



# MEMORANDUM

Prepared for: Oregon State Senate  
Date: February 23, 2021  
By: Leslie Porter, Analyst  
Re: Legislative Review of Executive Appointments

LPRO: LEGISLATIVE POLICY AND RESEARCH OFFICE

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## TRIMET BOARD OF DIRECTORS

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The Governor has appointed the following individuals to the TriMet Board of Directors subject to Senate confirmation.<sup>1</sup>

### Appointees

Eun Hyung (Thomas) Kim of Hillsboro; New Appointment  
LaVerne Lewis of Gresham; New Appointment

### Term

Kim: July 1, 2021 – June 30, 2025  
Lewis: March 15, 2021 – December 31, 2024

### Appointment/Confirmation Authority

[ORS 267.090 \(2019\)](#)

### Statement of Economic Interest<sup>2</sup>

Required.

### Statutory Requirements<sup>3</sup>

The board consists of seven members appointed by the Governor and subject to confirmation by the Senate.<sup>4</sup> One member must be appointed from each of seven subdistricts, which must be of as nearly equal in population as possible based on the latest federal census (BAUMAN, EDWARDS, GONZALEZ, **KIM**, **LEWIS**, SIMMONS, WAI). The Governor must appoint as one of the members a person who regularly uses the services provided by a mass transit system. Members must reside in the subdistrict from which they are respectively appointed.

Members serve four-year terms, at the pleasure of the Governor, and are eligible for reappointment. A member whose term has expired continues to serve until the appointment of a successor unless discharged by the Governor. Before appointing a member to the board of a district situated in a metropolitan statistical area with a population exceeding 400,000, the

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<sup>1</sup> [Or. Const. art. III sect. 4](#), [ORS 171.562 and 171.565 \(2019\)](#).

<sup>2</sup> [ORS 244.050 \(2019\)](#).

<sup>3</sup> [ORS 182.100 \(2019\)](#) for affirmative action policy and [ORS 236.115 \(2019\)](#) for diversity criteria.

<sup>4</sup> [ORS 267.090 \(2019\)](#).

Governor must solicit recommendations of qualified individuals from each city and county located wholly or partly within the subdistrict for which the appointment will be made.<sup>5</sup> Each member, before entering upon the duties of office, must take and subscribe to an oath that the member will honestly, faithfully, and impartially perform duties as a member and disclose any conflict of interest the member may have in any matter to be acted upon by the board.<sup>6</sup>

The board must choose from among its members, by majority vote of the members, a president, vice president, treasurer, and secretary, to serve for terms of two years. The board must hold regular monthly meetings at a time and place fixed by the rules of the board and may hold special meetings when called by the president or a majority of the members.

## **Duties and Authority**

Mass Transit Districts are municipal corporations of this state and treated as local government.<sup>7</sup> The governing body of the most populous city in a metropolitan statistical area may propose the creation of a mass transit district if the governing body finds that area-wide mass transit needs cannot be met by local transit operation.<sup>8</sup> Once a mass transit district has been formed, the Governor appoints members of the board of directors.<sup>9</sup> The territorial boundaries of a mass transit district include, at a minimum, the territory within the urban growth boundary of the city that proposed the creation of the district.<sup>10</sup> The TriMet Board of Directors sets agency policy, enacts taxing and policy ordinances, and reviews certain contracts.<sup>11</sup>

The board must:<sup>12</sup>

- to the extent that it is economically and technologically possible, purchase or lease only motor vehicles capable of using alternative fuel and report annually to the Department of Environmental Quality and the State Department of Energy on alternative fuel vehicles and alternative fuels used;
- appoint a general manager to administer the operations of the district and enforce ordinances adopted by the board;
- determine annually the territory in the district within which the transit system of the district will operate; and
- prepare and revise as necessary a general plan for mass transit operation.

The board may:<sup>13</sup>

- enact police ordinances relating to the protection, use, and enjoyment of district property and facilities, and appoint peace officers to enforce those ordinances;
- by ordinance, provide a procedure for the conduct of public hearings on proposed changes in transit routes and schedules;

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<sup>5</sup> [ORS 267.097 \(2019\)](#).

<sup>6</sup> [ORS 267.120 \(2019\)](#).

<sup>7</sup> [ORS 267.200 \(2019\)](#).

<sup>8</sup> [ORS 267.107 \(2019\)](#).

<sup>9</sup> [ORS 267.108 \(2019\)](#).

<sup>10</sup> [ORS 267.114 \(2019\)](#).

<sup>11</sup> TriMet, *Board of Directors*, <https://trimet.org/about/board.htm> (last visited August 4, 2020).

<sup>12</sup> [ORS 267.030 to 267.210 \(2019\)](#).

<sup>13</sup> [ORS 267.150 to 267.430 \(2019\)](#).

- delegate specified duties to the general manager or other administrative officer;
- call an election for the purpose of referring an ordinance to the electors of a district for their approval before the ordinance takes effect;
- classify and designate as a service area the territory within the district that is benefited by the mass transit system beyond the general benefit to all territory within the district, and amend the boundaries of the service area to conform to changes in the mass transit system service;
- alter the territorial boundaries of the district by a nonemergency ordinance adopted at any regular meeting; and
- finance construction, acquisition, purchase, lease, operation, and maintenance of a mass transit system and related facilities using specified methods including: the levy of stated taxes; the imposition of user charges, fees, and tolls; and the issue of general obligation bonds.

# Executive Appointments Board Roster

## Tri-Met Board

Agency: Transportation  
Authorization: ORS 267.090  
Members: Min: 7 Max: 7  
Term Length: 4 years Limit: 2  
Senate confirmation required? Yes

**Policy Area:** Transportation

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## Current Appointments:

### Member Name and Address (Alphabetical)

Lori I Bauman District 4	Position Number: 5
Term(s): 06-01-2019 - 05-31-2023 06-01-2015 - 05-31-2019	

Keith Edwards District 5	Position Number: 2
Term(s): 05-25-2018 - 05-24-2022	

Ozzie Gonzalez District 2	Position Number: 1
Term(s): 06-01-2018 - 05-31-2022	

Thomas Kim District 1	Position Number: 3
Term(s): 03-01-2021 - 02-28-2025	

LaVerne Lewis District 6	Position Number: 4
Term(s): 03-01-2021 - 02-28-2025	

Linda C Simmons, EdD District 3	Position Number: 7
Term(s): 06-01-2019 - 05-31-2023 12-19-2016 - 05-31-2019	

Kathy Wai District 7	Position Number: 6
Term(s): 05-25-2018 - 05-24-2022	

Bruce A Warner District 1	Position Number: 3
Term(s): 02-20-2016 - 02-19-2020 02-20-2012 - 02-19-2016	