

Date: August 10, 2022

To: Board of Directors

From: Sam Desue, Jr.

Subject: RESOLUTION NO. 22-08-47 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 1st Reading
- Ordinance 2nd 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. Brief member biographies are found in Exhibit C.

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 four (see amended bylaws section VIII.E.). Additionally, the Advisory Committee voted to increase the number of rider representatives from four to seven, with each representative residing in a different TriMet Board member district.

Other significant amendments to the bylaws include:

- clarification that members on the committee by virtue of an elected position or through their affiliation with a specific organization are eligible to serve on the committee only for as long as they hold office or remain with their organization,
- the adoption of the same conflict of interest language that exists in the bylaws for the TriMet Board of Directors,
- 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. 22-08-47

**RESOLUTION NO. 22-08-47 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: August 10, 2022



Presiding Officer

Attest:



Recording Secretary

Approved as to Legal Sufficiency:

Gregory E. Skillman

Legal Department