



Burns Paiute Tribe

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BURNS PAIUTE TRIBE - TRIBAL TRANSIT PROGRAM **CONSOLIDATED STIF TRIBAL TRANSIT ADVISORY** **COMMITTEE**

ARTICLE 1

Name

The name of this organization shall be the Burns Paiute Tribe - Tribal Transit Services: Tribal Transit5 Advisory Committee.

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(1)(b) 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 shall apply to the terms used in these Bylaws:

"Agency" means Oregon Department of Transportation ("ODOT").

"Americans with Disabilities Act" ("ADA") means section 504 of the Rehabilitation Act of 1973 and the Americans with Disabilities Act of 1990 as amended by the ADA Amendments Act of 2008

"Areas of High Percentage of Low-Income Households" shall mean geographic areas within Harney County which are determined to have a high percentage of low-income households. It shall be the responsibility of the Advisory Committee to gather data and to seek public input, and to make determination as to the areas of the Reservation and Harney County in which there exist high percentages of low-income households, and to publish said determination in its Committee minutes and printed public materials.

"Bicycle and Pedestrian Advocates" shall be individuals representing either organizations or standing committees associated with local governments within the Reservation and Harney County which advocate for and promote bicycle and

pedestrian-related issues, goals, projects, or interests, or which exist to advise local government elected officials on matters related to bicycle and/or pedestrian traffic safety and enforcement, pathways and travel lanes, project planning and development, and promote public events.

"Client-Only Project" means a project where the underlying transportation service is offered to a limited group of people and not made available to the general public.

"Council" or "Tribal Council" shall mean the Burns Paiute Tribal Council.

"Committee" or "The Committee" shall mean the Burns Paiute Tribal Advisory Committee. Outside of these Bylaws, this Committee may commonly be referred to as "The STIF Committee".

"Discretionary Fund" means 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(2)(b).

"Employer Representative" shall mean any employee, supervisor, manager, or owner of a business enterprise legally operating within the boundaries of Burns Paiute Reservation.

"Environmental Advocates" shall be individuals representing either organizations or standing committees associated with local governments within Burns Paiute Reservation which advocate for any of a wide range of environmental issues, goals, projects, or interests, or which exist to advise local government elected officials on matters related to the environment or to environmental features of public property.

"Indexed Minimum" means the smallest amount to be distributed under the Population-Based Formula and Payroll-Based Formula to any one Qualified Entity. This amount is tied to the minimum distribution of the STIF Formula and Special Transportation Fund Formula programs in the 2019-2021 biennium, adjusted biennially by the rate of growth in the overall STIF fund.

"Intercommunity Discretionary Fund" means up to four percent of STIF funds to be disbursed to Public Transportation Service Providers through a competitive grant funding process, pursuant to ORS 184.758(2)(c).

"Local Government Representative" shall mean an employee of the Tribe, County, municipal, or special district governmental organization formed and organized under the Oregon Revised Statutes and operating within the jurisdictional boundaries of the Burns Paiute Tribe.

"Low Income Individuals" or "person with low income" shall mean individuals with an income at or below 200% of the current Federal Poverty Level, also known as the Federal Poverty Guideline, or within a family with a family income at or below 200% of the current Federal Poverty Level. 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>.

"High Percentage of Low-Income Households" shall mean an area is determined to have a high percentage of low-income households when the percent of resident

population demographics with income at or below 200% of poverty level in that area exceeds the percent of low-income population demographics in the State of Oregon by comparison.

"Major Destination" shall mean a well-known and commonly recognized destination within Harney County, which may either be at one physical location (ex. Harney County Historical Museum) or a group of destination locations within an industry (ex. local craft beer breweries). 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 Harney County generally.

"Non-Profit Public Transportation Service Provider Representative" shall mean a representative of a non-profit transportation service engaged in providing public transportation services within the Tribe or County, regardless of whether this entity receives public transportation funding.

"Person(s) 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.

"Person(s) with Limited English Proficiency" shall be persons as defined in the Burns Paiute Limited English Proficiency Plan adopted by the Board of Directors, who did not speak English as their original language and who may have limited proficiency in either speaking or understanding written or spoken Paiute or English, or both.

"Public Transportation Service Provider Representative" shall mean a representative of a publically managed transportation service engaged in providing public transportation services within the Reservation or County.

A "Representative of Educational Institutions" shall mean 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 Burns Paiute Reservation.

"Representative of Low-Income Individuals" shall be a person representing the needs of low-income transportation system users, and who is familiar through association with groups or individuals with special transportation needs of low-income users.

