

BYLAWS
Linn County Transportation Advisory Committee

Article I. Name

The name of this body shall be the Linn County Transportation Advisory Committee, hereinafter also referred to as the "TAC."

Article II. Purpose, Objectives, and Authority

Section 1. Purpose: The purpose of the TAC is to advise the Linn County Board of Commissioners regarding public transportation activities, programs, policies and allocation of funds. This includes transportation services provided by public agencies as well as non-profit organizations which receive public funds for transportation operations and capital.

The specific area of responsibility is the geographic area within the county's jurisdictional boundaries but the TAC shall work with other jurisdictions on public transportation matters of mutual interest.

Section 2. Objectives. The TAC shall, at a minimum:

- a. Provide assistance to local transportation programs in the delivery of services. This includes the review and evaluation of transportation needs and the delivery of transportation services.
- b. Assist the Board of Commissioners in the development and implementation of the state-required Coordinated Public Transit-Human Services Transportation Plan. Assist in the review and evaluation of transportation services to ensure consistency with the Coordinated Plan.
- c. Develop recommendations to the Board of Commissioners regarding the allocation of Special Transportation Fund (STF) money, ODOT Public Transit Division discretionary grant funds and other state and federal grants as required by ODOT Public Transit Division. To assist in monitoring the programs funded through these grants to ensure an informed lay and professional citizen perspective of program administration, quality of service and prioritization of service delivery or service needs.

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- d. Assist the Board of Commissioners in carrying out Linn County's role as the local Statewide Transportation Improvement Fund's Qualified Agency including the planning, allocation and administration of Statewide Transportation Improvement Formula Funds and the oversight of STIF-funded public transit services provided by local programs. This shall include: (1) reviewing and advising staff on the development of the local STIF Plan, consistent with the guidelines promulgated by State of Oregon administering agencies; (2) reviewing all projects proposed for inclusion in the STIP Plan and prioritizing the approved projects including the funding level for each project to be included in the STIF Plan; (3) developing a process for monitoring and evaluating projects to ensure that public transportation providers that have received funds are applying the funds in accordance with and the purposes described within their project proposal; and (4) if requested, and in the manner directed by the Commissioners, reviewing and providing advice regarding the methodology for the allocation of STIF Formula Program funds allocated to Linn County.
- e. Encourage volunteer support of transportation programs and services.
- f. Promote public awareness, information and education regarding the transportation needs of county residents and the services available to address them; and foster public engagement outlined in a public participation plan.

Section 3. Authority. The TAC is established by the Board pursuant to ORS 391.820, ORS 184.758(1)(b), ORS 184.761, OAR Chapter 732 Division 005 and OAR Chapter 732 Divisions 040 and 044.

Article III. Membership of the TAC

Section 1. Number. The TAC shall consist of nine (9) persons.

In accordance with provisions of OAR Chapter 732 Division 005 and OAR Chapter 732 Division 040 to be qualified to serve on the TAC individuals will be knowledgeable about the public transportation needs of residents or employees located within or traveling to and or from the county.

At least one member from each of the following groups shall be appointed to the TAC:

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- a. A person with low income, or a person from a low income household or a representative of low income persons or households.

For all purposes of the Statewide Transportation Improvement Fund Linn County defines “low income individuals” to mean individuals with an income at or below 200% of the current Federal Poverty Level, also known as the Federal Poverty Guideline, updated periodically in the Federal Register by the U.S. Department of Health and Human Services under the authority of U.S.C 9902(2). “Low income households” means a household with a total income which does not exceed 200% of the federal poverty guidelines.

For all purposes of the Statewide Transportation Fund Linn County defines “areas with high percentage of low-income households” as “areas where the percentage of low-income households exceeds the Oregon statewide average of low-income households.” Additionally “areas with high percentage of low-income individuals’ are defined as ‘areas where the percentage of low-income individuals exceeds the Oregon statewide average of low-income individuals.’”

- b. A person who is a senior or elderly individual or a person with a disability and uses transportation services in Linn County or a representative of seniors or people with disabilities. “Senior” or “elderly” shall mean persons sixty (60) years of age or older. “Person with disabilities” shall mean individuals with disabilities which limit or constrain any aspect of their daily life and may include, but is not necessarily limited to, physical, intellectual, cognitive, developmental and/or emotional disabilities.

- c. A public transportation service provider or an individual from a non-profit entity which provides public transportation services within Linn County.

The other six (6) members shall be representatives from any of the following groups:

- d. local governments, including land use planners;
- e. public and non-profit entities which provide public transportation services;
- f. neighboring Public Transportation Service Providers

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- g. employers;
- h. public health, social and human service providers;
- i. transit users who depend on transit for accomplishing daily activities;
- j. individuals age 60 or older;
- k. people with disabilities;
- l. low-income individuals;
- m. social equity advocates;
- n. environmental advocates;
- o. bicycle and pedestrian advocates;
- p. people with limited English proficiency;
- q. educational institutions; or,
- r. major destinations for users of public transit.

No more than four (4) members shall represent public transportation service providers.

Additionally, two (2) non-voting members may be appointed by the Board.

