

# UMATILLA COUNTY

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## Statewide Transportation Improvement Fund Advisory Committee Bylaws

Adopted: August 22, 2018  
Amended: September 19, 2018

### **ADVISORY COMMITTEE NAME:** Umatilla County STIF Advisory Committee

This document has been prepared to guide the role and operation of the Umatilla County Statewide Transportation Improvement Fund (STIF) Advisory Committee, known as STIF Advisory Committee. The document has been reviewed and adopted by Umatilla County Board of Commissioners.

### **PURPOSE OF THE ADVISORY COMMITTEE**

Umatilla County Board of Commissioners has formed an Advisory Committee to advise and assist Umatilla County in carrying out the purpose of the STIF and prioritizing projects to be funded by STIF moneys as set forth under OAR Chapter 732, Division 40, Sections 0030 and 0035, Division 42, Section 0020, and Division 44, Section 0025.

### **DEFINITIONS**

The following definitions apply to terms used in these bylaws and the tasks of the Advisory Committee.

**Advisory Committee:** Either 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) or a joint committee formed by two or more Qualified Entities for the same purposes, pursuant to ORS 184.761(5).

**Agency:** Oregon Department of Transportation (“ODOT”).

**Community:** any geographic area within Umatilla County. A “Community” may include incorporated and unincorporated areas.

**High Percentage of Low-Income Households:** any geographic area within Umatilla County that exceeds the percentage of low-income households for the state of Oregon as a whole.

**Area of Responsibility:** the geographic area for which Umatilla County is responsible to provide STIF Formula Fund moneys. Umatilla County’s Area of Responsibility is the geographic area within the county’s jurisdictional boundaries.

**Discretionary Fund:** 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).

**Governing Body:** The decision-making body or board of a Qualified Entity. For Umatilla County, this is Umatilla County Board of Commissioners.

**Low-Income Household:** 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.

**Intercommunity Discretionary Fund:** 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).

**Project:** 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.

**Public Transportation Service Provider:** 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.

**Public Transportation Services:** 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.

**Qualified Entity:** 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.

**STIF Formula Fund:** 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).

**STIF or Statewide Transportation Improvement Fund:** The fund established under ORS 184.751.

**STIF Plan:** 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.

## COMMITTEE TASKS

The Advisory Committee will:

- Advise Umatilla County on the development process of the STIF Plan
- Advise on the development of a definition for "high percentage of low-income households"
- Review and prioritize projects proposed for inclusion in the STIF Plan and recommend a funding amount for each project
- Review and recommend projects to receive STIF Discretionary Funds within Umatilla County's area of responsibility
- Review and recommend projects to receive STIF Intercommunity Discretionary Funds within Umatilla County's area of responsibility
- Advise Umatilla County regarding 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

Formula Fund recommendations from the Advisory Committee will be considered by Umatilla County Board of Commissioners in preparation of a STIF Plan.

Discretionary Fund and Intercommunity Discretionary Fund recommendations from the Advisory Committee will be considered by ODOT when awarding STIF discretionary grants.

## **COMMITTEE MEMBERSHIP**

A list of current members and the interests they represent is attached to these bylaws. Member contact information is considered private and will not be disclosed to any third party unless permission has been provided to do so.

### **Number of members**

The Advisory Committee will include at least Seven Members.

### **Appointment process**

Members shall be appointed directly by the Umatilla County Board of Commissioners.

### **Membership criteria**

Advisory Committee members must meet the following criteria.

- Be knowledgeable about the public transportation needs of residents or employees located within Umatilla County's area of responsibility.
- Be a person who is a member of or represents one or more of the following:
  - Local governments, including land use planners
  - Public Transportation Service Providers
  - Non-profit entities that provide public transportation services
  - Neighboring Public Transportation Providers
  - Employers
  - Public health, social and human service providers
  - Transit users
  - Transit users who depend on transit for accomplishing daily activities
  - Individuals age 65 or older
  - People with disabilities
  - Low-income individuals
  - Social equity advocates
  - Environmental advocates
  - Bicycle and pedestrian advocates
  - People with limited English proficiency
  - Educational institutions
  - Major destinations for users of public transit

Notwithstanding the criteria listed above, membership must include at least one individual who is a member of or represents each of the following three groups:

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

### **Terms of office**

Each member shall be appointed for a term of four years beginning July 1, 2018. For the initial term, three of the appointments will serve for two years only. Advisory Committee members are limited to serving two (2), full four-year terms.

Should a member need to resign from the Advisory Committee, they may do so by informing the appropriate County staff or STIF Coordinator in writing. Commissioners shall appoint new members to fill vacancies as they occur.