"Representative of Persons with Disabilities" shall be someone representing the needs of disabled transportation system users, and who, through association with groups or individuals, or facilities serving persons with disabilities, is familiar with the special transportation needs of disabled users.

A "Representative of Persons with Limited English Proficiency" shall be someone representing the needs of transportation system users with limited English proficiency, and who is familiar through association with neighborhood groups, local school groups, social service or non-profit agencies, with the transportation needs of limited English proficiency users.

"Senior" or "elderly" shall mean persons sixty (60) years of age or older. A "Senior Representative" shall be someone, who may also be a senior, representing the needs of

elderly transportation system users, and who is familiar through association with groups or individuals, or facilities serving seniors, with the special transportation needs of elderly users.

"Social and Human Service Provider Representative" shall mean a representative of a social services, human services, or health services agency operating within Reservation or Harney 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 Advocates" shall be individuals representing either organizations or standing committees associated with local governments within the Reservation or Harney County Transportation District boundaries which advocate for equity for groups of persons who may be disadvantaged due to but not limited to ethnicity; income or other economic circumstances; limited English proficiency; homelessness; citizenship status; gender identity; sexual orientation; or which exist to advise local government elected officials on matters related to equity.

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

"Intercommunity Discretionary Fund" means up to four percent of STIF funds to be disbursed to Public Transportation Service Providers through a competitive grant funding process, pursuant to ORS 184.758(2)(C).

"Payroll-Based Formula" means the portion of STIF Formula Funds disbursed per ORS 184.758(5).

"Population-Based Formula" means the portion of STIF Formula Funds disbursed per ORS 184.758 (3).

ARTICLE 4 Function

Section 1. Purpose: The Committee shall assist the Tribal Council in tasks and duties supporting local and regional transportation services funded through the State Transportation Improvement Fund (STIF) and allocated to the Burns Paiute Tribe, for distribution to Public Transportation Service Providers within and adjacent to Harney County.

Section 2. Major Tasks: The Committee shall have four major tasks. These are:

- (a) Reviewing and advising staff on the development of the local STIF Plan, consistent with the guidelines promulgated by State administering agencies;
 - (b) Reviewing all projects proposed for inclusion within the STIF Plan, and prioritizing the approved projects, including the funding level for each project to be included within the STIF Plan;
 - (c) 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 for the purposes described within their project proposal;
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(d) As and if requested, and in the manner by directed by the Board of Directors, reviewing and advising staff on the methodology for distribution of STIF Formula Program monies allocated to the Burns Paiute - Tribal Transit Services.

Section 3. STIF Plan Duties: The Committee shall perform the tasks consistent with the administrative requirements set forth under OAR Chapter 732, Division 040, as defined by the Burns Paiute - Tribal Transit Services;

- (a) Hold public meetings to assist and advise staff with the development of the Tribe's local STIF Plan;
- (b) Gather data and seek public input regarding low-income households within the Reservation, including those within the corporate limits of municipalities within the Reservation, and make and publish a determination of where those communities exist for purposes of guiding the STIF Plan;
- (c) Review every project proposed for inclusion in the Tribe's STIF Plan and make a determination whether to recommend inclusion or rejection of the project for the STIF Plan;
- (d) Advise and assist staff by recommending projects to be included in the STIF Plan; the priority of each project in the Plan; and the level of project funding to be included for each project, consistent with the Tribe's allocation process for the distribution of Formula Fund moneys;
- (e) 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 sentence 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.
- (f) Advise staff regarding the opportunities to coordinate STIF funded projects in the Plan with other local or regional transportation programs
- (g) Recommend to the Tribal Council a STIF Plan which includes the prioritization of projects proposed for funding within the Plan.
- (h) 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;
- (i) If appropriate, propose changes to policies or practices to ensure that the Public Transportation Service Provider has applied the monies received in accordance with and for the purposes described in the STIF Plan or project proposal, and that the project does not unduly fragment the provision of public transportation services.

ARTICLE 5 Membership

Section 1. Number, Qualifications, and Selection of Members: The Committee shall consist of no less than three (3), appointed directly by the Tribal Council, as follows:

1. Reside or work in Grant County and;
 2. Be knowledgeable about the public transportation needs of residents or employees
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located within or traveling to and from the County and from the Reservation.

