

Deschutes County Board of Commissioners

Statewide Transportation Improvement Fund

Final Advisory Committee Bylaws

ADVISORY COMMITTEE NAME: STIF Deschutes County Advisory Committee

This document has been prepared to guide the role and operation of the Qualified Entity (QE) Statewide Transportation Improvement Fund (STIF) Advisory Committee, known as the STIF Deschutes County Advisory Committee, herein referred to as "STIF Advisory Committee." The document has been reviewed and adopted by the QE Governing Body, which is the Deschutes County Board of Commissioners.

PURPOSE OF THE ADVISORY COMMITTEE

Deschutes County has formed a STIF Advisory Committee to advise and assist the QE 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. While these bylaws outline many of the provisions required the rules, additional specifics will be found in OAR Chapter 732 by reference.

DEFINITIONS

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

Advisory Committee: Either a committee formed by a QE to assist the QE 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).

High Percentage of Low-Income Households: STIF refers to "Low-Income Household" as household total income which does not exceed 200% of poverty guidelines as 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. Deschutes County defines a high percentage of Low-Income Households as a census tract or census designated place with a higher percent of Low-Income Households than the statewide average.

Area of Responsibility: The Area of Responsibility is the geographic area within the QE'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 the QE is the County Board of Commissioners.

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 included in a STIF Plan. Projects will go through the Regional Transit Master Plan process and must be prioritized in the STIF Plan.

Public Transportation Service Provider: A QE 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 (QE): 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, referred to herein as QE.

STIF Administrative Services Provider: The designated representative agency/organization that will carry out administrative duties and functions on behalf of the QE.

STIF Coordinator: The QE contact person designated by the QE to coordinate and carry out STIF-related activities and duties in cooperation with the STIF Administrative Services Provider.

STIF Formula Fund: Up to 90 percent of the Statewide Transportation Improvement funds to be disbursed to QEs conditioned upon the Oregon Transportation Commission's (OTC) 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 Oregon Department of Transportation (ODOT) for review and approval by the Commission in order for the QE to receive a share of the STIF Formula Fund. The Central Oregon Regional Transit Master Plan will inform the STIF Plan.

ADVISORY COMMITTEE TASKS

The Advisory Committee will:

- Advise Deschutes County on the development process of the STIF Plan.
- May advise on the development of a definition for "high percentage of Low-Income Households."
- May advise on the appointment of STIF Advisory Committee members.
- Review and prioritize projects proposed for inclusion in the STIF Plan and recommend projects for funding according to decision-making criteria established herein.
- Review and recommend projects to receive STIF Discretionary Funds within Deschutes County's area of responsibility.
- Review and recommend projects to receive STIF Intercommunity Discretionary Funds within Deschutes County's area of responsibility.
- Advise Deschutes 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. Other local or regional public transportation programs and services may include Metropolitan Planning Organization (MPO) regional transportation plans and funds, county or tribal Special Transportation Funds (STF), city or county transportation

system plans and funds, and other federal, state, regional or local plans and funds which involve public transportation.

- Nominate up to two STIF Advisory Committee members to serve on the Regional Public Transit Advisory Committee (RPTAC) to ensure regional coordination, consistency, and prioritization of STIF projects within the Central Oregon Regional Transit Master Plan. RPTAC members will be appointed by the COIC Board of Directors.
- Recommend approval or revision of the STIF Plan to the Deschutes County Board of Commissioners.

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

Discretionary Fund and Intercommunity Discretionary Fund recommendations from the STIF Advisory Committee will be considered by the Deschutes County Board of Commissioners for submission to ODOT when awarding STIF discretionary grants.

COMMITTEE MEMBERSHIP

Members and interests of the STIF Advisory Committee will be identified in committee rosters, minutes, and recommendations, and identified in county, tribal and STIF service provider publications and websites. A list of STIF Advisory Committee members and the interests they represent shall be attached to these bylaws. This list shall be automatically updated as changes in STIF Advisory Committee membership occur.

Number of members

The STIF Advisory Committee will include at least nine (9) members, and no more than eleven (11) members. The STIF Advisory Committee must include at least one member 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 Provider or non-profit entities which provide public transportation services.

Appointment process

Members shall be appointed by majority vote of the Deschutes County Board of Commissioners.

