

**LANE TRANSIT DISTRICT  
STIF ADVISORY COMMITTEE**

Tuesday, September 10, 2024  
4:30 p.m. to 5:30 p.m.

Lane Transit District Board Room & Zoom

- |   |                                       |   |
|---|---------------------------------------|---|
| <input type="checkbox"/> Phil Barnhart    | <input type="checkbox"/> Joshua Myatt | <input type="checkbox"/> Vidal Francis (non-voting) |
| <input type="checkbox"/> Kelly Clarke     | <input type="checkbox"/> Eugene Organ | <input type="checkbox"/> Gino Grimaldi (non-voting) |
| <input type="checkbox"/> Joshua Kashinsky | <input type="checkbox"/> Cosette Rees | <input type="checkbox"/> Pete Knox (non-voting)     |
| <input type="checkbox"/> Brenda Kosydar   | <input type="checkbox"/> David Reesor |   |
| <input type="checkbox"/> Susy Lacer       | <input type="checkbox"/> Kari Turner  |   |
| <input type="checkbox"/> Mary McCoy       |                                       |   |

**AGENDA**

- I. CALL TO ORDER
- II. ROLL CALL
- III. AGENDA REVIEW
- IV. AUDIENCE PARTICIPATION
- V. INTRODUCTIONS
- VI. STIF FUNDING SUMMARY
  - a. REQUIREMENTS
  - b. TIMELINE
- VII. ADVISORY COMMITTEE REVIEW
  - a. OFFICER SELECTION
  - b. MEETING SCHEDULE
  - c. CALL FOR PROJECTS
- VIII. NEXT/FUTURE MEETING AGENDAS
- IX. ADJOURNMENT

**Zoom:** Link to watch live and provide public participation provided on the web calendar at [www.LTD.org](http://www.LTD.org).

**Broadcasting:** Watch live (no participation) via link: <https://metrotv.ompnetwork.org/>



September 10, 2024

**To:** LTD Statewide Transportation Improvement Fund Advisory Committee  
**From:** Kate Wilson, LCOG, and Kathleen Flynn, LTD  
**Subject:** Committee and Funding Overview

## Overview

The Statewide Transportation Improvement Fund (STIF) program was established in House Bill 2017 to provide a dedicated source of funding for improving, maintaining, and expanding public transportation for all users. Every two years, public transportation funding is made available to support access to jobs, improve mobility, relieve congestion, and reduce greenhouse gas emission in Oregon. Effective July 1, 2023, the STIF and Special Transportation Fund (STF) programs were consolidated and collectively known as the Statewide Transportation Improvement Fund. Key components of the STF program have been preserved in rule including investment priorities.

This memo provides an overview of the process for distributing these funds in Lane County and the role of this STIF Advisory committee in the distribution of the HB2017 statewide formula funds, statewide discretionary grant funds, and statewide intercommunity grant funds.

## Purpose of STIF Funds

STIF moneys are appropriated to finance investments and improvements in public transportation services. STIF may be used for public transportation purposes that support the effective planning, deployment, operation, and administration of public transportation programs including, but not limited to, the following:

- Creation of new systems and services with origins, destinations, or stops in Oregon;
- Maintenance or continuation of systems and services in certain circumstances; and
- Planning for and development of a Local Plan or future STIF Plan to improve public transportation service

This will be the second application cycle since the Oregon Transportation Commission (OTC) approved the consolidation of two transit funding types in 2022 – the Statewide Transportation Improvement Fund (STIF) and the former Special Transportation Fund (STF).

## Advisory Committee

The STIF Advisory Committee functions as an advisory group to the LTD Board.

The advisory committee must elect officers to serve a one-biennium term. Officers will include a chair and vice chair for the term. Minutes will be provided via recording and posted online following the committee meetings.



## STIF Formula Funds

### Formula Fund Overview

The Formula Fund program distributes 90% of the revenues generated in Lane County by formula. Lane Transit District (LTD) is the entity authorized to distribute STIF Formula Funds allocated to Lane County, also known as the “Qualified Entity.” Lane Council of Governments (LCOG) supports LTD as the Qualified Entity for Lane County. There are no match requirements for STIF Formula Funds.

### Project Solicitation

The local STIF Formula Fund application process for the FY2026-FY2027 biennium covering the period from July 1, 2025 through June 30, 2027 closes on October 18, 2024. Transit service providers in Lane County interested in receiving STIF Formula Funds for this biennium fill out an online project application and submit directly to LTD.

### STIF Advisory Committee Project Review

Advisory Committees are required to review and prioritize Projects proposed by sub-recipients (including LTD).