### **Conditions of termination**

A member may be removed from the committee by the Board of Commissioners for:

- (A) Inefficiency
- (B) Neglect of duty;
- (C) Misconduct in office;
- (D) Incompetence;
- (E) Incompatibility;
- (F) Dereliction of duty;
- (G) Commission of a felony;
- (H) Intentional violation of open meetings law;
- (I) Failure to declare conflict of interest;
- (F) Failure to attend three unexcused committee meetings;
- (J) Or other good cause.

A member of the Committee shall not be removed by the Board of Commissioners until after the member receives a copy of a statement containing the cause for removal and a hearing on the removal is held. The statement shall be given to the member at least 10 days prior to the hearing, at which the member must have an opportunity to be heard in person. When the Board of Commissioners removes a member, a record of the proceedings, together with the cause for removal and findings thereon, shall be filed in the office of County Counsel.

## **COMMITTEE OPERATIONS AND PROCEDURES**

### **Meeting frequency and location**

The Advisory Committee shall hold regular meetings on at least a quarterly basis. Meetings may be held more frequently in order to review project proposals and advise the Umatilla County Board of Commissioners. These meetings will be hosted by Umatilla County during regular business hours and located at the Umatilla County Courthouse unless otherwise announced.

### **Meeting agenda**

Advisory Committee meeting agendas will be provided to group members approximately seven (7) days prior to the meeting. Background materials may be included with the agenda for pre-reading and meeting preparation.

### **Public notice of meetings**

Meetings of the STIF Advisory Committee will be advertised through public notice. Public notice methods include email distribution to interested community members / entities, and posting meeting

information on the Umatilla County website: <http://www.umatillacounty.net/>. Notice will be provided prior to the scheduled meeting, within any time requirements of ORS 192.640.

### **Public engagement**

The Advisory Committee and STIF Coordinator will ensure an effective public engagement process through a variety of methods. Potential public engagement methods to be used include but are not limited to:

- Verbal or written comments at Advisory Committee Meetings
- Comments collected via email or via the County's website
- Online surveys
- Information booths at various community events.

### **Meeting records**

Meeting discussions and outcomes will be recorded and documented by Umatilla County STIF Coordinator, and made publicly available on the Umatilla County website. Meeting minutes may also be obtained by making a request through Umatilla County STIF Coordinator.

Written copies of meeting materials will be available to the public for no less than six years, pursuant to OAR 732-040-0030(4)(b).

## **ROLES AND RESPONSIBILITIES**

The Advisory Committee is advisory to Umatilla County Board of Commissioners. To ensure the success of the group, the following roles have been identified:

### **Governance**

The Advisory Committee has no formal delegated powers of authority to represent Umatilla County or commit to the expenditure of any funds. The Advisory Committee will submit recommendations to the Umatilla County STIF Coordinator, who serves as a liaison and reports to the Umatilla County Board of Commissioners.

Advisory Committee members are not authorized to speak to the media on behalf of the Advisory Committee unless consent has been provided in writing from Umatilla County and agreed to by the other Advisory Committee members.

Umatilla County will include information in the STIF Plan about how the Advisory Committee was consulted when developing the STIF Plan and, if applicable, an explanation of why the Advisory Committee's recommendation was not adopted by the Umatilla County Board of Commissioners.

### **Members**

Members of the Advisory Committee are asked to:

- Develop a familiarity with public transit and STIF rules
- Come prepared to achieve meeting objectives described in the published agenda
- Listen and appreciate a diversity of views and opinions
- Actively participate in the group
- Focus on the agreed scope of the group operation
- Attend all meetings in a timely manner
- Support and respect each other

- Notify Umatilla County STIF Coordinator if unable to attend a meeting

### **Officers**

The following officers shall be elected from the Advisory Committee membership during the first meeting of each calendar year:

**Chair:** The Chair shall have the responsibility of conducting all meetings in an orderly manner. The Chair may not initiate a motion, but may second, and shall vote on each issue after the question is called. However, in the event the Chair's vote shall create a tie, the Chair shall refrain from voting.

**Vice Chair:** The Vice Chair shall be responsible for conducting meetings in the absence of the Chair.

### **Meeting attendance**

Meeting attendance is mandatory unless previously arranged with the STIF Coordinator. If a member does not attend two or more consecutive meetings, Umatilla County may exchange the member with someone who can attend meetings consistently.

Proxy representation is not permitted. Advisory Committee members may participate by teleconference, by making call arrangements with the STIF Coordinator prior to the meeting.

### **Quorum**

A simple majority of the appointed, and filled, voting membership shall constitute a quorum. All business conducted with a majority vote of the quorum shall stand as the official action of the Advisory Committee.

### **Conflict of interest**

Any apparent, potential or perceived conflict of interest in matters that may be considered by the Advisory Committee should be declared to the Umatilla County STIF Coordinator to ensure the group's future accountability, transparency and success. Umatilla County STIF Coordinator will consult with County Legal Counsel regarding conflict of interest matters.

