

**THE BYLAWS OF  
COLLIER METROPOLITAN PLANNING ORGANIZATION (MPO)**

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**Section 1**                    **DESCRIPTION OF ORGANIZATION**

**1.01**    **THE AGENCY**

The Collier Metropolitan Planning Organization, hereinafter referred to as the MPO, is created pursuant to Florida Statute 339.175 and operates under an Interlocal Agreement, as amended and restated dated February 26, 2015, authorized under Chapter 163 of the Florida Statutes. The parties to the interlocal agreement are Collier County, the City of Naples, the City of Marco Island, the City of Everglades City and the Florida Department of Transportation.

Creation of the MPO is for the purpose of implementing 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. The MPO is created to work in cooperation with the Florida Department of Transportation, the Federal Highway Administration and Federal Transit Administration.

**1.02**    **COMPOSITION AND OPERATION OF THE MPO**

The composition and operation of the MPO shall be as provided in the aforesaid



Interlocal Agreement; the officers of the MPO and their duties, and these rules may be amended as provided by said Agreement.

- A. Officers – The MPO shall elect a Chairman and a Vice Chairman of the MPO at its first meeting of the calendar year. The Chairman and Vice Chairman shall serve for a period of one (1) year or until a successor is elected. The Chairman and Vice-Chairman shall be voting members of the MPO.
- B. Chairman – The Chairman of the MPO shall call and preside at all meetings of the MPO. The Vice Chairman shall serve as Chairman in the absence of the Chairman.
- C. Agency Clerk – The staff of the MPO shall maintain the minutes and other records of the MPO. The minutes shall accurately reflect the proceedings of the MPO.
- D. Quorum – A majority of the voting members of the MPO must be present for the MPO to conduct business.
- E. Rules of Order – Except as otherwise provided in these Bylaws, Roberts Rules of Order, as revised, shall be followed as to any parliamentary procedures at all meetings.
- F. Reconsideration of Matters – Except for MPO approved contracts, any matter which has been voted upon by the MPO may be reconsidered as follows:
  - (1) By a motion to reconsider made by a member who voted with the majority if such motion is made prior to the adjournment of the meeting at which the matter was voted upon. If there were no public speakers on the item, or if all of the public speakers for the item are still present in the boardroom following a successful motion to reconsider, the MPO may elect to rehear the matter during that meeting, or direct the MPO Executive Director to place the item on the agenda for a future meeting. In the event that there were public speakers for the item, and not all of the public speakers are still present in the boardroom following a successful motion to reconsider, the MPO Executive Director shall be directed to place the item on the agenda for a future meeting.
  - (2) By a motion to reconsider made by a member who voted with the majority if such motion is made at a regular meeting following the meeting at which the matter was voted upon, but only in accordance with the following:

- (i) Where a member who voted with the majority wishes the Board to reconsider a matter after the adjournment of the meeting at which it was voted on, the member shall deliver to the MPO Executive Director a written memorandum stating that the member intends to introduce a motion to reconsider. The memorandum shall state the date of the regular meeting at which the member intends to introduce such motion, and shall be delivered to the MPO Executive Director at least six days prior to such meeting. The purpose of this requirement is to allow staff to advise the Board of the legal or other ramifications of reconsideration.
- (ii) No motion to reconsider shall be made any later than the second regular MPO meeting following the MPO Board's vote on the matter sought to be reconsidered; with the exception of where the basis for such request for reconsideration is found upon MPO's staff's presentation of newly discovered and previously unknown facts which would have been material to the MPO's consideration at the time the item was originally considered but were not known earlier despite the due diligence of MPO staff.
- (iii) Upon adoption of a motion to reconsider, the MPO Executive Director shall place the item on an agenda not later than the second regular MPO meeting following the meeting at which the motion for reconsideration was adopted.
- (iv) All parties who participated by speaking, submitting registration forms or written materials at the original meeting the item was addressed by the MPO, shall be notified by the MPO Executive Director of the date of reconsideration.
- (v) MPO approved contracts may only be reconsidered by motion made prior to the adjournment of the meeting at which the matter was voted upon notwithstanding the discovery of subsequent newly discovered facts. For purposes of this subsection, a contract is defined as an agreement that is legally binding and enforceable in a court of law.

### **1.03 COMMITTEES**

There are hereby created five (5) standing committees, which shall be advisory committees to the governing board of the MPO. These advisory committees are the Technical Advisory Committee, Citizens Advisory Committee, the Bicycle

