



Minutes

Meeting:	TriMet Board of Directors Regular Board Meeting	Date:	December 10, 2014
		Time:	9:00 a.m.
Presiding:	Bruce Warner	Location:	City of Portland Building 1120 SW Fifth Avenue Auditorium Portland, Oregon 97204
Board Members Present:	T. Allen Bethel Joe Esmonde Craig Prosser Consuelo Saragoza Travis Stovall Bruce Warner	Board Members Absent:	

TriMet Board Business meetings and public forum are available via web video stream. You can access the archived meetings and materials at trimet.org/meetings/board.

President Warner called the business meeting to order at 9:15 a.m.

1. The following Board Committee Reports were provided:

- A. **Committee on Accessible Transportation (CAT)** – T. Allen Bethel reported that CAT did not meet in November, but did tour the newly remodeled Operations Center. CAT is scheduled to meet on December 17, 2014 and January 21, 2015 and the Board will receive an update at their January 28th meeting.
- B. **TriMet Accountability Committee (TAC)** – T. Allen Bethel reported that the Committee will have their final meeting of the year on December 12th and will review any new reports received from the Ethics Hotline and look at the year in review and accomplishments since February 2014. The Committee will meet quarterly in 2015 and the Board will receive a mid-year report in Spring 2015 on the Ethics Hotline as requested.
- C. **Transit Equity Advisory Committee (TEAC)** – Consuelo Saragoza reported that TEAC met on November 20, 2014, and received a presentation from staff on Ordinance 332 Equity Analysis with an opportunity for committee questions

and comments. Generally, the committee agreed with the conclusions of the analysis, but had concerns about TriMet's definition of "low income", which is currently defined as 150% Federal Poverty Level. Staff indicated the poverty definition is updated every three years during the Title VI plan development and that the agency would assess this definition as part of its new program. Staff provided an update on e-Fare and the Committee offered some recommendations in terms of community strategies and engagement.

- D. **Metro Policy Advisory Committee (MPAC)** – Craig Prosser reported that the Committee will meet tonight to provide final recommendations to Metro Council on the Climate Smart Communities project -- Eric Hesse will provide an update on the project and answer any questions the Board may have during this morning's briefing.
- E. **Finance & Audit Committee** – Craig Prosser reported that the Committee met this morning and received a positive report on the initial five-year financial forecast. The Committee asked clarifying questions on how data is presented and for additional research on a couple of items. Staff will have a complete financial report for the Board in January. The Committee reviewed the Investment Policy which is done annually and was comfortable with the proposed changes. The revised Policy will come before the Board on the consent agenda in January and Director Prosser encouraged Board members to review the policy and to let staff know if they have any questions or changes.

2. General Manager Report

- A. **GM Comments** – Neil McFarlane, General Manager, reported on:
- DBE Event celebration on December 4, 2014
 - November ridership results
 - Bus Line Improvements
 - Fare Revenue Status
- B. **Overview of Environmental Program** – Harry Saporta, Safety and Security Executive Director, and Stephanie Colleran, Environmental Services Manager, provided a PowerPoint presentation and answered Board questions on TriMet's Environmental Program and explained the main responsibilities which included:
- Wastewater
 - Stormwater
 - Storage Tanks
 - Waste Management
 - Chemical Management
 - Spill Cleanup

C. **Summary of eFare Activities** – Chris Tucker, Director of Revenue Services, reported that overall eFare milestones are on schedule and on budget and provided a summary on eFare activities and answered Board questions.

D. **2014 Year in Review** – Neil McFarlane reported on TriMet's accomplishments for 2014. In January, an update will be provided on the work that came out of the Secretary of State Audit. Neil thanked the Board for their support and participation.

3. Consent Agenda

Action: Travis Stovall moved adoption of the consent agenda items listed below; T. Allen Bethel seconded the motion. The motion was unanimously approved.

Resolution directing that all ordinances shall be read by title only

Approval of Minutes for November 19, 2014

Resolution 14-12-57 Authorizing a Contract with CH2MHill for Conceptual Design and Service Planning Services for the Powell-Division Transit and Development Project

Resolution 14-12-58 Authorizing a Modification to the Contract with IMERGE Consulting, Inc. for Records Management Consulting Services

4. Resolutions

Neil McFarlane introduced the following resolutions:

Resolution 14-12-59 Authorizing a Contract with G4S Secure Solutions (USA), Inc. for Transit Security Services

Director Stovall asked how the price score is calculated. Neil McFarlane explained that the lowest cost gets the highest score and proportioned among all proposers. Director Stovall stated that he would like to have a better understanding of the process to determine the price score for future contracts – Neil McFarlane responded that staff would be happy to provide that information.

