

**Date:** May 27, 2015

**To:** Board of Directors

**From:** Neil McFarlane 

**Subject:** **ORDINANCE NO. 339 OF THE TRI-COUNTY METROPOLITAN TRANSPORTATION DISTRICT OF OREGON (TRIMET) ADOPTING SERVICE CHANGES, UPDATING ROUTE DESIGNATIONS AND AMENDING TRIMET CODE CHAPTER 22, AND REPEALING TRIMET CODE CHAPTER 20, CHARTER RATES (SECOND READING)**

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**1. Issue or Purpose of Item**

The purpose of Ordinance No. 339 is to request that the TriMet Board of Directors (“Board”) adopt service changes and update route designations contained in TriMet Code Chapter 22. In addition, Ordinance No. 339 includes a housekeeping repeal of TriMet Code Chapter 20, Charter Rates, to remove outdated provisions.

**2. Type of Agenda Item**

- Initial Contract
- Contract Modification
- Other: Ordinance

**3. Reason for Board Action**

The Board may adopt service changes and update TriMet Code route designations by ordinance. The TriMet Code may be amended only by adoption of an ordinance, including repeal of existing provisions.

**4. Type of Action:**

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

**5. Background**

The approved Fiscal Year 2016 budget includes bus and rail service improvements. Restoring bus and rail frequent service seven days per week and the start up of the new Portland Milwaukie light rail line and the subsequent bus service changes associated with that have been the focus for service improvement planning in the last 18 months. With the September changes to Sunday bus frequency, all 12 frequent service bus and rail lines will have 15 minute or better frequency 7 days per week, most hours of the day.

A. Service Change Public Process:

**Starting assumptions.** The 2010 Final Environmental Impact Statement for the Portland-Milwaukie Light Rail Transit Project (MAX Orange Line) included assumptions about bus service changes that would accompany the new light rail service. Primarily, all bus lines that currently travel McLoughlin Boulevard into downtown Portland would instead turn around in downtown Milwaukie, and buses that currently cross the Ross Island Bridge would instead use Tilikum Crossing.

In early 2014, TriMet asked the community for feedback on those starting assumptions and received over 350 comments online, at four open houses and at over 20 community meetings.

**Initial proposal.** TriMet used that community feedback to develop an initial proposal which was shared with riders during the summer of 2014. The initial proposal sought to address as many of the issues that came up from feedback received as possible.

This initial proposal was distributed to more than 4,000 riders on-board in English and in Spanish, to over 22,000 email subscribers, and by direct mail to over 20,000 addresses. TriMet hosted four open houses and attended several neighborhood meetings. Over 1,400 comments were submitted, which TriMet used to refine the proposal.

**Final proposal.** Based on feedback gathered during the summer, TriMet shared the final proposal with riders during the fall of 2014. Small changes were made to the initial proposal in response to feedback received. This final proposal was distributed to more than 3,000 riders on-board in English and in Spanish and to over 23,000 email subscribers. TriMet hosted one open house and attended several community meetings. Over 300 comments were submitted, mostly echoing feedback from earlier outreach efforts.

**Recommended Service Changes:**

- Opening the Portland Milwaukie light rail line (“Orange line”) with service between Clackamas County and downtown Portland via a new bridge over the Willamette River;
- Bus service realignment and/or more frequency on 9 bus lines due to the Portland Milwaukie light rail start-up;
- Frequent service restoration on bus and rail;
- Improvements on a handful of busy lines to relieve overcrowding and improve schedule reliability; and
- Changes recommended in the Westside Service Enhancement Plan to address growth in jobs and development.

B. Title VI Transit Equity Analyses:

In accordance with Federal Transit Administration (FTA) Title VI Circular 4702.1B implementing Title VI of the Civil Rights Act, major service changes and all service changes associated with new fixed guideway capital projects must be analyzed to identify potential disproportionate impacts to minority and low-income populations.

Two Title VI service equity analyses (“Reports”) were conducted for the service changes included in Ordinance No. 339. These Reports analyzed weekend restoration of frequent service and service changes related to the MAX Orange Line startup, respectively. Other service changes included in Ordinance No. 339, namely restoration of weekday evening frequent service, did not meet the major service change thresholds requiring an equity analysis. The Reports evaluated adverse effects as well as benefits associated with the proposed service changes. To summarize the results, the Reports find no disparate impact on minority riders. The Report on the startup of the MAX Orange Line and related bus service changes identified a potential disproportionate burden on low-income populations due to proposed stop removals, leading to more detailed research and analysis by staff. This further analysis concluded that in terms of associated costs and project goals, it was not practicable to modify the service plan.

