

Date: June 24, 2015

To: Board of Directors

From: Neil McFarlane *Neil McFarlane*

Subject: RESOLUTION 15-06-36 OF THE TRI-COUNTY METROPOLITAN TRANSPORTATION DISTRICT OF OREGON (TRIMET) AUTHORIZING INTERGOVERNMENTAL AGREEMENTS WITH THE CITY OF PORTLAND AND THE PORTLAND PUBLIC SCHOOL DISTRICT FOR THE STUDENT PASS PROGRAM (PUBLIC HEARING)

1. Purpose of Item

The purpose of this Resolution is to request that the TriMet Board of Directors ("Board") authorize the General Manager to execute an intergovernmental agreement ("Agreement") with the City of Portland ("City") and the Portland Public School District ("PPS") for the 2015-16 school year to continue the PPS Student Pass Program ("Program"). The Program provides free transit passes to high school students within the PPS district. The Agreement will extend the Program on the same financial terms previously approved by the Board for the 2014-15 school year by Resolution 14-06-34. This Resolution also authorizes the General Manager to execute future Program intergovernmental agreements with the City and PPS, under the same financial terms as the Agreement, and to continue to work with other school districts within the TriMet District to evaluate the feasibility of developing similar student pass partnership programs.

Because the Program is in effect for more than six (6) months, prior to the 2014-15 school year, a fare equity analysis was submitted to the Board for their consideration and approved under Resolution 14-06-34, per Federal Transit Administration (FTA) Title VI guidelines. A copy of the Report was provided to the Board in advance of the June 24, 2015 meeting. A public hearing will be conducted in accordance with TriMet Code requirements.

2. Type of Agenda Item

- Initial Contract
- Contract Modification
- Intergovernmental Agreement

3. Reason for Board Action

The Board may authorize Program intergovernmental agreements by adoption of a resolution.

4. Type of Action:

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

5. Background

The Program has been a collaborative partnership among TriMet, PPS and the City. The Program started in September 2008 as a pilot project to provide transit passes to students at Jefferson and Franklin High Schools. Since September 2009, the Program has provided free TriMet Youth passes to nearly 13,000 high school students in the PPS district each year. PPS is the only school district in the TriMet service area that does not provide regular yellow school bus service for their high school students.

Historically, the Program was funded through the State of Oregon's Business Energy Tax Credit (BETC) program, as well as contributions from PPS. TriMet received full value for each Youth pass purchased by PPS. However, due to action by the State Legislature, BETC funding was discontinued and no longer available for student passes beginning in 2011. From that time through the 2014-15 school year, TriMet, PPS and the City have been able to agree to short-term funding arrangements to cover the cost of the Program. Prior to the 2014-15 school year, the TriMet Board also reduced Youth fares district wide, to make riding transit more affordable for all youth and their families.

For the 2015-16 school year, TriMet, PPS and the City have agreed to continue the 2014-15 funding arrangement to provide Youth passes to all PPS high school students through June 30, 2016, with each agency providing one-third of the funding for the Program. The Agreement authorized by this Resolution would allow high school students to continue to access free transit to get to school, after-school activities, and access employment opportunities, for the ten-month school year.

Prior to the 2014-15 school year, in accordance with FTA Title VI guidelines, staff conducted a fare equity analysis for the Program. The analysis findings were presented to the Board for their consideration in the document entitled "Fall 2014 Fare & Service Change Equity Analysis Report" dated May 27, 2014 ("Report"). In summary, the fare equity analysis set forth in the Report provided to and approved by the Board pursuant to Resolution 14-06-34 found no *disparate impact* on minority youth and no *disproportionate burden* on low-income youth. There are no changes related to the 2015-16 Program that impact or alter the analysis findings set forth in the Report.

A public hearing will be conducted on the Resolution in accordance with TriMet Code requirements for promotional fares that are in effect for longer than 180 days.

6. Financial/Budget Impact

The total Program cost for the period of September 1, 2015 through June 30, 2016 is \$2.9 million based on revenue that TriMet would receive if the Program were not in place. As part of the Agreement, the partners will share the cost of the Program in 1/3 shares: PPS will contribute \$966,666, the City will provide \$966,666, and TriMet will contribute \$966,666 by way of foregone fare revenue.

7. Impact if Not Approved

The option to the Agreement would be for PPS to purchase monthly passes for its students at the regular Youth monthly pass price.

RESOLUTION 15-06-36

RESOLUTION OF THE TRI-COUNTY METROPOLITAN TRANSPORTATION DISTRICT OF OREGON (TRIMET) AUTHORIZING INTERGOVERNMENTAL AGREEMENTS WITH THE CITY OF PORTLAND AND THE PORTLAND PUBLIC SCHOOL DISTRICT FOR THE STUDENT PASS PROGRAM

WHEREAS, TriMet has authority under ORS 267.200 and ORS Chapter 190 to enter into an Intergovernmental Agreement ("Agreement") with the City of Portland and the Portland Public School District for the 2015-2016 Student Pass Program ("Program"); and

WHEREAS, the 2015-16 Program will be implemented under the same financial terms and based on the fare equity analysis dated May 27, 2014 ("Report") approved by the Board of Directors ("Board") by Resolution 14-06-34; and

WHEREAS, the Board desires to authorize future Programs with the City of Portland and the Portland Public School District under the same financial terms as set forth in the Agreement; and

WHEREAS, the Board supports the agency's review and consideration of the feasibility of implementing similar student pass partnerships with other school districts within the TriMet District;

NOW, THEREFORE, BE IT RESOLVED:

1. That the Agreement shall be in conformance with applicable laws.
2. That the General Manager or his designee is authorized to execute the Agreement, and future Program agreements with the City of Portland and the Portland Public School District upon the same financial terms as set forth in the Agreement.
3. That the General Manager is authorized to work with other school districts within the TriMet District to evaluate the feasibility of developing similar student pass partnership programs.

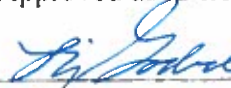
Dated: June 24, 2015

Presiding Officer

Attest:

Recording Secretary

Approved as to Legal Sufficiency:



Legal Department