

**BYLAWS OF THE
FLORIDA GREENWAYS AND TRAILS COUNCIL**

ARTICLE I

Name

The name of the organization shall be the "Florida Greenways and Trails Council" (hereinafter referred to as the "Council").

ARTICLE II

Legal Authority

The legal authority for the Council is Section [260.0142](#), Florida Statutes, entitled "Florida Greenways and Trails Council; composition; powers and duties."

ARTICLE III

Purpose and Objectives

The purpose of the Council is to perform those duties listed under Chapter ~~260.0142~~ [260](#), Florida Statutes. The Council shall advise the department in the execution of the department's powers and duties under this chapter. Section [260.0142](#), Florida Statutes described the duties of the Council. The duties of the Council shall include:

- 1) Facilitate a statewide system of interconnected landscape linkages, conservation corridors, greenbelts, recreational corridors and trails, scenic corridors, utilitarian corridors, reserves, regional parks and preserves, ecological sites, and cultural/historic/recreational sites using land-based trails that connect urban, suburban, and rural areas of the state and facilitate expansion of the statewide system of freshwater and saltwater paddling trails.
- 2) Recommend priorities for critical links in the Florida Greenways and Trails System.
- 3) Review recommendations of the office for acquisition funding under the Florida Greenways and Trails Program and recommend to the Secretary of Environmental Protection which projects should be acquired.
- 4) Review designation proposals for inclusion in the Florida Greenways and Trails System.
- 5) Encourage public-private partnerships to develop and manage greenways and trails.
- 6) Review progress toward meeting established benchmarks and recommend appropriate action.
- 7) Make recommendations for updating and revising the implementation plan for the Florida Greenways and Trails System.
- 8) Promote greenways and trails support organizations.
- 9) Support the Florida Greenways and Trails System through intergovernmental coordination, budget recommendations, advocacy, education, and any other appropriate way.

Section [335.065](#) (4), Florida Statute directs the Florida Department of Transportation to fund trail projects that are identified by the Council as a priority within the Florida Greenways and Trails System. Section [339.81](#) (2), Florida Statute establishes that the Florida Shared-Use Nonmotorized Trail Network (SUNTrail) is created as a component of the Florida Greenways and Trails System established in Chapter [260](#), Florida Statute.

ARTICLE IV

Membership

- (A) MEMBERSHIP -- The Council shall consist of ~~the following~~:
- 1) Five (5) members representing the greenway user community
 - 2) Five (5) members representing the trail user community
 - 3) One (1) member representing private landowners
 - 4) Secretary of Environmental Protection or a designee
 - 5) Executive Director of the Fish and Wildlife Conservation Commission or a designee
 - 6) Secretary of Transportation or a designee
 - 7) Director of the Division of Forestry of the Department of Agriculture and Consumer Services or a designee
 - 8) Director of the Division of Historical Resources of the Department of State or a designee
 - 9) A representative of the water management districts
 - 10) A representative of a federal land management agency
 - 11) A representative of the regional planning councils
 - 12) A representative of local governments
- (B) APPOINTMENT OF REPRESENTATIVES OF THE GREENWAY USER COMMUNITY --
- 1) Governor will appoint two (2) representatives of the greenway user community.
 - 2) Senate President will appoint two (2) representatives of the greenway user community.
 - 3) Speaker of the House will appoint one (1) representative of the greenway user community.
- (C) APPOINTMENT OF REPRESENTATIVES OF THE TRAIL USER COMMUNITY--
- 1) Governor will appoint two (2) representatives of the trail user community.
 - 2) Senate President will appoint one (1) representative of the trail user community.
 - 3) Speaker of the House will appoint two (2) representatives of the trail user community.
- (D) APPOINTMENT OF PRIVATE LANDOWNER REPRESENTATIVE --
- 1) Governor will appoint private landowner representative.
- (E) APPOINTMENT AGENCY MEMBERS --
- 1) The water management district representatives shall rotate among the five districts, and the districts shall determine the order of rotation.
 - 2) The Secretary of Environmental Protection shall identify the appropriate federal agency and request designation of a representative from the agency.
 - 3) The Secretary of Environmental Protection shall appoint the regional planning council representative.
 - 4) The Secretary of Environmental Protection shall appoint the local government representative.
 - 5) The remaining agency representatives will be the agency head or his/her designee.