Staff presented the preliminary Reports to the Board at their February 25, 2015 and March 25, 2015 Board meetings. The Reports were submitted to the FTA Region X Civil Rights Officer, to TriMet’s Transit Equity Advisory Committee (“TEAC”) for their review and comment, and have been posted on TriMet’s website and available for public review. The Board was provided the two final Reports for adoption of Ordinance No. 339, dated March 3, 2015 and April 17, 2015, respectively, prior to the April 22, 2015 meeting.

C. Updates to TriMet Code Chapter 22:

The routing and schedule changes as proposed would be operative on September 13, 2015, and as otherwise shown in Exhibit A of Ordinance No. 339. Updates to route designations set forth in TriMet Code Chapter 22 would be as shown in Exhibit A.

D. Repeal of TriMet Code Chapter 20, Charter Rates:

Ordinance No. 339 includes a housekeeping repeal of TriMet Code Chapter 20, Charter Rates, which contains outdated legal and operative provisions relating to charter service. Federal law and Federal Transit Administration (FTA) regulations extensively restrict federally-funded operators from providing charter services, subject to very narrow exceptions. The purpose of the FTA regulations, which apply to use of federally-funded buses and vans, is to protect private charter operators from unauthorized competition from recipients of federal financial assistance. TriMet has not provided bus charter service since the early 1990s, which was pursuant to prior, superseded FTA guidance, and does not provide light rail charter service due to system operational priorities and constraints. Repeal of TriMet Code Chapter 20 as set forth in Exhibit A to Ordinance No. 339 will serve to clarify the agency’s current policies with respect to charter services.

6. Options, if any

The Board may choose to not conduct a second reading and not adopt Ordinance No. 339. This option is not recommended. These recommended service changes are necessary to open Orange Line MAX and make associated bus line improvements in September 2015. Changes are needed to maintain capacity and reliability and make investments to help advance future planned improvements.

7. **Recommendation**

The General Manager recommends that the Board conduct a second reading and adopt Ordinance No. 339 at the May 27, 2015 Board meeting.

**ORDINANCE NO. 339**

**AN ORDINANCE OF THE TRI-COUNTY METROPOLITAN  
TRANSPORTATION DISTRICT OF OREGON (TRIMET) ADOPTING  
SERVICE CHANGES, UPDATING ROUTE DESIGNATIONS AND AMENDING  
TRIMET CODE CHAPTER 22, AND REPEALING TRIMET CODE CHAPTER  
20, CHARTER RATES**

THE BOARD OF DIRECTORS OF THE TRI-COUNTY METROPOLITAN TRANSPORTATION DISTRICT OF OREGON (TRIMET), pursuant to the authority of Oregon Revised Statutes Chapter 267, having considered the transit equity service change analysis final Reports, does hereby ordain and decree the following Ordinance:

**Section 1 - Adoption of Service Changes**

Service Changes are adopted as set forth on the attached Exhibit A, which is incorporated into and made part of this Ordinance. In accordance with TriMet Code Section 22.05, new Schedule Notices shall be filed for affected lines.

**Section 2 - Amendment of TriMet Code Chapter 22**

TriMet Code Section 22.05 is amended to make the Route Designation updates set forth on the attached Exhibit A.

**Section 3 – Repeal of TriMet Code Chapter 20, Charter Rates**

TriMet Code Chapter 20, Charter Rates, is repealed in its entirety as set forth on the attached Exhibit A.

**Section 4 - Effective/Operative Dates**

This Ordinance shall take effect thirty days after the date of its adoption. Operative dates for specific Service Changes and Route Designation updates shall be as designated on Exhibit A.

