

Spokane Transit Authority
1230 West Boone Avenue
Spokane, WA 99201-2686
(509) 325-6000

PERFORMANCE MONITORING AND EXTERNAL RELATIONS COMMITTEE MEETING

Wednesday, July 12, 2017, 1:30 p.m.
Spokane Transit Southside Conference Room

AGENDA

Estimated meeting time: 90 minutes

1. Call to Order and Roll Call
2. Public Expressions
3. Committee Chair Report *(5 minutes)*
4. Committee Action *(15 minutes)*
 - A. Approval of Minutes of the May 31, 2017, Committee meeting – *Corrections/Approval*
 - B. Scope of Work Approval for On-Call Architectural & Engineering Services *(Otterstrom)*
 - C. Recommendation to Appoint One New Member to Citizen Advisory Committee *(Bousley)*
5. **Committee Action** *(30 minutes)*
 - A. Board Consent Agenda
 1. Monroe / Regal / Sprague Award of Contract for Design and Engineering Services *(Otterstrom)*
 2. Acceptance of Revisions - Rules of Conduct for Transit Vehicles, Facilities and Properties *(Blaska)*
 - B. Board Discussion Agenda
(No items being presented this month.)
6. **Reports to Committee** *(20 minutes)*
 - A. 2016 Annual Route Report *(Otterstrom)*
 - B. In-Person Assessment Program / Mobility Training / Mobility Mentor Updates - 2017 *(Blaska)*
7. CEO Report *(10 minutes)*
8. Committee Information – *no discussion/staff available for questions*
 - A. May 2017 Financial Results Summary *(Warren)*
 - B. June 2017 Sales Tax Revenue Information *(Warren)*
 - C. May 2017 Operating Indicators *(Blaska)*
 - D. Division and Sprague Reliability Improvements *(Otterstrom)*
 - E. 2017 Communications Update *(Bousley)*
9. September 06, 2017, Committee Packet Draft Agenda Review
10. New Business *(5 minutes)*
11. Committee Members' Expressions *(5 minutes)*
12. Adjourn
13. Next Committee Meeting: **September 6, 2017, 1:30 p.m. (No meeting in August)**
(STA Southside Conference Room, 1230 West Boone Avenue, Spokane, Washington)

Agendas of regular Committee and Board meetings are posted the Friday afternoon preceding each meeting on STA's website: www.spokanetransit.com. Discussions concerning matters to be brought to the Board are held in Committee meetings. The public is welcome to attend and participate.

Spokane Transit assures nondiscrimination in accordance with Title VI of the Civil Rights Act of 1964. For more information, see www.spokanetransit.com. Upon request, alternative formats of this information will be produced for people who are disabled. The meeting facility is accessible for people using wheelchairs. For other accommodations, please call 325-6094 (TTY Relay 711) at least forty-eight (48) hours in advance.

SPOKANE TRANSIT AUTHORITY

PERFORMANCE MONITORING AND EXTERNAL RELATIONS COMMITTEE MEETING

July 12, 2017

AGENDA ITEM 4A : **MINUTES OF THE MAY 31, 2017, PERFORMANCE MONITORING AND EXTERNAL RELATIONS COMMITTEE MEETING – CORRECTIONS OR APPROVAL**

REFERRAL COMMITTEE: N/A

SUBMITTED BY: Dana Infalt, Executive Assistant

SUMMARY: Minutes of the meeting are attached for corrections or approval.

RECOMMENDATION TO COMMITTEE: Corrections or approval.

FINAL REVIEW FOR BOARD BY:

Division Head _____

Chief Executive Officer _____

Legal Counsel _____

Spokane Transit Authority
1230 West Boone Avenue
Spokane, Washington 99201-2686
(509) 325-6000

PERFORMANCE MONITORING AND EXTERNAL RELATIONS COMMITTEE

Draft Minutes of the May 31, 2017, Meeting
Southside Conference Room

MEMBERS PRESENT

Amber Waldref, City of Spokane*
Odin Langford, City of Liberty Lake
Rhonda Bowers, Labor Representative
E. Susan Meyer, CEO (Ex-Officio)

MEMBERS ABSENT

John Higgins, City of Medical Lake
Josh Kerns, Spokane County
Tom Trulove, City of Cheney (Ex-Officio)

STAFF PRESENT

Steve Blaska, Director of Operations
Karl Otterstrom, Director of Planning and Development
Lynda Warren, Director of Finance and Information Services
Nancy Williams, Director of Human Resources
Beth Bousley, Director of Communications & Customer Service
Ralph Wilder, Manager Maintenance and Facilities & Grounds
Charlie Phillips, Maintenance Analyst
Robert West, Contract Compliance Specialist

GUESTS

None

* Chair

1. **CALL TO ORDER AND ROLL CALL**

Chair Waldref called the meeting to order at 1:35 p.m. Introductions were made.

2. **PUBLIC EXPRESSIONS**

None.

3. **COMMITTEE CHAIR REPORT**

None.

4. **COMMITTEE APPROVAL**

A. **MINUTES OF MAY 31, 2017 COMMITTEE MEETING**

B. **RECOMMENDATION TO APPOINT ONE NEW MEMBER TO THE CITIZEN ADVISORY COMMITTEE**

Chair Waldref asked if the Item 4B had been presented last month. Ms. Bousley denoted that it had been.

