



# Sunset Empire Transportation District

## *Transportation Advisory Committee*

# *BYLAWS*

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**SUNSET EMPIRE TRANSPORTATION DISTRICT**  
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## **PURPOSE OF THE ADVISORY COMMITTEE**

The Sunset Empire Transportation District (SETD) Board of Commissioners (Board) has formed an Advisory Committee, known as the Transportation Advisory Committee (TAC) to advise and assist SETD in carrying out the purpose of the Statewide Transportation Improvement Fund (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.

The TAC also serves as the District's Special Transportation Fund Advisory Committee regarding reviewing and making recommendations to the SETD Board for the Oregon Department of Transportation's (ODOT) Special Transportation Fund (STF) and for FTA § 5310 grant funds.

## **DEFINITIONS**

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

***Advisory Committee:*** 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). It shall also assist SETD in carrying out the purposes of the STF Formula Program and Discretionary Program.

***High Percentage of Low-Income Households:*** Areas within the District boundaries with a household income at or below 200% of the current Federal Poverty Level, also known as the Federal Poverty Guideline. The Federal Poverty Level may be found here: <https://www.healthcare.gov/glossary/federal-poverty-level-FPL/> and here: <https://aspe.hhs.gov/poverty-guidelines>

***Area of Responsibility:*** The geographic area for which SETD is responsible to provide STIF Formula Fund moneys is the geographic area within the jurisdictional boundaries of the county or counties in which any part of the District is located.

***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 SETD, this is The 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 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 of 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 Oregon Transportation 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 Oregon Department of Transportation, Rail and Public Transit Division for review and approval by the Oregon Transportation Commission for the Qualified Entity to receive a share of the STIF Formula Fund.

**STF Formula Fund:** Fund to support transportation services for seniors and people with disabilities.

**STF Discretionary Grant:** Discretionary funds are distributed through a competitive grant program and to projects of statewide importance defined by the Oregon Transportation Commission.

## **COMMITTEE TASKS**

The Advisory Committee will:

- Advise SETD on the development process of the STIF Plan and the STF Plan
- Review the proposed distribution of §5310 Formula Program and STF Formula Program moneys and make recommendations to SETD

- Review STF Discretionary Grant proposals and make recommendations to SETD
- Recommend to SETD any changes to the proposed distribution of STF Formula Program moneys or STF Discretionary Grant applications it considers necessary
- Review and prioritized projects proposed for inclusion in the STIF Plan and recommend a funding amount for each project
- Advise on the development of a definition for “high percentage of low-income households
- Review and recommend projects to receive STIF Discretionary Funds within SETD’s area of responsibility
- Review and recommend projects to receive STIF Intercommunity Discretionary Funds within SETD’s area of responsibility
- Advise SETD 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

STIF Formula Fund recommendations from the TAC will be considered by the Board in preparation of a STIF Plan.

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

In carrying out its purpose the committee shall:

- Provide a public forum for the discussion of SETD services and maintain communications with groups representing the various ridership groups, such as: commuters, students, low income residents, individuals with limited English proficiency (LEP), and seniors and/or individuals with disabilities.

Convey community views on transportation matters affecting persons who utilize the transit services to the SETD Board.

- Assist in the dissemination of information about transportation services to the various ridership groups, such as: commuters, students, low income residents, limited English speaking individuals, individuals with limited English proficiency (LEP), and seniors and/or individuals with disabilities, throughout the District’s service area.

## **COMMITTEE MEMBERSHIP**

A list of current members and the interests they represent is attached to these bylaws and will be updated as new appointments are made. 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**

TAC shall be composed of nine (9) members.

## **Appointment process**

Members will be recruited and recommended through procedures established by the SETD Board. The SETD Board will appoint members and will include a Board member that is appointed by the Board Chair.

## **Membership criteria**

TAC members must meet the following criteria.

- Be knowledgeable about the public transportation needs of residents or employees located with SETD's area of responsibilities.
- 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 or Non-profit entities that provide public transportation services (Mandatory)
  - 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 or people with disabilities (Mandatory)
  - Representative of seniors
  - Representative of people with disabilities
  - Low-income individuals (Mandatory)
  - Social equity advocates
  - Environmental advocates
  - Bicycle and pedestrian advocates
  - People with limited English proficiency
  - Educational institutions
  - Major destinations for users of public transit
- The Advisory Committee shall include members from the District's area of responsibility, both within and outside District boundaries.

## **Terms of Office**

- The term of each member shall be for two (2) years, except the SETD Board representative who shall serve at the pleasure of the SETD Chair.
- Terms shall begin on July 1 and end on June 30 two years later. Terms shall be staggered, so that only a portion of the terms will end each year on June 30.

- Members may apply and be considered for reappointment through the established nomination and appointment process.
- Members can serve for an indefinite number of terms.
- Should a member need to resign from the TAC, they may do so by informing the Executive Director of SETD in writing. At this time, SETD may fill the vacancy by the appointment process.

### **Condition of termination**

SETD may end the membership of a committee member under the following conditions.

- If a TAC Member fails to attend two regular meetings within a one-year period without excuse, SETD will consider this a voluntary resignation and may fill the vacancy by the appointment process.