Date Adopted: \_\_\_\_\_

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

Attest:

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

Approved as to Legal Sufficiency:

  
\_\_\_\_\_  
Legal Department

**ORDINANCE NO. 339  
EXHIBIT A**

**I. Service Changes and TriMet Code Chapter 22 Route Designation Updates**

Service Changes are adopted and TriMet Code Chapter 22 Route Designations are updated as set forth below:

Section 1 - Service Changes

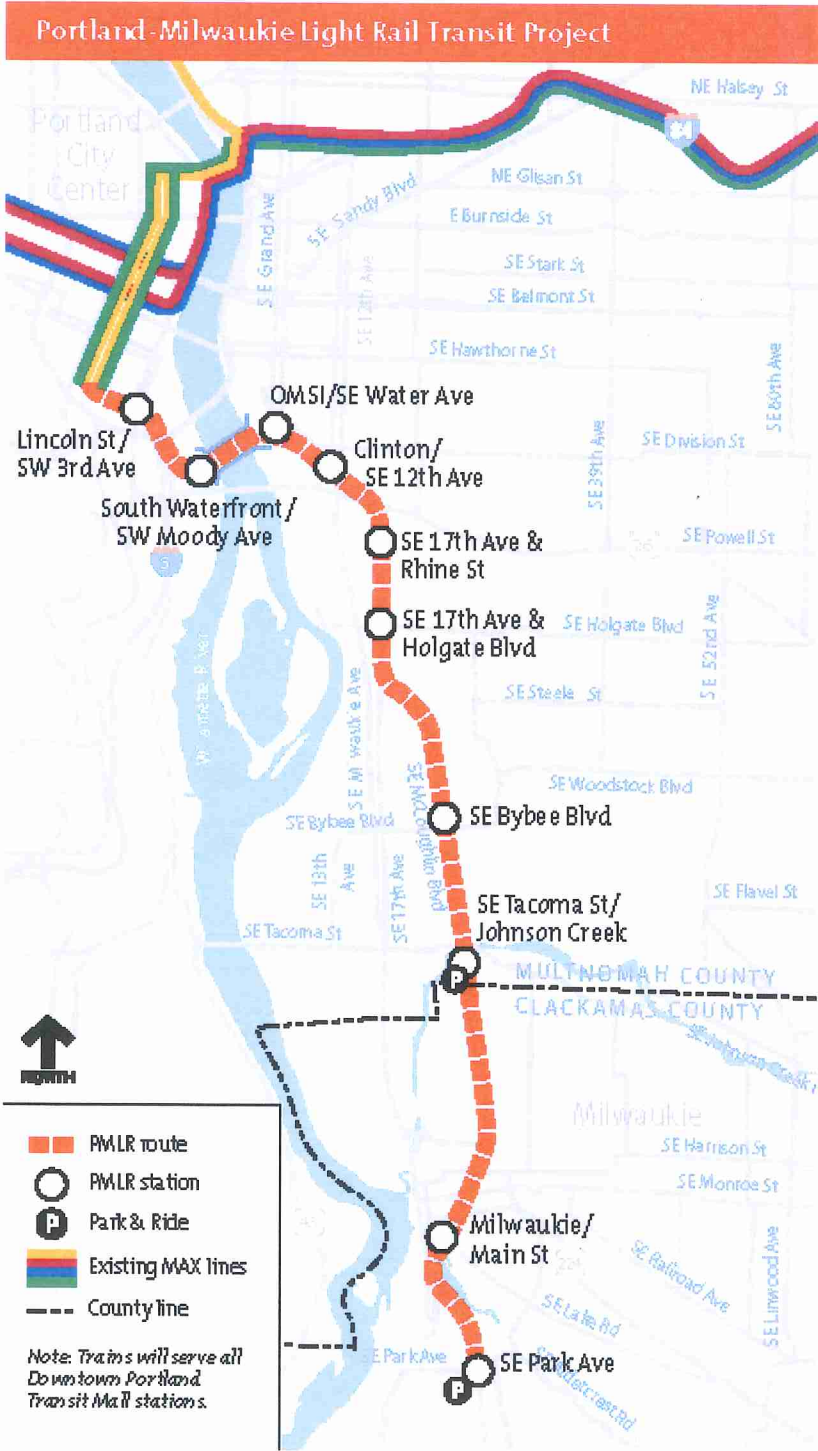
A. Service Changes (Operative on September 13, 2015)