(F) TERMS OF OFFICE --

- 1) After the initial appointments, representatives of the greenway and trail user communities and the private landowner representative will be appointed for 2-year terms and may be reappointed for no more than four consecutive terms.
- 2) The water management district representative shall serve a 2-year term and may be reappointed for no more than two consecutive terms. Membership shall rotate among the five districts and the districts shall determine the order of rotation.
- 3) The regional planning council representative shall serve a 2-year term and may be reappointed for no more than two consecutive terms. Membership shall rotate among the regional planning councils.
- 4) The local government representative shall serve a 2-year term and may be reappointed for no more than two consecutive terms. Membership shall rotate between a county and a municipal representative.
- 5) The remaining agency representatives will serve at the discretion of the respective agency head.
- 6) If an appointment is made to fill an unexpired term due to the resignation or removal of a council member, the appointee will remain eligible for appointment to a full term.
- 7) A vacancy on the Council shall be filled for the remainder of the unexpired term in the same manner as the original appointment. Members whose terms have expired may continue to serve until replaced or reappointed.

(G) VOTING -- Each Council member shall have one vote per motion. Section 112.3143, Florida Statute regarding voting conflicts applies to Council members as “public officers”. Members must abstain from voting if a conflict arises and shall make every reasonable effort to disclose the nature of his or her interest as a public record in a memorandum filed with the person responsible for recording the minutes of the meeting, who shall incorporate the memorandum in the minutes. If it is not possible for the state public officer to file a memorandum before the vote, the memorandum must be filed with the person responsible for recording the minutes of the meeting no later than 15 days after the vote.

~~(G)~~ (H) ALTERNATES -- Each council member may designate one alternate to represent him or her as a voting member of the Council at a duly constituted Council meetings. The Council member must furnish the alternate’s name to the Office of Greenways and Trails (OGT) in writing prior to OGT staff completing travel arrangements for the Council members, except when assuring the Council achieves quorum. The Council member and is responsible for transmitting materials to the alternate and for briefing the alternate on the issues. Alternates shall not replace the attendance requirement of the appointed Council member.

~~(H)~~ (I) RESIGNATION FROM THE COUNCIL -- Vacancies occurring due to the resignation of a member shall be filled in the same manner as an initial appointment.

~~(I)~~ (J) REMOVAL OF A COUNCIL MEMBER -- If a member is not serving in the best interest of the Council, the council may vote to recommend to the appointing body that

the member be removed. Vacancies occurring due to the removal of a member shall be filled in the same manner as an initial appointment.

- (K) ATTENDANCE REQUIREMENT -- Any Council member missing more than one (1) meeting annually requires a consultation with the Chair to determine the most appropriate action regarding future attendance, resignation, or removal.

ARTICLE V

Meetings

- (A) NUMBER OF MEETINGS -- A minimum of ~~two (2)~~ three (3) duly constituted meetings shall be held each year, but may be held more frequently as required to conduct business. Tentative dates are to be determined by the Council and the OGT no later than the final meeting of the year. Other meetings may be called by the OGT or the Chair of the Council. ~~Council members may hold a meeting by means of a telephone conference or similar communications equipment that would allow all participants to hear each other at the same time.~~
- (B) NOTICE -- Written notice of all Council meetings shall be given to all members at least fourteen (14) days in advance. The meeting agenda and materials are also provided on the OGT website, see <http://dep.state.fl.us/gwt/FGTC/fgtc/council.htm>. ~~The written notice shall include the date, time, and place of the meeting.~~ Public notice of all Council meetings shall be ~~given~~ provided in the Florida Administrative Register in accordance with Section 120.525, Florida Statutes. The written notice shall include the subject matter of the meeting generally, voting items, date, time, and place of the meeting.
- (C) QUORUM -- For voting purposes, a quorum shall be a simple majority of all members duly appointed at the time that a noticed meeting is convened. No official vote shall be taken unless a quorum is present.
- (D) REIMBURSEMENT OF EXPENSES -- Travel and per diem expenses of Council members shall be reimbursed as provided in Section 112.061, Florida Statutes.

ARTICLE VI

SubCommittees and Florida Sunshine Law Chapter 286, Florida Statute

- (A) The Council may establish subcommittees to conduct the work of the council and the subcommittees may include nonmembers, as appropriate.
- (B) Council members may hold subcommittee meeting by means of a telephone conference or similar communications equipment that would allow all participants to hear each other at the same time.
- (C) Council members that are part of a “fact-finding” type subcommittees regarding the bylaws or other potential topics of business etc., then those members shall discuss “issues of fact”, but may not discuss their recommendations to the Council outside of a noticed meeting.

