



## Minutes

---

<b>Meeting:</b>	TriMet Board of Directors Regular Board Meeting	<b>Date:</b>	September 28, 2011
		<b>Time:</b>	9:00 a.m.
<b>Presiding:</b>	Rick Van Beveren	<b>Location:</b>	City of Portland Building 1120 SW Fifth Avenue Room C Portland, Oregon
<b>Board Members Present:</b>	T. Allen Bethel Steve Clark Lynn Lehrbach Consuelo Saragoza Tiffany Sweitzer Rick Van Beveren	<b>Board Members Absent:</b>	

---

### 1. General Manager's Report

#### A. Neil McFarlane reported on:

- **Safety** – Nearly 85% of operators have gone through the recertification and we expect to complete the training by the end of November. Over the past seven months, we have been collecting and reviewing our bus collision data to determine what type of collisions occur, such as location, if the bus was moving or turning, or servicing a stop. This kind of comprehensive review will identify trends and assist with how to improve safety. This data as well as other information will be presented at your quarterly safety update at the October 12 Board briefing.
- **Update on Boring Withdrawal** – The Clackamas County clerk has certified the signatures and the process moves to the next stage. Today you will vote to select the hearings officer for the Boring withdrawal. The public hearing will be held on Thursday, November 3<sup>rd</sup> – we will continue to update you on this issue.
- **Portland-Milwaukie Early Construction** – This week, we began utility relocation along SW Lincoln Street. We're widening the street to accommodate light rail, 2 travel lanes, a westbound bike lane and 12 foot wide sidewalks. This work requires us to remove up to 60 trees between SW 1<sup>st</sup> and 4<sup>th</sup> Avenues. Once light rail construction is complete, we will plant 40 trees in this area. We worked closely with

our contractor to ensure that the trees will be salvaged or reused. The higher quality wood will be salvaged and provided to furniture and structure builders, such as Habitat for Humanity, or reused as playground furniture for City parks. The remaining wood will be made into firewood for low-income households. Along the entire 7.3 mile alignment, we are removing about 830 trees, but planting about 2,000 trees.

- **Agency Fact Sheet** – Every year we capture ridership and other key information about our transit system and compile it in the agency fact sheet. It's useful information on our system, including how we stack up with other transit systems, how many miles we travel each week and how much of our population lives within ½ mile of transit service. The answers to those are:
  - we are the 24<sup>th</sup> largest metro area in the US, but transit ridership is 7<sup>th</sup> per capita;
  - more people ride TriMet than systems in larger cities, including Dallas, Denver and San Diego;
  - buses and trains travel 525,000 miles each week;
  - nearly 90% of the region lives within ½ mile of transit service.

**B. Quarterly Finance Report** – Beth deHamel reported on the financial results for the first quarter of the fiscal year and the impacts of the economy on TriMet.

Beth deHamel introduced Partner Jim Lanzarotta, Senior Manager Nancy Young and Manager Annamarie McNiel from TriMet's independent auditor Moss Adams. Ms. deHamel acknowledged Lori Baker, TriMet's Director of Financial Services, who worked extremely hard with the independent auditor to direct the internal work that was required.

Jim Lanzarotta provided an overview of the procedures and the audit standards, the nature of the services that they provide, required communications and recent and upcoming accounting standards that are relevant to TriMet. Nancy Young provided the results of the audit, recommendations and reported that TriMet received a clean audit opinion. Annamarie McNiel reported that TriMet has a clear report on the Oregon legal compliance and that there were no findings on the operation of federal grants. A copy of the Moss-Adams Audit Report and the Draft Financial Statements and Supplementary Information for June 30, 2011 and 2010 were provided to the Board and made part of the Board record.

### **C. Resolution 11-09-59 Honoring Board Member Hakeem Olanrewaju**

President Van Beveren introduced Resolution 11-09-59 expressing appreciation for former Board Member Hakeem Olanrewaju's role on the Board and Finance & Audit Committee.

