

**RESOLUTION NO. 2020 – 19**

**A RESOLUTION TO ADOPT BYLAWS FOR THE COOS COUNTY AREA  
TRANSPORTATION DISTRICT ADVISORY COMMITTEE**

**WHEREAS**, the CCATD Board of Directors established the Coos County Area Transportation District Advisory Committee on January 6, 2020 through the adoption of Resolution 2020- 4;

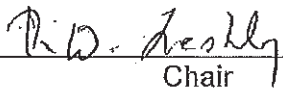
**WHEREAS**, the Coos County Area Transportation District Advisory Committee met on January 6, 2020 to review the Advisory Committee Bylaws;

**WHEREAS**, the Coos County Area Transportation District Advisory Committee recommends to the CCATD Board of Directors adopt Resolution 2020-19 to establish bylaws to govern the conduct and business of the Advisory Committee.

**NOW, THEREFORE, BE IT RESOLVED** by the Coos County Area Transportation District that the attached bylaws for the CCATD Advisory Committee are hereby adopted.

**Adopted by the Coos County Area Transportation District this 13<sup>rd</sup> day of January 2020.**

Coos County Area Transportation District

  
Chair

ATTEST

  
Secretary

**Bylaws of the Coos County Area  
Transportation District Advisory Committee**

**ARTICLE I - NAME**

The name of this Advisory Committee shall be Coos County Area Transportation District Advisory Committee. This committee serves as the Special Transportation Funds Advisory Committee and the Statewide Transportation Improvement Fund Advisory Committee for Coos County.

**ARTICLE 2 - PURPOSE OF THE ADVISORY COMMITTEE**

Coos County Area Transportation District (CCATD) Board of Directors formed an Advisory Committee on January 3<sup>rd</sup>, 2020 (Resolution 2020-4) to advise on all matters regarding the operation of the Coos County Area Transportation District. The Advisory Committee will advise and assist the CCATD Board of Directors in carrying out the following purposes:

- STF as governed by ORS 391.800 through 391.830 and OAR Chapter 732; and
- STIF and prioritizing projects to be funded by STIF monies as set forth under OAR Chapter 732, Division 40, Sections 0030 and 0035, Division 42, Section 0020, and Division 44, Section 0025

**ARTICLE 3 - DEFINITIONS**

*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).

*High Percentage of Low-Income Households:* The geographic areas within Coos County which are determined to have a high percentage of low income households. Pursuant to OAR 732-040-0035(2)(a), it shall be the responsibility of the Advisory Committee to gather data and to seek public input, and to make a determination as to the areas of Coos County in which there exist high percentages of low-income households, and to publish said determination in its Committee minutes and printed public materials. This committee has generally defined all of Coos County to have a high percentage of low-income households. Appendix A denotes the specific percentages by community.

*Area of Responsibility:* The Area of Responsibility is the geographic area within Coos 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 Coos County Area Transportation District is the CCATD Board of Directors.

*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 monies and a plan or proposal for which is included in a STIF Plan or in a grant application to Coos County Area Transportation District. 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 Board of Directors in order for the Qualified Entity to receive a share of the STIF Formula Fund.

#### **ARTICLE IV - FUNCTION**

- A. The Advisory Committee shall assist the Board of Directors in tasks and duties supporting local and regional transportation services funded through the Special Transportation Fund (STF) and the State Transportation Improvement Fund (STIF) which is then allocated to CCTD for distribution to the Public Service Transportation Provider(s).
- B. The Advisory Committee will perform the following tasks for STF:
  - Advise CCATD regarding the opportunities to coordinate STF Funds and STF-funded projects with other transportation programs and services to avoid duplication and gaps in service;
  - Be involved in developing the Coordinated Plan;
  - Review the proposed distribution of STF Formula Funds and make recommendations to CCATD;

- Review Discretionary Grant proposals and make recommendations to CCATD;
  - Participate in developing and updating of the STF Plan.
- C. The Advisory Committee will perform the following tasks for STIF:
- Advise CCATD 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 CCATD area of responsibility
  - Review and recommend projects to receive STIF Intercommunity Discretionary Funds within CCATD’s area of responsibility
  - Advise CCATD 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
- D. Formula Fund recommendations from the Advisory Committee will be considered by CCATD Board of Directors in preparation of a STF and STIF Plan.
- E. Discretionary Fund and Intercommunity Discretionary Fund recommendations from the Advisory Committee will be considered by ODOT when awarding STIF discretionary grants.

