



Minutes

Meeting:	TriMet Board of Directors Regular Board Meeting	Date:	December 11, 2024
Board Members Present:	JT Flowers Tyler Frisbee Erin Graham Robert Kellogg Thomas Kim LaVerne Lewis	Board Members Absent:	Kathy Wai

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.

Following Public Forum, President Lewis called the business meeting to order at 9:24am.

1. Committee Reports

Committee on Accessible Transportation (CAT) – Director Graham provided a summary of the November 20 CAT meeting. John Gardner, Chief Inclusion, Diversity, Equity and Access Officer provided a presentation on TriMet’s Title VI plan. The Committee also discussed the Language Access Program as well as TriMet’s work experimenting with Aira and how that might be integrated within the system for riders with low vision. The next CAT meeting will be held Wednesday, December 18.

Metro Policy Advisory Committee (MPAC) – Director Flowers provided a summary of the November 13 MPAC meeting. The Committee received a briefing on the Community Connector Transit Study, led by Metro, looking at areas TriMet does not serve with fixed route transit service that could be appropriate for future shuttle service. The next MPAC meeting takes place tonight, December 11.

Transit Equity Advisory Committee (TEAC) – Director Frisbee provided a summary of the December 10 TEAC meeting. The Committee received updates on various TriMet projects as well as updates from our partners notably focused on common themes of safety and access to public transit and the upcoming legislative session. John Gardner presented an update on the Fare Subsidy Research update to be presented to the Fare Subsidy Workgroup in January. The Committee was also briefed on updates to both the FX Plan and the Language Access Plan. Miles Pengilly, TriMet Director of Government Relations, and Lindsey Tenes, TriMet State Government Affairs Manager, provided a Legislative plan update focused on the 2025 session and TriMet’s focus on increasing funding to be able to reach our 2030 goals and improve service and operations.

Crash Advisory Committee – Director Kellogg provided a summary of the November 22 Crash Advisory Committee meeting. The committee reviewed and discussed six crashes focused on incidents where TriMet vehicles had contact with human beings. Discussion on crashes by members agreed that there were no

additional preventative measures that could have been taken to avoid these incidents. The next Crash Advisory Committee Meeting will take place spring 2025.

Finance and Audit Committee (F&A) – Director Kim provided a summary of this morning’s F&A meeting. The committee reviewed the two forthcoming resolutions amending the 401a Defined Contribution Plans, both the union and non-union plans. The Resolution will align the Union Defined Contribution Plan with the Working Wage Agreement that was adopted back in September. More will be discussed on these first two resolutions during the board meeting this morning.

2. General Manager Report

Introduction of New Chief Strategy and Planning Officer

General Manager Desue introduced TriMet’s new Chief Strategy and Planning Officer, Claire Khouri. Claire joined TriMet just two weeks ago and will play a critical role at TriMet. She is TriMet’s first-ever Chief Strategy and Planning Officer. This Position provides executive-level leadership and oversight to TriMet’s Engineering and Construction and Public Affairs divisions, as well as to our Planning Department and Vision 2030 initiative. One of Claire’s essential duties is identifying and implementing agency-wide initiatives that will help us better serve our riders and our region for the next 50 years. Claire comes to us most recently from Sound Transit in Seattle where she worked since 2018, but now she’s a TriMetian. Mr. Desue then invited Claire to introduce herself and take comments from the Board.

October Ridership

General Manager Desue provided a review of October ridership statistics. The Board meeting is early this month, and data from November is still being processed. TriMet provided 6.1 million trips for the month. That’s a 7.4% increase, or about 95,000 more weekly rides, over October 2023. We continue to receive positive feedback from East County communities on service improvements made in recent months. From Mount Hood Community College to Reynolds High School, they’re quite happy with the extension of Line 25 that was completed in August. Ridership gains have been significant, up five times year-to-year on that line, from about 700 weekly trips to nearly 3,800. Line 40 launched as a new line in August and is seeing about 5,000 weekly trips. We are already hearing praise from the business community about improvements made to Line 81 in early December. The line serves the Troutdale-Reynolds Industrial Park, a significant jobs center, and our December service change added weekend service. FedEx tells us they are thrilled with the new service, and with the holiday season here, it couldn’t have come at a better time. Amazon also has a facility out at the industrial park. We are getting folks to work out there, and all of this comes through our Forward Together Service Concept, which is designed to do just that.

