

Date: February 24, 2021

To: Board of Directors

From: Doug Kelsey

Subject: **ORDINANCE NO. 362 OF THE TRI-COUNTY METROPOLITAN TRANSPORTATION DISTRICT OF OREGON (TRIMET) RETROACTIVELY ADOPTING APRIL 2020 AND AUGUST 2020 SERVICE CHANGES AND UPDATING ROUTE DESIGNATIONS (SECOND READING)**

1. Purpose of Item

Ordinance 362 requests that the TriMet Board of Directors (Board) retroactively adopt service changes and revise route designations now described in TriMet Code Chapter 22, Section 22.05.

2. Type of Agenda Item

- Initial Contract
- Contract Modification
- Other: Ordinance

3. Reason for Board Action

The Board may adopt service changes and revise TriMet Code route designations only by adoption of an Ordinance.

4. Type of Action

- Resolution
- Ordinance 1st Reading and Public Hearing
- Ordinance 2nd Reading

5. Background

In response to dramatic losses in ridership and adoption of health precautions due to the COVID-19 pandemic, TriMet implemented urgent service changes on April 5, 2020 and August 31, 2020. The first set of service changes were put in place on April 5, 2020 in response to a precipitous fall in ridership due to the outbreak of the pandemic. TriMet staff quickly developed a service reduction plan intended to protect transit service levels provided to low-income and minority communities, hospitals, and major job centers with a high percentage of low-wage jobs.

The April 5, 2020 service reduction plan included:

- No change in weekday service levels for 24 of 85 bus lines (28% of all lines)
- Weekday service adjustments to 61 of 85 bus lines (72% of all lines)
- Bus lines receiving weekday service adjustments transitioned from weekday service to Saturday service; lines without Saturday service had their weekday service

modified to a lower level; span of service (later or earlier) was adjusted to accommodate demand

- Bus lines with weekend service were adjusted to Sunday service for the entire weekend
- Weekday MAX service was adjusted to operate every 15 min. throughout the majority of the day; weekend MAX service was adjusted to operate Sunday levels all weekend
- WES service levels were adjusted to operate every 45 min. instead of every 30 min.
- WES trains were adjusted to operate single car consists instead of two-car consists.

In summary, bus service was reduced by 21%, MAX service by 9%, and WES service by 37%. During this time, TriMet increased the number of operator’s on call at the garages (“extra board”) to respond to reported overloads due to demand and the Oregon Health Authority’s (OHA) recommendation of six feet of spacing between customers. Later, service on many bus lines was added back through additional buses (“trippers”) that were deployed to address reported overloads.

On August 30, 2020, TriMet added back weekday service to 18 bus lines. Many lines receiving weekday restorations were Frequent Service Bus Lines serving low-income and minority communities. The restoration of bus service and OHA’s recommendation of three feet of spacing between customers allowed TriMet to significantly reduce the number of reported overloads.

Due to the urgent nature of the service changes and uncertainty as to how long these changes would last before service could return to “normal”, staff did not propose a service change Ordinance for the Board’s consideration prior to implementing the service changes.

However, given the unrelenting persistence of the pandemic and the economic and social damage it continues to cause, it has become certain that TriMet’s “temporary” service reductions and route changes will continue throughout Fiscal Year 2021. Therefore, to be consistent with ORS 267.150(3) and TriMet Code Chapter 22, both the service reductions and restorations require retroactive approval by the Board through this Ordinance.

A. Service Changes:

Ordinance 362 pertains to service reductions (April 5, 2020) and restorations (August 30, 2020). The service changes and their effective dates are described below and shown on the attached Exhibit A.

Date	Lines	Change
April 5, 2020	Lines 4-Fessenden, 12-Barbur/Sandy Blvd., 14-Hawthorne, 15-Belmont/NW 23rd, 16-Front Ave./St. Helen’s Rd., 17-Holgate/Broadway, 19-Woodstock/Glisan, 21-Sandy Blvd./223rd, 24-Fremont/NW 18th, 30-Estacada, 31-Webster Rd., 32-Oatfield, 33-McLoughlin/King Rd., 35-Macadam/Greeley, 44-Capitol Hwy./Mocks Crest, 45-Garden Home, 52-Farmington/185 th , 54-Beaverton Hillsdale Highway, 56-Scholls Ferry Rd., 58-Canyon Rd., 62-Murray Blvd., 63-Washington Park/Arlington Heights, 67-Bethany/158 th , 70-12 th /NE 33 rd Ave., 71-	Weekday service headways (frequencies) were changed to match Saturday service headways, with span adjustments (earlier/later service) made where needed to ensure early and late demand was served.