Existing Line	Description
4-Division/Fessenden	Trips added on Sundays for 15 minute Frequent Service.
6-M L King Jr Blvd	Trips added on Sundays for 15 minute Frequent Service.
8-Jackson Park/NE 15 <sup>th</sup> Ave	Trips added on Sundays for 15 minute Frequent Service.
9-Powell Blvd	Route would be realigned to travel across the Tilikum Crossing, <i>Bridge of the People</i> , and Harbor Viaduct. Trips added during weekdays to extend Frequent Service out to Gresham. Trips added on Sundays for 15 minute Frequent Service.
12-Barbur/Sandy Blvd	Trips added on Sundays for 15 minute Frequent Service.
14-Hawthorne	Trips added on Sundays for 15 minute Frequent Service.
15-Belmont/NW 23 <sup>rd</sup> Ave	Trips added on Sundays for 15 minute Frequent Service.
17-Holgate/Broadway	Route would be realigned to travel across the Tilikum Crossing and Harbor Viaduct.
19- Woodstock/Glisan	5 trips would be added to Saturday and Sunday schedules. All trips would start and end at Flavel approximately 2 hours earlier than current.
28-Linwood*	Route would be realigned to travel along Linwood, Johnson Creek Blvd, into the Tacoma Park & Ride, Tenino, McLoughlin, Ochoco, Main into downtown Milwaukie. The route would be combined with the existing line 34-River Rd. Frequency of buses would change from about every 70 minutes to about every 35 minutes.
29-Lake/Webster Rd	Route would be realigned to travel along Washington to McLoughlin to Jackson to downtown Milwaukie.
30-Estacada	The express trip from Estacada that serves Clackamas Town Center and then turns into a 31-King Rd. express into downtown Portland will continue, but will be renamed 30E-Estacada Express. This is one trip to downtown Portland in the morning, and one trip out of downtown Portland in the afternoon.
31-King Rd*	Route would be combined with the existing line 33-McLoughlin.

	Neither route would continue north to downtown Portland. Frequency would change from about every 35 minutes weekdays and Saturdays, 60 minutes on Sundays to about every 15 minutes 7 days per week.
32-Oatfield	This route would no longer travel to downtown Portland. It would make connections to MAX Orange line at the Lake Road Station.
33-McLoughlin	Route would be combined with the existing line 31-King Rd. Neither route would continue north to downtown Portland. All trips would continue south to Clackamas Community College. This line would have trips added on Sunday to make it frequent service.
34-River Rd*	Route would be combined with the existing line 28-Linwood. Frequency of buses would change from about every 70 minutes to about every 35 minutes.
54-Beaverton Hillsdale Hwy/56-Scholls Ferry Rd	Trips added Sundays for frequent service restoration in September 2015.
57-TV Hwy/Forest Grove	Trips added Sundays for frequent service restoration in September 2015.
75-Cesar Chavez/Lombard	Trips added Sundays for frequent service restoration in September 2015.
99-McLoughlin Express	Route would be realigned to travel along McLoughlin, to downtown Milwaukie at Jackson, 21 <sup>st</sup> , Harrison, Main, Ochoco, McLoughlin, into the Tacoma Park & Ride, Tacoma, Sellwood Bridge, Macadam, Arthur, 1 <sup>st</sup> , Harrison, 6 <sup>th</sup> in downtown Portland. Outbound it would travel along 5 <sup>th</sup> to Harrison, 1 <sup>st</sup> , Kelly, Macadam, Sellwood Bridge, Tacoma, Tacoma Park & Ride, McLoughlin, Ochoco, Main, Harrison, 21 <sup>st</sup> , Jackson, McLoughlin. The route would no longer be an express route and it would serve passengers both inbound to Portland and outbound from Portland to Oregon City in both the morning and afternoon peak hours.
154-Willamette	Trips added and route extended up to Oregon City Manor.
MAX Orange Line	New light rail service between downtown Portland and Clackamas County at Park Avenue and McLoughlin Blvd. Service will run 7 days/week, about every 15 minutes. See map below
Orange Line light rail service (service after 11:30p weekdays and after 12:30a weekends to be provided by the Orange Night Bus)	New light rail service between downtown Portland and Clackamas County at Park Avenue and McLoughlin. Service would run 7 days per week, with approximately 15 minute frequency. Service late at night from downtown Portland south to Park Avenue Station would be provided by the 291-Orange Night Bus.

\*Bus Line numbers 28 and 31 will be deleted. Both of these routes will be combined with other bus lines, the 28 will be combined with the 34, and the 31 will be combined with the 33.

