



## Minutes

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<b>Meeting:</b>	TriMet Board of Directors Regular Board Meeting	<b>Date:</b>	July 26, 2023
		<b>Time:</b>	9:00 a.m.
<b>Board Members Present:</b>	Keith Edwards Ozzie Gonzalez Tyler Frisbee Robert Kellogg	<b>Board Members Absent:</b>	LaVerne Lewis Kathy Wai Thomas Kim

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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](https://trimet.org/meetings/board).

Director Gonzalez called the business meeting to order at 9:23 am.

### 1. Committee Reports

**Committee on Accessible Transportation (CAT)** – Director Edwards provided a summary of the July 19 CAT meeting. At the meeting, the committee was provided an update on TriMet’s Elevator Access Pilot Project, Safety and Security and the Bus Stop Accessibility Project. The next CAT meeting takes place September 20.

**Metro Policy Advisory Committee (MPAC)** – President Gonzalez shared highlights from the June 28, 2023 MPAC meeting on behalf of Director Kim. The agenda consisted of an update from Metro on their Community Placemaking grant as well as on their Transit Oriented Development strategic plan. Metro also presented on the potential of middle housing to address some of the region’s housing needs. The next MPAC meeting takes place July 26.

### 2. General Manager Report

#### **June 2023 Ridership**

Mr. Desue provided an update on ridership for the month of June. TriMet provided 5.1 million rides in June, reflecting a nearly 11.5% increase over June of last year. System-wide weekly ridership remains about 37% off of where it was before the pandemic. June ridership was impacted by our ongoing MAX Red Line disruption for “A Better Red” work, which started June 18. The MAX Red Line is not running between Gateway and Portland International Airport. Shuttle buses are serving riders through that stretch. This section of Better Red work continues through October 21.

#### **82<sup>nd</sup> Ave Grant and Visit by Transportation Secretary Pete Buttigieg**

Mr. Desue shared that the TriMet has been awarded a \$630,000 grant from the Federal Transit Administration for the 82nd Avenue Transit Project. Congressman Earl Blumenauer’s office made the announcement late last week. The announcement came within two weeks of Transportation Secretary Pete Buttigieg’s visit to Portland, which included a tour of 82nd from a TriMet electric bus.

Mr. Desue had the opportunity to ride along with the Secretary and other dignitaries. He described that as they traveled through this beautifully diverse and vital economic corridor, they highlighted the challenges and opportunities it presents; one of those is improving transit, as transit is always a connector to opportunity. The FTA's "Areas of Persistent Poverty" grant will begin to tap into the potential of 82nd. Mr. Desue explained that the funding will support improved safety, access and mobility, while further exploring the potential for a TriMet FX high-capacity bus line on 82nd, along with the use of zero-emissions buses. TriMet is grateful for the award and the work it will help initiate, to bring better, faster and cleaner transportation options to our region.

### **Moody's Triple-A Bond Rating**

Mr. Desue announced that for the ninth year running, Moody's Investors Service recognized TriMet's creditworthiness by reaffirming our triple-A bond status. The recognition acknowledges the strength of our government-issued bonds and demonstrates TriMet's strong fiscal management and stable long-term forecast. This rating, described by Moody's as outstanding, allows us to secure credit funding for the lowest possible cost as we finance important projects to keep our transit service and our riders moving. TriMet was the first special tax-backed transit agency to achieve a triple-A rating from Moody's back in 2015. TriMet was also the first transit agency in the nation to have a special tax-backed bond rated triple-A by three rating agencies in 2018: Moody's, Standard & Poor's and KBRA.

### **Forward Together**

Mr. Desue provided an update on Forward Together service improvements, which he said will bring better connections to jobs and other economic opportunities. We are just about a month away from our first big service changes based on the plan. Through the Forward Together process, TriMet engaged the community and worked with Jared Walker and Associates, a transit industry consultant and thought leader. With their help and support, TriMet conducted the most in-depth and thorough review of our bus service ever. Our first major packet of improvements coming from that process roll out on Sunday, Aug. 27th. With those, we are expanding our Frequent Service network, where buses and trains arrive every 15 minutes or better most of the day, every day. We are delivering more and better service on more than half a dozen bus lines; look for more buses arriving more often or for more hours of the day. We are also adjusting routes. This will help speed up and streamline service, especially for those who rely on transit or have limited means. Under this plan, some people who live in our region will see fewer options. Mr. Desue explained that this is because Forward Together seeks to reallocate service from higher-income and lower-ridership areas to those where it will be better utilized. As a result, a handful of bus lines will see less service, and some will be canceled altogether as we try to remove duplication. In many cases where a line is removed or adjusted, it is because there are other good options nearby. Mr. Desue assured to have much more information about the changes in the weeks ahead.