The Advisory Committee shall consider the following criteria when reviewing STIF Formula Fund Projects:

- Whether the Project would:
  - increase the frequency of bus service to communities with a high percentage of Low-Income Households;
  - expand bus routes and bus services to serve communities with a high percentage of Low-Income Households;
  - reduce fares for public transportation in communities with a high percentage of Low-Income Households;
  - result in procurement of buses that are powered by natural gas, electricity or other low or no emission propulsion for use in areas with a population of 200,000 or more;
  - improve the frequency and reliability of service connections between communities inside and outside of the Qualified Entity’s service area;
  - increase the coordination between Public Transportation Service Providers to reduce fragmentation in the provision of public transportation service;
  - implement student transit services for students in grades 9 through 12; or
  - implement programs that enhance services for older adults and people with disabilities.
- Whether the Project would maintain an existing service;
- The extent to which the Project goals meet public transportation needs and are a responsible use of public funds;
- The extent to which the Project might benefit or burden historically or currently marginalized communities both now and in the long term; and
- Other factors to be determined by the Qualified Entity or Advisory Committee (for example, geographic equity).



### Project Submittal

The Advisory Committee will submit a project list to the LTD Board to review and approve. The LTD Board is allowed to make changes to the finalized project list but will need to explain in their STIF plan if they do not follow Advisory Committee recommendations. The LTD Board will then finalize the STIF plan and submit to ODOT (Oregon Department of Transportation). The deadline for submittal to ODOT is January 16, 2025.

### Formula Fund Schedule (subject to change)

**August 27, 2024** – ODOT Notice of solicitation (applications and guidance) sent out for Formula Funds

**September 9, 2024** – LTD sends out the formal call for projects for Formula Funds to Public Transportation Service Providers in Lane County

**October 18, 2024** – Applications for Formula Funds due to LTD

**December 18, 2024** – STIF Advisory Committee makes final STIF Formula Fund Plan recommendations to LTD Board of Directors; LTD Board of Directors approves final STIF Plan

**TBD in January 2025** – LTD Board of Directors approves final STIF Plan if not approved on 12/18/24

**January 16, 2025** – ODOT deadline for all Qualified Entities to submit STIF Formula Fund Plans

## STIF Discretionary and Intercommunity Funds

### Discretionary and Intercommunity Fund Overview

The Discretionary Fund is intended to provide a flexible funding source to improve public transportation in Oregon; it makes up five percent of all STIF funding. It is not a source of ongoing operations funding. A 20% match is required for this 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; it makes up four percent of all STIF funding. As a competitive funding source, ongoing operations Projects are subject to risk of not receiving continuous funding. A 20% match is required for this funding.

### Project Solicitation

ODOT is soliciting project requests directly from sub-recipients. Applications for this solicitation were due September 5, 2024.

### STIF Advisory Committee Project Review

For all projects in Lane County, ODOT will review project submittals and provide a copy to LTD to provide to their STIF Advisory Committee. The Committee will review each project application and provide a written recommendation to LTD stating whether the sub-recipients should receive the funding for the project; the Committee may also provide a prioritized list of projects. LTD will provide these recommendations to ODOT. ODOT will then consider input from Advisory Committees and Area



Commission on Transportations (ACT) across Oregon and present a prioritized list of applications to be reviewed and prioritized to the Public Transportation Advisory Committee. The Public Transportation Advisory Committee will then present a prioritized project list to the Oregon Transportation Commission to determine the acceptance of applications for STIF Discretionary and Intercommunity funds.

## Discretionary Fund and Statewide Transit Network Program Schedule

**July 2024** – Notice of solicitation

**July 29, 2024** – Letters of Intent due to ODOT

**September 5, 2024** – Applications due to ODOT

**September 24, 2024** – Applications available for Area Commission on Transportation (ACT) and Qualified Entity Advisory Committee to review

**October 22, 2024** – Area Commission on Transportation (ACT) & Qualified Entity Advisory Committee recommendations due

**Fall 2024** – Oregon Department of Transportation selection committee review

**Fall 2024** – Public Transportation Advisory Committee review

**December 2024** – Oregon Transportation Commission presentation & decision

## LTD STIF Advisory Committee Meeting Schedule

**September 10, 2024** – LTD STIF Advisory Committee Meeting

**October 8, 2024** – LTD STIF Advisory Committee Meeting

**November 5, 2024** – LTD STIF Advisory Committee Meeting

**November 19, 2024** – LTD STIF Advisory Committee Meeting

**December 3, 2024** – LTD STIF Advisory Committee Meeting

**December 10, 2024** – LTD STIF Advisory Committee Meeting



**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 Statewide Transportation Improvement Fund (“STIF”) and prioritizing Projects to be funded by population-based and employer-based 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 Sub-Recipient 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 Sub-Recipient 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. veterans
- l. low-income individuals;
- m. social equity advocates;
- n. environmental advocates;
- o. Black, indigenous, and people of color
- p. bicycle and pedestrian advocates;
- q. people with limited English proficiency;
- r. educational institutions; or,
- s. major destinations for users of public transit.