Membership criteria

Advisory Committee members must meet the following criteria to be qualified to be appointed and to serve as a member of the STIF Advisory Committee:

1. Be knowledgeable about the public transportation needs of residents or employees located within or traveling to and from Deschutes County's area of responsibility.
2. Be a member of or represent any one or more of the following:
 - Local governments, including land use planners.
 - Employers.
 - Public and private health, social and human service providers.
 - Transit users.
 - Transit users who depend on transit for performing daily activities.
 - Individuals age 65 or older.

- People with disabilities.
- People with low-income.
- Residents representing different geographic areas of Deschutes County.
- Transportation logistics representatives (e.g. mechanics, fleet purchasing, highway/road maintenance, vehicle equipment, bus technology).
- Commerce and/or business community.
- Social equity advocates.
- Environmental and energy efficiency advocates.
- Bicycle and pedestrian advocates.
- People with limited English proficiency.
- Educational institutions.
- Major public transit destinations (e.g. large employers, resorts).

Terms of office

STIF Advisory Committee member terms shall be two years. Terms begin on January 1 and end on December 31. Should a member need to resign from the STIF Advisory Committee, they may do so by informing the Deschutes County STIF Coordinator in writing. At such time, Deschutes County may fill the vacancy by appointing a new member with majority approval by the Deschutes County Board of Commissioners.

Members are eligible for re-appointment for up to two consecutive terms. Terms will be staggered so that no fewer than one-third and no more than one-half of voting member terms expires in the same year. At the time of the initial formation of the STIF Advisory Committee, Deschutes County will identify an objective and equitable process to determine which members will be appointed to a one-year term and which members will be appointed to two-year terms so that the terms of office of the initial members will be staggered.

The officers of the STIF Advisory Committee shall be a Chair and a Vice-Chair. The Chair and Vice-Chair shall be appointed by majority vote of the Deschutes County Board of Commissioners and shall serve for a term of at least 12 months but for no more than two consecutive terms. STIF Advisory Committee members who serve as Chair or Vice Chair may be recommended to Deschutes County by the STIF Advisory Committee. Appointments are to be made in January of each year. The duties of the Chair are to call and convene meetings, assist in developing agendas, preside over the meetings, act as the primary liaison between Deschutes County and the STIF Advisory Committee, and perform other duties assigned by Deschutes County consistent with the purpose of the STIF Advisory Committee. The Chair, on behalf of the Committee, shall present reports to Deschutes County that are necessary to execute any and all of the responsibilities of the STIF Advisory Committee. The duties of the Vice-Chair are to perform the duties of the Chair in his or her absence.

COMMITTEE OPERATIONS AND PROCEDURES

Meeting frequency and location

The STIF Advisory Committee will meet as often as necessary but at a minimum of two (2) times per year. Meetings will be hosted by Deschutes County (or its delegated STIF Administrative Services Provider) at a location chosen by Deschutes County unless otherwise announced.

Meeting agenda

STIF Advisory Committee meeting agendas will be provided to group members at least 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 and records of the STIF Advisory Committee are subject to Oregon's open meetings law and public records law, respectively. Notice of meetings must be given as required by law and meetings must be open to the public. Except for special meetings, the STIF Advisory Committee shall provide for and give public notice to the news media and interested persons/parties at least seven (7) calendar days in advance of the meeting. Any individual needing accommodation to access meeting sites, written materials, and verbal meeting proceedings will be provided with alternatives consistent with Deschutes County's policies and procedures.

Public notice of meetings will be posted in advance to allow reasonable time for the media and interested parties to react to the information. A public comment period will be offered at the beginning of each STIF Advisory Committee meeting and for specific agenda items, but will be limited to three (3) minutes per individual. At a minimum, meeting materials will be posted on the Deschutes County and/or delegated STIF Administrative Services Provider's website as soon as possible, but no less than 48 hours before the start of the meeting. Additional public notice options may include, but are not limited to:

- Email Lists
- Social Media
- Websites
- News Media
- Fliers
- Mailings
- Document Repositories

