



**STATE TRANSPORTATION IMPROVEMENT FUND (STIF) COMMITTEE
COMMUNITY ADVISORY COMMITTEE
BYLAWS**

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ARTICLE I **PURPOSE**

SECTION 1.1 Purpose. Pursuant to Oregon Administrative Rule (“OAR”) 732-040-0030, the Lane Transit District (“LTD” or the “District”) Board of Directors shall appoint a State Transportation Improvement Fund Committee (the “Committee” or “Advisory Committee”) as an advisory committee for the purpose of advising and assisting the District in carrying out the purposes of the State Transportation Improvement Fund (“STIF”) and prioritizing Projects to be funded by STIF moneys received by the District. The Committee may also advise the District regarding the opportunities to coordinate STIF funded Projects with other local or regional transportation programs and services to improve transportation service delivery and reduce gaps in service.

In addition to any other duties, the Committee may also propose any changes to the policies or practices of the LTD Board of Directors that the Committee considers necessary to ensure that:

- a. A Public Transportation Service Provider that has received STIF funds has applied the moneys received in accordance with and for the purposes described in the Project proposal; and
- b. A Project proposal submitted by a Public Transportation Service Provider does not fragment the provision of public transportation services.

Defined terms, as used herein, shall have the same meaning as given in the Oregon Administrative Rules, Chapter 732, Divisions 040,042, and 044. Those definitions are set forth in Exhibit A. Definitions shall be amended consistent with the Oregon Administrative Rules.

ARTICLE II **GOVERNANCE PROCEEDINGS**

SECTION 2.1 Governance Procedures. The Committee will comply with Oregon’s Public Meetings Law, Public Records Law, and all applicable governance procedures set forth in the LTD Ordinance 52 Providing Rules for Meetings of the Lane Transit Board of Directors, attached hereto as Exhibit B.

ARTICLE III **MEMBERSHIP, COMPOSITION, APPOINTMENT**

SECTION 3.1 Membership. Pursuant to OAR 732-040-0035(3), the Committee shall consist of at least seven (7) members. All members of the Committee are voting members. The Oregon Department of Transportation will be notified of changes in Committee membership when LTD submits its STIF Plan or grant application.

SECTION 3.2 Composition. To be eligible to serve, members must be knowledgeable about the public transportation needs of residents or employees located within or traveling to and or from LTD’s service area or Lane County; and be a person who is a member of or represents one or more of the following:

- a. local governments, including land use planners;
- b. Public Transportation Service Providers;
- c. non-profit entities which provide public transportation services;
- d. neighboring public transportation service providers;
- e. employers;



- f. public health, social and human service providers;
- g. transit users;
- h. transit users who depend on transit for accomplishing daily activities;
- i. individuals age 65 or older;
- j. people with disabilities;
- k. low-income individuals;
- l. social equity advocates;
- m. environmental advocates;
- n. bicycle and pedestrian advocates;
- o. people with limited English proficiency;
- p. educational institutions; or,
- q. major destinations for users of public transit.

The Committee must also include at least one member who is a member of or represents each of the following three groups:

- a. low-income individuals;
- b. individuals age 65 or older or people with disabilities; and
- c. Public Transportation Service Providers or non-profit entities which provide public transportation services.

The Committee must also include members from both within and outside LTD's boundaries.

SECTION 3.3 Appointment. Pursuant to OAR 732-040-0030(6), Committee members shall represent diverse interests, perspectives, geography, and the population demographics of the area, as described in OAR 732-040-0035. Applications for membership will be available electronically on the District's website with submissions going to the clerk of the Board. Pursuant to OAR 732-040-0030, applications for Committee membership will be reviewed and decided on by the LTD Board of Directors.

ARTICLE IV **TERMS OF SERVICE, VACANCIES**

SECTION 4.1 Terms of Service. Members shall serve for two (2) year terms. Members may be eligible for reappointment for up to three additional two-year terms, for a total term of eight (8) years.

SECTION 4.2 Vacancies. For members whose positions are vacated prior to the end of their term, the LTD Board of Directors shall appoint the member's successor to serve for the remainder of the unexpired term. Vacancies that occur as a result of a member's term expiring will be filled by the LTD Board of Directors.

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 (1) year terms. Terms of office shall begin on the first day of January and end on the last day of December.

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 Advisory Committee Review of Proposed Projects. Public Transportation Providers seeking STIF funding from the District through the District's STIF Plan shall submit a Project proposal to the Committee for review and approval. A standard form will be provided for use during application windows. The Project proposal must include the contents described in OAR 732-042-0015(3).

