

Date: January 27, 2016

To: Board of Directors

From: Neil McFarlane *Neil McFarlane*

Subject: RESOLUTION 16-01-02 OF THE TRI-COUNTY METROPOLITAN TRANSPORTATION DISTRICT OF OREGON (TRIMET) AMENDING SPECIAL TRANSPORTATION FUND ADVISORY COMMITTEE BYLAWS AND RATIFYING AND APPOINTING MEMBERS

1. Purpose of Item

This Resolution updates certain provisions of the Special Transportation Fund Advisory Committee (“STFAC”) Bylaws, and ratifies and appoints STFAC members. The STFAC assists TriMet in implementation of the State of Oregon Special Transportation Fund (“STF”) Program, and represents seniors and people with disabilities as well as service providers and other interested parties in ensuring coordinated and efficient transportation for seniors and people with disabilities in the Portland region.

2. Type of Agenda Item

- Initial Contract
- Contract Modification
- Other: To update certain STFAC Bylaws, and ratify and appoint STFAC members

3. Reason for Board Action

The STFAC Bylaws (“Bylaws”) must be amended by resolution of the TriMet Board of Directors (“Board”) (Bylaws, Article VI). Updates to the Bylaws, Article II, Section 1 Membership Category chart, and ratification and appointment of STFAC members by the Board are necessary for STF recommendations and the Coordinated Transportation Plan update occurring this year. In addition, housekeeping updates to other provisions of the Bylaws are necessary for the efficient operation of the STFAC and to conform with applicable STF program requirements.

4. Type of Action:

- Resolution
- Ordinance 1st Reading
- Ordinance 2nd Reading
- Other _____

5. Background

Pursuant to state laws and Public Transit Division (“Division”) administrative rules (Rules) implementing the STF Program, the Board appointed the STFAC to advise

and assist TriMet in carrying out its duties as the Special Transportation Fund Agency (“STF Agency”) for Multnomah, Clackamas and Washington Counties. The STFAC advises TriMet on the distribution of federal and state funds that support transportation for a range of needs offered to seniors, people with disabilities and other special transportation in the region. In addition, the STFAC is needed to help guide the update of the Coordinated Transportation Plan (“CTP”) for seniors and people with disabilities which helps guide future STF and Federal Transit Administration (“FTA”) Section 5310 funding allocation decisions. The CTP updating process will occur during the first half of 2016, with the goal of making sure that all public transportation services for seniors and people with disabilities are well-coordinated, efficient, and meet the needs of the people within the three-county area, both inside and outside the TriMet District.

The funding distributed through the process that the STFAC helps inform goes to vitally needed transportation services in the region, including but not limited to:

- Additional TriMet LIFT service as well as paratransit provided by agencies such as Wilsonville SMART
- Various local services including GroveLink, Shuttle in the Woods and various U-Ride services
- Accessible and demand-responsive service for seniors and persons with disabilities in Sandy, Canby, and Molalla
- Mt Hood Express service for seniors and people with disabilities
- A range of services provided by Clackamas County Consortium for those with special needs in Clackamas County
- Various shuttles and transportation programs by a variety of organizations including NW Pilot Project, Portland Impact, Providence Elderplace, and others.

Pursuant to Division Rules, the STFAC operates by written Bylaws that were originally adopted by the Board in 2005. State law requires that the Board determine the STFAC membership categories and the number of members assigned to those categories (Bylaws, Article II, Section 1). These membership categories include interested members of the Committee on Accessible Transportation, seniors and persons with disabilities from specific portions of the region, transportation providers and public entity representatives. This Resolution would amend the Bylaws to update the STFAC membership categories and number of members assigned to those categories as shown in Exhibit A, to conform to recent Oregon Department of Transportation (“ODOT”) Public Transit Division guidance. Since 2008, the STFAC had seated three positions for the category of “Members at Large” which provided additional representation of recipients of services for seniors or persons with disabilities. However, recent ODOT guidance restricts the use of an “At Large” category, but specifically includes the eligible membership category of “*representative of seniors living in the district or county*” or a “*representative of people with disabilities living in the district or county.*” Because the STFAC always intended the At Large category to provide more representation for seniors living in the service area, this Resolution updates the Bylaws to re-title the membership category to “Seniors or Persons with Disabilities Living in the Service Area.” In addition, this Resolution increases the category membership from 3 to 4, in order to facilitate representation of seniors and persons with disabilities, maintain consistency with what was intended by the STFAC for this category, and to ensure compliance with ODOT’s recent guidance.

This Resolution also ratifies and appoints STFAC members, consistent with the recent ODOT guidance as to the governing body's responsibility for appointment of STFAC members. The individuals designated for STFAC membership ratification and appointment are set forth in Exhibit A to this Resolution. New members to be appointed are indicated in bold, underlined text. In addition, Article II, Section 2 of the Bylaws is amended to clarify the Board's role in appointing members by removing the option to delegate this function to the General Manager. This Resolution also supersedes the Board's 2006 delegation to the General Manager of that function, which had been unanimously supported by the STFAC at that time. These updates are recommended in order to assure consistency with STF program requirements by the State of Oregon.

A further housekeeping update to the Bylaws (Article IV, Section 2) is recommended to permit record keeping of STFAC meetings in any manner permitted by Oregon public meetings laws, not just by written minutes; this update would allow electronic and digital record keeping.

6. STFAC Recruitment Process

Candidates to fill the STFAC membership positions have been identified through TriMet's Committee on Accessible Transportation, other jurisdictions, service providers and recipients of transportation services to represent the diverse needs of seniors and people with disabilities.

