

**Date:** June 22, 2022  
**To:** Board of Directors  
**From:** Sam Desue, Jr.

**Subject: RESOLUTION NO. 22-06-36 OF THE TRI-COUNTY METROPOLITAN TRANSPORTATION DISTRICT OF OREGON (TRIMET) APPOINTING MEMBERS TO THE 2022-23 HB 2017 TRANSIT ADVISORY COMMITTEE AND UPDATING ADVISORY COMMITTEE BYLAWS**

**1. Purpose of Item**

This Resolution requests that the TriMet Board of Directors (Board) confirm appointments to the HB 2017 Transit Advisory Committee and approve updated bylaws for the Advisory Committee.

**2. Type of Agenda Item**

- Initial Contract
- Contract Modification
- Other: Appoint HB 2017 Transit Advisory Committee and approve bylaw amendments

**3. Reason for Board Action**

State law requires that the TriMet Board of Directors (Board) create a Transit Advisory Committee and appoint members, and the Advisory Committee’s bylaws require Board approval of amendments to the bylaws.

**4. Type of Action:**

- Resolution
- Ordinance 1<sup>st</sup> Reading
- Ordinance 2<sup>nd</sup> Reading
- Other \_\_\_\_\_

**5. Background**

During the 2017 legislative session, the legislature dedicated resources for mass transit services through passage of HB 2017, the Keep Oregon Moving Act (Or Laws 2017 Chap. 750, Sec. 122o (1)). HB 2017 requires the Board to establish and appoint members to a Transit Advisory Committee (Advisory Committee) to advise and assist TriMet in developing a plan for projects and programs funded from HB 2017 distributions for each two-year funding period.

Members of the Advisory Committee represent transit users, seniors, persons with disabilities, employers, environmental and educational interests, minorities, youth and low income communities, as well as service providers, regional governmental entities and other interested parties. Both TriMet’s Transit Equity Advisory Committee (TEAC) and its Committee on Accessible Transportation (CAT) are represented on the Transit Advisory Committee. The membership is structured to ensure broad geographical and interest group

representation. It also includes several members of Metro's regional Joint Policy Advisory Committee on Transportation (JPACT), in order to ensure coordination with existing regional land use and transportation strategies.

The Advisory Committee's HB 2017 plan for each funding period must be approved by the TriMet Board of Directors, and then submitted to the Oregon Transportation Commission (OTC). Approval by the OTC is required before HB 2017 funds may be disbursed to TriMet for new or improved projects and programs. TriMet must submit the next update to its HB 2017 plan to the OTC in January of 2023, in order to receive FY24-25 HB 2017 funds. This means that TriMet staff must work with the Advisory Committee this year to modify the plan as needed, including the allocation of new funds that may be provided.

In Resolution No. 20-01-03, the Board re-appointed returning Advisory Committee members and added new members to replace those who left the Committee in the fall of 2019. This Resolution requests that the Board confirm the re-appointments of returning Advisory Committee members and the appointments of replacements for departing Advisory Committee members. The proposed 2022-2023 Advisory Committee includes 20 re-appointments and six new members, and is attached as Exhibit A to this Resolution.

This Resolution also requests that the Board to approve amendments to the Advisory Committee bylaws that specify the number of terms advisory committee members may serve, and satisfy ODOT's recent request that the bylaws be more specific about the Advisory Committee's duties and decision-making processes. The bylaws require the Board to approve amendments to the bylaws. Proposed amendments to the bylaws are highlighted and attached to this Resolution as Exhibit B.

The current Advisory Committee bylaws limit the service of members to one two-year term, with the option of renewing for a second term. Eleven Advisory Committee members already have served the maximum of two terms, but hope to continue serving. The Advisory Committee and TriMet staff believe that increasing the number of terms a member can serve will maintain expertise and provide continuity. Therefore, Advisory Committee members voted to increase the total terms a member could serve from two to five (see amended bylaws section VIII.E.).

Other significant amendments to the bylaws include:

- an update to the Advisory Committee purpose to include the transfer of Statewide Transportation Improvement Funds (STIF) derived from areas outside of TriMet to the counties and smaller public transportation service providers in Clackamas, Multnomah, and Washington counties (see amended bylaws section II.A.ii.),
- an update to the list of eligible projects to include services and capital purchases for senior and disabled transportation programs (see amended bylaws section X.A.vii.), and
- the addition of a section describing the Advisory Committee's decision-making process, as requested by ODOT during TriMet's 2021 compliance review (see amended bylaws section X.B.i. through X.B.v.).