Business Plan Update

Mr. Desue provided an update on TriMet’s Business Plan. The plan guides our efforts to fulfill our mission of connecting people with transit that is safe, convenient, reliable, accessible and welcoming. The business plan includes a five year outlook and it is ever evolving as we move forward with Vision 2030. Mr. Desue introduced Alan Lehto, TriMet’s Senior Director of Planning, to provide the latest development to the Business Plan. A copy of the presentation can be found in the meeting archives at www.trimet.org.

Eide Bailly Audit

Mr. Desue introduced Ahmad Gharaibeh of Eide Bailly to present the results of our latest external financial statement audit. This is Eide Bailly’s third year working on the audit and related financial compliance. The external audit is an involved process that reaches all TriMet divisions. Financial Services leads the audit,

working closely with Eide Bailly. A copy of the presentation can be found in the meeting archives at www.trimet.org.

Jan Campbell Transit Mobility Center

Mr. Desue provided a recap of the official opening of the Jan Campbell Mobility Center. The new Transit Mobility Center located at 7th and Holladay in Northeast Portland's Lloyd Neighborhood opened on November 25. It is a beautiful facility, situated along MAX Blue, Green and Red lines and in close proximity to TriMet bus lines and Portland Streetcar. Accessibility is huge for this facility as this is where all of our riders who need LIFT paratransit service are assessed and interviewed. Mr. Desue expressed he was thrilled to dedicate the center to Jan Campbell, disability advocate and longtime chair of our Committee on Accessible Transportation. The new mobility center was packed for the dedication as we honored Jan and her unwavering dedication to accessibility, equity and the belief that transit *is* for everyone. Mr. Desue said it was heartwarming to see the support for Jan and that she was touched by the event and having the mobility center named after her. As she said, honors such as this often come after someone is no longer with us, and she enjoyed being able to be present for it.

2024 Year-End Video

Mr. Desue stated that the opening of the Jan Campbell Mobility Center was just one of the highlights for TriMet in 2024. He then introduced a year-in-review video to take a look back at our efforts to make transit better for our region and bring more people on board our buses and trains. A recording of the video can be found on YouTube at www.youtube.com/@trimet.

The Transit App 2024 Riders Choice Awards

Mr. Desue announced the results of the Transit App 2024 Riders Choice Awards. The Transit app is a popular smartphone app that you can download for help, getting around without a car. It connects users with transit agencies around the globe. For its 2024 Riders Choice Awards, they asked riders what they think of public transit. 2024 was a year full of competition and election ballots. Over 5,000 medals were handed out in the Olympics in Paris, 72 countries went to the polls, and now, it's time to celebrate the titans of public transit.

This year, 103,000 transit riders shared their thoughts in the Rider Happiness Benchmarking survey. The transit app ask questions on everything from how people navigate their city, to whether their cities' transit agency consistently gets them to their destination on time. The Transit App handed out awards to the US and Canadian transit systems that were at the top of their game in 2024. When things go wrong, the best customer service will make sure there is a helping hand to set things right. That is the standard that earned TriMet's Customer Service team the top spot – 1st place – Best Customer Service in the Transit App's 2024 Riders Choice Awards. For riders in Portland, Oregon, TriMet's customer service team were always there to resolve their issues with a calming Pacific Northwest presence. To finish out the category, riders on Salt Lake City's UTA took 2nd and OC Bus in Orange County, California took 3rd.

In addition to being number one in Customer Service, TriMet also took the top spot for punctuality, followed by RTS in Rochester, New York, and VIA Metropolitan Transit in San Antonio, Texas. Riders say our buses and trains get them where they need to go, on time. And we know we have the best bus operators in the world. It was a tight race and our operators competed with skill, heart and smooth braking! But if we are going to take second place, we will take it to our friends and colleagues at C-TRAN. They took first place in the Best Bus Operator category, with TriMet coming in a close second by a hair. Congratulations to all 3,500 TriMetians for this special recognition!

3. Consent Agenda

- Approval of Board Meeting Minutes for October 23, 2024
- Resolution Directing Ordinances to be Read by Title Only

Action: Director Kellogg moved for approval of the Consent Agenda. Director Flowers seconded the motion. The motion passed with unanimous approval.