- a. At least one member from each of the following, who shall be a person:
 - i. With low-income, or a person from a low-income household, as defined in Article 3, who uses transportation services within the Reservation, or a representative of low-income persons or households who use transportation services within the Reservation; and
 - ii. Who is a senior or elderly individual or an individual with a disability, as defined in Article 3, and uses transportation services within the Reservation, or a representative of seniors or people with disabilities who use transportation within the Reservation; and
 - iii. A public transportation service provider representative, as defined in Article 3.
- b. Up to four (4) additional members may be representatives from any of the following groups, as defined in Article 3:
 - i. local governments, including land use planners
 - ii. non-profit public transportation service providers,
 - iii. neighboring public transportation service providers,
 - iv. employers,
 - v. veterans
 - vi. Black, indigenous, and other people of color
 - vii. social and human service providers,
 - viii. transit dependent users,
 - ix. social equity advocates,
 - x. environmental advocates,
 - xi. bicycle and pedestrian advocates,
 - xii. people with limited-English proficiency,
 - xiii. educational institutions,
 - xiv. major destinations

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

Section 2. Ex Officio Members: The Committee may additionally consist of any the following ex officio members, appointed by the Tribal Council as follows:

One (1) County representative;

Any additional representatives which the Tribal Council deems appropriate.

Section 3. Terms of Office: Terms shall be three (3) years. Terms begin on July 1 and end on June 30. Terms shall be staggered, with either one members' term expiring each year.

Section 4. Member Responsibilities: All Committee members shall regularly attend meetings of the Committee and any meetings of the subcommittees to which they are appointed and shall fulfill other duties as appointed by the Chairman.

Section 5. Termination of Membership:

The Tribal Council may remove Committee members as follows:

- a) Failure to attend three or more consecutive regular Committee meetings. The Tribal Council 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;
- b) 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;
- c) Without cause.

Section 6. Vacancies: The Tribal Council shall make appointments to fill vacancies as they occur. Such appointments shall be for the duration of the unexpired term of that position.

ARTICLE 6 Officers

The following officers shall be elected from the Committee membership during the first meeting of each calendar year:

Chair: 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.

Vice Chair: The Vice Chair shall be responsible for conducting the meetings and hearings in the absence of the Chair.

ARTICLE 7 Subcommittees

Section 1. Creation of Subcommittees: The Committee shall have the power to create subcommittees with such responsibilities as the Committee directs.

Section 2. Naming of Subcommittees: The Chair shall appoint and charge each subcommittee with its responsibilities, shall appoint the members of the subcommittee, and shall appoint the chair of the subcommittee in the event the subcommittee consists of more than one person. The subcommittee chair shall be responsible for scheduling meetings, assigning specific tasks within the mandate of the subcommittee, and reporting to the Committee concerning the work of the subcommittee.

ARTICLE 8 Advisors

The Committee and the subcommittees may call on lay citizens and professionals as advisors without voting rights to provide technical assistance, expert guidance and advice, data support and analysis, provide information for and testify in deliberations, and attend meetings to the extent deemed appropriate and approved by the Committee and the Chair.

Calling of advisors by the Committee will be coordinated by the Chair or subcommittee chairs through the Tribal Transit Services staff assigned to the Committee.

ARTICLE 9

Meetings

Section 1. Regular Meetings: 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 publically accessible facilities, and shall take place during transit operating hours, to facilitate attendance of interested individuals.

Section 2. Special Meetings: Special meetings may be called by the Chair or by the Tribal Council by giving the members and the press written or verbal notice at least 24 hours before the meeting.

Section 3. Quorum: 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.

Section 4. Voting: Each Committee member, except ex officio members, shall have one vote. In the event the Chair's vote shall create a tie vote, the Chair shall refrain from voting. A Committee member shall not vote on any funding decision in which they are an applicant for funds.

Section 5. Staff: Administrative staff to the Committee shall be determined by the Tribal Council.

Section 6. Agenda: The Chair, with the assistance of the Tribal Transit - provided staff, 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 Tribal Council. Agendas of all meetings shall be posted in advance as required under existing Committee policy and filed with the Tribal Council.

Section 7. Notice: All members shall be given written notice of time, date, location, and purpose of the meetings at least three (3) 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 three (3) 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.

Section 8. Minutes: 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 Committee policy and filed with the Tribal Council.

Copies of Advisory Committee bylaws, meeting minutes and meeting notices are published by the Qualified Entity and made available for the public review in a reasonable and timely manner and are maintained for the period prescribed under Chapter 166, Division 150 of the Oregon Administrative Rules.

A Sub-Recipient that has received STIF funds has applied the moneys received in accordance with and for the purposes described in the Project proposal.

A Project proposal submitted by a Sub-Recipient does not fragment the provision of public transportation services.

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. Pursuant to OAR 732-040-035(2)(b), written copies of Committee agendas, minutes, and By-laws shall be made available to the public for a period of no less than six (6) years.