Action: T. Allen Bethel moved approval of Resolution 11-09-59; Lynn Lehrbach seconded the motion. The Board unanimously approved the motion.

President Van Beveren announced the appointment of Steve Clark as a member of the Finance and Audit Committee replacing former Board member Hakeem Olanrewaju and Dr. T. Allen Bethel as the Board representative to the Committee on Accessible Transportation replacing Consuelo Saragoza.

## **2. Consent Agenda**

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

Approval of Minutes for August 10, 2011

Resolution 11-09-60 Appointing a Hearings Officer

Resolution 11-09-61 Clarifying Authority of Trust to provide Funding for Retiree Healthcare Coverage

Resolution 11-09-62 Appointment of Trustees to TriMet Retirement Trust for Management and Staff Employees and Corresponding Trust Amendment

Resolution 11-09-63 Amending Resolution 09-03-24 Regarding Cash Flow Financing

## **3. Resolutions**

### **Resolution 11-09-64 Authorizing a Contract with Application Software Technology (AST) Corporation for Oracle IT Staffing Support**

Action: Tiffany Sweitzer moved approval of Resolution 11-09-64; Steve Clark seconded the motion. The Board unanimously approved the motion.

**Resolution 11-09-65 Authorizing Contracts with Universal Field Services, Inc. and HDR Engineering, Inc. for Right of Way Acquisition and Relocation Services**

Discussion: Board member Bethel asked, although the DBE rating for both firms are similar, is there a process in place for the contractors to increase DBE participation as the contract moves forward?

Dan Blocher responded that both of the recommended contractors have named the same firm as their DBE participant. Although that firm is not yet DBE certified TriMet is working with them towards certification. It should be noted that the firm is a single person entity and is limited on the amount of work they will be able to perform under the contract. At this time we do not know of any other DBE certified firms that provide this service, but as always we are trying to create a marketplace that allows DBE participation.

Board member Clark asked if the level of customer service expected by the contractor was part of TriMet's overall policies and procedures.

Neil McFarlane stated that the process and expectations for the contractor are outlined in Federal regulations and law which the contractors are very familiar with.

Action: Steve Clark moved approval of Resolution 11-09-65; Tiffany Sweitzer seconded the motion. The Board unanimously approved the motion.

**Resolution 11-09-66 Authorizing a Contract with Scheidt & Bachmann USA, Inc. for Upgrading Ticket Vending Machines (TVMs), TVM Support Services and Spare Parts, and Purchase of New TVMs**

Discussion: Rick Van Beveren asked if staff was confident that Scheidt & Bachmann USA, Inc. is the vendor that can bring us into the future as we move forward.

Neil McFarlane responded that the only way we can upgrade the equipment at half the cost of replacing it, is to stay with the same contractor. That said, we have worked with Scheidt & Bachmann since about 1994 and our partnership has been strong over the years, even with the technical challenges that come with the environment.

Lynn Lehrbach stated that he hopes we can develop our system over the next ten years so we can utilize smart cards.

Neil McFarlane stated that staff will be talking to the Board at their upcoming retreat in a broader context about fare policy and fare technology over the long haul.

Action: Steve Clark moved approval of Resolution 11-09-66; Tiffany Sweitzer seconded the motion. The Board unanimously approved the motion.

#### **4. Public Forum**

President Van Beveren introduced the fare transfer proposal being brought forth to the Board by OPAL today. The Board was provided information on the proposal in advance and OPAL has asked for an opportunity to share with the Board about what they believe the benefit would be to the community and the financial impacts to TriMet.

Jon Ostar from OPAL Environmental Justice addressed the Board regarding their campaign for fare transfer proposal and spoke about the differences and discrepancies in cost analysis between TriMet and OPAL. Mr. Ostar stated the 6,000 signatures in support of the proposal, along with 28 endorsing organizations should be a clear signal that there is overwhelming public support and asked the Board to initiate a formal process to bring this proposal forward.