Mr. Langford moved to recommend approval of the May 31, 2017, Committee meeting minutes and the appointment of one new member to the Citizen Advisory Committee. The motion was seconded by Ms. Waldref and passed unanimously.

5. **COMMITTEE ACTION**

A. **Board Consent Agenda**

1. **AWARD OF CONTRACT – WEST PLAINS TRANSIT CENTER**

Karl Otterstrom recognized Don Skillingstad, the Project Manager, for his work on this item and reviewed the project history. He reported the project history shows it began in May 2012 but in actuality, the concept for a park and ride was identified in early 1990's in a comprehensive plan that STA developed. That feasibility study was assimilated into the work of STA Moving Forward through the Citizen Advisory Panel and was focused on Cheney High Performance Transit. Mr. Otterstrom noted everyone wanted to learn more and talk about the Transit Center because they saw it as critical to transportation on the West Plains.

STA sought and received Congestion Mitigation and Air Quality (CMAC) funding for preliminary engineering and, in spite of the uncertain times following the service cuts and the forestalling of service cuts at that time, staff were able to move forward with design. In March 2014, the STA Board authorized contract negotiations with H.W. Lochner, Inc. and in June 2014 STA signed a contract and design began with the formation of a Core Stakeholder Group and a Technical Committee to provide policy recommendations and technical expertise.

Staff submitted other grants, including a Regional Mobility Grant, to fund the bulk of construction engineering and STA still had in a line item that it was subject to the ballot measure. Staff continued design engineering work and received the final funding last fall for construction through a bus and bus facilities grant with the Federal Transit Administration (FTA) of \$1,000,000. In addition to local funds used to purchase the property in December 2016, this allowed STA to fund this project. The West Plains project is an intersection between the three cities on the West Plains, it is within the Urban Growth Area, and includes service to existing jobs and housing in the vicinity, but also freeway access.

Staff will renew discussions for opportunities to bring in other operators from west of Spokane who could use the site to connect in to Spokane, i.e. Greyhound and Northwest Trailways (which may not be applicable until STA reaches the 2nd Phase of the work).

The general Scope of Work includes about 220 parking stalls, 3 loading bays, a bus turn around staging area, and shelters. Next, staff brings in technology and security cameras with real time information on site. Because it is West Plains, evaporative ponds have been included in the design to help handle storm water. Landscaping, lighting, signage, and utility installation are considered, including water, sewer, power and fiber. Restrooms will be provided for the Operators (no customer restrooms). Staff has been working with Avista for electric vehicle charging stations, as well. Mr. Otterstrom reviewed the site plan and some additional slides.

The Performance Monitoring and External Relations Committee (PMER) approved the Scope of Work (SOW) and budget and authorized staff to release an Invitation for Bid (IFB) for construction of the project in March 2017. Staff advertised the IFB on April 17, 2017, and held a pre-bid meeting on April 25, 2017. Bids were due on May 19, 2017. STA received three bids from the following contractors: Halme Construction, Inc., Kilgore Construction, Inc., and Apollo Inc. The bid tabulation is below and included two (2) base bid items and one bid additive. The one bid additive was for the bird deterrent system.

Contractor	Base Bid A	Base Bid B	Bid Additive	Total
Halme Construction, Inc.	\$3,326,829.00	\$341,311.00	\$344,720.00	\$4,012,860.00
Kilgore Construction, Inc.	\$3,747,299.39	\$342,803.97	\$320,981.74	\$4,411,085.10
Apollo Inc.	\$4,019,147.00	\$284,159.00	\$228,246.00	\$4,531,552.00

Halme has a partnership with a Borrow Pit so they had access to cheaper gravel and sand to bring on site for the excavation and realignment to the topography. The cost for the pond excavation and de-watering of the site (due to the water table under the soil) is about \$300,000 lower than our engineer's estimate. Halme's unit costs for conduit and geotextile fabric as part of the storm water ponds were about \$200,000 less than estimate. These costs account for approximately 85-90% of the cost being so much under our engineer's estimate.

Chair Waldref asked the expected timeline. Mr. Otterstrom advised the Notice to Proceed is expected just after the 4th of July holiday.

Mr. Otterstrom reviewed the overall project cost. He explained that the estimated budget surplus is not actually funding we will recoup, but represents money from grants that will not need to be spent.

Mr. Otterstrom advised staff is recommending Award of Contract for the construction of The West Plains Transit Center project to Halme Construction, Inc. for a contract value of \$4,012,860, excluding sales tax, construction contingency, and other miscellaneous expenses.

Chair Waldref asked if staff is certain Halme did not miss some of the items, asking if staff went through them and made sure there was mutual understanding with Halme so they are not going to come back and say we did not use the same calculation. Mr. Otterstrom advised there was one unit cost error Halme had made which STA waived the right to dismiss in terms of it not being a substantial impact (approximately \$810 charge on their contract).

Brief discussion ensued.

Mr. Langford moved to recommend the Board approve the execution of a new agreement as presented. The motion was seconded by Ms. Waldref and passed unanimously.

