



SPECIAL TRANSPORTATION FUND COMMITTEE
COMMUNITY ADVISORY COMMITTEE
BYLAWS



Contents

ARTICLE I	
NAME AND PURPOSE	4
SECTION 1.1 <i>Purpose</i>	4
ARTICLE II	
GOVERNANCE PROCEEDINGS.....	4
SECTION 2.1 <i>Governance Procedures</i>	4
ARTICLE III	
MEMBERSHIP, COMPOSITION, APPOINTMENT.....	4
SECTION 3.1 <i>Membership</i>	4
SECTION 3.2 <i>Appointment</i>	4
SECTION 3.3 <i>Composition</i>	4
ARTICLE IV	
TERMS OF SERVICE, VACANCIES.....	5
SECTION 4.1 <i>Terms of Service</i>	5
SECTION 4.2 <i>Vacancies</i>	5
ARTICLE V	
OFFICERS.....	5
SECTION 5.1 <i>Officers</i>	5
SECTION 5.3 <i>Vice President</i>	5
SECTION 5.4 <i>Secretary</i>	5
SECTION 5.5 <i>Treasurer</i>	5
SECTION 5.6 <i>Vacancies</i>	5
SECTION 5.7 <i>Committee Assignments</i>	5
ARTICLE VI	
DUTIES.....	5
SECTION 6.1 <i>Required Functions</i>	5
SECTION 6.2 <i>Purpose and Use of the STF and STO Moneys</i>	6
ARTICLE VII	
CODE OF ETHICS AND CONFLICT OF INTEREST POLICY.....	7
SECTION 7.1 <i>Code of Ethics and Conflicts of Interest Policy</i>	7
ARTICLE VIII	
MEETINGS	7
SECTION 8.1 <i>Committee Meetings</i>	7
SECTION 8.2 <i>Quorum Requirements</i>	7
SECTION 8.3 <i>Meeting Times</i>	8
SECTION 8.4 <i>Attendance</i>	8
SECTION 8.5 <i>Telephonic Attendance</i>	8



SECTION 8.6 <i>Meeting Preparation</i>	8
SECTION 8.7 <i>Committee Meeting Discussion</i>	8
SECTION 8.8 <i>Public Participation</i>	8
SECTION 8.9 <i>Scheduling</i>	8
ARTICLE IX	
VOTING RULES.....	8
SECTION 9.1 <i>Voting</i>	8
SECTION 9.2 <i>Conflict of Interest</i>	8
SECTION 9.3 <i>Voting Requirements</i>	8
ARTICLE X	
PUBLIC MEETINGS LAW AND PUBLIC RECORDS LAW.....	8
SECTION 10.1 <i>Legal Requirements</i>	8
SECTION 10.2 <i>Serial Communications</i>	9
SECTION 10.3 <i>Committee email</i>	9
ARTICLE XI	
SEVERABILITY.....	9
SECTION 11.1 <i>Severability</i>	9
ARTICLE XII	
AMENDMENTS.....	9
SECTION 12.1 <i>Action</i>	9
APPENDIX	
DEFINITIONS.....	10



ARTICLE I
NAME AND PURPOSE

SECTION 1.1 *Purpose.* The Special Transportation Fund Committee (the “STFC” or “Committee”) was established by the Lane Transit District (“LTD” or the “District”) Board of Directors to advise and assist the Board in carrying out the purposes of the Special Transportation Fund (the “STF”) for the elderly and people with disabilities Transportation Operating (the “STO”) Grants Program.

ARTICLE II
GOVERNANCE PROCEEDINGS

SECTION 2.1 *Governance Procedures.* The Special Transportation Fund Committee will comply with Oregon’s Public Meetings Law, Public Records Law, and all applicable governance procedures set forth in the LTD Ordinance Providing Rules for Meetings of the Lane Transit Board of Directors, attached hereto as Exhibit A.

ARTICLE III
MEMBERSHIP, COMPOSITION, APPOINTMENT

SECTION 3.1 *Membership.* The Committee shall consist of at least 5 and not more than 15 members, a majority of whom meet the qualifications set forth in Section 3.3 (c)(i)-(iv). All members of the Committee are voting members. Pursuant to OAR 732-005-0031(7) the Oregon Department of Transportation will be notified of changes in Committee membership.

SECTION 3.2 *Appointment.* Committee members will be appointed by the LTD Board of Directors. Applications for membership will be available electronically on the District’s website with submissions going to the clerk of the Board.