	60 th Ave., 75-Ceasar Chavez/Lombard, 76-Hall/Greenburg, 77-Broadway/Halsey, 78-Denney/Kerr Pkwy., 79-Clackamas/Oregon City, 80-Kane/Troutdale Rd., 93-Tigard/Sherwood, 291-Orange Line Night Bus	
	Line 1-Vermont, 10-Harold St., 18-Hillside, 29-Lake/Webster Rd., 34-Linwood/River Rd., 36-South Shore, 37-Lake Grove, 38-Boones Ferry Rd., 39-Lewis & Clark, 43-Taylor's Ferry Rd., 46-North Hillsboro, 50-Cedar Mill, 51-Vista, 55-Hamilton, 59-Walker/Park Way, 82-South Gresham, 84-Powell/Orient Dr., 92-South Beaverton Express, 94-Pacific Highway/Sherwood, 96-Tualatin/I-5 Express, 97-Tualatin-Sherwood Rd., 99-Macadam/McLoughlin, 152-Milwaukie, 154-Willamette/Clackamas Heights	Weekday service headways were modified to operate at approximately 50% of the March 2020 levels, with span adjustments (earlier/late service) made where needed, to ensure early and late demand was served. Changing to Saturday service was not possible because these routes do not operate on the weekends.
April 5, 2020	Line 2-Division, 4-Fessenden, 6-Martin Luther King Jr. Blvd., 8-Jackson Park, 9-Powell, 12-Barbur/Sandy Blvd., 14-Hawthorne, 19-Woodstock, 22-Parkrose, 33-McLoughlin, 35-Macadam/Greeley, 45-Garden Home, 48-Cornell, 52-Farmingont/185 th , 54-Beaverton Hillsdale Highway, 56-Scholls Ferry Rd., 58-Canyon Rd., 67-Bethany/158 th , 70-12 th /33 rd Ave., 71-60 th Ave., 72-Killingsworth/82 nd Ave., 73-122 nd Ave., 75-Cesar Chavez/Lombard, 76-Hall/Greenburg, 77-Broadway/Halsey, 78-Denney/Kerr Pkwy., 80-Kane/Troutdale Rd.	Operate Sunday service levels on Saturdays.
	Lines 20-Burnside/Stark, 57-Tualatin Valley Highway	Discontinue 24-hour service due to low ridership.
	Line 272-PDX Night Bus	Discontinue due to low ridership and low demand to the airport.
	Lines 9-Powell, 72-Killingsworth/82 nd Ave.	Slight schedule adjustments
	MAX Blue Line, MAX Red Line, MAX Yellow Line, MAX Green Line, MAX Orange Line	Operate at 15 min. headways for most of the day on weekdays.
	MAX Blue Line, MAX Red Line, MAX Yellow Line, MAX Green Line, MAX Orange Line	Operate Sunday service levels on Saturdays.
	Westside Express Service (WES)	Operate at 45 min. headways instead of 30 min. headways on weekdays.
August 31, 2020	Lines 4-Fessenden, 9-Powell, 12-Barbur/Sandy Blvd., 15-Belmont/NW 23 rd , 17-Holgate/Broadway, 21-Sandy Blvd./223 rd , 30-Estacada, 33-McLoughlin/King Rd., 52-Farmingont/185 th Ave., 54-Beaverton-Hillsdale Highway, 62-Murray Blvd., 67-Bethany/158 th , 70-12 th /NE 33 rd Ave., 71-60 th Ave., 72-Killingsworth/82 nd Ave., 75-Cesar Chavez/Lombard, 76-Hall/Greenburg, 77-Broadway/Halsey	Weekday bus service was restored to service levels in existence prior to April 5, 2020.

B. Service Change Public Process

Because of the sudden, deep ridership reduction and the steep decline in both fare and payroll tax revenues due to COVID-19, there was an urgent need to make service reductions as soon as possible. Therefore, significant service reductions were implemented on April 5, 2020. Subsequently, TriMet restored some service on August 31, 2020, when it appeared that COVID-19 restrictions would be lifted soon and there appeared to be an urgent need to restore transit service to keep up with returning demand. These urgent service adjustments meant that TriMet staff was not able to conduct its traditional public outreach process before implementing service changes.

Typically, TriMet staff conducts two rounds of public outreach for the annual service changes, also known as the Annual Service Plan (ASP). The first outreach process occurs in the fall and requests public comment on the initial set of proposed service changes.

