

**BYLAWS  
BENTON COUNTY  
STATEWIDE TRANSPORTATION IMPROVEMENT FUND  
ADVISORY COMMITTEE**

**ARTICLE 1**

**Name**

The name of this organization shall be the Benton County Statewide Transportation Improvement Fund Advisory Committee (STIF).

**ARTICLE 2**

**Citations**

This Committee and these Bylaws are established for the purpose of carrying out the statutory requirements as established under ORS 184.758 and ORS 184.761, and the rules establishing the procedures and requirements for administration of the Statewide Transportation Improvement Fund, as set forth under OAR Chapter 732, Division 040.

**ARTICLE 3**

**Definitions**

The following definitions apply to the terms used in these Bylaws:

“Areas of High Percentage of Low-Income Households” means geographic areas within Benton County with a percentage of households below the current federal poverty level, which is equal to or greater than the percentage of households below the current federal poverty level for the State of Oregon. The geographic area may be a city, unincorporated community, neighborhood, or collection of neighborhoods, but in no case smaller than a Benton County US Census block.

“Active Transportation Advocates” are individuals within Benton County who represent the needs and interests of people who use active transportation modes, particularly as these modes interface with public transit.

“Client-based Transportation” means a transportation service offered to a limited group of people and not to the general public.

“Commissioners” means the Benton County Board of Commissioners.

“Committee” means the Benton County Statewide Transportation Improvement Fund Advisory Committee. Outside of these Bylaws, this Committee may commonly be referred to as “the STIF Committee”.

“Employer Representative” means any employee, supervisor, manager, or owner of a business enterprise legally operating within the boundaries of Benton County.

“Environmental Advocates” are individuals representing standing committees associated with local governments within Benton County which exist to advise local government elected officials on matters related to the environment or to environmental features of public property, or

individuals who advocate locally for any of a wide range of environmental or sustainability issues, goals, projects, or interests.

“Local Government Representative” are employees of a County, municipal, or special district governmental organization formed and organized under the Oregon Revised Statutes and operating within the jurisdictional boundaries of Benton County.

“Low Income Households” are households within Benton County, 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.

“Major Destination” means a well-known and commonly recognized destination within Benton County, which may either be at one physical location (e.g. Benton County Historical Museum) or a group of destination locations within an industry (e.g. local restaurants). A “Representative of Major Destinations” may be an employee, manager or owner of a destination or representing a destination industry group, or a member of an organization which promotes tourism within Benton County generally.

“Person(s) with Disabilities” are individuals with physical or mental impairments that substantially limits one or more major life activities, and may include, but is not necessarily limited to, physical, intellectual, cognitive, developmental, and/or emotional disabilities.

“Persons with Limited English Proficiency” are individuals who do not speak English as their primary language and may have a limited ability to read, speak, write, or understand English.

“Public Transportation Service Provider” means 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.

“Qualified Entity” means, 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.

“Representative of Educational Institutions” is a person who is employed by or on the Board of Directors of a K-12 public school; chartered or state-licensed private K-12 school, community college, university, private college, or trade school operating within the jurisdictional boundaries of Benton County.

“Representative of Low Income Individuals” is a person representing the needs of low income transportation system users, and who, through association with programs, agencies, groups, individuals, or facilities serving low income persons, is familiar with the transportation needs of low income individuals.

“Representative of Persons with Disabilities” is a person representing the needs of disabled transportation system users, and who, through association with programs, agencies, groups, individuals, or facilities serving persons with disabilities, is familiar with the transportation needs persons with disabilities.

“Representative of Persons with Limited English Proficiency” is a person representing the needs

of transportation system users with limited English proficiency, and who, through association with programs, agencies, groups, or local schools, is familiar with the transportation needs of limited English proficiency users.

“Representative of Seniors” shall be someone, who may also be a senior, representing the needs of transportation system users age 65 and older, and who, through association with groups, individuals, or facilities serving seniors, is familiar with the transportation needs of elderly users.

“Seniors” are individuals 65 years of age and older.

“Social and Human Service Provider Representative” is a representative of a social, human, or health services agency operating within Benton County. Said agency may be a public agency, a non-profit agency, or a not-for-profit institution such as a health center.

“Social Equity Advocate” is an advocate for equity for persons who may be disadvantaged due to but not limited to ethnicity; income or other economic circumstances; limited English proficiency; housing status; citizenship status; gender identity; sexual orientation; or whose work or advocacy it is to advise local government elected officials on matters related to equity.

“Sub-Recipient” means any entity that has entered into an agreement with Benton County in order to complete one or more tasks specified in the agreement between the Oregon Department of Transportation and Benton County.