Ms. Bousley expressed her apologies to Chair Waldref and advised that Item 4B had not been presented last month as previously discussed. Chair Waldref asked her to present. Ms. Bousley informed the committee that Michelle Rasmussen is the Director of Transportation for Eastern Washington University and she is on the Spokane Valley Planning Commission. She also noted that Ms. Rasmussen was unanimously recommended by the Citizen Advisory Committee as the newest member to the Citizen Advisory Committee. Chair Waldref commented that the CAC is recruiting some great folks. She noted the items is asking for the Board's approval to appoint Ms. Rasmussen to the Citizen Advisory Committee.

The earlier unanimous recommendation for approval of the 4B-Appointment of One New Member to the Citizen Advisory Committee remains.

B. Board Discussion Agenda

(No items presented this month)

6. REPORTS TO COMMITTEE

A. Review of Fixed Route Fleet Replacement Program

Mr. Blaska observed that this is a month for retrospective. He relayed that one retrospective is that there was some discussion about the use of the 2nd Floor Rotunda and staff looked at the Plaza (because you will be accepting the final closeout of the Plaza Project next month). He noted that in the summer of 2014, a group of neighbors got together and asked the Board to delay the decision on that project and there was discussion about whether that might sideline all of STA Moving Forward. Three short years ago, STA did not have a Plaza Project, were wondering if staff were going to go back to square one with STA Moving Forward, and today staff are briefing two Service Changes, the West Plains Transit Center, and completion of the Plaza. He finished by saying "quite a bit over the last three years".

Part 2 – Fuel Alternatives

Ms. Blaska noted the first Alternate Fuel Study was completed as staff were anticipating STA's vehicle replacement program almost ten years ago. He reported this is the second and third iteration of providing the Performance Monitoring and External Relations Committee the background behind STA's bus procurement plan.

Because of the long life cycle of buses, the first study was presented in 2007, but he noted that staff updates it regularly. Mr. Blaska reported the numbers were last updated in 2015. Mr. Blaska highlighted some of the significant changes since the last published plan as well as emerging government mandates that had a role in needing to anticipate what alternate fuel type vehicles might be on the horizon for STA.

Mr. Blaska reviewed STA's process for evaluating fuel alternatives. He advised that the analysis considered the following fuels: ultra-low Sulphur diesel, B-20 (a 20% mix of diesel and biodiesel), diesel/electric hybrid buses, compressed natural gas, all-electric battery/fuel cell, and hydrogen fuel cell. Mr. Blaska reported that STA rank ordered the scoring and weighted the criteria for those most directly related to the ongoing total cost of ownership. He stated the criteria staff judge against include:

- Fuel cost (per vehicle total cost of fuel for the 15 year life cycle)
- Main fuel source (that criteria deals with whether the primary fuel source was renewable resource)
- Vehicle cost (the one-time capital cost of procuring the vehicle)
- Facility requirements to accommodate that fuel source
- Environmental impact (measured in total greenhouse gas emissions of the bus over the life of the bus)
- Fuel availability and handling (how available is that fuel source and how reliable is that fuel source)
- Estimated maintenance cost during the life of the vehicle

In this initial phase of STA's fleet procurement, staff concluded diesel buses because a diesel bus can also use biofuel. The electric battery bus was the most promising technology – it scored best of all the fuel options, and staff's conclusion was to prepare to purchase battery technology when it advanced to the point of one charge per day. In other words, to integrate battery technology fleet-wide when buses are able to pull out in the morning and pull back in at night and charge overnight. It was also determined to look for selective corridors where staff could cost effectively place in route charging systems, reporting the Central City Line (CCL) is one example.

Brief discussion ensued regarding routing and charging times.

After a review of the Criteria slides, Mr. Blaska explained the Criteria Score Card slide and advised STA would not be purchasing hybrids at this point but that the purchase of electric buses is imminent. He advised that staff

expects to be working with Avista and looking for grant opportunities. Staff has attended a maintenance conference, Avista has approached us, and the Federal Government is offering a “NoLo” grant.

If staff can pursue a partnership with Avista for some of the infrastructure costs of the configuration of the Northwest Garage, STA is going to build it to allow charging systems and infrastructures to support that technology. Avista has shown some interested in leasing the bus batteries. Mr. Blaska noted that if STA can offset some infrastructure costs, as well as pursue a NoLo Grant for the differential costs of a battery electric bus versus a diesel bus (which is already purchased) staff may be applying battery electric buses on the Monroe Regal Corridor as early as 2019. He noted that staff could be coming forward with some grant opportunities for the procurement of STA’s 2019-vehicle purchase, asking for permission to buy battery electric buses. He stated it is getting that close to being a reality at this point.

Mr. Blaska asked if there were any questions concerning this portion of his presentation. Discussion ensued concerning timing of purchase of vehicles, the construction of the Northwest Garage, and crossover point of fuel cost when electric vehicle becomes more efficient and cost effective.