Section 1. 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 Burns Paiute STIF Plan. The Committee will work with Tribal Transit staff resources such as the to publicize key meetings and hold public forums as needed to ensure maximum public access to information and public participation in priority-setting exercises.

Any challenge to a notice and order requiring that a Qualified Entity repay distributions made to the Qualified Entity pursuant to a finding by the Commission that the recipient had failed to meet any terms or conditions of a STIF agreement will be handled as a contested case pursuant to the Oregon Administrative Procedures Act, ORS 183.411 to 183.471

Recipients shall maintain all financial records for at least 6 years after the Agency's final disbursement under the STIF Plan or grant agreements.

ARTICLE 11

Parliamentary Procedure

The current edition of Robert's Rules of Order shall govern the Committee where not inconsistent with these By-laws or any special rules of order the Committee shall adopt.

ARTICLE 12
Qualified Entity Reporting Requirements

In addition to any other reporting required by these rules, Qualified Entities that receive STIF moneys, or Sub-Recipients as relevant to section (3) of this rule, shall submit the following documentation to the Agency:

The results of any relevant financial audits of the Qualified Entity or any Sub-Recipient located within the area of Qualified Entity, as required by a local, state or federal oversight agency for the purposes of statewide reporting including, but not limited to:

- a) The state financial report required under ORS 291.040.
- b) The results of any comprehensive review completed by the Federal Transit Administration or the Agency.
- c) Any information submitted by the Qualified Entity as part of the requirements of a statewide audit in accordance with the federal Single Audit act of 1984 (31 U.S.C. 7501 to 7507), as amended by the single Audit Act Amendments of 1996 (P.L. 104-156).

ARTICLE 13
By-Laws and Amendments

A potential or actual conflict of interest shall be declared by any member 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 the conflict. No member shall vote upon any motion which requires declaration of an actual conflict of interest.

ARTICLE 14
Appeal Procedure

Appeals must be filed in writing within 15 days of the date of the notice of appealable action was emailed by the Agency. A Qualified Entity that fails to file timely shall be deemed to have waived its appeal rights. Appeals must be addressed to the Commission and a copy must be sent to the Agency's Division Administrator.

ARTICLE 15
STIF Formula Fund Calculation and Disbursement

(1) The Statewide Transportation Improvement Fund Formula program shall be distributed pursuant to ORS 184.758 as follows:

(a) First, the portion of the fund fixed to the 2019-2021 biennium Statewide Transportation Fund disbursement, as adjusted by the growth of the overall fund pursuant to ORS 184.758 (3), will be distributed to Qualified Entities by a popular-based formula described in subsection (4)(a) of this rule to support transit services for older adults and individuals with disabilities.

(b) The remainder of the funds shall be distributed to Qualified Entities by the proportion of the taxes collected under ORS 320.550.

(2) Estimated distributions:

(A) For distributions under subsection (1)(a) of this rule, the Agency shall distribute the indexed Minimum to each Qualified Entity unless the Qualified Entity is entitled to a larger distribution based on the population calculation described in section (4) of this rule.

(B) For distributions under subsection (1)(b) of this rule, the Agency shall distribute the indexed Minimum to each qualified Entity unless the Qualified Entity is entitled to a larger distribution based on wages calculation described in section (4) of this rule.

(3) The Agency shall estimate STIF Formula Fund disbursements based on the Agency's projection of the amount of revenue appropriated to the fund, transit payroll tax to be collected, the Agency's projections of minimum distributions as described under section (2) of this rule, and the proportionate share calculated for each Qualified Entity in section (4) of this rule. (c) For the portion of the funds described in subsection (1)(a) of this rule:

(A) The Burns Paiute Tribe will determine the purposes for which the STIF Formula Fund moneys will be used, in accordance with their STIF Plan.

(B) The Burns Paiute Tribe may use procedures of its choice to distribute STIF Formula Fund moneys.

(C) The Qualified Entities that is Mass Transit or Transportation District is responsible for funding Projects benefiting older adults and individuals with disabilities both within its boundaries and outside them in the surrounding county(ies).

(D) Projects outside the District will receive a proportionate amount of the STIF Formula Fund money based on the population outside the district.

(E) The proportion is based on population estimates calculated by Portland State University; and

(F) The district will report the distribution of STIF Formula Fund moneys in its application to the Division.

(G) For the portion of funds described in subsection (1)(b) of this rule: A Qualified Entity shall share all data used to develop the sub-allocation method with each Public Transportation Service Provider and other potential Sub-Recipients, as relevant, included in its STIF Plan.

The Agency shall calculate the proportionate share for each Qualified Entity under subsection (1)(a) of this rule by dividing the count of the population located within the boundary of the Qualified Entities areas of responsibility, by the total population of the state.