“Transit Dependent User” shall mean an individual who is dependent on public transportation for mobility due to economic or other reasons.

## **ARTICLE 4**

### **Function**

#### **Section 1. Purpose.**

The Committee shall assist the Commissioners in carrying out the purposes of the STIF and prioritizing Projects to be funded by STIF moneys received by the Qualified Entity per OAR Chapter 732, Division 040.

#### **Section 2. Primary Duties.**

The Committee shall perform the tasks consistent with the requirements set forth under OAR Chapter 732, Division 040, as follows:

- (1) Hold public meetings to assist and advise staff with the development of the County’s local STIF Plan by reviewing and advising on the development, composition, and prioritization of proposed projects by Public Transportation Service Providers, consistent with the guidelines promulgated by State administering agencies and the County’s allocation process for the distribution of STIF moneys.
- (2) Consider the criteria established under OAR Chapter 732, Division 040 when identifying Projects for inclusion in the STIF Plan, including but not limited to: expanded service and frequency in areas with a high percentage of low income households; improved service connections between communities; reduced fragmentation of service and closure of service gaps; maintenance of existing

- services; and other factors such as geographic equity.
- (3) Review data, provide a forum for public input regarding low-income households within the County, of municipalities within the County, and make and publish a determination of where those communities exist for purposes of guiding the STIF Plan.
  - (4) It shall be the responsibility of the Advisory Committee to review data, receive, public input, and make a recommendation to Benton County Board of Commissioners as to the areas of Benton County in which there exist high percentages of low-income households, and to publish said determination in Committee meeting minutes.
  - (5) Advise regarding the 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.
  - (6) Establish, as needed, Work Groups to provide the Committee with additional input on STIF Formula projects. Work Group members may be composed of both Committee and non-Committee members. Input from any Work Groups formed will be considered and documented in the Committee's meeting minutes.
  - (7) Recommend to the Board of Commissioners a STIF Plan which includes the prioritization of projects proposed for funding within the Plan.
  - (8) Develop processes for review and monitoring of ongoing funded projects and local Plans, which may include reporting and site visits to local public transportation providers receiving STIF project funding.
  - (9) Propose any changes to the policies or practices of the Board of Commissioners that the Committee considers necessary to ensure that:
    - (a) A Sub-Recipient has applied moneys received through the STIF in accordance with and for the purposes described in the project proposal.
    - (b) A project proposal submitted by a Sub-Recipient does not fragment the provision of public transportation services.

## **ARTICLE 5 Subcommittees**

### **Section 1. Creation of Subcommittees.**

The Commissioners or Committee may 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 Committee. Input from the Work Group shall be considered and documented in the Committee's meeting minutes in the completion of its duties as described in OAR 732-040-0030(1).

## **ARTICLE 6 Membership**

### **Section 1. Number, Qualifications, and Selection of Members.**

The Committee will consist of no less than five (5), and no more than nine (9) members, appointed directly by the Commissioners, as follows:

- (1) To be qualified to serve on the Committee, an individual must:
  - (a) Be knowledgeable about the public transportation needs of residents or employees located within or traveling to and from Benton County; and
  - (b) Reside or work in Benton County.

- (2) The Committee must include at least four (4) members who, separately, are members of or represent each of the following four groups:
  - (a) A low-income person ;
  - (b) A person 65 years or older;
  - (c) A person with a disability; and
  - (d) A representative of a Public Transportation Service Provider or a non-profit entity which provides public transportation services.
- (3) Remaining members may be representatives from any of the following groups:
  - (a) Local governments, including land use planners;
  - (b) People with disabilities;
  - (c) Veterans;
  - (d) Low-income individuals;
  - (e) Social equity advocates;
  - (f) Environmental advocates;
  - (g) Black, indigenous, and people of color (BIPOC);
  - (h) Bicycle and pedestrian advocates;
  - (i) People with limited English proficiency;
  - (j) Public health, social and human service providers;
  - (k) Transit users who depend on transit for accomplishing daily activities;
  - (l) Individuals age 65 or older;
  - (m) Educational institutions;
  - (n) Public Transportation Service Providers;
  - (o) Non-profit entities which provide public transportation services;
  - (p) Neighboring Public Transportation Service Providers;
  - (q) Employers; or
  - (r) Major destinations for users of public transit.

**Section 2. Ex Officio Members.**

The Committee may additionally consist of any the following ex officio members, appointed by the Board of Commissioners as follows:

- (1) One (1) County representative;
- (2) One (1) CAMPO representative; and
- (3) Any additional representatives which the Board of Commissioners deems appropriate.

