

# The Confederated Tribes of the Coos, Lower Umpqua & Siuslaw Indians

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## Statewide Transportation Improvement Fund Advisory Committee Bylaws

January 13, 2019

**ADVISORY COMMITTEE NAME:** Statewide Transportation Improvement Fund Advisory Committee (STIFAC)

This document has been prepared to guide the role and operation of the Confederated Tribes of Coos, Lower Umpqua & Siuslaw Indians (CTCLUSI) Statewide Transportation Improvement Fund (STIF) Advisory Committee known as the Statewide Transportation Improvement Fund Advisory Committee (STIFAC). The document has been reviewed and adopted by CTCLUSI Tribal Council.

### PURPOSE

The CTCLUSI Tribal Council has formed an Advisory Committee to advise and assist CTCLUSI 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.

### DEFINITIONS

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

**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:** Within Coos County, the estimated number of low-income households is 11,260 according to the 2016 U.S. Census Data. The percentage of population below 200% poverty level is 43% within the county. The average household size is 2.40 within the area.

The *high percentage of low-income households* can be used to evaluate and determine proposed projects.

*low income households = low income population ÷ average household size*

$$11,260 = \frac{27,024}{2.40}$$

**Area of Responsibility:** the geographic area for which CTCLUSI is responsible to provide STIF Formula Fund moneys.

- (a) For a Qualified Entity that is an Indian Tribe, the Area of Responsibility is the geographic area on which the Indian Tribe's Tribal Enterprises are 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 CTCLUSI, this is CTCLUSI Tribal Council.

**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 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 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 Commission in order for the Qualified Entity to receive a share of the STIF Formula Fund.

**CTCLUSI or Confederated Tribes of Coos, Lower Umpqua and Siuslaw:** A federally recognized tribe made up of three tribes (four bands): two bands of Coos Tribes: Hanis Coos, Miluk Coos; Lower Umpqua Tribes; and Siuslaw Tribe.

## COMMITTEE TASKS

The Advisory Committee will:

- Advise CTCLUSI 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 CTCLUSI area of responsibility
- Review and recommend projects to receive STIF Intercommunity Discretionary Funds within CTCLUSI area of responsibility
- Advise CTCLUSI 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

Formula Fund recommendations from the Advisory Committee will be considered by CTCLUSI Tribal Council in preparation of a STIF Plan.

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

## **COMMITTEE 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.

### **Number of members**

The Advisory Committee will consist of five (5) members.

### **Appointment process**

Committee members shall be appointed by a nomination process through Tribal Council. The Tribal Planning Department shall draft a list of recommended candidates and present the list of members for Tribal Council review. Tribal Council shall evaluate the list for final appointment process.

### **Membership criteria**

Advisory Committee members must meet the following criteria.

- Be knowledgeable about the public transportation needs of residents or employees located within CTCLUSI area of responsibility.
- Be an enrolled member of CTCLUSI and/ or a Tribal Administration Employee.

### **Terms of office**

Advisory Committee member terms shall be four years. Terms begin on February 1, 2019 and end on February 1, 2022.

Should a member need to resign from the Advisory Committee, they may do so by informing the Tribal Planning Director. At this time, CTCLUSI may fill the vacancy by way of the appointment process described above (see appointment process).

## **COMMITTEE OPERATIONS AND PROCEDURES**

### **Meeting frequency and location**

The Advisory Committee will meet quarterly for a period of one (1) hour. These meetings will be hosted by CTCLUSI and located at the CTCLUSI Administration Building unless otherwise announced.

### **Meeting agenda**

Advisory Committee meeting agendas will be provided to group members approximately five to seven business days prior to the meeting. Background materials may be included with the agenda for pre-reading and meeting preparation.

### **Public notice of meetings**

Public meeting notices and announcements will be available in advance by the following outreach methods:

- CTCLUSI website
- CTCLUSI social media
- CTCLUSI Newsletter
- Email lists
- Document repositories

### **Public engagement**

The Advisory Committee will seek public input on proposed projects by holding public outreach meetings. Meeting notices will be sent to nearby residents/property owners within project areas.