SECTION 3.3 *Composition.* To be qualified to serve on the Committee, a member must:

- a) Reside in the Lane Transit District boundaries;
- b) Be knowledgeable about the transportation needs of the Elderly and People with Disabilities; and
- c) Be a person who:
 - i. Is Elderly or a person with a disability and is a User of Transportation Services in the District;
 - ii. Is Elderly or is a person with a disability and who lives in an area of the District where there are no Public Transportation Services;
 - iii. Is Representative of Elderly persons residing in the District;
 - iv. Is Representative of People with Disabilities residing in the District; or
 - v. Represents a Provider of services to the Elderly or People with Disabilities residing in the District.

The LTD Board of Directors will consider geographic diversity and balance of the membership qualifications identified in Section 3.3 (c)(i)-(v) when appointing new members to the Committee.



ARTICLE IV **TERMS OF SERVICE, VACANCIES**

SECTION 4.1 Terms of Service. Members shall serve for 2 year terms. Members may be eligible for reappointment for up to three additional 2 year terms, for a total term of 8 years. Notwithstanding the above, due to the nature of their position, members meeting the qualifications set forth in Section 3.3 (c)(v) may continue to be reappointed and are not subject to the 8-year limitation, set forth above. Providers are responsible for changing their representative to the Committee at their discretion.

SECTION 4.2 Vacancies. For members appointed to the Committee pursuant to Section 3.3 (c)(v), the LTD Board of Directors shall appoint the member's successor to serve for the remainder of the unexpired term. For members appointed to the Committee pursuant to Section 3.3 (c)(i)-(iv) the LTD Board of Directors, will appoint the member's successor.

ARTICLE V **OFFICERS**

SECTION 5.1 Officers. The Committee shall choose from among its members, by majority vote of the members, a president and vice president to serve one year terms. Terms of office shall begin on the first day of July and end on the last day of June each year.

SECTION 5.2 President. The president, and in the president's absence, the vice president; and in the absence of both, a member selected by the members present to act as president pro tem, shall preside at Committee meetings. The presiding officer shall be entitled to vote on all matters and may make and second motions and participate in discussion and debate.

SECTION 5.3 Vice President. In the event of the absence of the president, or of the president's inability to perform any of the duties of the president's office or to exercise any of the president's powers, the vice president shall perform such duties and possess such powers as are conferred on the president, and shall perform such other duties as may from time to time be assigned to the vice president by the president or Committee.

SECTION 5.4 Secretary. This section intentionally left blank.

SECTION 5.5 Treasurer. This section intentionally left blank.

SECTION 5.6 Vacancies. In the case of a vacancy in any office other than by expiration of an officer's term, the vacancy shall be filled by election by the Committee members when the need arises and the newly elected officer shall take office immediately upon the occurrence of such vacancy to fill the balance of the unexpired term.

SECTION 5.7 Committee Assignments. This section intentionally left blank.

ARTICLE VI **DUTIES**

SECTION 6.1 Required Functions. Oregon Administrative Rule ("OAR") 732-005-0031(3) requires the Committee to:

- a) Advise the Board regarding the opportunities to coordinate STF moneys and STF-funded projects with other transportation programs and services to avoid duplication and gaps in service;



-
- b) Review the proposed distribution of Formula Program moneys and make recommendations to the Board;
 - c) Review STO and Discretionary Grant proposals and make recommendations to the Board;
 - d) Adhere to Public Meetings Law;
 - e) Meet a minimum of two times per year, or a sufficient number of times so as to advise the LTD Board in carrying out the purposes of the STF Program;
 - f) Participate in developing the STF Plan that will be used to perform the activities described herein; and
 - g) Be guided by written bylaws that may include, but are not limited to, committee membership criteria, terms of office for the committee members, procedures of the committee, meeting schedule and other operating and decision-making procedures.

To perform the activities described above, the Committee will review the Projects proposed for funding by Formula Program and Discretionary Program moneys, including the proposed Recipient, Project purpose, intended User of Transportation Services, and the proposed funding level. The Committee may recommend to the LTD Board any changes to the proposed distribution of Formula Program moneys or Discretionary Grant applications it considers necessary.

The Committee is also responsible for the Human Service Transportation Coordination Plan ("Coordination Plan"). The committee will:

- a) Review and oversee the outreach process;
- b) Make recommendations to the LTD Board of Directors

SECTION 6.2 *Purpose and Use of the STF and STO Moneys.* The STF and STO funds are intended to provide a flexible, coordinated, reliable and continuing source of revenue in support of Transportation Systems and Services that provide transportation for the Elderly and People with Disabilities.