Public engagement

The STIF Advisory Committee will seek broad public engagement on projects proposed to receive STIF funds from community members, users, and stakeholders in Deschutes County's area of responsibility, especially within areas or populations affected by a specific project. The STIF Advisory Committee will adopt public participation guidelines for regular meetings, public hearings, project and plan development, and other responsibilities. The STIF Advisory Committee will advertise proposed projects in advance of regularly scheduled meetings which will be open to the public and include time on the agenda for public comments. Deschutes County may keep project lists updated on its website and include instructions for how community members can comment on proposed projects. Deschutes County or other STIF Administrative Services Provider will provide content and materials to post. Potential public engagement methods include, but are not limited to:

- Verbal or written comments at Advisory Committee meetings, hearings, open houses in affected areas, or other venues.
- Region-wide STIF Projects and Plans listed on a website
- Comments collected via mail, email or through a website.
- Online stakeholder surveys.
- Stakeholder newsletters and listserves within Deschutes County or region-wide.

- Information booths at community events, kiosks at community activity centers.
- Transit vehicle marketing to public and transit riders.
- Public service announcements in local media.
- Press Releases by Deschutes County or public transportation service provider.

Meeting records

Meeting discussions and outcomes will be documented by Deschutes County or other STIF Administrative Services Provider and made publicly available via meeting minutes posted on the Deschutes County website. Minutes will note major points discussed and any conclusions reached or actions taken.

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

ROLES AND RESPONSIBILITIES

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

Governance

The STIF Advisory Committee has no formal delegated powers of authority to represent Deschutes County or commit to the expenditure of any funds. The STIF Advisory Committee will submit recommendations to the Deschutes County STIF Coordinator who is responsible for providing relevant information to Deschutes County.

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

Member Responsibilities

Members of the STIF Advisory Committee are expected to:

- Be prepared to achieve meeting objectives described in the published agenda.
- Listen and respect 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.
- Notify the STIF Coordinator if unable to attend a meeting.
- Support and respect each other and the committee decision process.

The Chair or Vice Chair normally represents the STIF Advisory Committee in communications with the Deschutes County Board of Commissioners. In coordination with the Deschutes County STIF Coordinator or delegated STIF Administrative Services Provider, the Chair or Vice Chair will seek regular opportunities for STIF Advisory Committee members to communicate with the Deschutes County Board of Commissioners.

Meeting attendance

Meeting attendance is mandatory unless previously arranged with the Deschutes County STIF Coordinator. If a member does not attend at least one-half of meetings held during the year, Deschutes County may appoint another qualified member to serve the remainder of the term. Deschutes County may also select up to two (2) alternate members, who must review meeting agendas, and participate and vote as needed to maintain a quorum. A quorum of the STIF Advisory Committee shall consist of a simple majority of all the voting members. A quorum must be present for any business to be conducted. Each member of the STIF Advisory Committee has one vote. All actions of the STIF Advisory Committee will be made by a motion passed by a simple majority of the members present and voting at a meeting where a quorum is present. Actions taken at the STIF Advisory Committee shall be conducted under Roberts Rules of Order, Newly Revised.

Removal and Vacancies

The STIF Advisory Committee may recommend removal of one of its members to Deschutes County by a vote of the majority of all its voting members. Such recommendation to the Deschutes County Board of Commissioners shall include the reasons for the recommendation. When a vacancy occurs, Deschutes County may elect to fill the vacant position and the person so appointed will hold their position for the balance of the unexpired term of his or her predecessor, which term of service shall not be considered in connection with limitations on term of service. Deschutes County may select an appointee from among people expressing an interest in such appointment or from a call for applications for the position. If a member does not attend at least one meeting per year, Deschutes County may terminate their membership on the STIF Advisory Committee and appoint a replacement.

Conflict of interest

STIF Advisory Committee members are considered public officials. Any actual or potential conflict of interest in matters that may be considered by the STIF Advisory Committee must be declared to the Deschutes County STIF Coordinator in advance and announced at meetings when voting to ensure the group's future accountability, transparency and success.

Members of the STIF Advisory Committee must comply with the Oregon Ethics Laws, ORS Ch. 244, and must refrain from using his or her position to obtain financial gain or avoid financial detriment to the member, a relative, or business in which the member or relative has an interest. In the case of any actual or potential conflict of interest, the member must publicly announce the actual or potential conflict of interest and refrain from participating in any discussion or debate on the matter.

COMMITTEE REVIEW PROCESS

The STIF Advisory Committee shall advise Deschutes County on the development of the STIF planning process and prioritize projects proposed to receive formula funds.