- a. The Committee shall conduct its reviews and activities in compliance with the requirements of this Section 6.1 and with these bylaws.
- b. The Advisory Committee shall meet as often as needed to advise the LTD Board of Directors and review Project proposals but no less than two times per year
- c. The Committee shall:
 1. Hold public meetings, as applicable, to review every Project proposed for inclusion in LTD's STIF Plan;
 2. Recommend approval or rejection of proposed Projects and recommend prioritization of approved Projects within the geographic boundary for which LTD receives funding to the LTD Board of Directors.
- d. The Committee shall consider the following criteria when reviewing Projects under the STIF Formula Fund:
 1. Whether the Project would:
 - i. Increase the frequency of bus service to communities with a high percentage of Low- Income Households;
 - ii. Expand bus routes and bus services to serve communities with a high percentage of Low-Income Households;
 - iii. Reduce fares for public transportation in communities with a high percentage of Low- Income Households;



- iv. Result in procurement of buses that are powered by natural gas or electricity for use in areas with a population of 200,000 or more;
 - v. Improve the frequency and reliability of service connections between communities inside and outside of LTD's service area;
 - vi. Increase the coordination between Public Transportation Service Providers to reduce fragmentation in the provision of public transportation service; or
 - vii. Expand student transit services for students in grades 9 through 12.
 2. Whether the Project would maintain an existing, productive service;
 3. The extent to which the Project goals meet public transportation needs and are a responsible use of public funds; and
 4. Other factors to be determined by the LTD Board of Directors or Advisory Committee such as geographic equity.
- e. The Committee shall also review Projects under the STIF Discretionary and Intercommunity Funds. The Discretionary Fund is intended to provide a flexible funding source to improve public transportation in Oregon. It is not a source of ongoing operations funding. The Intercommunity Discretionary Fund is for improving connections between communities and between communities and other key destinations important for a connected Statewide Transit Network. As a competitive funding source, ongoing operations Projects are subject to risk of not receiving continuous funding.

When reviewing a Project proposal for acceptance, rejection or prioritization, the Committee shall consider the extent to which the Project:

1. Supports the purpose, as applicable, of the Discretionary Fund or the Intercommunity Discretionary Fund, as described in OAR 732-044-0000 and set forth in Section 6.1 (e), above.
2. Meets the criteria established under OAR 732-044-0030 (1), which is set forth below:
 - i. Improvement of Public Transportation Service to Low-Income Households;
 - ii. Improved Coordination between Public Transportation Service Providers and reduced fragmentation of Public Transportation Services;
 - iii. Consistency with Oregon Public Transportation goals, policies, and implementation plans, including:
 - i. Integrated public transportation planning where affected communities planned or partnered to develop proposed Projects.
 - ii. Technological innovations that improve efficiencies and promote a seamless and easy to use Statewide Transit Network.
 - iii. Advancement of State greenhouse gas emission reduction goals.
 - iv. Support or improvement of a useful and well-connected Statewide Transit Network;



- iv. Operations Projects that do not substantially rely on discretionary state funding beyond a pilot phase;
 - v. Geographic equity or an ability to leverage other funds (these factors apply when all other priorities are held equal); and
 - vi. Other factors as determined by the Oregon Transportation Commission.
3. Meets any additional criteria established by the Oregon Transportation Commission.
 - 1.

SECTION 6.2 *High-Percentage of Low-Income Households.* The STIF Plan must contain an explanation of how the Plan defines and identifies “communities with a high percentage of Low-Income Households.” A “high percentage of Low-Income Households” is defined in Exhibit A. It shall be the responsibility of the Committee to identify the areas of Lane County in which there exist a high percentage of Low-Income Households, and to publish said determination in its Committee minutes and printed public materials.

Improvements benefiting areas with a high percentage of Low-Income Households are not limited to services provided directly to areas with high percentages of Low-Income Households. As is set forth in Section 6.1 (d)(1)(ii), improvements are also defined as services that connect individuals from areas with a high percentage of Low-Income Households with employment, services, shopping, social centers, places of worship, etc. In evaluating the value of proposed Projects, this aspect is an important consideration

ARTICLE VII

DISTRICT/COMMITTEE RELATIONSHIP

SECTION 7.1 *Project Consultation.* Prior to adopting a STIF Plan, the LTD Board of Directors shall consult the Committee regarding the Projects proposed in the STIF Plan and seek a recommendation on the prioritization of those Projects from the Committee. The purpose of this consultation is to ensure that the STIF Plans reflect a coordinated regional approach to Public Transportation Service that considers the public transportation needs of people residing and traveling into and out of the geographic territory of the District as well as larger regional population centers and to ensure that interested parties have the opportunity to review and comment on the proposed STIF Plan.