- a) STF and STO moneys may be used for the following purposes:
 - i. Maintenance of existing Transportation Systems and Services for the Elderly and People with Disabilities.
 - ii. Expansion of such Systems and Services.
 - iii. Creation of new Systems and Services.
 - iv. Planning for, and development of, access to transportation for the Elderly and People with Disabilities who are not currently served by transportation programs and services.
- b) The STF and STO moneys may be used as matching funds for state and federal programs also providing transportation programs and services to the Elderly and People with Disabilities.
- c) Use of STO moneys is limited to Operations Expense; Capital equipment is not eligible.
- d) When funded by STF and STO moneys:



- i. Projects will comply with the requirements of USDOT Federal Transit Administration regulations, 49 CFR PART 37 TRANSPORTATION SERVICES FOR INDIVIDUALS WITH DISABILITIES (Americans with Disabilities Act) section 37.3, as applicable to the specific Project and Provider.
 - ii. Projects financed in whole or part with STF and STO moneys will be coordinated with other transportation programs and services to the maximum extent feasible.
- e) Except in the case of a uniform budget reduction, STF and STO moneys will not be used to supplant moneys currently appropriated by STF Agencies for transportation projects benefiting the Elderly and People with Disabilities. STF and STO moneys may supplement funds from other sources.

ARTICLE VII **CODE OF ETHICS AND CONFLICT OF INTEREST POLICY**

SECTION 7.1 *Code of Ethics and Conflicts of Interest Policy.* Each Committee member is governed by Oregon's Government Ethics Law and the Federal Transit Administration Circular 4220.1F regarding conflicts of interest.

ARTICLE VIII **MEETINGS**

SECTION 8.1 *Committee Meetings.* The Committee will meet a minimum of two times per year, or a sufficient number of times so as to advise the District in carrying out the purposes of the STF and STO Programs.

The Special Transportation Committee will comply with Oregon's Public Meetings Law, Public Records Law, and all governance procedures and meeting requirements set forth in the LTD Ordinance Providing Rules for Meetings of Lane Transit District Board of Directors, attached hereto as Exhibit A. This Article VII is intended to supplement the law and LTD's Ordinances.

SECTION 8.2 *Quorum Requirements.* A quorum of Committee members is a majority of the Committee members, even if a member is absent or a position is vacant with the intention of being filled. This Committee can have a varying number of members, ranging between five (5) and (15). If a position is vacant because a member appointed pursuant to Section 3.2(c)(v) is no longer a member, that position should be counted in determining whether there is a quorum. If a position is vacant because a member appointed pursuant to Section 3.2 (c)(i)-(iv) is no longer a member, that position should be counted in determining whether there is a quorum. A quorum is required to pass a vote at a public meeting.

- a) By way of example, assume there are 12 Committee members. A member appointed to the Committee pursuant to Section 3.3 (c)(v) resigns so that there are now 11 Committee members and one vacancy. Seven (of twelve) Committee members are required for a quorum.
- b) By way of example, assume there are 12 Committee members. A member appointed to the Committee pursuant to Section 3.3 (c)(i)-(iv) resigns so that there are now 11 Committee members. The General Manager informs the Committee that she/he does not intend to fill the vacancy, so there is no vacancy, meaning there are now 11 Committee members. Six (of eleven) Committee members are required for a quorum.



SECTION 8.3 Meeting Times. The Committee will meet on the third Tuesday of the month on an as needed basis during funding windows. Scheduled meetings may be cancelled by the president, or upon written notice to the Committee by any four (4) members. Special meetings may be called, with reasonable notice. Committee members must respect the scheduled starting and ending times for meetings. The vice president will assist the president with keeping on schedule.

SECTION 8.4 Attendance. All Committee members are expected to regularly attend Committee meetings and be fully engaged with minimal distraction (from cell phones, etc.) at regularly scheduled Committee meetings, unless prevented by illness or an unavoidable cause.

SECTION 8.5 Telephonic Attendance. If a Committee member is unable to attend a meeting, there is an option to attend telephonically. A Committee meeting can also be held telephonically, without any members having to physically attend, so long as all the requirements of the Public Meetings Law are still followed (notice, recording, and a location for the public to attend and listen).

SECTION 8.6 Meeting Preparation. All Committee members should prepare for Committee meetings by reading the materials ahead of the meeting and asking questions of the General Manager prior to the day of the meeting, if possible.

SECTION 8.7 Committee Meeting Discussion. Committee discussions should be thorough yet concise and pertinent to the issues on the agenda.

SECTION 8.8 Public Participation. Although the Public Meetings Law guarantees the public the right to attend all public meetings, it does not provide the public the right to participate. LTD has historically allowed public participation at meetings upon recognition by the president. Public testimony will typically be limited to three (3) minute increments, but it is adjustable at the discretion of the president.