**6. Diversity**

As required by HB 2017, the proposed Advisory Committee membership encompasses a broad range of interests, perspectives, racial and cultural backgrounds, while also ensuring representation from all the major regional governmental jurisdictions.

**7. Financial/Budget Impact**

Although approval of this Resolution will have no direct budgetary impact, maintenance of the Advisory Committee is necessary for TriMet to receive funding from the Oregon legislature's HB 2017 programs.

**8. Impact if Not Approved**

TriMet will not be eligible for HB 2017 funding for FY24-25 without the existence of a functioning Advisory Committee and its assistance in developing a plan for review by the OTC. Failure to appoint a full complement of Advisory Committee members and failure to approve the updated Advisory Committee bylaws would make TriMet non-compliant with the requirements of HB 2017, unable to fulfill its role in disbursing HB 2017 funds to other regional transit providers, and ineligible for receipt of substantial HB 2017 funding. This would result in reduced transit service throughout the TriMet service area.

**RESOLUTION NO. 22-06-36**

**RESOLUTION NO. 22-06-36 OF THE TRI-COUNTY METROPOLITAN  
TRANSPORTATION DISTRICT OF OREGON (TRIMET) APPOINTING  
MEMBERS TO THE 2022-23 HB 2017 TRANSIT ADVISORY COMMITTEE  
AND UPDATING ADVISORY COMMITTEE BYLAWS**

**WHEREAS**, the Oregon Legislature passed HB 2017, the Keep Oregon Moving Act (Or Laws 2017 Chap. 750, Sec. 122o (1)), which dedicates new revenue for mass transit every two years; and

**WHEREAS**, HB 2017 requires TriMet to establish and appoint members to a HB 2017 Transit Advisory Committee (Advisory Committee) to advise and assist the TriMet Board of Directors (Board) to prioritize plans for projects and programs that are funded by the regularly recurring resources generated by HB 2017; and

**WHEREAS**, the Board seeks input from the Advisory Committee regarding transit service improvements proposed for FY 2022-23; and

**WHEREAS**, the Board desires to confirm the re-appointment of certain members of the Advisory Committee and the appointment of replacements for departing members, as shown in the list attached hereto as Exhibit A; and

**WHEREAS**, the Board wishes to approve the amended bylaws recommended by the Oregon Department of Transportation and adopted by the Advisory Committee, as shown on the attached Exhibit B;

**NOW, THEREFORE, BE IT RESOLVED:**

1. That the Board re-appoints and appoints the members of the Advisory Committee listed on the attached Exhibit A.
2. That the Board hereby approves the amended Advisory Committee bylaws as shown on the attached Exhibit B.

Dated: June 22, 2022

\_\_\_\_\_  
Presiding Officer

Attest:

\_\_\_\_\_  
Recording Secretary

Approved as to Legal Sufficiency:

Gregory E. Skillman  
Legal Department

**EXHIBIT A TO RESOLUTION NO. 22-06-36**  
**2022-23 HB 2017 TRANSIT ADVISORY COMMITTEE**

**Proposed appointees for the 2022-23 HB 2017 Transit Advisory Committee**

<b>Name</b>	<b>Organization</b>	<b>Representing</b>
<b>New Appointees</b>		
Cameron Bennett	Portland State University	Students
April Bertelsen	City of Portland	Local Governments
Duncan Hwang	Metro	Regional Government
Sarah Iannarone	The Street Trust	Bicyclists and Pedestrians
Jon Issacs	Portland Business Alliance	Employers
Victoria (Vee) Paykar	Climate Solutions	Environmental Advocates
<b>Reappointments</b>		
Adam Argo	Rider Representative	Clackamas County Transit Riders
Dan Bower	Portland Streetcar Inc.	Public Transportation Providers
Dwight Brashear	SMART – Wilsonville	Public Transportation Providers – Outside TriMet
Jan Campbell	Committee on Accessible Transportation	People with Disabilities
Aaron Carleson	Hillsboro Schools Foundation	Educational Institutions
Pat Daniels	Constructing Hope	Social Equity Advocates
Mercedes Elizalde	Central City Concern	People Earning Low Incomes
Reza Farhoodi	Rider Representative	City of Portland Transit Riders
Jody Guetzloe-Parker	OR-ID Council of Laborers	Employees
Jarvez Hall	Rider Representative	East Multnomah County Transit Riders
Huy Ong	Organizing People Activating Leaders (OPAL)	Social Equity Advocates
Deanna Palm	Washington County Chamber of Commerce	Employers
Sushmita Poddar	Rider Representative	Washington County Transit Riders
Mary Lou Ritter	Committee on Accessible Transportation	Seniors
Comm. Roy Rogers	Washington County Board of Commissioners	Local Governments
Comm. Paul Savas	Clackamas County Board of Commissioners	Local Governments
Mariana Valenzuela	Centro Cultural	People with Limited English Proficiency
Comm. Jessica Vega Pederson	Multnomah County Board of Commissioners	Local Governments
Coi Vu	Immigrant & Refugee Community Organization (IRCO)	Social/Human Service Agency
Julie Wilcke-Pilmer	Ride Connection	Senior and Disabled Transportation Provider