SECTION 7.2 *Project Recommendation.* The LTD Board of Directors may accept the Committee’s recommendation to approve or reject a Project proposal and consider the Committee’s recommended prioritized list of Projects, may return it to the Committee for modifications, or may modify it prior to inclusion in the STIF Plan for submittal to the Oregon Department of Transportation. If the LTD Board of Directors modifies the Committee’s recommendation, it shall inform any affected Public Transportation Service Provider of all modifications and the explanation for such changes.

ARTICLE VIII

CODE OF ETHICS AND CONFLICT OF INTEREST POLICY

SECTION 8.1 *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 IX **MEETINGS**

SECTION 9.1 Meetings. The Committee will meet a minimum of two times per year, or a sufficient number of times so as to advise the LTD Board of Directors regarding its review of Project proposals and the STIF Plan.

The 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 IX is intended to supplement the law and LTD's Ordinances.

SECTION 9.2 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, with a minimum of seven (7) and a maximum of 14 members. If a position is vacant because a member appointed 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 is no longer a member, and that position is not intended to be filled, that position should not 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 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 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 (6) (of eleven) Committee members are required for a quorum.

SECTION 9.3 Meeting Times. The Committee shall meet no less than twice per year. Committee meetings will occur on the first Tuesday of January, April, July and October, and as needed during STIF 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 9.4 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 9.5 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 9.6 Committee Meeting Discussion. Committee discussions should be thorough yet concise and pertinent to the issues on the agenda.

SECTION 9.7 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 and the Board of Directors.



SECTION 9.8 Scheduling. All Committee members are expected to cooperate in scheduling special meetings and/or work sessions for training purposes.

ARTICLE X **VOTING RULES**

SECTION 10.1 Voting. Committee members are expected to cast a vote on all matters except when a conflict of interest arises.

SECTION 10.2 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. Committee members may consult with legal counsel.

SECTION 10.3 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 XI **PUBLIC MEETINGS LAW AND PUBLIC RECORDS LAW**

SECTION 11.1 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. Pursuant to OAR 732-040-0030(4)(b) copies of these bylaws, meeting minutes and meeting notices will be published by LTD and made available for public review in a reasonable and timely manner and will be maintained for six years. This Article XI is intended to supplement the requirements of the Public Meetings Law and Public Records Law.

SECTION 11.2 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 (which is a majority of Committee members) is involved. While serial communications can take place in person or over the phone, they most often occur via email.

SECTION 11.3 Committee E-mail. 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 Committee 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 XII **SEVERABILITY**

SECTION 12.1 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 XIII **AMENDMENTS**

SECTION 13.1 *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.



Exhibit A **DEFINITIONS**

The following definitions apply to rules in Chapter 732, Divisions 040, 042, and 044:

1. **"Advisory Committee"** means a committee formed by a Qualified Entity to assist the Qualified Entity in carrying out the purposes of the STIF Formula Fund and the Advisory Committee requirements specified in ORS 184.761(1).
2. **"Agency"** means Oregon Department of Transportation ("ODOT").
3. **"Americans with Disabilities Act"** ("ADA") means section 504 of the Rehabilitation Act of 1973 and the Americans with Disabilities Act of 1990 as amended by the ADA Amendments Act of 2008.
4. **"Biennium"** (plural, "Biennia") means a two-year period which runs from July 1 of an odd-numbered year to June 30 of the next odd-numbered year.
5. **"Calendar Year"** means the year which begins on January 1 and ends on December 31.
6. **"Capital Asset"** means real property or tangible items purchased or leased with STIF Fund moneys, including vehicles and structures, with a purchase price of \$5,000 or more and a useful life of at least one year.
7. **"Commission"** means the Oregon Transportation Commission ("OTC") established under ORS 184.612.
8. **"Coordinate"** ("Coordination") means meet and develop sub-allocation methods, plans, programs, and schedules with other Public Transportation Service Providers and non-profit public transportation service providers with the intent of developing efficient and seamless public transportation services and reducing gaps in service.
9. **"Discretionary Fund"** means up to five percent of STIF funds to be disbursed to Public Transportation Service Providers, which includes Qualified Entities, through a competitive grant funding process, pursuant to ORS 184.758(1)(b).
10. **"Fiscal Year"** means the Agency's fiscal year which begins on July 1 and ends on June 30.
11. **"Governing Body"** means the decision-making body or board of a Qualified Entity.
12. **"High percentage of Low-Income Households"** means an area where the percentage of Low-Income Households is above the State of Oregon average number of Low-Income Households statewide in the same year.
13. **"Intercommunity Discretionary Fund"** means up to four percent of STIF funds to be disbursed to Public Transportation Providers through a competitive grant funding process, pursuant to ORS 184.758(1)(c).
14. **"Intergovernmental Entity"** means entities organized under ORS 190.010.
15. **"Low-Income Household"** means a household the total income of which does not exceed 200% of the poverty guidelines updated periodically in the Federal Register by the U.S. Department of Health and Human Services under the authority of 42 U.S.C. 9902 (2) for the 48 Contiguous States and the District of Columbia.
16. **"Local Plan"** means a local or regional public transportation plan(s), which may include adopted policy(ies) that is developed and approved by the Governing Body of a Qualified Entity, Public