Section 2. Appointment. The members of the TAC shall be appointed by the Board of County Commissioners. The TAC may make recommendations for appointments to the Board and the Board may consider these recommendations in making appointments to the TAC. The members of the TAC serve at the pleasure of the Board.

Section 3. Member recommendations. The names and qualifications of persons recommended to serve on the TAC shall be submitted in writing to the Board.

Section 4. Resignation. Any member may resign membership by submitting such resignation in writing to the chair of the TAC and shall set forth the effective date of the resignation.

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Section 5. Terms of office. When the members of the TAC are appointed under these Bylaws, the terms of each member shall be as follows.

- a. Five (5) members shall have a three-year term that expires on December 31, 2021;
- b. Four (4) members shall have a three-year term that expires on December 31, 2020;
- c. The two (2) non-voting members shall have a two-year term that expires on December 31 two years following appointment.

Section 6. Term limits. There is no limit as to the number of terms that a member may be appointed to serve on the TAC.

Section 7. Vacancies in membership. The Linn County Special/Rural Coordinator shall notify the Board of vacancies in membership and shall submit to the Board any recommendations made by the TAC to fill such vacancies. The Minutes of the TAC should reflect such notification and recommendations.

Section 8. Removal of members from the TAC

- a. The Linn County Special/Rural Transportation Coordinator shall notify the Board of any recommendations to remove a member from membership in the TAC and the reasons therefore.
- b. Upon failure of any member to attend five (5) regular meetings in a term or more than (3) consecutive regular meetings, when such absences are not excused, the Chair, in consultation with the TAC, may recommend termination of that member to the Board. Upon confirmation of such recommendation by the Board, the position is vacant. The Board shall make necessary appointments to fill vacancies in accordance with these Bylaws. Such appointments shall be for the remainder of the term. The Special/Rural Transportation Coordinator shall inform the Chair at, and set forth in the minutes of, each regular meeting the names of the persons who have been absent, without excuse for five (5) regular meetings in a term or for more than three (3) consecutive regular meetings.

Article IV. Officers and Terms of Office

Section 1. Officers. The officers of this TAC shall consist of a Chair and a Vice-Chair.

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Section 2. Appointed officers; terms thereof. At the first meeting after January 1 of each year the TAC shall appoint one member to be the Chair and another member to be Vice-Chair. The Chair and Vice-Chair may be reappointed. The Chair and the Vice-Chair shall continue to serve until their successors have been duly appointed and qualified.

Section 3. Duties of Officers

- a. The duties of the officers shall be those customarily performed by such officers together with those responsibilities prescribed by these Bylaws of the TAC, and such other duties as may be assigned by the Board.
- b. The duties of the Chair are:
 - (1) to vote on all motions (brought before the full TAC);
 - (2) to preside as chair at all meeting of the TAC;
 - (3) to appoint all committees authorized by the bylaws and appoint chairs and members to serve on such committees;
 - (4) to ensure the presentation to the TAC all reports out of committees;
 - (5) to be responsible for general management of the TAC;
 - (6) to see that all directives of the Board are carried out; and
 - (7) to be an *ex-officio* member of all committees, except that the Chair shall not be a member of a nominating committee.
- c. The duties of the Vice-Chair are to assume the duties of the Chair in the absence of the Chair, during which time the Vice-Chair has the duties, powers, and responsibilities of the Chair.

Section 4. Vacancies in office

- a. In the event of a vacancy in the position of Chair, the Vice-Chair shall assume, on an acting basis, the duties of Chair until the TAC elects a person from among its membership to serve as Chair. In the event of a vacancy in the position of Vice-Chair, the office will remain vacant until the TAC elects a person from among its own membership to serve as Vice-Chair.
- b. Following notice of vacancy of any office, an election shall be held at the next regular meeting, provided that written notice of such vacancy is provided to all members of the TAC ten (10) days in advance of that next meeting.

Section 5. Removal of an officer. Any officer of this TAC may be removed from office by affirmative vote of two-third's of the voting members attending a regular or special meeting. Following removal, the TAC, as its first item of business, shall elect a person from among its membership to be recommended for appointment to the Board to fill the office.

Article V. Meetings

Section 1. Regular business meetings. The TAC shall meet as needed and at the call of the Chair unless such meeting date is set at the previous meeting.

Section 2. Meeting times. Pursuant to these Bylaws, the TAC shall conduct regular business meetings at a minimum of two times each year, in accordance with Oregon Administrative Rules.

Section 3. Meeting location. In order to promote public participation meetings shall be held at ADA-accessible locations throughout Linn County. All meetings shall be conducted in Linn County unless the TAC holds a joint meeting with an advisory committee of another county.

Section 4. Special meetings

- a. Special meetings for any purpose may be scheduled by majority vote or called by call of the Chair.
- b. Notice of a special meetings called by the Chair shall contain, in addition to the date, time, and place of the meeting, a list of the agenda items to be considered at the meeting. Such notice shall be provided to each member personally, by mail and/or by email, reasonably calculated to be received at least seven (7) days prior to such meeting.

