, purchase vehicles/equipment and/or expend grant funds pursuant to a grant award, unless specifically rescinded.

DULY PASSED AND ADOPTED THIS 12th DAY OF OCTOBER 2022.

CENTRAL FLORIDA REGIONAL PLANNING COUNCIL

Keith Keene, Chair

ATTEST:

COUNCIL ATTORNEY:



Exhibit #12

MONTHLY ACTIVITY REPORT: September 2022

RESOURCE DEVELOPMENT/CAPACITY BUILDING and OUTREACH

- Organized and distributed the September 2022 Florida Regional Councils Association (FRCA) Newsletter, *FRCA Forward*.
- Updated the email lists for and maintained the email listserv for approximately 2,750 individuals who receive *FRCA Forward*.
- Maintained and updated the FRCA website: www.flregionalcouncils.org.
- To enhance partnerships and strengthen the relationship between regional planning councils and their state and federal partners, organized, participated with, or attended the following meetings and webinars:
 - o Department of Economic Opportunity Broadband Strategic Plan Webinar
 - o Florida Chamber Foundation Coordination Meeting
 - Southeast Crescent Regional Commission Collaboration Meeting
 - Florida Division of Emergency Management Statewide Emergency Shelter Plan Working Group
 - Rural Economic Development Initiative Meeting
 - 2023 State Hazard Mitigation Plan Stakeholder Workshop
 - o Coordination Meeting with Chief Resilience Officer, Wes Brooks
- Attended the Florida American Planning Association Annual Conference as a sponsor and exhibitor.

ASSOCIATION MANAGEMENT

- Hosted the September FRCA Executive Directors Advisory Committee (EDAC) and FRCA Partners Meetings.
- Prepared to attend the Florida Resilience Conference as a moderator and partner.
- Continued to coordinate logistics for the 2022-23 meeting and conference schedule.
- Distributed grant opportunities and information of interest from local, state and national organizations.