

Date: April 27, 2022

To: Board of Directors

From: Sam Desue, Jr.

Subject: **ORDINANCE NO. 367 OF THE TRI-COUNTY METROPOLITAN TRANSPORTATION DISTRICT OF OREGON (TRIMET) ADOPTING JANUARY 2022 SERVICE REDUCTIONS AND REVISING ROUTE DESIGNATIONS (FIRST READING AND PUBLIC HEARING)**

1. Purpose of Item

Ordinance No. 367 requests that the TriMet Board of Directors (Board) adopt service reductions and revise route designations now shown 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
- Other _____

5. Background

Ordinance No. 367 adopts necessary service reductions temporarily initiated on January 9, 2022, and revises the route designations now shown in the TriMet Code Chapter 22, Section 22.05.

In early April 2020, due to the Covid-19 pandemic health threats and absence of riders on the system, TriMet instituted a system-wide emergency service reduction by approximately 20%. Due to the emergency nature of the change and the potential that the changes would not be in effect for longer than 180 days, TriMet instituted the service changes without seeking an Ordinance. In late August of 2020, TriMet was able to restore service to approximately 90% of pre-COVID levels due to an easing of the pandemic in Oregon and an increase in ridership demand. However, these positive conditions did not continue or improve.

As a result, on January 27, 2021, the Board held a first reading and public hearing for Ordinance No. 362, which was to retroactively approve both the April 2020 emergency

service reductions and the August 2020 service restorations going forward. The second reading and adoption of Ordinance No. 362 occurred during the regular February 24, 2021 meeting, and the Ordinance became effective on March 26, 2021 (30 days later).

By the end of 2021, however, it became clear that TriMet could not fulfill the service levels adopted by Ordinance 362 due to an unprecedented high level of bus Operator resignations and retirements, and an ongoing inability to recruit and train adequate numbers of new bus operators. Therefore, on January 9, 2022, TriMet again reduced service to the 80% level set in April 2020 by decreasing service on the bus lines that had been restored in August 2020. At the same time, some service was restored on Line 32-Oatfield (see below) that had been inadvertently reduced.

Since fall 2021, TriMet has pursued numerous strategies to attract new bus operators and retain existing operators. Incentives include an increased starting wage, a \$3,500 signing bonus, and full-time work for new hires. Additionally, existing operators received a \$1,000 appreciation bonus in December 2021 and are eligible to receive a \$500 referral bonus for every new operator applicant referred to the Agency and hired. Despite recently increasing numbers of new bus operator applicants, at this time TriMet needs 327 additional operators in order to return to the pre-pandemic service levels.

Because TriMet does not anticipate being able to restore the service reduced on January 9, 2022 within 180 days, an Ordinance reflecting longer term reduced service levels must be adopted.

A. Proposed Service Changes:

Ordinance No. 367 acknowledges and adopts the emergency service reductions that went into effect on January 9, 2022. The service changes are generally described below.

Date	Lines	Change
January 9, 2022	Lines 4-Fessenden, 12-Barbur/Sandy Blvd., 15-Belmont/NW 23 rd , 17-Holgate/Broadway, 21-Sandy Blvd./223 rd , 30-Estacada, 33-McLoughlin/King Rd., 35-Macadam/Greeley, 52-Farmington/185 th , 54-Beaverton Hillsdale Highway, 56-Scholls Ferry Rd., 62-Murray Blvd., 67-Bethany/158 th , 70-12 th /NE 33 rd Ave., 71-60 th Ave., 75-Ceasar Chavez/Lombard, 76-Hall/Greenburg, 77-Broadway/Halsey, 78-Denney/Kerr Pkwy.	Returned schedule to the April 2020 reduced service level: regular Saturday schedule operates on the weekdays with adjustments for the start of service to accommodate early trips.
	Line 8-Jackson Park/NE 15 th Ave.	Reduced by four trips between Downtown and Marquam Hill. Trips were added to prevent pass-ups, but are not needed now that capacity restrictions have been lifted.
	Line 32-Oatfield	Weekend service doesn't serve Milwaukie, so when the Saturday schedule began operating on weekdays in April 2020, service to Milwaukie was inadvertently eliminated. This change returns service to Milwaukie on weekdays.