## **ARTICLE V - 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.

- A. The Advisory Committee will include at least five (5) members, with a maximum of fourteen (14) members.
- B. Appointment of Members: To be considered for appointment to the Coos County Area Transportation District Advisory Committee, an application may be requested by calling 541-267-7111 and mailed to the CCATD Board of Directors, Coos County Area Transportation District, 2810 Ocean Blvd, Coos Bay, Oregon 97420 or download a fillable form from <https://coostransit.org>.

The Board of Directors will consider geographic diversity and balance of the membership qualifications identified in Article V. (C) of this rule when appointing Advisory Committee members.

- C. Membership Qualifications: To be qualified to serve on the Advisory Committee, an individual must:
1. Reside or work in Coos County, and
  2. Be knowledgeable about the public transportation needs of residents or employees located within or traveling to and from the County, and
  3. Be a person who is a member of or represents one or more of the following
    - a. Local governments, including land use planners

- b. Public Transportation Service Providers
  - c. Non-profit entities that provide public transportation services
  - d. Neighboring Public Transportation Providers
  - e. Employers
  - f. Public health, social and human service providers
  - g. Transit users
  - h. Transit users who depend on transit for accomplishing daily activities
  - i. Individuals age 65 or older
  - j. People with disabilities
  - k. Low-income individuals
  - l. Social equity advocates
  - m. Environmental advocates
  - n. Bicycle and pedestrian advocates
  - o. People with limited English proficiency
  - p. Educational institutions
  - q. Major destinations for users of public transit
- D. Committee Composition: At least five members with at least one member from each of the following and no more than two public transportation service providers:
- a. Is elderly or a person with disabilities and is a user of transportation services in the county;
  - b. Is elderly or is a person with a disability who lives in an area of the county where there are no public transportation services;
  - c. Is representative of elderly persons residing in the County;
  - d. Is representative of people with disabilities residing in the County;
  - e. Represents a provider of services to the elderly or people with disabilities residing in the county.
- E. Terms of Membership: Advisory Committee member terms shall be two (2) years in length. Terms begin on the date appointed and end on the same date, after two years of service.
- F. Resignation of Membership: Should a member need to resign from the Advisory Committee, they may do so by informing the Chair in writing. At this time, CCATD may fill the vacancy by way of direct appointment.
- G. Termination of Membership: The Board of Directors may remove Committee members as follows:
- Failure to attend three or more consecutive regular Committee meetings. The Board of Directors may declare a member's position vacant when the member has had three (3) unexcused absences in one year or no longer meets the residency requirement;
  - For cause following public hearing, for reasons including, but not limited to commission of a felony, corruption, intentional violation of open meetings law, failure to declare conflict of interest, or incompetence;
- H. Vacancies: The Board of Directors shall make appointments to fill vacancies as they occur. Such appointments shall be for the duration of the unexpired term of that position.

- I. Advisory committee members are considered to be public officers under Oregon law.

## **ARTICLE VI - ROLES AND RESPONSIBILITIES**

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

- A. The Advisory Committee has no formal delegated powers of authority to represent CCATD or commit to the expenditure of any funds. The Advisory Committee will submit recommendations to the Transportation Point of Contact on the Board of Directors who is responsible for public transportation in CCATD.

CCATD will include information in the STIF and STF Plans about how the Advisory Committee was consulted when developing the respective Plans and, if applicable, an explanation of why the Advisory Committee's recommendation was not adopted by the Board of Directors.