### **Portland Pride Parade**

Mr. Desue shared that he has always been proud to work at TriMet, but when he walked with our employees and their families in this year's Pride Parade, that feeling was especially strong. He then shared photos from the event while providing a recap. About 100 TriMet employees participated and we had TriMet Pride t-shirts, designed by local high school students. The shirt proclaimed "All are welcome," on the front, and on the back, paid homage to the iconic drag queen Darcelle. Two TriMet buses rolled in the parade, one full-size, the other paratransit. Both were decorated with a vivid and colorful imagery displaying historical LGBTQ-plus figures and the diversity of the communities we serve. All along the route we heard

parade-goers cheering TriMet. Mr. Desue said it was so uplifting to hear words of thanks and praise and lots of people saying “We love TriMet!”

### **East Multnomah County Library Event**

Mr. Desue detailed that earlier this month Multnomah County kicked off the transformation of our former Gresham City Hall Park and Ride. He said he was happy to be joined by Director Lewis and representatives from across the region and take part in the ground breaking of the project to turn asphalt into a community gathering place. Mr. Desue then introduced Transit Oriented Development (TOD) team members Guy Benn and Miles Anderson to provide a presentation on TOD. A copy of the presentation can be found in the meeting archives at [www.trimet.org](http://www.trimet.org).

### **Staffing Announcements**

Mr. Desue introduced Adriana Vidales-Hernandez to TriMet, who has accepted the position of Senior Executive Assistant to the General Manager. He explained that she will be working very closely with himself and his team. Mr. Desue then introduced Falesha Thrash who has been helping to support the Board meetings during this time of transition. He expressed that she’s done a phenomenal job and is happy to say that Falesha has also accepted a new position with us. She will continue to provide administrative support to the Board, while also fulfilling an executive assistant role with our legal team.

### **3. Consent Agenda**

- Approval of Board Meeting Minutes for June 28, 2023

**Action:** Director Edwards moved for approval of the Consent Agenda. Director Frisbee seconded the motion. The motion passed with unanimous approval.

### **4. Resolutions**

#### **Resolution 23-07-33 – Authorizing a Modification of an Intergovernmental Agreement with Multnomah County for District Attorney Investigation and Prosecution Services**

Mr. Desue discussed Resolution 23-07-33. He expressed that we wish to expand the services that the Multnomah County District Attorney’s Office provides to TriMet. This will help our efforts to provide safe and reliable transit service as we work to address and decrease criminal activity happening on and near our transit system. TriMet’s current intergovernmental agreement with the Multnomah County D.A. won’t expire until 2025. However, this Modification will add the services of a second deputy DA, plus the services of two DA Investigators to the IGA. Mr. Desue then introduced Executive Director of Safety and Security, Andrew Wilson, who has worked on a proposal with the DA’s office. It would bring greater accountability and more justice for those who victimized people on our system or damage our property. Mr. Wilson shared a presentation detailing the proposal. A copy of the presentation can be found in the meeting archives at [www.trimet.org](http://www.trimet.org). Mr. Desue continued to explain that this modification increases the total amount authorized by the IGA to just over \$2 million over the remaining two years of the contract term. The amount is included in TriMet’s approved FY24 budget for the Safety and Security Division.

**Action:** Director Edwards moved for approval of Resolution 23-07-33. Director Kellogg seconded the motion. The motion passed with unanimous approval.