SECTION 8.9 Scheduling. All Committee members are expected to cooperate in scheduling special meetings and/or work sessions for training purposes.

ARTICLE IX **VOTING RULES**

SECTION 9.1 Voting. Committee members are expected to cast a vote on all matters except when a conflict of interest arises.

SECTION 9.2 Conflict of Interest. Committee members should be familiar with Oregon's Government Ethics Law and the Federal Transit Administration Circular 4220.1F regarding conflicts of interest. If a Committee member believes he/she may have a conflict of interest, that concern should be communicated with the Clerk of the Board and/or the General Manager in advance of the Committee meeting. They may consult with legal counsel.

SECTION 9.3 Voting Requirements. The affirmative vote of a majority of all Committee members is required to pass a motion. For example, assume there are ten Committee members. Even if only seven Committee members attend the meeting, six must vote affirmatively to pass the motion.

ARTICLE X **PUBLIC MEETINGS LAW AND PUBLIC RECORDS LAW**

SECTION 10.1 Legal Requirements. The requirements of Oregon's Public Meetings Law must be followed whenever a quorum of Committee members meet to deliberate towards a decision. All Committee communications are subject to the Public Records Law. This Article X is intended to supplement the requirements of the Public Meetings Law and Public Records Law.



SECTION 10.2 Serial Communications. If Committee members have serial communications among a quorum of its members, the requirements of the Public Meetings Law apply. A serial communication occurs when Committee member 1 deliberates towards a decision with Committee member 2; Committee member 2 then deliberates towards a decision with Committee member 3, and so on, until a quorum of Committee members (4) is involved. While serial communications can take place in person or over the phone, they most often occur via email.

SECTION 10.3 Committee email. The following guidelines apply to use of Committee email:

- a. Do not reply to Committee emails to deliberate towards a decision that should occur in public session;
- b. “Deliberation towards a decision” can only occur among Committee members. It is acceptable to reply to an email from the General Manager and/or Clerk of the Board, so long as the General Manager and/or Clerk of the Board do not share your opinion with any other Board members; and
- c. Committee emails are subject to public records request. As a general rule, do not write anything in an email that you would not want printed in the newspaper.

ARTICLE XI **SEVERABILITY**

SECTION 11.1 Severability. If any provision of these Bylaws or its application to any person or circumstances is held invalid, the remainder of these Bylaws, or the application of the provision to other persons or circumstances is not affected.

ARTICLE XII **AMENDMENTS**

SECTION 12.1 Action. These Bylaws, as adopted by the LTD Board of Directors, may be revised or amended at any regular or special meeting of the LTD Board of Directors by a vote of the majority of the whole membership of the Board.



APPENDIX DEFINITIONS

The following definitions apply to rules in chapter 732 divisions 5, 10, 20 and 30:

- a. **“Administration”** means the essential activities incurred by the STF Agency: receiving, disbursing and accounting for STF moneys.
- b. **“Administrative Allotment”** means a fixed amount, disbursed annually to a STF Agency, for Administration.
- c. **“Advisory Committee”** means a committee appointed by a STF Agency to advise and assist the STF Agency in carrying out the purposes of the Special Transportation Fund.
- d. **“Capital equipment”** means tangible property having a useful life of more than one year and with an acquisition cost of more than \$5,000. Examples include and are not limited to: vehicles, buildings, and passenger shelters. Aggregated purchases, e.g., groups of computers and communication equipment purchased as a single procurement, even if delivered and paid for individually, are treated as capital if the total cost exceeds \$5,000.
- e. **“Coordination”** means working cooperatively with Providers and other individuals and agencies representing people unable to drive, low-income, Elderly and People with Disabilities, to more effectively apply funding and other resources to meet common transportation needs. Coordination actions may reduce duplication of service, reduce cost, increase service levels or make services more widely available in a community.
- f. **“Disabled,”** also **“People with Disabilities”** or **“Individual with Disabilities”** means a person or persons who, by reason of illness, injury, advanced age, congenital malfunction, or other permanent or temporary incapacity, have a physical or mental impairment that substantially limits one or more of their major life activities. This definition does not include substance abuse disorders resulting from the current illegal use of drugs.
- g. **“Discretionary Account”** means a Special Transportation Fund account for distribution of the remaining cigarette tax receipts and other revenues contributed to the STF set aside following distribution of the Formula Allocation, Minimum Allocation and Administrative Allotment.
- h. **“Discretionary Grant”** means a grant award from the Discretionary Program.
- i. **“Discretionary Program”** means a program financed by the Discretionary Account that may be offered by the Division to support Projects benefiting the Elderly and People with Disabilities.
- j. **“District”** means a mass transit district organized under ORS 267.010 to 267.390 or a transportation district organized under ORS 267.510 to 267.650.
- k. **“Division”** means the Oregon Department of Transportation, Public Transit Division.
- l. **“Elderly”** also **“Seniors”** means individuals who are 60 years of age or older.
- m. **“Formula Allocation”** means an amount of STF moneys made available to a STF Agency on the basis of the STF Agency’s share of resident population in proportion to the population of the state as a whole.
- n. **“Formula Program”** means the program of regular distribution of STF moneys from the Division to the STF Agencies that is composed of the Formula and Minimum Allocations, plus the Administrative Allotment.