Transportation Service Provider, or Metropolitan Planning Organization and which includes, at a minimum:

- a. A planning horizon of at least four years;
- b. An existing and future conditions analysis that includes:
 - i. Current and forecast population and demographics, including locations of people who are often transit dependent, including low income households, individuals of age 65 or older, youth, and individuals who are racially and ethnically diverse;
 - ii. Locations of existing housing, employment centers, medical and social and human services centers, major destinations, and other locations with needs for public transportation services and programs;
 - iii. Inventories of current Public Transportation Services located within, adjacent to, or with the reasonable potential to connect to the local or regional public transportation services, as applicable;
- c. Prioritized lists of public transportation improvements and capital projects; and
- d. Identified opportunities to coordinate public transportation services within and outside the county, district, or tribal area and with other agencies and areas to improve efficiency and effectiveness of service and reduce gaps in service.
- e. Local Plans include, but are not limited to: Coordinated Public Transit Human Services Transportation Plans, Transportation System Plans, Transit Development Plans, and Transit Master Plans.

17. **"Mass Transit District"** means a district organized under ORS 267.010 to 267.390.

18. **"Project"** means a public transportation improvement activity or group of activities eligible for STIF moneys and a plan or proposal for which is included in a STIF Plan or in a grant application to a Qualified Entity or the Agency. Examples of project types include, but are not limited to: discrete activities, such as purchasing transit vehicles, planning, or operations; and groups of activities for a particular geographic area or new service, such as a new route that includes purchase of a transit vehicle, and maintenance and operations on the new route.

19. **"Public Corporation"** means an independent legal entity that was formed by legislative action, serves a public purpose, and is under exclusive public management or control.

20. **"Public Transportation Advisory Committee"** ("PTAC") means the ODOT Public Transportation Advisory Committee established by the Commission in 2000.

21. **"Public Transportation Service Provider"** means a Qualified Entity or a city, county, Special District, Intergovernmental Entity or any other political subdivision or municipal or Public Corporation that provides Public Transportation Services.

22. **"Public Transportation Services"** means any form of passenger transportation by car, bus, or other conveyance, either publicly or privately owned, which provides service to the general public (not including charter, sightseeing, or exclusive school bus service) on a regular and continuing basis. Such transportation may be for purposes such as health care, shopping, education, employment, public services, personal business, or recreation.

23. **"Qualified Entity"** means, a county in which no part of a Mass Transit District or Transportation District exists, a Mass Transit District, a Transportation District or an Indian Tribe.



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24. **“Recipient”** means a Qualified Entity or Public Transportation Service Provider that has a STIF Plan approved by the Commission or enters into an agreement directly with the Agency to receive STIF funds.
 25. **“Satisfactory Continuing Control”** means the legal assurance that a Capital Asset will remain available to be used for its originally authorized purpose throughout its useful life or until disposition.
 26. **“Special District”** means a service district organized under ORS 451.010(1)(h).
 27. **“STIF Formula Fund”** means up to 90 percent of the Statewide Transportation Improvement funds to be disbursed to Qualified Entities conditioned upon the Commission’s approval of a STIF Plan, pursuant to ORS 184.758(1)(a).
 28. **“STIF Fund”** means the fund established under ORS 184.751.
 29. **“STIF Plan”** means a public transportation improvement plan that is approved by a Governing Body and submitted to the Agency for review and approval by the Commission in order for the Qualified Entity to receive a share of the STIF Formula Fund.
 30. **“Statewide Transit Network”** means the collection of all transit service that operates in Oregon.
 31. **“Sub-Recipient”** means any entity that has entered into an agreement with a Recipient in order to complete one or more tasks specified in the agreement between the Agency and the Recipient.
 32. **“These Rules”** means OAR Chapter 732 Divisions 040, 042, and 044.
 33. **“Transportation District”** means a district organized under ORS 267.510 to 267.650.



Exhibit B

Ordinance No. 52 attached on following page