#### **Resolution 23-07-34 – Authorizing a Contract with Portland Patrol, Inc. (PPI) to Provide the Safety Response Team and Customer Safety Officers**

Mr. Desue discussed Resolution 23-07-34. Contract security officers who work on our transit vehicles and across our transit system are a critical part of our overall security strategy. They are unarmed, uniformed

personnel who provide an added layer of support while helping give our riders' peace of mind. Portland Patrol Inc. (PPI), has worked closely with TriMet since 2018 and provides members for two of these teams; the Safety Response and Customer Safety Officer teams. These teams have been an integral part of TriMet's Reimagined Security Program which has roots in our extensive Reimagining Public Safety & Security on Transit project that began in 2020. Using a 'community-engagement first' approach focused on intentional engagement and community-driven security solutions, we have developed a multifaceted security team. The Safety Response Team and Customer Safety Officers are an important part of that. The Customer Safety Officers provide a presence as well as security support for riders and our employees during code enforcement. The Safety Response Team helps those on and around our system in need. In 2022 alone, team members made contact with nearly thirty-three thousand people and provided more than thirteen hundred referrals to shelters, mental health services and other social services. With PPI's support, TriMet has grown the Safety Response Team since it started and plans to expand to 60 members this year. PPI personnel on contract with us get in-depth training for their roles but also cultural competency, de-escalation and leadership training as recommended by our "Reimagining Public Safety" project. The Board approved a five-year, sole-source contract with PPI at its January 2018 meeting. Over time, the contract was modified to a total value of \$16.7 million. The contract expires at the end of this month. We want to continue the Safety Response and Customer Safety Officer team and expand them. To do that, this resolution would authorize a new, three-year sole source contract with PPI for \$64.8 million. The contract will allow TriMet the right for two, one-year extensions, with a total not to exceed amount of \$108 million. The amount is included in the current budget. Starting with this fiscal year, about 80% of the Safety Response Team budget is funded by Oregon State Transportation Investment Funds or STIF. PPI has about 150 employees; 107 of those are employed under the TriMet contract. Of those 107, PPI reports 44% are minorities and 28% are women. Those percentages are just slightly higher than PPI's overall workforce.

**Action:** Director Kellogg moved for approval of Resolution 23-07-34. Director Frisbee seconded the motion. The motion passed with unanimous approval.

**Resolution 23-07-35 – Determining that the Terms of the Hollywood Transit Center Joint Development Agreement are Reasonable and Fair and that the Revenue Therefrom will be Used for Public Transportation**

Mr. Desue discussed Resolution 23-07-35. The purpose of this resolution is to bring TriMet in compliance with Federal Transit Administration regulations around the Hollywood Transit Center HUB. TriMet and BRIDGE Housing have reached an agreement in principal, to grant a 99-year lease for BRIDGE to build and operate a 12-story affordable housing development. This is in coordination with TriMet's adjacent project to rebuild and replace the infrastructure at the Hollywood Transit Center. The FTA requires the Board to determine that the terms and conditions of the joint development agreement with BRIDGE are fair and reasonable to TriMet and that the revenue that results from the agreement will be used for public transportation. In December of 2021, the Board approved a resolution declaring that the terms and conditions of the agreement in place at that time met FTA requirements. However, as the project moved forward and additional public outreach was completed, it became clear that a larger building, with an improved design, would better integrate with the neighborhood. TriMet and BRIDGE engaged with Senator Ron Wyden's office and secured federal review assistance from HUD to move the project forward with maximum financial benefit. The new, larger design and concept was well-received by the Portland Development Commission. However, as the terms of the original, Board-approved Joint Development agreement have changed, we come back before the Board today, to once again ask for approval. The proposed, 99-year lease between TriMet and BRIDGE includes a number of provisions, which are bulleted and included in your packet. TriMet must obtain FTA's concurrence with the revised joint development

agreement before the lease can be executed. Staff has conducted an extensive investigation into the terms of the proposed loan agreement and concluded that the conditions proposed are fair and reasonable. The budget for TriMet's infrastructure work on the site is included in the approved, FY24 Engineering, Construction and Planning Budget. BRIDGE has committed to use certified firms for 50% of the project's design work and about 35% of construction.

**Action:** Director Frisbee moved for approval of Resolution 23-07-25. Director Edwards seconded the motion. The motion passed with unanimous approval.

#### **Resolution 23-07-36 – Declaring Certain Real Property as Necessary for Construction and Operation of the Hollywood Transit Center Infrastructure Project**

Mr. Desue discussed Resolution 23-07-36. When TriMet acquires property by purchase or through eminent domain, Oregon law requires the Board to declare the necessity and the purpose for the property. This is the purpose of this resolution regarding the Hollywood Transit Center redevelopment. The Board adopted a resolution at its December 2022 meeting that authorized a contract with Raimore Construction for CM/GC preconstruction services. Board members followed up by approving a resolution in February, modifying the contract to add construction work. As part of the project, TriMet will construct improvements along Northeast Halsey Street, including new signals and a new bus shelter, as well as complete curb ramps and other features required for accessibility. For these improvements, TriMet needs to acquire certain interests in real property located along 41st and 42nd avenues, as well as Halsey Street. We have taken great care to ensure the least amount of impact on private property. As such, we need to only acquire small permanent easements and temporary construction easements from three owners: AT&T of Ohio, Hollywood Crossing and Baskets Unlimited. We anticipate that negotiations with these landowners will be successful and TriMet will not need to acquire the properties by condemnation. Purchase of necessary property is a cost that is included in the project budget.