- B. Election procedures: At its first meeting of the new fiscal year, the Advisory Committee shall elect by majority vote a Chairperson and Vice-Chairperson, provided there is a quorum.
  1. The Chair shall have the responsibility of conducting all meetings and hearings 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.
  2. The Vice Chair shall be responsible for conducting the meetings and hearings in the absence of the Chair.
  3. Members of the Advisory Committee are asked to:
    - a) Come prepared to achieve meeting objectives described in the published agenda
    - b) Listen and appreciate a diversity of views and opinions
    - c) Actively participate in the group
    - d) Focus on the agreed scope of the group operation
    - e) Attend all meetings and any subcommittee meetings
    - f) Notify Chair if unable to attend a meeting
    - g) Support and respect each other
    - h) Fulfill other duties as appointed by the Chair
- C. Proxy representation is not permitted.

## **ARTICLE VII - MEETINGS**

- A. Frequency: Meetings shall be held a minimum of two times per year, as required by statute, but may be held more frequently to carry out the purposes of the Committee. These meetings shall be held in publicly accessible facilities, and shall take place during transit operating hours, to facilitate attendance of interested individuals.

- B. Special Meetings: Special meetings may be called by the Chair or by the Board of Directors by giving the members and the press written or verbal notice at least 24 hours before the meeting.
- C. Agenda: The Chair shall prepare the agenda of items requiring Committee action, and shall add items of business as may be requested by individual Committee members and/or the Board of Directors. Agendas of all meetings shall be posted in advance as required under existing District policy and filed with the CCATD.
- D. Notice: All members shall be given written notice of time, date, location, and purpose of the meetings at least four (4) days before a regular Committee meeting, and written or verbal notice one (1) day before a special meeting. In the event a member is provided with less than four (4) days written notice of a regular meeting, or less than one (1) day actual notice of a special meeting, and objects to the proceedings based on a lack of adequate notice, all business conducted at that meeting shall be reconsidered at the next regular meeting or at a special meeting called with adequate notice.
- E. Public Engagement: Pursuant to OAR 735-040-0035, the Committee shall strive to seek public engagement in all its deliberative processes, with particular regard to the selection of projects for inclusion and funding in the District STF Plan and STIF Plan. The Committee will work with District staff to publicize key meetings and hold public forums as needed to ensure maximum public access to information and public participation in priority-setting exercises.
- F. Meeting Records: Minutes recording all motions and subsequent action including the number of yes or no votes on each issue shall be taken. In addition, all conflicts of interest shall be noted. Minutes of all meetings shall be posted following all meetings as required under existing District policy and filed with the Commissioners.  
  
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).
- G. Quorum & Voting: 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 Committee.
- H. Any apparent, potential or perceived conflict of interest in matters that may be considered by the Advisory Committee should be declared to the Chair or the Board of Directors to ensure the group's future accountability, transparency and success.

#### **ARTICLE VIII – STF AND STIF ADMINISTRATOR DUTIES**

- A. STF And STIF Administrator: The STF and STIF Administrator is designated or assigned by the CCATD Board of Directors. The Administrator has day-to-day responsibilities for the STF and STIF Program, including carrying out the STF Agency's and Qualified Entity's goals and policies. The Administrator shall be responsible for keeping records of STF advisory committee actions, including overseeing the taking of minutes at all Advisory Committee meetings, sending out meeting announcements, distributing copies

of minutes and the agenda to each Advisory Committee member, and assuring that records are maintained. The Administrator is responsible to ensure that provider reports are completed and submitted as required, and will make records available to the Advisory Committee as necessary for the proper function of the committee. The Administrator may perform additional duties at the direction of the CCATD Board of Directors.

- B. The Administrator will attend all STF advisory committee meetings, report on the progress of the STF and STIF Programs, answer questions of the Advisory Committee members and carry out the duties described in the job description. The Advisory committee may request other duties as necessary.