## **COMMITTEE REVIEW PROCESS**

### **STIF Formula Funds**

The Advisory Committee shall advise Umatilla County on the development of the STIF Plan process and prioritize projects proposed to receive Formula Funds.

Public Transportation Providers seeking STIF funding through STIF Formula Funds shall submit a Project proposal to the STIF Advisory Committee for review and approval. The Committee shall only review project proposals that include all of contents the described in OAR 732-042-0015(3). The Advisory Committee shall conduct its reviews and activities in compliance with these written bylaws and state OAR's.

The STIF Advisory Committee shall hold public meetings, as applicable, to review every Project proposed for inclusion in the STIF Plan, and recommend approval or rejection of proposed Projects and recommend prioritization of approved Projects within the geographic boundary of Umatilla County.

Prior to adopting a STIF Plan, the Commissioners shall consult its STIF Advisory 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 Umatilla County 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.

Commissioners may accept the Joint Advisory Committee's recommendation to approve or reject a Project proposal and consider the Advisory Committee's recommended prioritized list of Projects, may return it to the Advisory Committee for modifications, or may modify it prior to inclusion in the STIF Plan for submittal to the Agency. If the Governing Body modifies the Committee's recommendation, it shall inform any affected Public Transportation Service Provider of all modifications and the explanation for such changes.

Advisory Committee members are required to consider the following criteria when reviewing STIF Formula Fund Projects, as described in OAR 732-042-0020:

- 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 or electricity 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 Coordination between Public Transportation Service Providers to reduce fragmentation in the provision of public transportation service
  - Expand student transit services for students in grades 9 through 12
- Whether the Project would maintain an existing, productive service
- The extent to which the Project goals meet public transportation needs and are a responsible use of public funds
- Other factors to be determined by the Qualified Entity or Advisory Committee

#### **STIF Discretionary and Intercommunity Discretionary Funds**

The Advisory Committee shall advise Umatilla County on the review of grant applications for acceptance, rejection, or prioritization for funding from the Discretionary Fund and Intercommunity Discretionary Funds, consistent with OAR 732-044-0025.

The Agency shall provide a copy of any grant application it receives to the appropriate Qualified Entity. Each Qualified Entity that receives a copy of a grant application from the Agency shall timely provide the copy to its Advisory Committee. The Advisory Committee shall review Project applications submitted to it and shall provide a written recommendation to the Commissioners stating whether the Oregon Transportation Commission should award funding for the Project. The recommendation of the

STIF Advisory Committee must be submitted to the Agency within the timelines specified in the grant solicitation cycle.

The STIF Advisory Committee may recommend a prioritized list of Projects to the Qualified Entity(ies) that formed it, concerning the Qualified Entity's(ies)' area(s) of responsibility. Each Qualified Entity shall provide the prioritized list of Projects to the Agency within the timelines specified in the grant solicitation cycle.

The STIF Advisory Committee shall conduct its review and activities in compliance within these written bylaws, as described in OAR 732-040-0030.

Advisory Committee members are required to consider the following criteria when reviewing projects under the discretionary STIF Funds as described in OAR 732-044-0025:

- Supports the purpose, as applicable, of the Discretionary Fund or the Intercommunity Discretionary Fund, as described in OAR 732-044-0000, which includes:
  - 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.
- Improves public transportation service to Low-Income Households
- Improves coordination between Public Transportation Service Providers and reduces fragmentation of Public Transportation Services
- Consistent with Oregon Public Transportation Plan goals, policies, and implementation plans, including:
  - Integrated public transportation planning where affected communities planned or partnered to develop proposed Projects
  - Technological innovations that improve efficiencies and promote a seamless and easy to use Statewide Transit Network
  - Advancement of State greenhouse gas emission reduction goals
  - Support or improvement of a useful and well-connected Statewide Transit Network
- Does not substantially rely on discretionary state funding beyond a pilot phase for operations projects
- Supports geographic equity or an ability to leverage other funds (these factors apply when all other priorities are held equal)
- Meets any additional criteria established by the Commission

### **Bylaws**

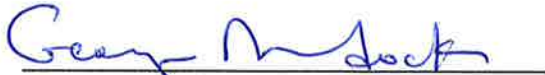
The Advisory Committee will maintain written by-laws that include, but are not limited to, name and purpose, committee membership criteria, appointment process, terms of office for the committee members, general procedures of the committee, member duties, meeting schedule, public noticing requirements and engagement processes, and the STIF Plan development process and general decision-making criteria.

Amendments to the by-laws may be initiated by any committee member. A proposed amendment shall be recommended to the Board of Commissioners when an affirmative vote of the committee is cast. Decisions on amendment of the bylaws shall be made by the Board of Commissioners.




Dated this 19<sup>th</sup> day of Septembert, 2018.

UMATILLA COUNTY BOARD OF COMMISSIONERS

  
George L. Murdock, Chair

  
William J. Elfering, Commissioner

  
W. Lawrence Givens, Commissioner