4. **Resolutions**

Resolution 24-12-63 – Amending TriMet’s Defined Contribution Retirement Plan for Union Employees to Increase the Employer Contribution, Change the Pick-Up Contribution Rules and Clarify Participation Eligibility

General Manager Desue discussed Resolution 24-12-63. The first two resolutions before you this morning regard TriMet’s Defined Contribution Retirement Plans. The first one applies to our union employees, who make up the vast majority of TriMet’s workforce. This is a housekeeping item, necessary to implement agreements reached by TriMet and the ATU in the Working & Wage Agreement approved by the Board in September. In alignment with the agreement, the amendments increase the employer contribution for union staff in the retirement plan from 8% to 9% as of September 15th of this year, and from 9% to 10% beginning on December 1st of 2027. This resolution also clarifies provisions for employee contributions to retirement plans, which are referred to in the resolution as “pick-up contributions.” An employee must set their contribution – between zero and 15% of their wages - within the first 60 days of employment. This resolution establishes a default of 5% if an employee does not select a contribution. The amendments are further described in the Board Memo and shown in Exhibit A of the resolution. Mr. Desue then introduced Cara Fitzpatrick, Director of Financial Services, to present further details on the first two resolutions on the agenda and respond to any questions from the Board. A copy of the presentation can be found in the meeting archives at www.trimet.org.

Action: Director Kim moved for approval of Resolution 24-12-63. Director Flowers seconded the motion. The motion passed with unanimous approval.

Resolution 24-12-64 – Amending TriMet’s Defined Contribution Retirement Plan for its Management and Staff Employees to Change the Pick-Up Contribution Rules and Clarify Participant Eligibility

Mr. Desue discussed Resolution 24-12-64. This resolution is another housekeeping item. It applies to management and non-union staff employees and their Defined Contribution Retirement Plan. It would amend the current Pick-up Contribution election rules to mirror the union plan, discussed in the previous amendment. This provides new employees with a default 5% contribution if the employee does not select their contribution level within the first 60 days of employment.

Action: Director Kim moved for approval of Resolution 24-12-64. Director Graham seconded the motion. The motion passed with unanimous approval.

Resolution 24-12-65 – Approving the Updated Agency Safety Plan

Mr. Desue discussed Resolution 24-12-65. The Federal Transit Administration requires Board review and approval of TriMet’s updated Agency Safety Plan by December 31st of each year, to become effective on January 1. Fulfillment of this requirement renews our commitment to safety and allows TriMet to receive FTA funds. The safety activities outlined in the 2025 Agency Safety Plan are integrated into TriMet’s day-to-day operations and budgetary decisions. TriMet’s Safety department and our Infrastructure and Investment Jobs Act Safety Committee worked with internal stakeholders and ODOT, TriMet’s State Safety Oversight Committee, to update the Agency Safety Plan and incorporate all items required by the FTA. Substantial changes were made from the previous year’s plan to streamline it and comply with federal requirements. The length of the document was pared down from 144 pages to 77 pages, to make it easier to follow or reference.

Significant changes include:

- Reducing duplicative language and redundant paragraphs or sections
- Updating descriptions of revised safety programs to ensure accuracy and consistency
- Incorporating outcomes from the 2023 ODOT State Safety Oversight Triennial Review
- Updating the annual Safety Performance Targets in accordance with the Bipartisan Infrastructure Law
- Correcting errors in the Hazard Rating Index

And adding:

- Information about how to use the Hierarchy of Controls Model to mitigate hazards
- A section describing our Hazard Reporting and Tracking Process
- A section detailing the Safety and Security Roles and Responsibilities of 23 departments that are integral to improving the safety of our transit system
- Transit Worker Assaults Performance Measure and a Performance Target
- A summary of the Risk Reduction Program, including activities deployed to reduce transit worker assaults

And finally, revisions were made to reflect our new, more robust Configuration & Change Management Plan. I have thoroughly reviewed the updated plan as have COO Bonnie Todd, Chief Safety Officer Andrew Wilson and much of the Executive team. It includes all of the elements required by the FTA. Once approved by the Board, the Safety Plan will be submitted to ODOT for final approval and submission to the FTA.

Action: Director Flowers moved for approval of Resolution 24-12-65. Director Kellogg seconded the motion. The motion passed with unanimous approval.