**Section 3. Terms of Office.**

Terms are three (3) years. Any member may serve two (2) successive terms if reappointed by the Board of Commissioners; partial terms shall not be counted toward the successive term limit. Terms begin on July 1 and end on June 30 or when the board position is filled, whichever is later. Terms shall be staggered, with either two or three members' terms expiring each year.

**Section 4. Member Responsibilities.**

All Committee members must regularly attend meetings of the Committee and any meetings of the subcommittees to which they are appointed, and fulfill other duties as appointed by the Chair.

**Section 5. Termination of Membership.**

The Board of Commissioners may remove Committee members as follows:

- (1) Failure to attend two or more consecutive regular Committee meetings. The Board of Commissioners may declare a member's position vacant when the member has had two (2) absences in one year or no longer meets the residency or work requirement;
- (2) 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;
- (3) Without cause pursuant to Benton County Code Chapter 3.035.

**Section 6. Vacancies and Appointment Procedure.**

The timing of appointments to vacant seats will be at the discretion of the Board of Commissioners. Appointments to vacant positions described Article 6, Section 1. (2), must be appointed prior to the next meeting of the Committee, if at all possible. Appointments to vacant seats will be for the duration of the unexpired term of that position and shall not count toward the successive term limit.

The Commissioners will seek to appoint Committee members who represent the diverse interests, perspectives, geography, and the demographics of the County. Consideration may also be given to individuals within these categories who are users of public transportation services provided within the County.

- (1) Individuals interested in membership will apply through the office of the Benton County Board of Commissioners.
- (2) The Commissioners will interview each applicant and, if requested, staff will provide input on each applicant.
- (3) The Commissioners shall make the final decision for each appointment.

**ARTICLE 7  
Officers**

The following officers shall be elected from the Committee membership during the first meeting of each fiscal year (July 1 to June 30 constitutes a fiscal year):

- Chair:** The Chair is responsible for conducting Committee meetings according to Roberts Rules of Order. The Chair may not initiate a motion, but may second one.
- Vice Chair:** The Vice Chair is responsible for conducting Committee meetings in the absence of the Chair.

**ARTICLE 8  
Advisors**

The Committee and any Work Groups may call on laypersons and professionals as advisors without voting rights to provide technical assistance, expert guidance and advice, data support and analysis to the extent deemed appropriate by the Committee.

Use of advisors by the Committee will be coordinated by the Chair or Work Group members through County staff assigned to the Committee.

## **ARTICLE 9**

### **Meetings**

#### **Section 1. Regular Meetings.**

Meetings will 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 will be held in publicly accessible facilities.

#### **Section 2. Special Meetings.**

Special meetings may be called by the Chair or by the Board of Commissioners by giving the members and the public written notice at least three (3) calendar days before the meeting.

#### **Section 3. Quorum.**

A simple majority of the appointed and filled voting membership constitutes a quorum. All business conducted with a majority vote of the quorum will stand as the official action of the Committee.

#### **Section 4. Voting.**

Each Committee member, except ex officio members has one vote. A Committee member is not permitted to vote on any funding decision in which they are an applicant for funds.

#### **Section 5. Staff.**

Administrative staff to the Committee will be determined by the Commissioners in consultation with the County Administrator. Staff to record the proceedings of the Committee will also be provided by the County.

#### **Section 6. Agenda.**

The Chair, with the assistance of the County-provided staff, will prepare the agenda of items requiring Committee action.

#### **Section 7. Meeting Notice.**

All meeting materials, including agenda, minutes from the prior meeting, staff reports, and supporting materials, will be provided electronically to Committee members and published on the Benton County STIF Advisory Committee website at least seven (7) calendar days before a regular Committee meeting. If unusual circumstances require a special meeting to accomplish the work of the Committee, notice will be provided in the manner described above, at least three (3) calendar days before such special meeting.

#### **Section 8. Minutes.**

Draft minutes representing the discussion, motions and subsequent action taken by the Committee will be prepared and posted on the Benton County STIF Advisory Committee website within ten (10) business days of the meeting.

## **ARTICLE 10**

### **Public Records, Meeting Law, and Public Engagement**

#### **Section 1. Public Records and Meeting Law.**

The Committee is a public body for the purposes of ORS Chapter 192, and is subject to the statutory procedures related to Oregon public records and meetings. Committee agendas,

minutes, staff reports, exhibits, meeting packets and bylaws will be archived in accordance with OAR 166-150, County and Special District Retention Schedule.

**Section 2. Public Engagement.**

The Committee will seek public engagement in all its deliberative processes. County staff will publicize key meetings and hold public forums as needed to ensure appropriate and transparent public access to information and public participation in priority-setting exercises.

**ARTICLE 11  
Parliamentary Procedure**

The Committee will use Robert's Rules of Order in carrying out its work.