**EXHIBIT B TO RESOLUTION NO. 22-06-36**  
**2022-23 HB 2017 TRANSIT ADVISORY COMMITTEE**

**HB2017 Transit Advisory Committee Bylaws**  
Updated June 10, 2022

- I. Committee Name
  - A. The committee shall be known as the HB2017 TRANSIT ADVISORY COMMITTEE (Committee).
  
- II. Committee Purpose
  - A. As required by HB 2017, Section 122o(1), to advise and assist the TriMet board and staff in prioritizing plans or projects to be funded from the moneys received from the Oregon Department of Transportation to improve and/or expand public transportation services in:
    - i. the Qualified Entity (QE) area for the Portland Metropolitan region (i.e., the TriMet service district) and
    - ii. the areas outside the QE area but inside Clackamas, Multnomah, and Washington counties.
  
- III. Committee Operation
  - A. Meetings will be held no less than twice annually. The exact number of meetings will be determined by need. Meetings will be noticed in accordance with Oregon's open meetings rules.
  - B. The Co-chairs will work with the QE staff to develop an agenda for each meeting.
  - C. Meeting sessions will be limited to approximately two hours.
  - D. Discussion to obtain consensus will be the prevailing procedure used at meetings. If consensus cannot be reached, a vote will be taken and the majority of those present shall prevail. Minority reports will be available to communicate alternate views. Parliamentary procedure will be used when a decision is to be recorded and transmitted as a recommendation.
  - E. A quorum will consist of a simple majority of appointed members or alternates. The act of the majority of the members (or designated alternates) present at meetings at which a quorum is present shall be the act of the Committee. If a quorum is not present, decisions may be moved forward through electronic communications of the members if a majority of members respond.
  - F. Meeting minutes will be recorded for each meeting. They will be posted to the QE website.
  - G. All full committee meetings are public meetings and will be conducted in accordance with Oregon's open meetings rules.
  - H. Public testimony will be heard at all full committee meetings.
  - I. The committee will seek public, interested community and service provider input to the development of a recommended plan or projects either directly or through TriMet staff assistance.
  
- IV. Subcommittees
  - A. Subcommittees may be formed as necessary.
  - B. Subcommittees may be of any size, but will usually include three or four members.
  - C. Subcommittees will elect their own chairs.

- V. Committee and Subcommittee Officers
  - A. Committee and subcommittee officers will be elected by a simple majority.
  - B. Committee and subcommittee officers will serve a two-year term and may be re-elected for additional terms.
  - C. Officers will include a chair or co-chairs at the discretion of the committee or subcommittee.
  - C. Committee and subcommittee officers will be elected at the first meeting of each new planning cycle.
  - D. The subcommittee chair or co-chairs shall represent the subcommittee in meetings of the full advisory committee.

VI. Committee Membership

- A. The committee must have a minimum of 7 members and include people of color representing multiple races and ethnicities.
- B. Committee members must reside or work in the TriMet district or Clackamas, Multnomah, and Washington counties.
- C. Committee members must be knowledgeable about the public transportation needs of residents or employees located within or traveling to and/or from the TriMet district or Clackamas, Multnomah and Washington counties.
- D. At a minimum, the committee must have members that represent:
  - i. Low income households
  - ii. People with disabilities
  - iii. Seniors
- E. Additional members not representing low income households, seniors or people with disabilities must represent one of the following:
  - i. Local governments, including land use planners
  - ii. Public transportation providers
  - iii. Neighboring public transportation service providers
  - iv. Employers
  - v. Employees
  - vi. Social and human service agency
  - vii. Transit dependent users
  - viii. Social equity advocates
  - ix. Environmental advocates
  - x. Bicycle and pedestrian advocates
  - xi. People with limited-English proficiency
  - xii. Educational institutions

VII. Member Responsibilities

- A. Each member is expected to attend meetings and to participate in committee activities.
- B. Each member is expected to study the issues or problems which come before the committee in order to contribute to the resolution process.
- C. If an entity is not represented at two consecutive meetings by either the member or alternate, the co-chairs may ask the member to appoint a replacement member or replacement alternate who can more reliably attend meetings.
- D. The co-chairs may recommend to the TriMet board replacement of members that have missed more than four consecutive meetings or who have otherwise exhibited an ongoing lack of interest in continued participation in the committee.