Director Bethel asked for a breakdown by category of the G4S workforce and what makes up the 12.5% minority employees. Harry Saporta responded that staff would provide the information and reiterated Neil's comments that G4S is

committed to working with other minority firms with a goal of 7-10% as part of the overall contract.

Action: Joe Esmonde moved approval of Resolution 14-12-59; Craig Prosser seconded the motion. The motion was unanimously approved.

Resolution 14-12-60 Adopting a Service Guidelines Policy

Action: After general discussion, T. Allen Bethel moved approval of Resolution 14-12-60; Travis Stovall seconded the motion. The motion was unanimously approved.

5. Ordinances & Public Hearing

Ordinance 332 Extending Transfer Times from Two Hours to Two and One-Half Hours, and Amending TriMet Code Chapter 19 Transfer Provisions (Second Reading)

President Warner introduced Ordinance 332 that would increase transfer times on TriMet from two hours to two and a half hours. Ordinance 332 had its first reading in December 2013, and then in January 2014 the Board unanimously voted to table the Ordinance until they received further guidance from the FTA on whether a change in transfer times constituted a “fare change”, triggering the need for an equity analysis. Having learned this summer that the answer to that question was “yes” when considering future transfer changes, TriMet has been working with existing data and the FTA to prepare and finalize the equity analysis. That analysis was presented to the Board at the November Board meeting, and seeing no objections or questions to the analysis, the Board directed staff to place Ordinance 332 on the December business meeting agenda for a second reading and public hearing.

President Warner explained the need for a motion to untable the Ordinance to move it forward for consideration of the second reading.

Action: Travis Stovall moved to untable Ordinance 332; Consuelo Saragoza seconded the motion. The motion was unanimously approved.

Shelley Devine read Ordinance 332 by title only, noting that the operative date is March 1, 2015.

Public Hearing on Ordinance 332

Bruce Warner explained that at the November business meeting the Board agreed that although we already had a public hearing on Ordinance 332 in December 2013 we would have a second public hearing on this ordinance because of the time that has passed since the first reading while waiting to hear back from FTA.

President Warner opened the public hearing on Ordinance 332 and noted that written comments already received online or through the mail have been shared with the Board.

The following people spoke in favor of Ordinance 332:

Ray Johnson, Member of Elders in Action Commission, Sr. Advocacy Council
Arnold Panich, Member of the Committee on Accessible Transportation
Madeleine Moore, Bus Riders Unite
Sam Diaz, 1000 Friends of Oregon
Keith Scholz, OPAL / Bus Riders Unite
Eavan Moore, OPAL / Bus Riders Unite
Nicole Phillips, OPAL / Bus Riders Unite
Jonathan Ostar, OPAL

Board Discussion:

Director Prosser asked what the rider survey results were regarding the importance of transfer times.

Bernie Bottomly responded that we have done a series of rider surveys including Attitude and Awareness Surveys, along with fare surveys, and transfer times do not rise to a statistically significant level -- the top concerns of riders were additional service, additional hours of service, specifically weekend service, and cost.

Director Saragoza asked what areas the information is gathered from and when the surveys were taken.

Bernie Bottomly responded that both the Attitude and Awareness Survey and the Fare Survey were taken at a variety of times and areas using a statistically valid sampling method. The Attitude and Awareness Survey is done annually with the recommendation of the Secretary of State Audit and the Fare Survey was last done in 2012.

Director Prosser asked that recognizing that this proposal would have a revenue impact in the \$1-2 million range, are funds available from the fare mitigation program to cover the cost of the increased fare time as we discussed previously?

Neil McFarlane responded that the fare mitigation program has grown substantially over the past year and the funds are currently 100% committed. As we move forward in the budget process, we would have to find offsets to pay for the extended transfer time. Although the mitigation program would be an option, taking funds from the program would reduce the funds now being allocated.