Resolution 24-12-66 – Adopting the FY 2026-2027 Statewide Transportation Improvement Fund (STIF) Plan

Mr. Desue discussed Resolution 24-12-66. The resolution before you adopts and advances TriMet's FY 2026-27 STIF Plan, as well as authorizes its submission to the Oregon Transportation Commission and the Oregon Public Transportation Advisory Committee for approval. This is required by mid-January. Regional STIF plans cover an extensive list of funding priorities including our income-based reduced fare, fares for students and seniors, service improvements, Portland Streetcar service, TriMet LIFT vehicles and more. It consists of about \$223 million dollars in projects to be distributed among TriMet, the three counties, the various Clackamas transportation districts, and Portland Streetcar. Approving the resolution allows TriMet and the rest of the region to receive and spend STIF funds. Mr. Desue introduced Tom Mills, Director of Mobility Planning and Policy, and Debbie Gregg, Director of Grants, to provide more detail about the plan for the next biennium. A copy of the presentation can be found in the meeting archives at www.trimet.org.

Action: Director Kellogg moved for approval of Resolution 24-12-66. Director Kim seconded the motion. The motion passed with unanimous approval.

Resolution 24-12-67 – Authorizing Acquisition by Purchase or Exercise of the Power of Eminent Domain Certain Real Property Necessary for the Operation of the Division Transit Project

Mr. Desue discussed Resolution 24-12-67. This resolution authorizes TriMet to take action to correct a title issue related to land acquired for the Division Transit Project and the signal system that speeds up our Frequent Express bus service. The Board previously authorized the acquisition of about 150 properties along Southeast Division for the project. This resolution addresses a legal issue specific to three parcels at

Southeast 117th Avenue and Division Street. The property owner that TriMet worked with during construction of the Division Transit Project thought they owned the property outright. But through our interaction with the title company, ownership of one parcel, specifically a 13-foot wide strip between two other parcels, has come into question. TriMet needs to use the power to purchase or condemn the three parcels in order to identify the true owners and determine proper compensation. Once acquired, the three parcels will be transferred to the City of Portland. This will allow the Portland Bureau of Transportation to access a pole located on the property and maintain a signal that's part of the transit-signal priority system that keeps FX buses moving around traffic congestion. The property acquisition is included in the FY2025 Division Transit Project's budget.

Action: Director Kellogg moved for approval of Resolution 24-12-67. Director Graham seconded the motion. The motion passed with unanimous approval.

Resolution 24-12-68 – Authorizing a Contract with Stacy Witbeck, Inc. for Construction Management/General Contractor (CM/GC) Services for the MAX Station Rehabilitation Project

Mr. Desue discussed Resolution 24-12-68. This resolution seeks Board approval for pre-construction services and an early work package for the NE 82nd Avenue MAX Station. It's the first of three renovations planned for the grade-separated stations along the Banfield or Interstate 84 corridor that were built as part of the first MAX line, which began service in 1986. If future budgets allow, TriMet would like Stacy Witbeck to also renovate the NE 60th Avenue and Hollywood/NE 42nd Avenue stations. These renovations are part of a larger Blue Line Station Rehabilitation Program to upgrade 14 stations along the original MAX Blue Line. The work on three of those stations, NE 122nd Avenue, NE 162nd Avenue and Gresham City Hall, have already been completed. Mr. Desue then introduced Robert Vance, a Principal Project Manager for Engineering and Construction, to provide additional detail about work planned at NE 82nd and how it will benefit our riders. A copy of the presentation can be found in the meeting archives at www.trimet.org.

Our Evaluation Committee determined Stacy Witbeck's price for pre-construction services, at nearly \$83,000 dollars, is fair, reasonable and comparable with the independent cost estimate. The resolution includes an additional \$10,000 dollars for an Early Work Package, bringing the total to just shy of \$93,000 dollars. TriMet will continue to negotiate the Total Contract Price for the Project and return to the Board for full authorization. The funds for the Project's Pre-Construction Services and Early Work Package are included in the Engineering & Construction Division's FY2025 Budget. Stacy Witbeck has 752 employees; 36% are minorities and 17.6% are female. They have committed to using Disadvantaged Business Enterprises for at least 15% of construction work.