## VIII. Member Appointment and Alternates

- A. Members shall be appointed by the TriMet Board of Directors.
- B. Members may appoint alternates by notification of the committee.
- C. If both members and alternates attend, only one may cast a vote.
- D. Alternates will be considered for purposes of determining a quorum.
- E. Terms will be for two years with the opportunity for reappointment up to four additional terms (10 years total).
- F. Terms will be staggered to ensure continuity.
- G. The TriMet board retains ultimate authority to remove, reappoint or otherwise change the composition of the committee.

## IX. Definition of High Poverty Areas

- A. The STIF rules require that a definition of areas with a high percentage of low income households be included in the committee bylaws.
- B. As determined by the Committee, areas with a high percentage of low income households are US Census block groups with the highest quartile scores derived from TriMet's Transit Equity Index.
- C. TriMet's Transit Equity Index assigns a score to US Census block groups based on the following ten factors:
  - i. Pct. population non-white and/or Hispanic/Latino
  - ii. Pct. households below 200% federal poverty level
  - iii. Pct. population speaking English less than "very well"
  - iv. Pct. population with a disability
  - v. Pct. population age 65 and over
  - vi. Pct. population age 21 or under
  - vii. Pct. households with zero vehicles OR 2+ workers and one vehicle
  - viii. Rental housing w/ rent under \$800 and/or affordable owner-occupied or available for sale valued at \$175,000
  - ix. Jobs with earnings of \$3,333/month or less
  - x. Access to Services
    - 1. Human & Social Services: NAICS codes Individual and Family Services (624190), Child and Youth Services (624110), Services for Elderly and Persons with Disabilities (624120), Temporary Shelters (624221), and Other Community Housing Services (624229)
    - 2. Key Retail Services: NAICS codes Supermarkets and Grocery Stores (445110), Financial Institutions (522110), Barber & Beauty Shops/Salons (812111 & 812112), Laundries & Dry Cleaners (812310 & 812320), Hardware Stores (444130), Pharmacies & Drug Stores (446110)
    - 3. Schools: Community colleges, High Schools, Middle or junior high schools, Skill center or alternative schools

## X. Eligible Projects and Process

- A. The STIF committee will meet regularly to develop the STIF plan. Projects eligible



for funding in the plan include:

- i. increases in the frequency and span of transit service schedules in communities with a high percentage of Low-Income Households;
- ii. expansion of coverage of transit routes and services to reach communities with a high percentage of Low-Income Households;
- iii. implementation of programs to reduce fares for public transportation in communities with a high percentage of Low-Income Households;
- iv. procurement of buses that are powered by natural gas, electricity or other low or no emission propulsion;
- v. services and capital purchases, including vans, shuttles, or similar sized vehicles using any fuel type, for the improvement of the frequency and reliability of service connections between communities inside and outside of the Qualified Entity's service area;
- vi. services and capital purchases, including vans, shuttles, or similar sized vehicles using any fuel type, to facilitate coordination between Public Transportation Service Providers (PTSP) to reduce fragmentation in the provision of transportation services;
- vii. services and capital purchases, including vans, shuttles, and paratransit vehicles using any fuel type, for older adults and people with disabilities; and
- viii. the provision of student transit services for students in grades 9 through 12.

B. TriMet staff will propose and the committee will review discuss, revise if needed and approve:

- i. updated individual poverty maps for the QE area and the areas outside the QE area, but inside Clackamas, Multnomah, and Washington counties;
- ii. updated STIF funding allocation means for the QE area, including jurisdictions outside the TriMet district boundary;
- iii. STIF revenue projections for the upcoming biennium;
- iv. approve proposed projects and funding levels for all projects listed in VIII.A.i. through VIII.A.viii. for both the TriMet Service district and the areas outside the TriMet Service district but inside of Washington, Multnomah, and Clackamas Counties
- v. TriMet staff, PTSPs, and/or Committee Members can propose funding levels for projects in addition to those listed in VIII.A.i. through VIII.A.viii. as long as they qualify for funding. The committee will review, discuss, revise if needed, and approve funding levels for such projects.

## XI. Adoption and Amendment

- A. To become effective, bylaws and amendments must be approved by the TriMet board of directors and by the Advisory Committee.
- B. Suggested changes to the bylaws may be forwarded to the TriMet board for consideration through a majority vote of the membership.
- C. Written notice must be delivered to all members and alternatives at least 30 days prior to any proposed action to amend the bylaws.