- o. **“Incidental Use”** means a use of a Project that is not the primary purpose of the Project.
- p. **“Indian Tribe”** means a federally recognized Indian Tribe in Oregon that has members residing on a reservation or tribal trust lands in Oregon.
- q. **“Minimum Allocation”** means a minimum annual amount for which each STF Agency will be eligible, composed of the Formula Allocation moneys plus moneys from the Discretionary Account sufficient to equal the Minimum Allocation.
- r. **“Operations”** means provision of transportation services.
- s. **“Operating Expense”** means the costs associated with the provision of transportation services. Operating Expense does not include expense associated with procuring or leasing capital equipment. Common Operating Expenses include, and are not limited to: personnel, insurance, utilities, vehicle and facility maintenance, professional and technical services, security, fuel and tires, purchased transportation services, personnel training, communication and technology maintenance, marketing/public information, and planning integral to the provision of transit services.
- t. **“Oregon Transportation Commission”** means a commission established under ORS 184.612.
- u. **“Project”** means a Public Transportation System or Service, a Capital Item or any associated activity including, but not limited to, planning and needs assessment, training, and research and that falls within the purposes defined in OAR 732-005-0016.
- v. **“Provider”** means a city, county, district, Indian tribe, or any other person or agency, whether public or private, that maintains, operates, or sponsors vehicles and facilities for Public Transportation Services for profit or on a nonprofit or voluntary basis.
- w. **“Public Transportation Services”** means any form of passenger transportation by car, bus, rail or other conveyance, either publicly or privately owned, which provides service to the general public (not including charter or sightseeing or exclusive school bus) on a regular and continuing basis. Such transportation may include services designed to meet the needs of a specific user group, including for the Elderly and People with Disabilities, and for purposes such as health care, shopping, education, employment, public services, personal business or recreation.
- x. **“Recipient”** means a city, county, transportation district, mass transit district, county service district, Indian tribe, public or private non-profit corporation, or other person or agency, that is in receipt of STF moneys to finance in whole or part a Project for the elderly and people with disabilities.
- y. **“Representative of Disabled Persons”** means an individual who is familiar with the needs of People with Disabilities and is knowledgeable or aware of the transportation needs of People with Disabilities.
- z. **“Representative of Elderly Persons”** means an individual who is familiar with the needs of the Elderly and is knowledgeable or aware of the transportation needs of the Elderly.
- aa. **“Special Transportation Fund for Elderly and Disabled”** also **“STF”** means moneys generated by a tax on cigarettes, or from other sources, appropriated to the Division for distribution to STF Agencies for the purpose of financing and improving transportation programs and services for the Elderly and People with Disabilities.
- bb. **“Special Transportation Fund Operating Grants”** also **“STO Grants”** means moneys appropriated from the Oregon General Fund to the Division for distribution to STF Agencies for the



purpose of financing Operating Expenses that provide access to Transportation Systems and Services for Seniors and Individuals with Disabilities.

- cc. **"STF Agency"** means the mass transit district, transportation district, county in which no part of a mass transit or transportation district is located or Indian tribe that is eligible to receive STF and STO moneys directly from the Division.
- dd. **"STF Plan"** means a plan developed by the STF Agency to guide the investment of STF moneys over at least a three year period.
- ee. **"STF Program"** means a set of policies and procedures that guide the expenditure of STF moneys to benefit transportation services for the Elderly and People with Disabilities.
- ff. **"Transportation Service"** means a project that provides rides or improves access to rides for seniors and individuals with disabilities.
- gg. **"Transportation System"** means one or more transit services that are operated in coordination with each other, and when viewed as a whole, offers access to Transportation Service appropriate to the individual.
- hh. **"User of Transportation Services"** means a person who is Elderly or a Person with Disabilities and who makes use of transportation programs and services for the Elderly and People with Disabilities financed in whole or part with STF moneys.