Part 3 – Procurement Mechanisms

Mr. Blaska revisited STA three contract options:

1. Issue our own RFP - STA contract
2. Piggyback / Consortia buy – Large agency purchases 100 buses, prior to going out for contract, invite others to join in procurement
3. Washington State Department of Enterprise Services contract – STA can buy off their contract

He reviewed the pros and cons of each option and advised that the Department of Energy Services (DES) Washington State Contract is currently the best option. He explained that DES develops specifications, goes out for bid and acquires competitive pricing from a number of different bus manufacturers. STA can then buy off that contract and represents the contract option used most recently. Option 3 provides flexibility for seats, doors, windows, etc., so STA gets favorable pricing and the availability to tailor the bus. Staff still has to determine that Washington State negotiated a good price for the bus and all the options. When staff have recently compared large contract purchase to what was available on the Washington State Contract, prices were comparable. It is likely that when staff come to the committee to purchase buses in the future, it will be through this Washington State DES contract.

Previously, Option 2 was easier than it is now. In the past, a large agency would say they wanted 500 buses, only take 100 and other agencies could purchase the excess at the negotiated price. The FTA reported that the program was not intended to work in that manner and now require partnerships to be lined up ahead of time.

Mr. Blaska felt that one thing he needed to point out was the fact that staff are coming up to a fork in the road when it comes to procurement of Central City Line vehicles. Mr. Blaska reminded that for the Central City Line, staff are looking for a unique profile bus. If staff is going to do something that is not a consortia buy and not available on the Washington State contract, staff has to start the Request for Proposals (RFP) process early in 2018 for the purchase of the first vehicles, which are scheduled to begin arriving in 2021.

There were no questions regarding his presentation. A brief discussion of the maintenance considerations and potential bus vendors ensued.

B. Real Time Information Software Launch

Mr. Blaska provided the committee an overview of the new Real Time Software released via the Spokane Transit website. He showed the committee how the new real time software works on a computer and/or smart phone with responsive web design that ensures the results look the same, regardless of platform.

The new software allows a person to track their bus in real time, find the next departure of the bus, plan a trip, sign up to receive notifications / get information on Service and General Alerts, and shows the complete schedule of actual bus departure times at each stop along any route. He reviewed the steps that were included in the handout to committee members and advised of the online tour for future reference.

C. 2017 Communications Update

Ms. Bousley continued the conversation of Real Time software in her update. She told the group they could bookmark the “app” on a cell phone. She reviewed the slides presented in the packet and showed a few videos communicating the marketing campaign.

As part of the marketing of the new software, the Communications department is providing the following materials for employees and customers:

- Frequently Asked Questions
- User guide
- Rider alert/information card for coach operators

New Fare Phase 1 reminders communicated to customers in a variety of ways throughout May and June for the July 1, 2017, fare change. There are a number of publications available to customers in the forms of New Fare Frequently Asked Questions, Bus Window Stickers, and Pass Outlet Posters.

As part of the STA Moving Forward: May Service Change, the following events have recently taken place:

- Customer Appreciation Events – Plaza and Valley Transit Center
- Route 95 Celebration and Ribbon Cutting – Valley Transit Center and Bus Tour
- Radio Advertising
- Press Release and Media Pitch week of May 22

Ms. Bousley advised that the new Route 95 Ribbon Cutting ceremony and tour were well received by the community. She noted a great article was published in the *Spokesman*, and Senator Mike Padden mentioned it in his *Report from Olympia* on May 25, 2017. A “mailer” was sent to 4,500 businesses and residences in close proximity to Route 95, advising of the new route. A print ad ran in the *Inlander* and in regional newspapers concerning the new services available May 21, 2017.

Central City Line Communication and Outreach have taken place as well. There have been public education in the form of video and social media posts; Outreach in the form of open houses and stakeholder meetings (individual, small group meetings, organizations and boards).

Ms. Bousley reported the Plaza renovation is complete and she shared a short video featuring Marc Morris. She invited everyone to stop by the Plaza to check out the remodel.

She shared with the committee that the Communications department designed the 2017 Bloomsday hats, shirts, and an overview brochure that consolidated all information onto one page this year for customers and participants of the race. She reported that customers seemed to like this year’s design.

Media Coverage included in packet – snapshot of the previous month.

7. CEO REPORT

(No items presented this month)

8. COMMITTEE INFORMATION

- A. April 2017 Financial Results Summary – *as presented*
- B. May 2017 Sales Tax Revenue Information – *as presented*
- C. April 2017 Operating Indicators – *as presented*
- D. First Quarter 2017 Performance Measures – *as presented*

9. MAY 31, 2017 COMMITTEE PACKAGE AGENDA REVIEW

10. NEW BUSINESS

None.

11. COMMITTEE MEMBERS’ EXPRESSIONS

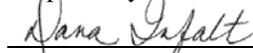
None.

12. ADJOURN

Chair Waldref adjourned the meeting at 3:02 p.m.

13. NEXT MEETING – WEDNESDAY, JULY 12, 2017, 1:30 P.M. STA SOUTHSIDE CONFERENCE ROOM, 1230 WEST BOONE AVENUE

Respectfully submitted,



Dana Infalt, Executive Assistant

SPOKANE TRANSIT AUTHORITY

PERFORMANCE MONITORING AND EXTERNAL RELATIONS COMMITTEE MEETING

July 12, 2017

AGENDA ITEM 4B: SCOPE OF WORK APPROVAL FOR ON-CALL ARCHITECTURAL & ENGINEERING SERVICES

REFERRAL COMMITTEE: N/A

SUBMITTED BY: Karl Otterstrom, Director of Planning and Development
Jessica Charlton, Capital Projects Manager

SUMMARY: Spokane Transit's current five-year contract for architectural and engineering on-call consulting service will expire on October 31, 2017. To continue the facilitation of maintenance, growth, and development of STA, staff must begin the process of procuring a consultant that will continue this on-call service.