Director Stovall stated that there have been numerous conversations externally and internally and overall a thorough process to analyze the impact of increasing transfer times. Director Stovall stated he is a champion of moving from poverty to prosperity and transportation is a critical component of making that happen. Director Stovall added that there have been significant demographic changes in the last decade impacting low and median income riders and today the Board has an opportunity to be a part of the solution. Director Stovall stated that although this decision comes with potential financial impacts, it is essential that as a leader in the community, TriMet continues to look at ways to enhance the vibrancy of the community and that he stands in support of Ordinance 332 and will vote in favor.

Director Saragoza stated that she agrees with Director Stovall and is in support of Ordinance 332. Director Saragoza added that there has been a lot of hard work and passionate testimony throughout this process, but at times was frustrated by some of the disrespectful behaviors from outside interest groups engaged in the process and asked that as we move forward we work together to work through disagreements for a respectful outcome.

Director Prosser stated that he feels that everyone involved in this process has the best interest of the organization in mind, and although we may disagree at times, it is through those discussions that improvements can be made. Director Prosser stated that there has been a depth and also a breadth of interest in the decision to increase transfer times and it is the breadth of interest of overall ridership that leads him to conclude that the priority should be to improve service by moving forward with Service Enhancement Plans that would impact and serve more riders. Director Prosser stated that he will be voting no on Ordinance 332. Director Prosser thanked members of BRU and OPAL for their advocacy and the comments we are hearing today about working together to improve the system.

Director Bethel stated that he would echo Director Saragoza's comments about how some of the interactions went as we were discussing this, bullying, intimidation, and overall use of force in terms of the tactics used in getting the

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Board to see it their way. Director Bethel stated that when he hears people testifying today that they want to work together, he feels that history is still to be written to see if there really will be cooperation as the tough decisions are made and when decisions do not go their way. Director Bethel stated that his main concern is for riders and the ability for more service all around. Director Bethel added that this action is not a long-term solution and would cause loss of revenue, possible service reductions and although he agrees that there is greater demand to the outer fringes, the goal needs to be a reliable fleet and added frequent service to the lines with the greater demand, so for these reasons and many reasons not stated today he is voting no on expanding transfer times. Director Bethel thanked everyone concerned for their support and advocacy and encouraged everyone to continue their support as we meet and discuss future issues.

Director Esmonde stated that he is in favor of extending transfer times and feels it is the right thing for our riders and the public and is voting yes on Ordinance 332.

President Warner stated that we are hearing honest feedback on this issue from the Board today and this has been a tough decision. President Warner stated that it has been a struggle to decide whether extending transfer times by 30 minutes is the best way to address the transit needs of our low-income riders or is it the Service Enhancement Plans, service increases, or other opportunities. President Warner stated that he is pleased that the low-income mitigation program is being fully utilized and feels it is a way to ensure service to low-income riders. President Warner stated that recently he and Director Prosser went to Seattle to learn more about their low-income fare program, which benefits riders directly, but comes with a high price tag of \$11M the first year to operate the program, and can only work if an electronic fare program is in place. President Warner stated that he does feel that extending transfer times will help low-income riders and others and agrees with Director Stovall that transportation is a key factor to prosperity and the ability to get to a job. President Warner concluded that based on what he has heard from OPAL and Bus Riders Unite, he is willing to move forward with extending transfer times and will be voting yes on Ordinance 332.

President Warner stated that increasing and improving service is a priority and will benefit all riders. President Warner stated that he is counting on partnerships to work together to find the resources to provide the transit service needed for this region. President Warner stated that he agrees that there are residual feelings from what the Board was subjected to during this process, but will take the word of those here today that they want to work together to find solutions as we move forward.

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Action: Joe Esmonde moved approval of Ordinance 332; Travis Stovall seconded the motion. A roll call vote was required, and resulted in the following approval.

Joe Esmonde.....	Yes
T. Allen Bethel	No
Bruce Warner.....	Yes
Consuelo Saragoza.....	Yes
Travis Stovall.....	Yes
Craig Prosser.....	No

Ordinance 336 Amending Chapter 14 of the TriMet Code to Revise the Definition of “Net Earnings from Self-Employment” (First Reading)

Shelley Devine read Ordinance 336 by title only – no action was necessary.

6. Other Business & Adjournment

There was no other business to come before the Board -- President Warner adjourned the meeting at 11:20 a.m.

Respectfully submitted,



Kelly Runnion, Recording Secretary