Staff reaches out to the public in multiple ways: displaying information on its webpage, email messages to TriMet's Riders Club and other lists, social media posts, press releases, mailed post cards to people living within a ¼ mile of impacted bus lines, and live interactions. Live interactions usually include multiple open house meetings in different locations around the district, and may also include staff riding buses and speaking with customers.

Over the last several years, TriMet has contracted with community-based organizations to reach out to underserved communities. This has allowed us to receive input from specific culturally diverse communities that we may not otherwise hear from.

Once the fall outreach is completed, Planning and Policy staff review all the comments received in order to gauge the level of support for the changes. Based on these comments, changes are made to the proposal. Staff then conducts another outreach process in the late January/early February to receive public comments on the revised proposals. Final changes to the ASP are made based on comments received in the second round of outreach.

In March of each year, Planning and Policy staff presents the proposed service changes and outreach results to the Board as part of the first reading of the service change Ordinance. A public hearing is provided for in the March meeting. The Board votes on the changes in April after the second reading. From start to finish, the Annual Service Planning outreach is a seven- to eight-month process.

In 2020, however, given the urgency of the COVID crisis, Planning and Policy staff was not able to conduct its typical outreach process for either the service reductions or the restorations. TriMet communicated to the public that the service changes were happening through the same means as it usually does, but there was not time for the usual back and forth input between staff and the community. Of the 210 comments staff received from customers, most opposed both the service reductions in April and the service restorations in August.

After August of 2020, Planning and Policy staff re-engaged with the community for the FY22 Annual Service Planning outreach and will be presenting the publicly reviewed proposals to the Board in March 2021.

C. Title VI Service Equity Analysis

In accordance with Federal Transit Administration (FTA) Title VI Circular 4702.IB, which guides transit agencies in implementing Title VI of the Civil Rights Act, major service changes must be analyzed to identify potential disproportionate impacts to minority and low-income populations. Thirty bus lines had major service changes occur and have been subjected to TriMet's Title VI analysis.

Included in your Board packet is the draft Title VI Service Equity Analysis Report (Report), which evaluated potential adverse effects and benefits associated with the proposed major service changes. The Report found minimal Title VI concerns with the proposed service changes outlined in Ordinance 362. The proposed changes will reduce service to eight lines that serve low to moderately high minority populations. However, reducing service on these eight lines does not raise concerns of an inequitable distribution of burdens given: a) the results of the system-level analysis, and b) that the other 22 lines did not have any line-level Disparate Impacts.

In addition, the proposed changes will reduce service to fourteen lines that serve low to moderately high low-income populations. However, reducing service on these lines does not raise concerns of an inequitable distribution of burdens given: a) the results of the system-level analysis, and b) that the other 16 lines did not have any line-level Disproportionate Burdens.

The findings of the Title VI service equity analysis will be presented to the Board for their consideration at their January 27, 2021 meeting. The final Report with any supplemental public feedback will be provided to the Board prior to the February 24, 2021 meeting.

6. Financial/Budget Impact

The service changes described in the Ordinance have already been enacted and have saved significant revenue for TriMet during this period of low ridership and social distancing.

7. Impact if Not Approved

The Board may choose not to conduct a first reading and public hearing for Ordinance 362 at its January 27, 2021 meeting, but this option is not recommended because these service changes already have been implemented. A failure to approve the Ordinance would require TriMet to restore all service back to the pre-pandemic levels in existence on April 5, 2020. As bus, MAX, and WES vehicles continue to operate with limited numbers of passengers per trip, operating at pre-pandemic levels would place significant financial strain on the agency.

ORDINANCE NO. 362

**ORDINANCE NO. 362 OF THE TRI-COUNTY METROPOLITAN
TRANSPORTATION DISTRICT OF OREGON (TRIMET) RETROACTIVELY
ADOPTING APRIL 2020 AND AUGUST 2020 SERVICE CHANGES AND
UPDATING ROUTE DESIGNATIONS (SECOND READING)**

The Board of Directors of the Tri-County Metropolitan Transportation District of Oregon, pursuant to the authority of ORS Chapter 267, having reviewed, considered and approved the Title VI Service Equity Analysis Final Report and having considered testimony offered during a public hearing, does hereby ordain and decree the following Ordinance:

Section 1- Adoption of Service Changes

Service Changes are retroactively 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 consistent with Exhibit A shall be filed for the affected lines.