The Committee must also include at least four members who, separately, are members of or represent each of the following four groups:

- a. low-income individuals;
- b. individuals age 65 or older;
- c. people with disabilities; and
- d. 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. Pursuant to OAR 732-040-0030, 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 Service 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 source of funds in its review of proposed projects to ensure that funds distributed via the population-based formula are spent on projects benefitting seniors and people with disabilities.
- e. The Committee may appoint a Work Group to provide additional input on STIF Formula projects. A Work Group may or may not be composed of members of the Qualified Entity's Advisory Committee. Input from the Work Group shall be considered and documented in the Advisory Committee's meeting minutes in the completion of its duties as described in OAR 732-040-0030(1).



f. 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 in 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, electricity or other low or no emission propulsion 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. Implement programs to provide Student Transit Services for students in grades 9 through 12.
- viii. Implement programs that enhance services for older adults and people with disabilities.

2. Whether the Project would maintain an existing service;

3. The extent to which the Project goals meet public transportation needs and are a responsible use of public funds;

4. The extent to which the Project might benefit or burden historically or currently marginalized communities both now and in the long term; and

5. Other factors to be determined by the LTD Board of Directors or Advisory Committee such as geographic equity.

g. 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.

**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 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 Remote Attendance.** Committee meetings may be hybrid (in-person with a remote option) or remote only. If a Committee member is unable to attend an in-person meeting, there is an option to attend remotely. A Committee meeting can also be held entirely remotely, 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 three 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. **“Area Commission on Transportation”** (“ACT”) means an advisory body chartered under the authority of the Commission, and subject to the Commission’s oversight and final decision-making authority.
5. **“Area of Responsibility”** means the geographic area for which each Qualified Entity is responsible to provide STIF Formula Fund moneys.
6. **“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.
7. **“Calendar Year”** means the year which begins on January 1 and ends on December 31.
8. **“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.
9. **“Client-Only Project”** means a project where the underlying transportation service is offered to a limited group of people and not made available to the general public.
10. **“Commission”** means the Oregon Transportation Commission (“OTC”) established under ORS 184.612.
11. **“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.
12. **“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(2)(b).
13. **“Fiscal Year”** means the Agency’s fiscal year which begins on July 1 and ends on June 30.
14. **“Governing Body”** means the decision-making body or board of a Qualified Entity.
15. **“Indexed Minimum”** means the smallest amount to be distributed under the Population-Based Formula and Payroll-Based Formula to any one Qualified Entity. This amount is tied to the minimum distribution of the STIF Formula and Special Transportation Fund Formula programs in the 2019-2021 biennium, adjusted biennially by the rate of growth in the overall STIF fund.





16. **“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.
17. **“Indian Tribe”** means a federally recognized Indian Tribe in Oregon that has members residing on a reservation or in tribal trust lands in Oregon.
18. **“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(2)(c).
19. **“Intergovernmental Entity”** means entities organized under ORS 190.010.
20. **“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.
21. **“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.
22. **“Mass Transit District”** means a district organized under ORS 267.010 to 267.390.
23. **“Payroll-Based Formula”** means the portion of STIF Formula Funds disbursed per ORS 184.758(5).
24. **“Population-Based Formula”** means the portion of STIF Formula Funds disbursed per ORS 184.758(3).



25. **“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.
26. **“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.
27. **“Public Transportation Advisory Committee”** (“PTAC”) means the ODOT Public Transportation Advisory Committee established by the Commission in 2000.
28. **“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.
29. **“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 include services designed to meet the needs of a specific user group, including for older adults and individuals with disabilities, for purposes such as health care, shopping, education, employment, public services, personal business, or recreation. Public Transportation Services must be designed and advertised as Shared-Ride Service.
30. **“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.
31. **“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.
32. **“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.
33. **“Shared-Ride Service”** means a service where neither the operator nor any passenger may refuse to permit additional passengers that are otherwise complying with the operator’s rules and policies.
34. **“Special District”** means a service district organized under ORS 451.010(1)(h).
35. **“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(2)(a).
36. **“STIF Fund”** means the fund established under ORS 184.751.
37. **“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.
38. **“Statewide Transit Network”** means the collection of all transit service that operates in Oregon.



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39. **"Student Transit Services"** means Public Transportation Services within the Qualified Entity's area of responsibility that can feasibly and efficiently be used by students in grades 9 through 12.
  40. **"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.
  41. **"These Rules"** means OAR Chapter 732 Divisions 040, 042, and 044.
  42. **"Transportation District"** means a district organized under ORS 267.510 to 267.650.
  43. **"Tribal Enterprise"** means a commercial activity or business managed or controlled by an Indian Tribe.
  44. **"Work Group"** means a subcommittee formed by a Qualified Entity's Governing Body or Advisory



**Exhibit B**

**Ordinance No. 52 attached on following page**