ARTICLE VII

Records

Council minutes, records, correspondence, and other documents shall be retained by the OGT.

ARTICLE VIII

Officers

- (A) The Council shall function with two (2) officers: Chair and Vice-Chair.
- (B) The Chair shall be the chief officer of the Council and shall:
 - 1) Preside at meetings of the Council.
 - 2) Perform duties prescribed by majority vote of those Council members in attendance at a duly constituted meeting of the Council.
- (C) The Vice-Chair shall:
 - 1) Perform duties of the Chair in the absence of the Chair.

ARTICLE IX

Elections and Officer Terms

- (A) Nominations shall be made and elections shall be held for the offices of Chair and Vice-Chair annually. Officers shall be elected by the Council at a duly constituted meeting of the Council.
- (B) Elected officers shall serve for a term of one (1) year and shall take office at the first meeting following their election. In the event of a vacancy, officers shall be nominated and elected at the next duly constituted meeting of the Council.
- (C) Officers may be removed from office for just cause by a vote of the Council at a duly constituted meeting of the Council.
- (D) In the event the Council Chair is unable to serve, resigns or is removed by the Council, the Vice-Chair will immediately assume the position of Chair. The position of Vice-Chair will be vacated and a new Vice-Chair will be elected at the next meeting of the Council. Both positions will serve for the unexpired term.

ARTICLE X

Adoption and Amendment of Bylaws

- (A) Bylaws shall be reviewed by the Council at a minimum every three years.
- ~~(A)~~ (B) These bylaws may be adopted and amended by a majority vote of those Council members in attendance at a duly constituted meeting of the Council.
- ~~(B)~~ (C) All proposed amendments to the bylaws shall be distributed to all Council ~~M~~members at least fourteen (14) days in advance of the meeting.

(D) These bylaws and all subsequent amendments shall become effective when adopted by the Council.

ARTICLE XI

Parliamentary ~~Authority~~ Procedure

The rules contained in the attached Addendum I: Parliamentary Procedure (Simplified) are the operating rules of the Council. ~~parliamentary authority of the Council shall be Roberts Rules of Order, latest edition~~

Adopted this ~~14th~~ ___ day of ~~October~~ February, 20~~14~~16.

ADOPTED:

~~Kent Wimmer~~ Brian Smith, Chair
Florida Greenways and Trails Council

ATTEST:

~~Matthew Morris~~ Ralph Lair, Vice-Chair
Florida Greenways and Trails Council

HISTORICAL PERSPECTIVES

VERSION 1.0	Adopted March 2, 2000
VERSION 2.0	Adopted May 16, 2003
VERSION 3.0	Adopted May 19, 2005
VERSION 4.0	Adopted September 7, 2005
VERSION 5.0	Adopted October 11, 2011
<u>VERSION 6.0</u>	<u>Adopted February XX, 2016</u>

**Florida Greenways and Trails Council
Bylaws Addendum: Parliamentary Procedure - Simplified**

Kind of Motion	Purpose of the Motion	Effect of the Motion
Move	To initiate a motion	Initiates movement on an action
Second	Moves motion to action	Requires the group to take a specific action
Discussion	Discussion on a motion	Gives chance for additional discussion on an item
Say "Aye/Nay"	Call for the vote	Ends discussion and asks for group consensus
Amend	Proposes modifications to the motion at hand	If adopted, changes the original motion
Refer to a Subcommittee	Enables more careful consideration before a vote	Chair refers the issue to a subcommittee for further exploration; delays immediate action
Table	Clear the floor for more urgent business	Temporarily set aside while other business is considered
Postpone	Prevents a vote on the question	Suppresses the question indefinitely
Postpone to a Time Certain	Gives more time for informational discussion and securing supporters; can be postponed to a specific time	Delays immediate action; Chair must monitor these motions for consideration until stated time or conclusion of the meeting
Limit/Extend Debate	To limit debate or extend time	Shortens/Lengthens discussion for debate; requires a 2/3 vote for approval
Point of Order	Calls attention to a violation of the rules; motion must be made as violation occurs	Chair makes a ruling on the point of order (sustained or overruled), and can be appealed by a majority vote
Call the Question/ Previous Question	Secures an immediate vote on pending a motion	If the motion passes, the Chair must immediately call a vote on the main motion
Appeal Decision to the Chair	The Chair determines the group's attitude on an issue	Secures ruling by the Chair rather than by the group, requires majority vote and a second