7. Diversity

Staff and STFAC members continue to seek new members to fill vacant positions on the STFAC who will provide for greater cultural and ethnic diversity in the membership of the committee. Recruitment efforts have included outreach through many partner organizations that work on behalf of underrepresented communities like Worksystems, SE Works, Washington County Strives, WorkSource Oregon, African American Health Coalition, Cascadia Behavioral Health, Catholic Charities, Friendly House, Impact NW, IRCO, NAMI Clackamas County, Native American Rehabilitation Association ("NARA"), NAYA, and the Urban League.

8. Financial/Budget Impact

There is no direct budget impact of this action. However, adoption of the Resolution will assist the STFAC in its role of ensuring efficient and effective distribution of state and federal funds in a manner that meets the needs of seniors and persons with disabilities in the region.

9. Impact if Not Approved

The Board's adoption of this Resolution is necessary to keep the STFAC in compliance with applicable State law and Division Rules and guidance governing the operations of the STFAC. Failure to formally amend the Bylaws and to ratify and appoint the STFAC members could potentially risk funding for services to seniors and persons with disabilities provided by TriMet and by other jurisdictions and non-profits around the region both inside TriMet's district and beyond (including Wilsonville, Canby, Sandy, and other portions of Clackamas County outside the TriMet district).

RESOLUTION 16-01-02

RESOLUTION OF THE TRI-COUNTY METROPOLITAN TRANSPORTATION DISTRICT OF OREGON (TRIMET) AMENDING SPECIAL TRANSPORTATION FUND ADVISORY COMMITTEE BYLAWS AND RATIFYING AND APPOINTING MEMBERS

WHEREAS, TriMet is designated by the Oregon Department of Transportation, Public Transit Division (“Division”), pursuant to ORS 391.800 to 391.830, as the Special Transportation Fund (“STF”) Agency for Clackamas, Multnomah and Washington Counties; and

WHEREAS, pursuant to State law and Division Rules, the TriMet Board of Directors (“Board”) has constituted the Special Transportation Fund Advisory Committee (“STFAC”) to assist the agency in its duties as the STF Agency, and approved Bylaws that include STFAC membership categories and other provisions for the effective functioning of the STFAC; and

WHEREAS, the TriMet Board desires to amend the STFAC Bylaws and to ratify and appoint STFAC members as set forth in this Resolution;

NOW, THEREFORE, BE IT RESOLVED:

1. That the TriMet Board hereby amends the STFAC Bylaws and ratifies and appoints members to the STFAC as set forth below:
 - (a) Article II, Section 1, Membership Categories and the number of member positions designated per Category are adopted as set forth in the attached and incorporated Exhibit A.
 - (b) Article II, Section 2, Appointments, first paragraph, is amended as set forth below (deleted language shown with a line through the text):

The TriMet Board will appoint and remove members to the STFAC, ~~except that the Board may delegate to the General Manager the authority to appoint and remove members to the STFAC.~~
 - (c) Article IV, Section 2, Minutes, is amended as set forth below (new language shown in bold text, deleted language shown with a line through the text):

A record of Committee meetings in any manner or medium permitted by Oregon Public Meetings laws, including written minutes, of Committee meetings will be prepared and distributed by staff. The record Minutes will note major points discussed and any conclusions reached and/or actions taken.

(d) The individuals named in Exhibit A are hereby ratified and appointed to the STFAC as members for the length of term designated.

2. That this Resolution supersedes in its entirety the provisions of all prior resolutions that pertain to the matters addressed herein.

Dated: January 27, 2016

Presiding Officer

Attest:

Recording Secretary

Approved as to Legal Sufficiency



Legal Department

Resolution 16-01-02
Exhibit A

Membership Category Description	Number of Persons	Committee Members	
		Name	Through Year
Those interested persons who are members of the TriMet Committee on Accessible Transportation (CAT), excepting the CAT member who is a Board member	Up to 14	Jan Campbell, Chair	2016
		Claudia Robertson, Vice Chair	2016
		John Betts	2017
		Leon Chavarria	2017
		Zoe Presson	2016
		Chris Walker	2016
		<u>Paul Pappas</u>	2017
		<u>Patricia Kepler</u>	2017
		<u>Deidre Hall</u>	2017
Seniors or persons with disabilities who reside in Clackamas County	2	Dick Jones	2016
		Joseph Lowe	2017
Seniors or persons with disabilities who reside in Multnomah County	2	Raissa Moore (Vacant)	2016
Seniors or persons with disabilities who reside in Washington County	2	Ross Mathews (Vacant)	2016
Seniors or persons with disabilities who reside outside the TriMet District	2	Glenn Koehrsen (Vacant)	2016
Staff representatives of the respective County Agencies on Aging and Disability; one per county	3	Teresa Christopherson, Clackamas County	2016
		Jeff Hill, Washington County	2016
		<u>Jackie Tate, Multnomah County</u>	2017
Staff representative of TriMet	1	<u>Kathy Miller</u>	2017
Staff representative of Ride Connection	1	Elaine Wells	2016
Staff representatives of public transit entities other than TriMet, including a rural transit entity representative	2	<u>Andi Howell, City of Sandy</u>	2017
		Steve Allen, City of Wilsonville	2016
Seniors or Persons with Disabilities Living in the Service Area	4	David Keyes	2016
		George Payne	2016
		Ron Thompson	2017
		(Vacant)	