## **ARTICLE IX - COMMITTEE REVIEW PROCESS**

The Advisory Committee shall advise CCATD Area Transit Service District on the development of the STIF Plan process and prioritize projects proposed to receive Formula Funds.

### STIF Formula Funds:

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

- A. Whether the Project would:
  - 1. Increase the frequency of bus service to communities with a high percentage of Low- Income Households
  - 2. Expand bus routes and bus services to serve communities with a high percentage of Low-Income Households
  - 3. Reduce fares for public transportation in communities with a high percentage of Low- Income Households
  - 4. 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
  - 5. Improve the frequency and reliability of service connections between communities inside and outside of the Qualified Entity's service area
  - 6. Increase Coordination between Public Transportation Service Providers to reduce fragmentation in the provision of public transportation service
  - 7. Expand student transit services for students in grades 9 through 12
- B. Whether the Project would maintain an existing, productive service
- C. The extent to which the Project goals meet public transportation needs and are a responsible use of public funds
- D. Other factors to be determined by the Qualified Entity or Advisory Committee

### STIF Discretionary and Intercommunity Discretionary Funds:

The Advisory Committee shall advise CCATD Area Transit Service District on the review grant applications for acceptance, rejection, or prioritization for funding from the Discretionary Fund and Intercommunity Discretionary Funds, consistent with OAR 732-044-0025.

- A. Advise CCATD Area Transit Service District on the development process of the STIF Plan
- B. Advise on the development of a definition for "high percentage of low-income households"
- C. Review and prioritize projects proposed for inclusion in the STIF Plan and recommend a funding amount for each project
- D. Review and recommend projects to receive STIF Discretionary Funds within CCATD Area Transit Service Districts area of responsibility



- E. Review and recommend projects to receive STIF Intercommunity Discretionary Funds within CCATD Area Transit Service Districts area of responsibility
- F. Advise CCATD Area Transit Service Districts 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

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:

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

## **ARTICLE X - BYLAWS**

- A. The Advisory Committee shall maintain written Bylaws pursuant to OARS 732-040-035 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.
- B. The Advisory Committee shall periodically review its Bylaws and update them as required, but no less frequently than every three (3) years. Committee Bylaws will be reviewed by the District Counsel and presented to the CCATD Board of Directors for adoption. The Board of Directors may also elect to review Committee Bylaws at any time.
- C. Committee Bylaws may be amended by the Board of Directors upon its own motion. Prior to an amendment, the Board of Directors may request a recommendation from the

Advisory Committee which may recommend changes at any regular meeting of the Advisory Committee by a two-thirds vote of the appointed and filled membership, provided that the recommended amendment has been submitted in writing to the Advisory Committee members no later than three days before the regular meeting.

Adopted this 13 day of January, 2020.

Signed this 13 day of January, 2020.

CCATD BOARD OF DIRECTORS

*ROZBY*

Chair

*[Signature]*

Vice Chair

*Jane Ann Newater*

Secretary

Appendix A

High percentage of low income households, defined:				
Q. How does the STIF Plan define and identify communities with a high percentage of low income households?				
A. The STIF Plan defines communities with a higher percentage of low-income households as any community where low-income households as those below 200% of the federal poverty guidelines. The breakdown for Coos County is below.				
Area	Households [1]	Low-Income Population to Total Population [2]	Low-income Households	% Low-Income Households
Oregon	1,545,745	35%	541,011	35%
Coos County	25,755	44%	11,332	44%
Bandon	1,403	65%	912	65%
Coos Bay	6,523	45%	2,935	45%
Coquille	1,604	65%	1,043	65%
Lakeside	823	39%	321	39%
Myrtle Point	1,003	46%	461	46%
North Bend	3,810	33%	1,257	33%
Powers	353	61%	215	61%
1) US Census Table B11016				
2) US Census Table 17002				