As required by STA's procurement policy, as this contract is expected to exceed an aggregate amount of \$1M, staff are seeking approval of the attached Scope of Work (SOW) and authorization to release a Request for Proposals (RFP) for a new five-year on-call consulting services contract. Please note that the current on-call contract has several open task orders, which will overlap this new five-year contract.

RECOMMENDATION TO COMMITTEE: Approve the attached summary Scope of Work as presented and authorize staff to release an RFP for Architectural and Engineering On-Call Consulting Services.

FINAL REVIEW FOR BOARD BY:

Division Head _____ Chief Executive Officer _____ Legal Counsel _____

On-Call Architectural & Engineering Services

Scope of Work

Spokane Transit is seeking qualification responses from individual civil, architectural, structural, mechanical, electrical, and real estate firms for consultant services for a five-year period commencing on November 1, 2017, for various construction projects, such as, but not limited to, the construction of new operations and maintenance facilities, passenger facilities, and industrial office space, as well as remodels or modifications of existing facilities.

- Task 1 Provide all aspects of Engineering (structural, civil, environmental, geotechnical, mechanical, electrical, fire protection), architectural (including landscape), and consulting services required to provide complete and workable projects
- Task 2 All aspects of land surveying as needed for design development, right-of-way acquisition, easements, and legal description preparation
- Task 3 Feasibility studies, grant preparation and support, community outreach support
- Task 4 Schematic design, design development, and construction documents
- Task 5 Cost estimating
- Task 6 Bidding, construction management, and construction administration
- Task 7 Compliance documentation required by funding sources
- Task 8 Meeting attendance, meeting hosting, meeting prep, etc., during all phases of a project (i.e. feasibility, public outreach, design, permitting, bidding, construction, STA Committee & Board, etc.)

SPOKANE TRANSIT AUTHORITY

PERFORMANCE MONITORING AND EXTERNAL RELATIONS COMMITTEE MEETING

July 12, 2017

AGENDA ITEM 4C : RECOMMENDATION TO APPOINT ONE NEW MEMBER TO THE
CITIZEN ADVISORY COMMITTEE

REFERRAL COMMITTEE: N/A

SUBMITTED BY: Beth Bousley, Director of Communications

SUMMARY: Established in 2004, it is the role of the Citizen Advisory Committee (CAC) to represent the interests of the community and assist Spokane Transit staff and Board of Directors in making the region proud of its public transportation system. The CAC became a subcommittee to Performance Monitoring and External Relations (PMER) Committee in 2015. By design, the CAC shall be composed of no more than 15 members appointed by PMER Committee. Membership shall reflect the STA service area and strive for regional representation and diversity of opinion. Selection of members is through an application process followed by a vote from the Performance Monitoring and External Relations Committee to appoint members of the CAC.

The CAC is pleased to recommend for consideration the appointment of Madison Leonard to the CAC. Ms. Leonard currently serves on the Board of the West Central Community Center, is the recipient of the Louise Stamper Excellence in Service Award, an Associated Student Body (ASB) member, and a high school student at the Community School.

The CAC is requesting the Committee approve the appointment of Madison Leonard to the Citizen Advisory Committee.

RECOMMENDATION TO COMMITTEE: Approve appointment of Madison Leonard to serve on the Citizen Advisory Committee.

COMMITTEE ACTION:

RECOMMENDATION TO BOARD:

FINAL REVIEW FOR BOARD BY:

Division Head _____ Chief Executive Officer _____

Legal Counsel

Item 04C: RECOMMENDATION TO APPOINT ONE NEW MEMBER TO THE CITIZEN ADVISORY COMMITTEE

Purpose: For decision.

Requirement: CAC membership and recruitment is an ongoing process. As per STA bylaws, membership is for a three year term, with at least one member appointed each year.



Purpose

The Mission of the Citizen Advisory Committee (CAC) is to:

- Increase public participation in the functions of Spokane Transit
- Ensure accountability of the organization's actions
- Act as an educational arm of the organization to the public
- Act as a focused, educated forum of public input and feedback to the organization
- Be representative of a wide range of stakeholders and transit service

In 2015, the Citizen Advisory Committee became a subcommittee to Performance Monitoring and External Relations (PMER) Committee



Proposed Candidate Information

Staff is recommending Madison Leonard for inclusion in the Citizen Advisory Committee:

- West Central Community Center Board Member
- Recipient of the Louise Stamper Excellence in Service Award
- Associated Student Body (ASB) Member
- High School Student at the Community School



Recommendation

Recommend the Performance Monitoring and External Relations Committee approve the appointment of Madison Leonard to serve on the Citizen Advisory Committee.



