M-236-22

Jefferson County Board of Commissioners

Statewide Transportation Improvement Fund (STIF)

Jefferson County Advisory Committee Bylaws

Consolidated STIF Program Revisions

November 9, 2022

ADVISORY COMMITTEE NAME: Jefferson County Statewide Transportation Improvement Fund Advisory Committee

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

PURPOSE OF THE ADVISORY COMMITTEE

Jefferson County formed a STIF Advisory Committee in 2019 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 by rule, additional specifics may be found in OAR Chapter 732. The Oregon Department of Transportation (ODOT) 2019-2021 Legislatively Adopted Budget (House Bill 5039) directed ODOT to merge STF and STIF into one public transit program.

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).

Client-Only Project: A project where the underlying transportation service is offered to a limited group of people and not made available to the general public.

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. Jefferson 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 for which the QE is responsible to provide STIF Formula fund moneys.".

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(2)(b).

Governing Body: The decision-making body or board of the QE is the County Board of Commissioners.

***Indexed Minimum*:** 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.

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(2)(c).

Local Plan: 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:

***Payroll-Based Formula*:** The portion of STIF Formula Funds disbursed per ORS 184.758(5).

***Population-Based Formula*:** The portion of STIF Formula Funds disbursed per ORS 184.758(3).

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 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.

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.

***Recipient*:** 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

***Shared-Ride Service*:** 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.

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(2)(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 and other adopted local plans will inform the STIF Plan.

Student Transit Services: 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.

Sub-Recipient: 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.

Work Group: A subcommittee formed by a Qualified Entity's Governing Body or Advisory Committee for the purpose of providing additional input on STIF Formula Fund projects.

ADVISORY COMMITTEE TASKS

The Advisory Committee may:

- Advise Jefferson County on the development process of the STIF Plan.
- Advise on the development of a definition for "high percentage of Low-Income Households."
- 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 and Sub-Recipient proposals to receive STIF Discretionary Funds within Jefferson County's area of responsibility.
- Review and recommend projects and Sub-Recipient proposals to receive STIF Intercommunity Discretionary Funds within Jefferson County's area of responsibility.
- Advise Jefferson 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, city or county transportation system plans and funds, and other federal, state, regional or local plans and funds which involve public transportation.
- If desired, 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 Qualified Entity's Advisory Committee's meeting minutes in the completion of its duties as described in OAR 732-040-0030(1).
- Recommend approval or revision of the STIF Plan to the Jefferson County Board of Commissioners.
- Review and recommend projects from other grant solicitations such as Section 5310 funding.

Discretionary Fund and Intercommunity Discretionary Fund recommendations from the STIF Advisory Committee will be considered by the Jefferson County Board of Commissioners for submission to ODOT when soliciting 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 posted on the website.

Number of members

The STIF Advisory Committee will include at least five (5) members, and no more than eleven (17) members. The STIF Advisory Committee must include at least four members who, separately, are members of or represent each of the following four groups:

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

Appointment process

Members shall be appointed by majority vote of the Jefferson 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 Jefferson 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.
    - Veterans
    - Black, Indigenous, and people of color
    - People with low-income.
    - Residents representing different geographic areas of Jefferson 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).

- Public Transportation Service Providers or neighboring Public Transportation Service Providers
- Nonprofit entities which provide public transportation services

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 STIF Administrative Services Provider in writing. At such time, Jefferson County may fill the vacancy by appointing a new member with majority approval by the Jefferson County Board of Commissioners.

Members are eligible for re-appointment for up to four consecutive terms. Initial member terms will be staggered so that no fewer than one-third and no more than one-half of voting member terms expire in the same year.

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 Jefferson County STIF Advisory Committee Members and shall serve for no more than four consecutive terms. Appointments are to be made in January or February of each year, when applicable. The duties of the Chair are to call and convene meetings, assist in developing agendas, preside over the meetings, act as a liaison between Jefferson County and the STIF Advisory Committee, and perform other duties assigned by Jefferson County consistent with the purpose 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 Jefferson County (or its delegated STIF Administrative Services Provider) at a location chosen by Jefferson County unless otherwise announced. Meetings may also be held virtually or by conference call. Committee member are allowed to vote when attending virtually or by conference call.