**Action:** Director Frisbee moved for approval of Resolution 23-07-36. Director Edwards seconded the motion. The motion passed with unanimous approval.

#### **Resolution 23-07-37—Authorizing a Contract with L.B. Foster Company for Concrete Railroad Ties**

Mr. Desue discussed Resolution 23-07-37. Some components of the original MAX line, the MAX Blue Line, are almost 40 years old. Up to half of the timber ties along the Banfield corridor need to be replaced within the next few years. TriMet has opportunities to complete that critical work with less impact to our riders by performing it concurrently with a planned shutdown for the Better Red Project. While the replacement work will be completed by the CMGC, TriMet has decided to procure concrete rail ties for the project separately. This is due to long lead times associated with the tie design and manufacturing process. TriMet's Invitation to Bid resulted in one proposal, from L.B. Foster Company. LB Foster's bid, which is just under \$2.7 million, was determined to be fair and reasonable. This was based on TriMet's independent cost estimate, as well as the agency's recent, past purchases of concrete rail ties. This resolution would authorize the award of the three-year contract to LB Foster. It includes authority for potential, future modifications totaling up to \$400,000 or 15% of the contract value. The amount is included in the Maintenance Operations Division's approved FY24 operating budget. TriMet did make efforts to contact other potential bidders to find out why they did not submit a proposal. Staff determined various additional costs would have pushed those bids much higher and/or delayed the desired timeline. LB Foster has about 970 total employees, of which 22.6% of the workforce identifies as minority and 10% identify as female. The firm plans to self-perform most of the work, however, it has identified an Oregon-COBID, which stand for "Certification for Business Inclusion

and Diversity” firm, Blue Mountain Freight, for shipping. Shipping will account for about 9% of the total contract value.

**Action:** Director Kellogg moved for approval of Resolution 23-07-37. Director Edwards seconded the motion. The motion passed with unanimous approval.

**Resolution 23-07-38—Authorizing a Contract with David Evans and Associates, Inc. for Design Services for the Beaverton and Oregon City Transit Centers Redesign Project**

Mr. Desue discussed Resolution 23-07-38. In 2022, TriMet was granted two federal grants for improvements and upgrades to transit centers, one in Beaverton and the other in Oregon City. TriMet wants to use these awards, in combination with STIF money, to redesign the two facilities for future ridership and improvements that will make the transit centers more functional for operators and riders. In Beaverton, we are also looking at upgrades and expansion to accommodate 60-foot, articulated, zero-emissions buses. We would also like to install powerful new chargers, to keep our growing fleet of battery-electric buses moving. If funds become available, TriMet will likely expand the improvements to include the proposed Gateway Transit Redesign project, and we notified potential bidders of that prospect. TriMet used a competitive “Request for Qualifications” for this process. Despite a considerable amount of outreach and follow-up, David Evans and Associates submitted the only proposal. TriMet believes the firm is well-qualified to perform the work. At \$3 million for a five-year term, we believe that the negotiated rates for design work are fair and reasonable in relation to the local market for this type of work. The negotiated amount is included in the FY24 Engineering, Construction and Planning Budget, and includes FY24-25 STIF Funds. David Evans has roughly 970 employees, of which more than 17% identify as minorities and 33% as female. The firm expects to use DBE-certified subcontractors for 32% of the work.

**Action:** Director Frisbee moved for approval of Resolution 23-07-38. Director Kellogg seconded the motion. The motion passed with unanimous approval.

**5. Other Business & Adjournment**

President Gonzalez announced that he has launched the General Manager’s annual performance review. As a part of the process, he will connect with each board member and provide a report at the September board meeting.

Hearing no further business, President Gonzalez adjourned the meeting at 11:20am.

Respectfully submitted,

*Falesha Thrash*

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Falesha Thrash, recording secretary