SPOKANE TRANSIT AUTHORITY

PERFORMANCE MONITORING AND EXTERNAL RELATIONS COMMITTEE MEETING

July 12, 2017

AGENDA ITEM 5A1: MONROE/REGAL/SPRAGUE AWARD OF CONTRACT FOR DESIGN AND ENGINEERING SERVICES

REFERRAL COMMITTEE: N/A

SUBMITTED BY: Karl Otterstrom, Director of Planning & Development
Ryan Brodwater, Capital Projects Manager

SUMMARY: The Monroe-Regal corridor extends from the Five Mile Park & Ride, located in north Spokane, south through downtown Spokane and extending south to a future park-and-ride lot to be built in the Moran Prairie area on Spokane’s South Hill. Future improvements will include a new 100-stall park-and-ride lot, sidewalk improvements, ADA ramps, raised passenger platforms, shelters, real time signage, lighting, ticket vending and fare validation, and other transit amenities. Work on this project is expected to begin immediately, with completion in 2019. These improvements are programmed in the Capital Improvement Program for 2018-2023 with a budget of \$7.2 million made up of STA, State and Federal funds.

The Sprague Avenue corridor extends from The Plaza in downtown Spokane east to the Valley Transit Center. This corridor will feature passenger amenity improvements throughout the corridor to support future growth and the implementation of the High Performance Transit (HPT) line. Future improvements will include sidewalk improvements, ADA ramps, passenger platforms, shelters and other transit amenities as incremental investments in HPT services. Work on this project is expected to begin in 2017 with a study of the corridor for potential improvements, with construction anticipated to be 2020-2023. These improvements are programmed in the Capital Improvement Program for 2018-2023 with a budget of \$6.5 million from STA funds.

On March 1, 2017, the Performance Monitoring and External Relations (PMER) Committee approved the Scope of Work for the Monroe/Regal/Sprague High Performance Transit (HPT) corridor projects and authorized staff to issue a Request for Qualifications (RFQ). The scope of work includes design, engineering construction management and related services specific to the Monroe-Regal and Sprague HPT corridors. On April 18, 2017, an RFQ was issued, posted to the STA website, and distributed to a list of potential proposers. Notice of the RFQ was published in the local newspaper and nationally in *Transit Talent* on April 19, 2017. On May 4, 2017, a pre-proposal meeting was held in which nineteen (19) people attended representing fifteen (15) firms.

On May 24, 2017, Statements of Qualifications were received from IBI Group and Parametrix. On June 6, 2017, an evaluation committee made up of STA staff and the City of Spokane Director of Integrated Capital Management prepared evaluation and ratings for each firm. Given the quality and number of firms submitting, it was determined that it would be appropriate to advance both firms to the interview phase of the evaluation process.

On June 19, 2017, interviews were conducted with both firms by STA staff and the City of Spokane Director of Integrated Capital Management. Based upon independent scoring of the written materials and the presentations made by each firm, the internal evaluation committee reached the following composite scores:

Firm/Team	Score
IBI Group	93.40
Parametrix	87.20

Both firms assembled very qualified and experienced teams, all of which exceeded the minimum requirements of the RFQ. Presentations by each team clearly identified past performance and relevant experience, identified key team members and provided detailed experience of their Project Manager. While each of the firms had impressive credentials and experience, IBI Group was determined to be the most qualified firm by the interview committee. Overall, IBI Group’s team was very knowledgeable, had extensive working relationships with state and federal agencies, and their approach to completing this project appeared to be in the best interest for this project and STA.

The term of this contract will be five (5) years, with the option for two (2) one-year extensions. As a qualifications-based procurement process that is required for all engineering and architectural services, STA is required to negotiate final contract terms with IBI Group. If STA and IBI Group cannot successfully agree to a fair and reasonable price for services, negotiations will cease and negotiations would begin with the second-most qualified firm, Parametrix.

As the total outlay of funds for services provided under this scope will likely exceed \$1 million, authorization to award a contract is subject to approval by the STA Board of Directors.

RECOMMENDATION TO COMMITTEE: Recommend to the Board to authorize contract negotiations between STA and IBI Group for design and engineering services for the Monroe/Regal/Sprague HPT Corridor Improvements scope of work as issued on April 18, 2017; and, authorize the CEO to execute said contract if the terms are deemed to be fair and reasonable and in the best interest of STA. Furthermore, if said terms cannot be agreed to, recommend the CEO be authorized to proceed with said negotiations and contract execution with Parametrix. Propose forwarding to the Board Consent Agenda.

COMMITTEE ACTION:

RECOMMENDATION TO BOARD:

FINAL REVIEW FOR BOARD BY:

Division Head _____ Chief Executive Officer _____ Legal Counsel _____

Item 5A1 :

**AWARD OF CONTRACT
DEVELOPMENT OF MONROE-
REGAL/SPRAGUE AVENUE HPT
CORRIDORS**

Purpose: For decision.