**ARTICLE 12  
Conflict of Interest**

A potential or actual conflict of interest must be declared by any member who has or may have a conflict of interest as defined by Oregon law (ORS 244.020) prior to participating in any discussion on the matter causing the conflict. A member declaring an actual of interest may not vote upon any motion which requires declaration of an actual conflict of interest.

**ARTICLE 13  
Bylaws and Amendments**

**Section 1. Bylaws.**

The Committee shall maintain written Bylaws pursuant to OARS 732-040-035 that 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.

**Section 2. Review of Bylaws.**

The 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 County Counsel and presented to the Commissioners for adoption if changes are proposed. The Commissioners may also elect to review Committee Bylaws at any time.

**Section 3. Amendments.**

Committee Bylaws may be amended by the Board of Commissioners upon its own motion. Prior to an amendment, the Board of Commissioners may request a recommendation from the Committee which may recommend changes at any regular meeting of the Committee by a two-thirds vote of the appointed and filled membership, provided that the recommended amendment has been submitted in writing to the Committee members no later than three days before the regular meeting.

**ARTICLE 14  
Review of Sub-Recipient Proposals (Population-Based Funding)**



**Section 1. Availability of Funding.**

Benton County Staff will make a determination on whether population-based funding will be made available depending on the funding needs of the Benton County Special Transportation Program. If funding for the Benton County Special Transportation Program is sufficient, Benton County staff will make funds available for project proposals from Special Transportation providers who provide service within Benton County. Benton County holds the right to deny or provide this opportunity at its discretion.

**Section 2. Project Proposals.**

If population-based funding is made available, Benton County staff will advertise the opportunity on the Benton County website, in the local newspaper, and on appropriate social media channels. Client-only providers who provide service within Benton County will submit proposed projects to Benton County staff. Benton County staff will remove redundant project proposals from consideration and will advance all remaining eligible projects to the Committee for review.

**Section 3. Project Review.**

The Committee will provide a recommendation of projects to be funded using the available Benton County population-based funding to the Board of Commissioners. All unallocated funds will be provided to the Benton County Special Transportation Program.

**ARTICLE 15**

**Review of Sub-Recipient Proposals (Payroll-Based Funding)**

**Section 1. Develop Suballocation Methodology.**

Per OAR Section 732-042-0010, staff will work collaboratively with Public Transportation Service Providers and other potential Sub-Recipients, as relevant, to develop a suballocation methodology. This will be presented to the STIF Committee for review and recommendation to the Board of Commissioners. The methodology will, to the extent possible and using the best available data, assign funding that is proportionate to the amount of employee payroll tax revenue generated within the geographic territory of each Public Transportation Service Provider. This data will be updated not less than every 6 years.

**Section 2. Apply an Equity Analysis.**

Following development of the initial suballocation methodology, and using the best available data, staff will prepare an equity analysis and present it to the STIF Committee for review and recommendation to the Board of Commissioners. The equity analysis may adjust the assigned percentages of funding to each PTSP developed in the suballocation methodology. This is the starting point for how available revenues from the STIF program will be distributed and is not a guarantee of funding to PTSPs. Using census data, the equity analysis will take into account the following attributes for each STIF revenue-generating Benton County community:

- (1) Percentage of persons who are BIPOC;
- (2) Percentage of estimated households below 200% of the federal poverty line;
- (3) Percentage of persons with Low-English Proficiency
- (4) Percentage of persons who are Seniors;
- (5) Percentage of persons who have disabilities;
- (6) Housing affordability.

**Section 3. Project Proposals.**

Public Transportation Service Providers who provide service within Benton County, as well as other eligible applicants who provide public transportation within Benton County, submit proposed projects to Benton County staff. Benton County staff will advance all projects that are eligible for the STIF program to the Committee for review.

**Section 4. Project Review.**

Using the assigned percentages as a guide to distributing Benton County’s STIF funds, the Committee will use the criteria defined by OAR 732-042-0020(5) to recommend to the Board of Commissioners projects for inclusion in the Benton County STIF Plan. To assist the Committee in its work, staff will summarize and present information on ongoing operations projects and one-time capital projects. This will ensure that operation projects (services) that are funded can be maintained in future cycles, assuming stable funding from the State of Oregon.

Adopted this 5<sup>th</sup> day of July, 2022.

Signed this 5<sup>th</sup> day of July, 2022.

BENTON COUNTY BOARD OF COMMISSIONERS

\_\_\_\_\_  
Nancy Wyse, Chair

\_\_\_\_\_  
Pat Malone, Commissioner

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Xanthippe Augerot, Commissioner

APPROVED AS TO FORM:

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Vance Croney, County Counsel