The following people testified in support of OPAL's Fare Transfer Policy:

Teresa SotodeRoman, OPAL Bus Riders Unite, spoke to the Board about concerns that meetings are held while most people are working, that service has been reduced and fares have increased in the past two years, and gave a personal account of how the current fare transfer is not working. Ms. SotodeRoman stated that to address transit equity, TriMet needs to improve amenities and service throughout the system while reducing the cost to its riders.

Lynne Barrett, OPAL Bus Riders Unite, spoke to the Board about the hardships the service cuts and fare increases have caused and the worry she has experienced that her transfer will run out before she has completed her trip. Ms. Barrett asked the Board to consider OPAL's proposal and help low-income riders.

Marisa Espinoza, OPAL Bus Riders Unite, spoke to the Board about the obstacles she experiences in riding transit and the importance of partnerships to improve the transit experience in Portland. Ms. Espinoza asked the Board to move forward with OPAL's fare transfer proposal.

TriMet Board of Directors Meeting  
September 28, 2011

Allen King, former Rose City Transit employee, spoke to the Board about the overcrowding on Line 6 and the need for improved service.

Alan Hipolito, Verde, expressed support for OPAL's fare transfer proposal and their request for a motion to move forward with the proposal today. Mr. Hipolito expressed concern over TriMet's decision making and public policy process and asked the Board to consider changing this moving forward.

Dahabolul Khadija Fai, community organizer for the African Women's Coalition, spoke in support of OPAL's fare transfer policy and the positive impact it would have on transit-dependent riders. Ms. Khadija Fai asked the Board to support this campaign and move forward with the proposal.

Tyler, bus rider supporter, spoke in support of OPAL's proposal.

Michael Moore, Sisters of the Road Board Chair, spoke to the Board in support of OPAL's proposal and the positive impact it would have on its customers. Mr. Moore stated he feels there is a disconnection between the Board's desire to hear community input and the processes in place to support that. Mr. Moore urged the Board to move towards adoption of OPAL's proposal.

Dr. Phil Wu, physician for Kaiser Permanente and a member of the Upstream Public Health Board, spoke to the Board in support of OPAL's fare transfer policy and stated he feels it supports healthy equitable transportation. Dr. Wu asked the Board to take a stand and make a commitment to low-income households by supporting this proposal.

President Van Beveren stated that Board Member Saragoza would like the opportunity to comment on the proposal before she leaves.

Crystal Sabnum, Community Organizer, OPAL Environmental Justice Oregon, stated that OPAL has a request of the Board and would like Board member Saragoza to stay and support that request.

Board member Saragoza stated that she supports transit equity and although she has not had an opportunity to read OPAL's proposed resolution, she would like additional information on OPAL's proposal and how it would impact TriMet financially before moving forward. Board member Saragoza left the meeting at 11:00 a.m.

Crystal Sabnum stated that OPAL has over 6,000 signatures that represent riders who support this initiative and mounting evidence that TriMet's system is

TriMet Board of Directors Meeting  
September 28, 2011

inequitable. Ms. Sabnum urged the Board to move forward with the proposed OPAL resolution that would direct staff, in conjunction with at least one mutually agreeable independent economics expert and at least three members of OPAL to further study and investigate the range of costs and benefits associated with the proposal as outlined.

Pelisy Jacob, SEIU Local 49, spoke in support of OPAL's proposal and the positive impact it would have on low-income, transit dependent workers.

President Van Beveren thanked everyone for their time today advocating for transit and deepening the Board's understanding of the difficulties riders face. There are a lot of competing priorities before the Board, number one being safety. Just recently the Board made a difficult decision to postpone the LIFT fare increase because of the impact it would have on the transit dependent population. We are in a very fiscally difficult situation and the decisions we make as a Board affect the system as a whole and as we move forward we need to consider these decisions as a whole. While I have concerns with the timeframe and impacts of OPAL's proposed resolution, I do want to understand the impacts and the benefits of this proposal. To that end I would ask staff to meet with OPAL and independent experts to analyze the financial impact OPAL's proposal would have on TriMet and report back to the Board.