Requirement: Committee recommendation to the Board to authorize CEO to enter into contract negotiations for design and engineering services for the Development of Monroe-Regal and Sprague Avenue HPT Corridors is required prior to entering in to contract negotiations

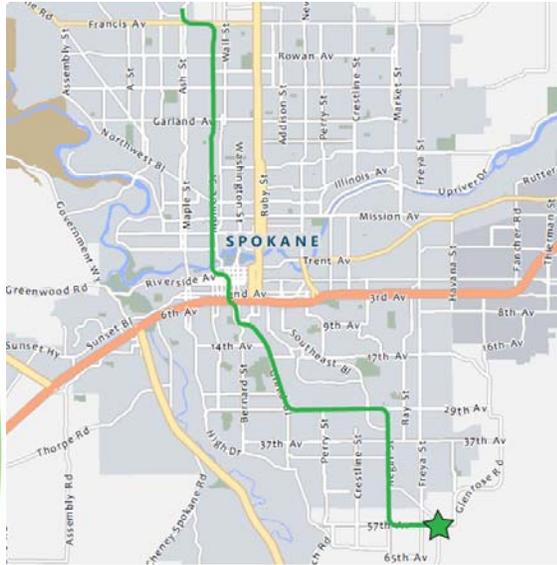


Monroe-Regal Corridor

- In 2012 a Corridor Advisory Panel (CAP) was created to evaluate the Monroe-Regal corridor in context of the HPT Network.
- The purpose of the CAP was to:
 - Review appropriate vehicle type
 - Determine where stations/stops should be located
 - Review station amenities
 - Interaction at The Plaza
 - Terminus location on the South Hill
 - Develop and evaluate alternatives



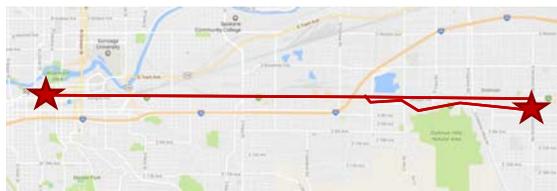
Monroe-Regal Corridor



- Corridor extends from Five Mile P&R to the Moran Prairie P&R
- Approximately 11.4 miles
- Streamline three existing routes
- HPT improvements will allow for improved connectivity between neighborhoods and employment centers.



Sprague Avenue Corridor



- Corridor extends from The Plaza to the Valley Transit Center
- 8-mile commercial corridor following Sprague Avenue
- Complements planned revitalization efforts



Corridor Improvements

- Improved passenger amenities
 - Shelters
 - Future HPT amenities
- Passenger loading platforms
- Sidewalk/ADA improvements
- Supports implementation of full HPT services



Scope of Work

- Term of the contract will be five (5) years with options for extensions to complete both projects
- Provide project management and coordination
- Planning assistance and evaluation of future improvements
- Land surveying
- Architecture/Engineering Design
- Right-of-way Acquisition Services
- Community Outreach Support
- Construction Management
- Grant Preparation Support



Request for Qualifications Process

- March 1 - PMER approved Scope of Work
- April 18 - RFQ Issued
- May 4 - Pre-Proposal Meeting held
 - Sixteen (16) firms represented
- May 24 - Proposals Due
 - Two (2) proposals received
- June 7 - Proposals evaluated
- June 19 - Interviews held with both firms



Results of Evaluations

- Two (2) firms submitted proposals
 - IBI Group, Inc.
 - Parametrix
- Based on composite scoring by the interview committee, IBI Group scored highest

Firm/Team	Score
IBI Group, Inc.	93.4
Parametrix	87.2



Contract Negotiations Next Steps

- Forward draft contract to IBI Group
- Negotiate requested changes to contract language
- Agree to profit rate and identify hourly rates
- Prepare final contract document, send to IBI Group for review and signature
- Execution by the CEO
- If contract negotiations fail, the CEO will begin negotiations with Parametrix



Recommendation

- Recommend the Board authorize contract negotiations between STA and IBI Group for the development of the Monroe-Regal and Sprague Avenue High Performance Transit corridors scope of work as published on April 18, 2017; and, authorize the CEO to execute said contract if the terms are deemed to be fair and reasonable and in the best interest of STA. Furthermore, if said terms cannot be agreed to, recommend the CEO be authorized to proceed with negotiations and contract execution with Parametrix. Propose forwarding to the Board Consent Agenda.



SPOKANE TRANSIT AUTHORITY

PERFORMANCE MONITORING AND EXTERNAL RELATIONS COMMITTEE MEETING

July 12, 2017

AGENDA ITEM 5A2 : ACCEPTANCE OF REVISIONS – RULES OF CONDUCT FOR TRANSIT VEHICLES, FACILITIES, AND PROPERTIES

REFERRAL COMMITTEE: N/A

SUBMITTED BY: Steve Blaska, Director of Operations
Emily Arneson, Community Ombudsman and Accessibility Officer

SUMMARY: Spokane Transit’s Rules of Conduct must be revised to accommodate the changes to the space available for public communications activities at the Plaza.

Background

Spokane Transit Authority (“STA”) Transit Vehicles, Facilities and Properties are intended to provide public transportation services for the benefit of STA, the general public and STA employees. To maintain public transportation services that are orderly, safe, secure, comfortable and convenient, the Rules of Conduct for STA Transit Vehicles, Facilities and Properties (the “Rules of Conduct”) have been adopted by the STA Board of Directors. The Rules of Conduct are intended to regulate conduct occurring on STA Transit Vehicles, within or upon STA Facilities and Properties, and in connection with STA’s provision of public transportation service.

The reconfiguration of the Plaza substantially altered the space where public communications activities can take place. The attached revisions to the Rules of Conduct represent the updates required to accommodate this change.