## **COMMITTEE OPERATIONS AND PROCEDURES**

### **Meeting frequency and location**

The TAC will meet, at a minimum, twice a year. Additional meetings may be necessary to complete the work of the committee. The meetings will be held at the Astoria Transit Center unless otherwise announced.

### **Meeting agenda**

TAC meeting agendas and will be provided to members approximately seven days prior to the meeting. Background materials may be included with the agenda for prereading and meeting preparation.

### **Public notice of meetings**

Public notice of meetings will be posted seven days in advance. Notification will be made via social media, website, news media, fliers at transit facilities, and any other means deemed necessary.

### **Public engagement**

Meeting agendas will include time for public comment. Comments can be verbal or written. Comments may be collected via email or through the website. Online surveys may be generated and information booths at community events may be utilized to gather public input.

## **Meeting records**

Meeting discussions and outcomes will be documented by the Executive Assistant and made publicly available via the website.

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 TAC is advisory to SETD's Board. To ensure the success of the group, the following roles have been identified.

### **Governance**

A Chairperson and Vice Chairperson shall be selected by the committee at its first meeting after July 1 of each year. If there is a vacancy in these two positions, the committee shall appoint a replacement. The Chairperson and Vice Chairperson may be removed by the committee with a majority vote.

The Chairperson will be responsible for officiating the meeting. They will ensure that there is sufficient time during the meeting to discuss agenda items. They will ensure that discussion on agenda items is on topic, productive and professional. The Vice Chairperson will have the same responsibilities if the Chairperson is absent.

The Executive Director or his/her designee will be the facilitator of the meetings. The Executive Director designee shall prepare agendas for the TAC. The Executive Assistant will assist in the preparation of the meeting packets and shall post the public notices. The Executive Assistant will take the minutes of the meetings and post them.

The TAC has no formal delegated powers of authority to represent SETD or commit to the expenditure of any funds. The TAC will submit recommendations to the Board of SETD.

SETD will include information in the STIF Plan about how the TAC was consulted when developing the STIF Plan and, if applicable, an explanation on why the TAC recommendation was not adopted by the Board of SETD.

### **Members**

Members of the TAC are asked to:

- 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

- Notify the Executive Director if unable to attend a meeting
- Support and respect each other
- Not speak to the media on behalf of the group unless consent has been provided in writing from SETD and agreed to by the TAC

### **Meeting attendance**

For meetings to take place in an effective way, a minimum of five members must be present. A majority of the members then appointed to the TAC shall constitute a quorum for the purpose of conducting business.

Meeting attendance is mandatory unless previously arranged with the Executive Director. Proxy representation is not permitted.

### **Conflict of interest**

Any apparent, potential, or perceived conflict of interest in matters that may be considered by the TAC should be declared to the Executive Director prior to public meetings to ensure the group's future accountability, transparency, and success. A member shall also declare the apparent, potential, or perceived conflict of interest during public meetings and shall not vote on any funding decision in which they are an applicant or representing an organization for funds.

### **Actions**

- A. All actions of the TAC shall be a motion passed by a majority of the members present and voting. When appropriate for clarification purposes or requested by a member, the Chair shall restate each motion immediately following its introduction.
- B. In situations where extensive discussion or debate occurs following its introduction of a motion, or when an amendment(s) is/are made to a motion, the Chair shall restate each motion immediately prior to calling for the vote. Following the vote, the Chair shall announce whether the motion carried or was defeated.

## **COMMITTEE STIF REVIEW PROCESS**

The TAC shall advise SETD on the development of the STIF Plan process and prioritize projects proposed to receive STIF Formula Funds.

- May conduct public engagement activities
- May 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
- Advise staff on how to coordinate STIF-funded projects
- Develop processes for ongoing monitoring
- Committee decision making process, e.g. voting, consensus, ranking

## **STIF Formula Funds**

TAC members are required to consider the following criteria when reviewing STIF Formula Fund Projects, as described in OAR 732-0042-0020:

- 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 inside and outside 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 and 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 TAC shall advise SETD 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.

- SETD staff will provide Discretionary Fund and Intercommunity Discretionary Funds grant applications to the TAC for review
- TAC shall make recommendations on the applications to the Oregon Transportation Commission

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 TAC will maintain written bylaws 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 STF Plan, §5310 Plan, and STIF Plan development processes and general decision-making criteria.

These bylaws may be amended by a majority vote of both the TAC and the SETD Board. Prior to action of the SETD Board, all amendments will be reviewed and approved by the TAC.

## TRANSPORTATION ADVISORY COMMITTEE ROSTER

<b>POSITION #</b>	<b>NAME</b>	<b>REPRESENTING</b>	<b>TERM EXP</b>
1	Larry Miller	Seniors*	6/30/20
2	Patrick Preston	Human Services Provider	6/30/20
3	Margaret Chenowith	Disabled User*	6/30/20
4	Chris Breitmeyer	Educational Institutions	6/30/20
5	Lin Anderson	Low Income	6/30/21
6	Diana Niño	People with Limited English Proficiency	6/30/21
7	Tita Montero	Local Government	6/30/21
8	Doug Pilant	Neighboring Public Transit Provider/Out of District Boundaries*	6/30/21
9	Bryan Kidder	Public Transportation Provider*	6/30/21

\*Mandatory