Action: Director Kim moved for approval of Resolution 24-12-68. Director Graham seconded the motion. The motion passed with unanimous approval.

Resolution 24-12-69 – Authorizing a Contract with Just Bucket Excavating, Inc. for the Powell-Division Safety and Access to Transit Project

Mr. Desue discussed Resolution 24-12-69. If approved, this resolution would authorize a contract with Just Bucket for construction of pedestrian safety improvements at five locations along Powell and Division Streets in Portland and Gresham. These improvements focus on increasing safe access to transit as our riders are pedestrians first and last. Improvements will include additional lighting, upgraded signage and striping, ADA ramps, sidewalk and bus stop upgrades and rapid flashing beacon signals to alert drivers when people are crossing the street. TriMet issued an invitation to bid for the contract, with Just Bucket's Bid of

about \$1.1 million dollars determined to be the lowest, most responsible bid, and fair and reasonable. It was considerably lower than TriMet's independent cost estimate, which came in at nearly \$1.6 million dollars. Due to the potential for unforeseen circumstances that could result in changes to the scope of work, we've adjusted the change order amount up to 20%, which will increase the overall contract amount to about \$1.3 million dollars, which is still less than our independent cost estimate. Funding for the project is included in the Strategy and Planning Division's FY2025 Budget. Most of the funding, about 90%, comes from entities other than TriMet, including STIF. Just Bucket Excavating is a Minority-Owned Business and Disadvantaged Business Enterprise. It has 18 employees. About half are minorities and about 22% are female. The company has pledged to subcontract 26% of the work to COBID-certified firms.

Action: Director Kim moved for approval of Resolution 24-12-69. Director Flowers seconded the motion. The motion passed with unanimous approval.

President Lewis paused the Regular Business Meeting and convened the TriMet Contract Review Board (TCRB) to consider the last resolution.

Resolution 24-12-70 – Authorizing a Class Exemption for Mechanized Track Maintenance Support Services

Mr. Desue discussed Resolution 24-12-70. MAX light rail tracks require regular maintenance by specialized equipment that TriMet does not own or operate. Therefore, the Maintenance-of-Way Department, also known as M-O-W, relies on outside maintenance service contractors with specialty expertise to address significant problems and track conditions. This type of service is often needed on an emergency basis and is handled through task orders. The majority of services needed will be along embedded track locations for our oldest segments of the MAX Blue Line. But the work could include track repair and replacement or signals upgrades and replacements anywhere along the MAX system's 126 miles of active track. TriMet is requesting an exemption from low bidding in order to select several qualified contractors using a competitive RFP rather than a traditional low bid procurement. An RFP also allows TriMet to consider the potential contractor's small business subcontracting plans and internal workforce diversity. Various projects are estimated to range between \$20,000 and \$2 million dollars. The anticipated cost of the work is included in the Maintenance Division's FY2025 Budget and is expected to continue on an annual basis.

Action: Director Flowers moved for approval of Resolution 24-12-70. Director Kim seconded the motion. The motion passed with unanimous approval. President Lewis reconvened the TriMet Board of Directors for the remainder of the business meeting.

5. Ordinances

Ordinance 379 - Amending Chapter 14 of the TriMet Code to Revise the Definition of "Net Earnings from Self-Employment" (First Reading and Public Hearing)

General Counsel Devine read Ordinance No. 379 by Title Only.

President Lewis opened the public hearing. There were no members of the public present to comment on Ordinance 379. President Lewis closed the public hearing.

Mr. Desue discussed Ordinance 379. This is a housekeeping item, adopted by the Board annually.

Hearing no further business, President Lewis adjourned the meeting at 11:51am.

6. Briefing

President Lewis introduced Guy Benn, Program Manager for Transit Oriented Development Strategy, and Fiona Lyon, Program Manager for Transit Oriented Design, to provide a briefing on Transit Oriented Development (TOD). General Manager Desue also acknowledged Fiona for being named one of the Daily Journal of Commerce 2024 'Women of Vision'. He expressed that the honor reflects her creativity, vision and commitment to delivering transit-oriented development projects for our region. Mr. Desue and the Board expressed their congratulations to Fiona. A copy of the TOD briefing presentation can be found in the meeting archives at www.trimet.org.

Respectfully submitted,

Falesha Thrash

Falesha Thrash, Board Administrator and recording secretary