Neil McFarlane stated that as General Manager, a transit advocate and rider, I am committed to the transit system as a whole. We have a series of needs that impact the system -- and it is essential to balance those needs as we plan the upcoming budget and beyond. We will continue meeting with OPAL, along with a Board member, external and internal experts in an open, transparent process, to assess the impacts of OPAL's proposal and provide monthly updates to the Board as the conversation progresses.

Board member Lehrbach stated that he has always supported transit equity and will continue to do so. If I knew that the proposal was financially neutral, I could support it today, but we need to hear more.

Board member Lehrbach also stated the importance of hiring enough staff to ensure clean buses.

Board member Lehrbach stated he would like to make a motion that would direct staff to meet with OPAL and outside experts, such as PSU, to have further study to put this into perspective, and correct any errors, and report back to the Board.

TriMet Board of Directors Meeting  
September 28, 2011

Board member Bethel stated that he would support the motion if it is stated without using a specific expert such as PSU, but to state only “experts in the field of public transportation”.

Board member Clark stated he would like the Board to consider OPAL’s proposal as part of the fare policy evaluation that staff is bringing forward at the upcoming Board retreat and include it as part of the comprehensive study that would consider LIFT fares, the short-term economic situation, as well as social equity. Board member Clark stated that he would like to have the results of the evaluation by January 2012 so we can consider those as we make these important decisions in February 2012.

Action: Board member Lehrbach moved that the Board direct staff to meet with OPAL and experts in the field of public transportation to evaluate the proposal. The General Manager shall report back to the Board on progress. Tiffany Sweitzer seconded the motion -- the Board unanimously approved the motion.

President Van Beveren opened the meeting to the general public forum and the following people addressed the Board:

Michael Levine spoke to the Board about concerns over the audio on transit trackers on the Portland Mall and requested that the buttons be removed and the audio stay on full time. Mr. Levine submitted written testimony detailing his concerns and suggested remedies.

Nicholas Johnson, Portland Commission on Disabilities, addressed the Board regarding his suggestion to convert TriMet LIFT vehicles to propane and submitted written testimony that outlined his proposal.

Amy Anderson, Portland Commission on Disabilities, addressed the Board about the hardships riders experience with overcrowding, missed connections and long wait times due to service cuts. Ms. Anderson asked the Board to consider how these service cuts affect the community and specifically people with mental health issues when making decisions moving forward. Ms. Anderson provided a video clip of a specific incident that occurred on the system.

Barry Sutton asked the Board for a bus pass because of the hardships he is experiencing due to a bike accident. Mr. Sutton asked that trash cans be placed at each bus stop to eliminate garbage.

David Hampsten, East Portland Action Plan and Hazelwood Neighborhood Association, thanked TriMet for the excellent service and increased security in

TriMet Board of Directors Meeting  
September 28, 2011

East Portland. Mr. Hampsten also thanked TriMet for working with OPAL on the Fare Transfer Proposal and encouraged them to work with other community groups as well to continue to make transit better and more efficient. Mr. Hampsten stated that if service cuts are necessary, it is important that TriMet communicate what the budget reasons are.

Jim Howell, AORTA, spoke in support of OPAL's Fare Transfer Proposal and believes this would increase ridership and be revenue neutral. Mr. Howell stated that he feels that there is transit inequity and that the biggest burden is put on those that can least afford it. TriMet should consider looking to those who ride for convenience and charge for the use of their Park & Ride facilities – this would be good source of revenue.

President Van Beveren adjourned the meeting at 11:28 a.m.

Respectfully submitted,



---

Kelly Runnion, Recording Secretary

A copy of the full audio-recorded transcript is available for review in the Office of the General Manager.