MAX Orange Line (Portland-Milwaukie Light Rail Transit Project)





B. Service Changes (Operative as designated below)

Existing Line	Description
4-Division/Fessenden	Trips added evening hours for 15m frequent service restoration on weekdays. Service implemented December 2014. Trips added Saturdays for frequent service restoration in March 2015.
6-M L King Jr Blvd	Trips added evening hours for 15m frequent service restoration on weekdays. Service implemented December 2014. Trips added Saturdays for frequent service restoration in March 2015.
8-Jackson Park/NE 15 <sup>th</sup> Ave	Trips added evening hours for 15m frequent service restoration on weekdays. Service implemented December 2014. Trips added Saturdays for frequent service restoration in March.
9-Powell Blvd	Trips added evening hours for 15m frequent service restoration on weekdays. Service implemented December 2014. Trips added Saturdays for frequent service restoration in March 2015.
12-Barbur/Sandy Blvd	Trips added evening hours for 15m frequent service restoration on weekdays. Service implemented December 2014. Trips added Saturdays for frequent service restoration in March 2015.
14-Hawthorne	Trips added evening hours for 15m frequent service restoration on weekdays. Service implemented December 2014. Trips added Saturdays for frequent service restoration in March 2015.
15-Belmont/NW 23 <sup>rd</sup> Ave	Trips added evening hours for 15m frequent service restoration on weekdays. Service implemented December 2014. Trips added Saturdays for frequent service restoration in March 2015.
33-McLoughlin	Trips added evening hours for 15m frequent service restoration on weekdays. Service implemented December 2014. Trips added Saturdays for frequent service restoration in March 2015.
54-Beaverton Hillsdale Hwy/56-Scholls Ferry Rd	Trips added evening hours for 15m frequent service restoration on weekdays. Service implemented December 2014. Trips added Saturdays for frequent service restoration in March 2015.
57-TV Hwy/Forest Grove	Trips added evening hours for 15m frequent service restoration on weekdays. Service implemented December 2014. Trips added Saturdays for frequent service restoration in March 2015
72-82 <sup>nd</sup> Avenue	Trips added evening hours for 15m frequent service restoration on weekdays.
75-Cesar Chavez/Lombard	Trips added evening hours for 15m frequent service restoration on weekdays. Service implemented December 2014. Trips added Saturdays for frequent service restoration in March 2015.

Section 2 -Route Designation Revisions to TriMet Code Chapter 22, Section 22.05 (Operative on September 13, 2015)

Revise “33-McLoughlin to 33- McLoughlin/King Rd”

Revise “34 -River Rd to 34-Linwood/River Rd”

Delete “28-Linwood”

Delete “31-King Rd”

Revise “154- Willamette to 154- Willamette/Clackamas Heights”

Revise “99 McLoughlin Express to 99-Macadam/McLoughlin”

Add – “MAX Orange Line”

Add – “291- Orange Night Bus”

II. Repeal of TriMet Code Chapter 20, Charter Rates

TriMet Code Chapter 20, Charter Rates, is deleted in its entirety as set forth below:

CHAPTER 20 — CHARTER RATES

~~20.05 Charter Service. Charter service shall be incidental to, and shall not interfere with, regularly scheduled mass transportation service and shall be in compliance with applicable state and federal law and regulations.~~

~~20.10 Light Rail Charter Rates. Light Rail Vehicle Charter Rates shall be as follows:~~

~~\$148 — per hour for one-car train~~

~~\$237 — per hour for two-car train~~

~~\$40 — cleaning fee per car if food or drink is consumed on board, or if extensive decorations are involved~~

~~\$200 — minimum charge~~

~~————— (20.10 amended by Ordinance No. 173)~~

~~20.15 Bus Charter Rates. Regular bus charter rates shall be as follows:~~

~~\$81 per hour~~

~~\$135 minimum charge~~

~~(20.15 amended by Ordinance No. 173)~~

~~20.20 **Charter Service Policy.** The following Statement of TriMet Charter Service Policy is hereby adopted to comply with the Charter Regulations of the Urban Mass Transportation Administration, 49 CFR, Part 604 (1982):~~

~~A. TriMet shall provide charter service for the people of the TriMet District only as authorized by state and federal law and regulation.~~

~~B. TriMet shall not provide charter service outside the TriMet District.~~

~~C. TriMet's primary function is to provide regularly scheduled mass transportation service. Charter service shall be incidental to the mass transportation service and shall be provided only during times of the day when vehicles are not needed for regularly scheduled service during peak hours, or where the charter is used for less than a total of six (6) hours in any one weekday.~~

~~D. TriMet charter service shall be considered supplementary to that of private bus operators for meeting the charter service needs of the District.~~

~~E. In establishing rates for charter service, TriMet shall comply with federal regulations for charter service. The rates shall be reviewed annually. The annual revenues generated by charter bus operations shall equal or exceed the annual cost of providing charter bus operations.~~

~~F. This statement of charter policy supersedes all prior charter policy statements.~~