Meeting agenda

STIF 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 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 approximately 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 Jefferson 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 Jefferson County and/or delegated STIF Administrative Services Provider's website as soon as possible. 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 Jefferson 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. Jefferson County may keep project lists updated on its website or the STIF Administrative Service Provider's website and include instructions for how community members can comment on proposed projects. Jefferson County or the 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 listservs within Jefferson 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 Jefferson County, STIF Administrative Service Provider, or public transportation service provider.

Meeting records

Meeting discussions and outcomes will be documented by Jefferson County or other STIF Administrative Services Provider and made publicly available via meeting minutes posted on the Jefferson County or Administrative Service Provider 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 at least three years after the Agency's final disbursement under the STIF Plan or grant agreement.

Copies of Advisory Committee bylaws, meeting minutes and meeting notices are published by the Qualified Entity or STIF Administrative Service Provider and made available for public review in a reasonable and timely manner and are maintained for the period prescribed under Chapter 166, Division 150 of the Oregon Administrative Rules.

ROLES AND RESPONSIBILITIES

The STIF Advisory Committee is advisory to the Jefferson 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 Jefferson County or commit to the expenditure of any funds. The STIF Advisory Committee will submit recommendations to the Jefferson County STIF Coordinator who is responsible for providing relevant information to Jefferson County.

Jefferson 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 Jefferson 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 Administrative Services Provider if unable to attend a meeting.
- Support and respect each other and the committee decision process.

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

Meeting attendance

Meeting attendance is mandatory unless previously arranged with the Jefferson County STIF Coordinator or delegated STIF Administrative Services Provider. If a member does not attend at least one-half of meetings held during the year, Jefferson County may appoint another qualified member to serve the remainder of the term. Jefferson 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 Jefferson County by a vote of the majority of all its voting members. Such recommendation to the Jefferson County Board of Commissioners shall include the reasons for the recommendation. When a vacancy occurs, Jefferson 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. Jefferson 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, Jefferson 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 Jefferson 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 Jefferson County on the development of the STIF planning process and prioritize projects proposed to receive STIF 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.
- Develop a prioritization process that supports programs and projects that were historically funded through STF
- 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 Jefferson County in prioritizing projects. The Chair or the STIF Administrative Services Provider will distribute the project proposal to members of the STIF Advisory Committee at least seven days in advance of the next regular scheduled meeting. The STIF Advisory Committee may also advise Jefferson 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 Jefferson 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 Jefferson 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 services for older adults and people with disabilities.
  - Maintain an existing service.
  - Meet public transportation needs and is a responsible use of public funds.
  - Benefit or burden historically- or currently-marginalized communities both now and in the long term
  - Be consistent with other factors to be determined by the Jefferson County or the STIF Advisory Committee.

STIF Advisory Committee members shall also consider whether any project proposals for client-only services are part of a planned and coordinated community transportation program and meet the requirements outlined in 732-040-0005. Additionally, STIF Advisory Committee members may also provide input regarding a method for sub-allocating STIF Formula Fund moneys to Public Transportation Service Providers.

To the extent possible, using the best available data, the sub-allocation method used by Qualified Entities must be proportionate to the amount of employee payroll tax revenue generated within the geographic territory of each Public Transportation Service Provider. A Qualified Entity shall share all data used to develop the sub-allocation method with each Public Transportation Service Provider and other potential Sub-Recipients, as relevant, included in its STIF Plan.

STIF Discretionary and Intercommunity Discretionary Funds

The STIF Advisory Committee shall advise Jefferson 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 depth of the STIF Advisory Committee project review process for STIF Discretionary and Intercommunity funds shall 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 shall take necessary steps to maintain and update the rules, as needed. These bylaws should be made available to the public on the Jefferson County and/or delegated STIF Administrative Services Provider's website.

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

By: Wayne Fording
Signature: Wayne Fording
Title: Commission Chair
Date: November 9, 2022

By: Mae Huston
Signature: Mae Huston
Title: Commissioner
Date: November 9, 2022

By: Kelly Simmelink
Signature: Kelly Simmelink

Title: Commissioner

Date: November 9, 2022