Section 2- Amendment of TriMet Code Chapter 22

TriMet Code Section 22.05 is amended to reflect the revised Route Designations set forth in the attached Exhibit A.

Section 3- Effective/Operative Dates

This Ordinance shall take effect thirty days after the date of its Second Reading. Operative dates for specific Service Changes and revised Route Designations have already been enacted.

Dated: February 24, 2021.

Presiding Officer

Attest:

Recording Secretary

Approved as to Legal Sufficiency:

Gregory E. Skillman

Legal Department

**EXHIBIT A
ORDINANCE NO. 362**

Adopted Service Changes and Revised TriMet Code Chapter 22 Route Designations

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

Section 1 – Service Changes

Affected Lines	Description
Operative April 5, 2020	
Lines 4-Fessenden, 12-Barbur/Sandy Blvd., 14-Hawthorne, 15-Belmont/NW 23rd, 16-Front Ave./St. Helen’s Rd., 17-Holgate/Broadway, 19-Woodstock/Glisan, 21-Sandy Blvd./223rd, 24-Fremont/NW 18th, 30-Estacada, 31-Webster Rd., 32-Oatfield, 33-McLoughlin/King Rd., 35-Macadam/Greeley, 44-Capitol Hwy./Mocks Crest, 45-Garden Home, 52-Farmington/185 th , 54-Beaverton Hillsdale Highway, 56-Scholls Ferry Rd., 58-Canyon Rd., 62-Murray Blvd., 63-Washington Park/Arlington Heights, 67-Bethany/158 th , 70-12 th /NE 33 rd Ave., 71-60 th Ave., 75-Cesar Chavez/Lombard, 76-Hall/Greenburg, 77-Broadway/Halsey, 78-Denney/Kerr Pkwy., 79-Clackamas/Oregon City, 80-Kane/Troutdale Rd., 93-Tigard/Sherwood, 291-Orange Line Night Bus	Weekday service headways (frequencies) were changed to match Saturday service headways, with span adjustments (earlier/late service) made where needed to ensure early and late demand was served.
Line 1-Vermont, 10-Harold St., 18-Hillside, 29-Lake/Webster Rd., 34-Linwood/River Rd., 36-South Shore, 37-Lake Grove, 38-Boones Ferry Rd., 39-Lewis & Clark, 43-Taylor’s Ferry Rd., 46-North Hillsboro, 50-Cedar Mill, 51-Vista, 55-Hamilton, 59-Walker/Park Way, 82-South Gresham, 84-Powell/Orient Dr., 92-South Beaverton Express, 94-Pacific Highway/Sherwood, 96-Tualatin/I-5 Express, 97-Tualatin-Sherwood Rd., 99-Macadam/McLoughlin, 152-Milwaukie, 154-Willamette/Clackamas Heights	Weekday service headways were modified to operate at approximately 50% of the March 2020 levels, with span adjustments (earlier/late service) made where needed, to ensure early and late demand was served. Changing to Saturday service was not possible because these routes do not operate on the weekends.
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Affected Lines	Description
Rd., 67-Bethany/158 th , 70-12 th /33 rd Ave., 71-60 th Ave., 72-Killingsworth/82 nd Ave., 73-122 nd Ave., 75-Cesar Chavez/Lombard, 76-Hall/Greenburg, 77-Broadway/Halsey, 78-Denney/Kerr Pkwy., 80-Kane/Troutdale Rd.	
Lines 20-Burnside/Stark, 57-Tualatin Valley Highway	Discontinue 24-hour service due to low ridership.
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MAX Blue Line, MAX Red Line, MAX Yellow Line, MAX Green Line, MAX Orange Line	Operate Sunday service levels on Saturdays.
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Operative August 31, 2020	
Lines 4-Fessenden, 9-Powell, 12-Barbur/Sandy Blvd., 15-Belmont/NW 23 rd , 17-Holgate/Broadway, 21-Sandy Blvd./223 rd , 30-Estacada, 33-McLoughlin/King Rd., 52-Farmington/185 th Ave., 54-Beaverton-Hillsdale Highway, 62-Murray Blvd., 67-Bethany/158 th , 70-12 th /NE 33 rd Ave., 71-60 th Ave., 72-Killingsworth/82 nd Ave., 75-Cesar Chavez/Lombard, 76-Hall/Greenburg, 77-Broadway/Halsey	Weekday bus service was restored to service levels in existence prior to April 5, 2020.

Section 2 – TriMet Code Chapter 22, Section 22.05 Route Designation

Operative April 5, 2020
Discontinue “272 PDX Night Bus”