For the Population-Based Formula:

1. The product of the amount of revenue collected in the preceding fiscal quarter attributed to the STIF Formula Fund for the portion described in section (1)(a), as reduced by the Indexed Minimum distributions required under subsection (2)(a) of this rule and funds held under ORS 732-042-0030, multiplied by the Qualified Entity's proportionate share calculated in subsection (4)(a) of this rule; or

(A) The indexed Minimum as determined under section (2)(a) of this rule

2. For the Payroll-Based Formula:

(a) The product of the amount of revenue collected in the preceding fiscal quarter attributable to the STIF Formula Fund for the portion described in section (1)(b), as reduced by the Indexed Minimum distributions required under subsection (2)(b) of this rule and funds held under ORS 732-042-0030, multiplied by the Qualified Entity's proportionate share calculated in subsection (4)(b) of this rule, or

(b) The indexed Minimum as determined under section (2)(b) of this rule.

Burns Paiute Tribe is not responsible for satisfying Sub-Recipients' budgetary shortfalls or remedying delays in funding to Sub-Recipients for any reason beyond the Burns Paiute Tribe's direct control.

The Burns Paiute Tribe may carry forward unspent STIF Formula Fund moneys for use in a future STIF Formula Fund cycle. In such instances, the Burns Paiute Tribe may only carry forward STIF Formula Fund moneys for the time period specified in the approved STIF Plan

The Burns Paiute Tribe is required to spend at least one percent of STIF Formula Funds moneys received each year on Student Transit Services for students in grades 9 through 12, if practicable.

Article 16 STIF Plan Contents

The total funding sought for the Burns Paiute Tribe or Sub-Recipient.

Implementation of programs to provide Student Transit Services for students in grade 9 through 12 and

Implementation of programs that enhance services for older adults and people with disabilities.

Anticipated benefits and discrete measurable outcomes associated with each project with specific reference to whether the Project advances each of the criteria listed at 732-042-0015(2)(c).

The amount of money from STIF Formula Fund distribution that would be allocated to fund each of the criteria listed at 732-042-0015(2)(c).

At least one Project described in the STIF Plan must implement a program(s) to provide Student Transit Services for students in grade 9 through 12, if practicable, and allocate at least one percent of the Burns Paiute Tribe's estimated STIF Formula Fund disbursement to that program(s) each year. In this instance, a program(s) is considered practicable when Public Transit Services within the Burns Paiute Tribe's area of responsibility can be feasible, and efficiency used by student in grade 9 through 12.

Article 17 Proposed Projects

Any Sub-Recipients seeking STIF funding from the Burns Paiute Tribe through the Burns Paiute Tribe's Advisory Committee for review and approval.

The extent to which the Project would advance each of the criteria listed at 732-042-0015(2)(C).

The extent to which the Project might benefit or burden historically or currently marginalized communities both now and in the long term.

The Burns Paiute Tribal Council may accept the Advisory Committee's recommendation to approve or reject a Project Proposal, may return it to the Advisory Committee for modification, or may modify it prior to inclusion in the STIF Plan for submittal to the Agency.

Article 18 Reporting Requirements

The Burns Paiute Tribe shall provide information confirming that the funds disbursed under OAR 732-042-0010(1)(a) have been used to support transit services for older adults and individuals with disabilities in each quarterly report to the Agency.

Article 19
Project Eligibility and Match

After determining whether an applicant meets one or more of the characteristics listed in 732-044-0005(4)(a)(A-D), the Agency shall propose a match requirement of 20 percent or 10 percent of the total project cost for each Project recommended for award, considering both individual applicant needs and overall fund availability.

Article 20
By-Laws and Amendments

Section 1. By-laws: The Committee shall maintain written By-laws 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. The Committee's process to review Sub-Recipient proposals for Projects funded in whole or part by the STIF Formula Fund, the STIF Discretionary Fund and the intercommunity Discretionary Fund, and the decision-making criteria identified in these rules

Section 2. Review of By-laws: By-laws will be reviewed by NAPOLS Counsel and presented to the Tribal Council for adoption. The Tribal Council may also elect to review Committee By-laws at any time.

Section 3. Amendments: Committee By-laws may be amended by the Tribal Council upon its own motion. Prior to an amendment, the Tribal Council 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.

Adopted this 1 day of February, 2023.

Signed this 1 day of February, 2023.

BURNS PAIUTE TRIBAL COUNCIL



Diane Teeman, Council Chairman



Brenda Sam, Council Secretary



Rachel Hofman, Sgt. - At - Arms