B. Service Change Public Process

Due to the sharp decline in bus operators, service reductions were implemented on January 9, 2022 on an emergency basis. As a result, TriMet staff was not able to conduct its traditional public outreach process.

Ordinarily, Planning and Policy staff presents the proposed service changes and outreach results to the Board every March as part of the first reading and public hearing for the service change Ordinance. After the second reading during the April meeting, the Board votes on the service change Ordinance. This process was followed for Ordinance No. 366, the FX Division-related service changes.

However, given the urgency of the bus operator shortage and its effect on schedules, staff was not able to conduct its typical outreach process for the emergency service reductions implemented on January 9, 2022. Although TriMet communicated to the public that the service changes were happening through the same means as it usually does, there was not sufficient time for the usual interaction between staff and the community concerning the emergency service reductions, which this Ordinance proposes to be in effect until Operator hiring levels are restored.

C. Title VI Service Equity Analysis

In accordance with Federal Transit Administration (FTA) Title VI Circular 4702.IB 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 for these service reductions. Thirty bus lines had major service changes occur and have been subjected to TriMet's Title VI analysis.

Included in the Board packet is the draft Title VI Service Equity Analysis Report (Title VI Report), which evaluated potential adverse effects and benefits associated with the proposed major service reductions described in this Ordinance No. 367.

At the beginning of the pandemic, the April 2020 service reductions were weighted towards communities with high income and low minority populations where ridership was likely to be low due to the Governor's stay at home order. Many communities with people earning low incomes and with high minority populations did not receive (and still have not received) a reduction in weekday bus service. As a result, the February 2021 Title VI Report for Ordinance No. 362 did not show adverse effects on minority or low-income populations.

The bus lines restored in August 2020 were traditionally high frequency/high ridership bus lines, because they were the most likely to attract customers. Many of these service restorations also were weighted towards minority and low-income communities. Again, the Title VI Report for Ordinance No. 362 did not show adverse effects on minority and or low-income populations because service was restored to these communities.

The January 2022 service reductions reflected in proposed Ordinance No. 367 returned the bus lines restored in August 2020 to the 80% service levels that were in effect in April 2020. Therefore, the Title VI Report for the service reductions described in Ordinance No. 367 shows adverse impacts to both low-income and minority communities, because there will not be comparable reductions to bus lines serving communities with high income and low minority populations.

According to TriMet's Title VI policy, TriMet must seek mitigations when there are adverse impacts to low-income and/or minority populations resulting from a service change. Unfortunately, due to the bus operator shortage, TriMet cannot make immediate service mitigations to offset the adverse impacts of the January 2022 service reduction. However, when the Powell Garage fully reopens in fall 2022, TriMet expects to gain efficiencies that will increase the number of available bus operators. The increased number of available operators will allow implementation of mitigating service increases starting in January 2023.

6. Financial/Budget Impact

The service reductions described in this Ordinance No. 367 have already occurred and approval of this Ordinance will not impact the FY2023 budget.

7. Impact if Not Approved

The Board may choose not to conduct a first reading and public hearing for Ordinance No. 367 at its April 27, 2022 meeting. However, the described service reductions have been in effect since January 2022, and bus schedules and public information necessarily have been changed to reflect the reduced service. Since TriMet does not anticipate having adequate numbers of operators available to restore service to previous levels in the near future, the Board's consideration of this Ordinance is strongly recommended.

ORDINANCE NO. 367

**ORDINANCE NO. 367 OF THE TRI-COUNTY METROPOLITAN
TRANSPORTATION DISTRICT OF OREGON (TRIMET) ADOPTING
JANUARY 2022 SERVICE REDUCTIONS AND REVISING ROUTE
DESIGNATIONS (FIRST READING AND PUBLIC HEARING)**

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

Section 1- Adoption of Service Changes

Emergency Service Changes implemented on January 9, 2022 are retroactively adopted as set forth in 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 have been filed for the affected lines.

Section 2- Amendment of TriMet Code Chapter 22

TriMet Code Section 22.05 is amended to show 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: April 27, 2022

Presiding Officer

Attest:

Recording Secretary

Approved as to Legal Sufficiency:

Gregory E. Skillman
Legal Department