Tasks included in the STIF Advisory Committee's recommendation process may include the following:

- Conduct public engagement activities.
- Request data.
- Review all projects proposed for STIF Plan inclusion.
- Recommend projects for STIF Plan inclusion.
- Consider the criteria outlined in OAR 732-042-0020.
- Consult with staff on how to coordinate STIF-funded projects.
- Develop processes for ongoing monitoring.

- Make decisions and develop recommendations, e.g. by voting, consensus, and/or ranking.

In a manner consistent with ORS 184.751-184.766 and implementing regulations, the STIF Advisory Committee shall review every project and advise and assist Deschutes County in prioritizing projects. After a project proposal is transmitted by Deschutes County to the Chair, the Chair will distribute the project proposal to members of the STIF Advisory Committee at least 14 days in advance of the next regular scheduled meeting. At the next regular meeting of the STIF Advisory Committee following the distribution of the project, the STIF Advisory Committee will set a schedule for its review, deliberation and recommendation of the project. The schedule may be modified by the STIF Advisory Committee upon a majority vote at any subsequent meeting. The STIF Advisory Committee may also advise Deschutes County regarding opportunities to coordinate projects with other local or regional transportation programs and services to improve service delivery and reduce gaps in service. In addition, the STIF Advisory Committee may suggest changes to the policies or practices of Deschutes County when the STIF Advisory Committee considers that such changes are necessary to ensure that: (a) a public transportation service provider that has received funding under ORS 184.758 has applied the moneys received in accordance with and for the purposes described in the provider's plan or project proposal; and (b) a plan or project proposal submitted by a public transportation service provider does not fragment the provision of public transportation services.

STIF Formula Funds

STIF 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 Deschutes County service area.
 - Increase coordination between public transportation service providers to reduce fragmentation in the provision of public transportation service.
 - Expand transit services for students in grades 9 through 12.
 - Enhance an existing, productive service.
 - Meet public transportation needs and is a responsible use of public funds.
 - Be consistent with other factors to be determined by the Deschutes County or the STIF Advisory Committee.

STIF Discretionary and Intercommunity Discretionary Funds

The STIF Advisory Committee shall advise Deschutes County on the review of grant applications for acceptance, rejection, and prioritization for funding from the Discretionary Fund and Intercommunity Discretionary Funds, consistent with OAR 732-044-0025. The STIF Advisory Committee review process for STIF Discretionary and Intercommunity funds will be commensurate to the Formula Fund process.

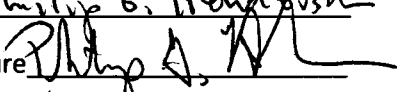
STIF Advisory Committee members are required to consider the following criteria when reviewing projects under the discretionary STIF Funds as described in OAR 732-044-0025:

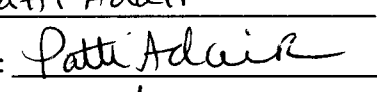
- Supports the purpose, as applicable, of the Discretionary Fund or the Intercommunity Discretionary Fund, as described in OAR 732-044-0000, which includes:
 - The Discretionary Fund is intended to provide a flexible funding source to improve public transportation in Oregon. It is not a source of ongoing operations funding.
 - The Intercommunity Discretionary Fund is intended for improving connections 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.
- Is 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 for 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 Oregon Transportation Commission (OTC).

Bylaws

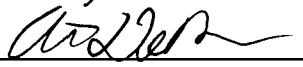
The STIF Advisory Committee will maintain written bylaws that include, but are not limited to, name and purpose, committee membership criteria, appointment process, terms of office, general procedures, member duties, meeting schedule, public noticing requirements and engagement processes, and the STIF Plan development process and general decision-making criteria. These bylaws should be made available to the public on the Deschutes County website.

These bylaws are a required element of Deschutes County’s STIF program and will become effective upon their adoption by the Deschutes County Board of Commissioners. Deschutes County shall have the authority to amend these bylaws at any meeting of the Deschutes County Board of Commissioners. The STIF Advisory Committee may also propose amendments of these bylaws to Deschutes County.

By: Philip B. Hendryson
Signature: 
Title: Chair
Date: 1-10-2019

By: Patti Adair
Signature: 
Title: Vice Chair
Date: Jan 10 2019

By: ANTHONY DeBONE

Signature 

Title: Commissioner

Date: 9 JAN 19