Section 5. Quorum and voting requirements.

- a. **Quorum.** The *minimum* number of voting members that must be present to have a valid meeting is 51% of the currently appointed voting members.
- b. **Concurring votes to do business:** At a regular or properly called meeting at which a quorum is present, a majority of the voting membership present must concur on actions.
- c. Nonvoting members of the TAC shall not be counted in determining whether a quorum exists.

Section 6. Public Meeting Law. All meetings of the TAC shall comply with ORS 192.610 to 192.690 (Public Meeting Law).

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Section 7. Voting.

- a. Each member of the TAC shall be entitled to one vote on matters before the TAC.
- b. No vote shall be made by a proxy.
- c. Votes shall be cast by voice or the showing of hands. Verification of a vote may be by showing the hands or a rising vote.
- d. If there is an emergency and it is not feasible to hold a meeting of the TAC, a vote otherwise in compliance with these Bylaws, may be taken by conference phone in the hearing of the quorum present in the meeting at which the matter is being considered so long as:
 - (1) a reasonable attempt, if practicable, has been made to notify the press and persons known to be interested in the matter or who have so requested in writing; and
 - (2) minutes complying with ORS 192.610 to 192.690 of the conference phone are made.

Section 8. Notice. The Chair shall cause notice of a meeting's date, time, location, and proposed agenda to be provided in accordance with these Bylaws and this section.

- a. Notice of a regular and special meetings shall be provided not less than seven calendar days prior to such meeting.
- b. Notice of an emergency meeting shall be provided as practical under the circumstances.
- c. Notice shall be given to the following:
 - (1) Each member of the TAC;
 - (2) the Board, if the member representing the Board is absent when such meeting is scheduled;
 - (3) *Albany Democrat Herald*;
 - (4) Any other person who has asked in writing to be notified of such meeting; and
 - (5) Any person known to have an interest in a particular agenda item.
- d. Notice of regular meetings shall include an opportunity for public comment.
- e. The proposed agenda of the TAC shall include a list of the principle subjects anticipated to be considered at the meeting, but this requirement shall not limit the ability of the TAC to consider additional subjects.

Section 9. Minutes

- a. The Linn County Special/Rural Transportation Coordinator shall keep minutes of all regular, special, and emergency meetings that comply with ORS 192.610 to 192.690.

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b. A copy of the minutes of regular, special, and emergency meetings shall be provided to the Board within two weeks of the meeting at which the minutes were taken, and if amended by the TAC, a copy of the amended minutes shall be given within one week of the meeting at which the amendment was approved.

c. The minutes of a regular, special, or emergency meetings shall contain, in addition to the members, the names and title, if any, of every other person who participates in the meeting.

d. The vote of each voting member on each item of business shall be recorded in the minutes by name including the result of that member's vote.

Section 10. Public Engagement

The Committee shall strive to seek public engagement in all of its deliberative processes, particularly with regard to the selection of projects for inclusion and funding in the Linn County Statewide Transportation Improvement Fund Plan.

Section 11. Conflicts of Interest

A potential or actual conflict of interest shall be declared by any members who has or may have a conflict of interest as defined by Oregon law (ORS 244.020), prior to taking any action on the matter causing conflict. No member shall vote upon any motion which requires declaration of an actual conflict of interest.

Article VI. Committees

Section 1. Definition. For purposes of these bylaws, the term "committee" includes a special committee, a task force, and a working group. In order to carry out the work of the TAC, the TAC may create and refer by majority vote a matter to a committee. When a matter is referred to a committee by vote of the TAC, the Chair shall then also establish the number and appoint the members of the committee. Such appointments may be from members of the TAC membership or otherwise. The TAC shall charge each committee so created by providing such committee with a written description of the purpose and scope of activity to be accomplished. The written description may be in the form of the minutes if the minutes otherwise comply with the contents required by this section.

Section 2. The Chair shall appoint a member of the committee to chair the committee. The Linn County Special/Rural Transportation Coordinator may provide supporting staff to assist the committee which may include non-advisory board membership. Chairs of such committees shall provide written or oral reports of their activities to the Chair. Members appointed to a committee who are not members of the TAC may vote only at committee meetings. Exhibit 1

Section 3. A committee shall convene at such times as shall be designated by the chair of the committee and the committee shall report back to the TAC at the time designated by the Chair of the TAC.

Section 4. A committee is subject to the Bylaws and Rules of Order of the TAC, except as the context requires or demands otherwise.

Article VII. Parliamentary Authority

Section 1. Authority. Except as otherwise provided by law and except where the TAC directs or acts to the contrary, the parliamentary process of the TAC shall be governed by the *Basic Parliamentary Rules of Order for Linn County Governing Bodies* adopted by the Linn County Board of Commissioners, Order No. 2001-605, dated October 23, 2001, and as amended from time to time by the County Attorney, and any Special Rules that the TAC may adopt pursuant to those Rules of Order following review and approval by the County Attorney.

Section 2. Notice of Special Rule adoption. Notice of adoption of Special Rules of Order shall be provided in a timely manner to each member of the TAC, the Board, and the County Attorney.