Public outreach meetings will include the following materials and practices:

- A short presentation of the proposed project, hosted by CTCLUSI.
- Comment and sign-in sheets
- Agenda
- Survey
- Information booths with relevant project documents

### **Meeting records**

Meeting discussions and outcomes will be documented by the STIFAC and made publicly available via the CTCLUSI 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 Advisory Committee is advisory to CTCLUSI Tribal Council. To ensure the success of the group, the following staffing roles have been identified:

- Director of Planning – Coordinator
- Assistant Planner – Facilitator, Note taker

## **Governance**

The Advisory Committee has no formal delegated powers of authority to represent CTCLUSI or commit to the expenditure of any funds. The Advisory Committee will submit recommendations to CTCLUSI Tribal Council. The Coordinator is responsible for informing and updating any relevant new information to the STIFAC.

The Coordinator will include information in the STIF Plan about how the Advisory Committee was consulted when developing the STIF Plan and, if applicable, an explanation of why the Advisory Committee's recommendation was not adopted by the CTCLUSI Tribal Council.

## **Members**

Members of the Advisory Committee 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 Facilitator if unable to attend a meeting
- May not speak to the media on behalf of the group unless consent has been received by the CTCLUSI Tribal Council
- Support and respect each other

## **Meeting attendance**

For meetings to take place in an effective way, a minimum of three of members must be present.

Proxy representation is permitted provided that the proxy member has been briefed prior to their participation in meetings.

### **Conflict of interest**

Any apparent, potential or perceived conflict of interest in matters that may be considered by the Advisory Committee should be declared to the Coordinator and/or the Facilitator to ensure the group's future accountability, transparency and success. The duties and roles of the Coordinator and Facilitator include the following:

- Ensure the STIFAC is on task
- Assist committee members of their common objective/goals as well as support and plan on how to achieve these objectives/goals
- Facilitator remains neutral in particular party discussions

### **COMMITTEE REVIEW PROCESS**

The Advisory Committee shall advise the CTCLUSI Tribal Council on the development of the STIF Plan process and prioritize projects proposed to receive Formula Funds.

- As part of the review and evaluation process, each member of the committee has access to complete information about the proposed project. Members of the committee will vote to determine whether a specific project is eligible and meets overall CTCLUSI goal/vision. Committee members shall perform the following tasks to ensure a proper review and evaluation process:
  - Conduct public engagement activities
  - Request data from outside agencies/entities
  - Review all recommended projects proposed for STIF Plan inclusion
  - Recommend projects for STIF plan prioritization and inclusion
  - Consider the criteria outlined in ORA 732-042-0020
  - Advise staff on how to coordinate STIF-funded projects
  - Develop process for ongoing monitoring
  - Committee decision making process, e.g. voting, consensus ranking.
- If the committee cannot agree on a final recommendation, considerations of the proposal shall be postponed to a subsequent meeting in order to seek additional information or expert advice.

### **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:

- 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 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 an 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 Advisory Committee shall advise CTCLUSI Tribal Council 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.

- As part of the review and evaluation process for proposed discretionary funds, each member of the committee has access to complete information about the discretionary fund. Members of the committee will vote to determine whether a discretionary fund is worth pursuing by reviewing all information associated with the discretionary fund to see if it is eligible for STIF projects.

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

## **Confederated Tribes of Coos, Lower Umpqua & Siuslaw Indians**

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### **Statewide Transportation Improvement Fund**

### **Advisory Committee Members**

**1/13/2019**

<b>Name</b>	<b>Interest</b>	<b>Appointment Date</b>
Jeff Stump	Transportation	1/13/2019
Vicki Faciane	Elderly	1/13/2019
Teresa Spangler	Florence/TRC	1/13/2019
Kathy Perkins	Transit	1/13/2019
Debbie Bossley	Elderly/Tribal Council	1/13/2019