Staff took the opportunity to also make other minor changes to the Rules of Conduct. The most notable of these changes is the inclusion of specific language that defines and prohibits possession of an “open container.”

A red line version of the draft Rules of Conduct is included for Committee review and approval.

RECOMMENDATION TO COMMITTEE: Recommend the Board of Directors approve the revisions to the *Rules of Conduct for Transit Vehicles, Facilities, and Properties* as recommended by staff and legal counsel. Staff proposes forwarding this item to the consent agenda.

COMMITTEE ACTION:

RECOMMENDATION TO BOARD:

FINAL REVIEW FOR BOARD BY:

Division Head _____ Chief Executive Officer _____ Legal Counsel _____

**RULES OF CONDUCT
FOR TRANSIT VEHICLES, FACILITIES AND PROPERTIES**

**Adopted by the Board of Directors
SPOKANE TRANSIT AUTHORITY
1230 West Boone Avenue
Spokane, WA 99201**

**[Insert date of adoption]
June 21, 2012**

Table of Contents^[A1]

	Page
ARTICLE I. -- INTRODUCTION	1
ARTICLE II. -- DEFINITIONS	1
ARTICLE III. -- REGULATION OF CONDUCT.....	4
A. PROHIBITED CONDUCT	4
B. ENFORCEMENT	<u>98</u>
1. Removal and/or Exclusion from STA Transit Vehicles, Facilities and Properties.	<u>98</u>
2. Procedure for Administrative Exclusion.....	<u>98</u>
3. Other Laws not Limited.	<u>111110</u>
C. LIABILITY.....	<u>111110</u>
ARTICLE IV. -- PUBLIC COMMUNICATION ACTIVITIES AT STA TRANSIT VEHICLES, FACILITIES AND PROPERTIES OTHER THAN THE PLAZA	11
A. PURPOSE AND SCOPE.....	11
1. Non-Open Public Forums.	11
2. STA’s Legitimate Interests.	<u>1211</u>
3. Purpose of Article IV.	<u>121211</u>
4. Facilities Governed by Article IV.....	12
B. REGULATION OF PUBLIC COMMUNICATION ACTIVITIES.....	12
1. Limitations.	<u>1312</u>
C. GENERAL.....	<u>1413</u>
1. Liability for Clean-up.	<u>1413</u>
2. Liability of STA.....	<u>1413</u>
3. Non-STA Uses.....	<u>141413</u>
ARTICLE V. -- PUBLIC COMMUNICATION ACTIVITIES: THE PLAZA	<u>1514</u>
A. INTRODUCTION	<u>1514</u>
1. Purpose of The Plaza.	<u>1514</u>
2. Purpose of Article V.	<u>1514</u>
B. RULES AND PROCEDURES	<u>151514</u>
1. STA Intent.....	<u>151514</u>

2. Public Communication Activities & Permits.....1615

APPENDIX 1 APPLICATION FOR A PERMIT TO ENGAGE IN PUBLIC COMMUNICATIONS ACTIVITY

APPENDIX 2 PERMIT TO ENGAGE IN PUBLIC COMMUNICATIONS ACTIVITY

APPENDIX 3 DIAGRAM OF STREET LEVEL AREAS IN THE PLAZA DESIGNATED FOR PUBLIC COMMUNICATION ACTIVITIES

**RULES OF CONDUCT FOR TRANSIT
VEHICLES, FACILITIES AND PROPERTIES**

ARTICLE I.-- INTRODUCTION

Spokane Transit Authority (“STA”) Transit Vehicles, Facilities and Properties are intended to provide **P**ublic **T**ransportation **S**ervices for the benefit of STA, the **G**eneral **P**ublic, and STA **E**mployees. To maintain **P**ublic **T**ransportation **S**ervices that are orderly, safe, secure, comfortable and convenient, the following Rules of Conduct for STA Transit Vehicles, Facilities and Properties (the “Rules of Conduct”) have been adopted by the STA Board of Directors. The Rules of Conduct are intended to regulate conduct occurring on STA Transit Vehicles, within or upon STA Facilities and Properties, and in connection with STA’s provision of **P**ublic **T**ransportation **S**ervices.

The Rules of Conduct consist of five separate articles, which include the following:

Article I -- Introduction;

Article II -- Definitions;

Article III -- Regulation of Conduct;

Article IV -- Public Communication Activities: STA Transit Vehicles, Facilities and Properties; ~~and~~

Article V -- Public Communication Activities: The Plaza.

Unless otherwise provided herein, reference to the phrase “Rules of Conduct” shall collectively include Articles I through V.

If any one or more of the provision(s) in the Rules of Conduct shall be declared by any court of competent jurisdiction to be contrary to law, then such provision(s) shall be null and void and shall be deemed separable from the remaining provisions in the Rules of Conduct and shall in no way affect the validity of the other provisions of the Rules of Conduct.

ARTICLE II.-- DEFINITIONS

As used in these Rules of Conduct, the words herein shall have the meanings provided in this Article II. Words of the masculine gender shall be deemed and construed to include correlative words of the feminine and neuter genders. Words imparting the singular number shall include the plural numbers and vice-versa, unless the context shall otherwise dictate.

A. “ADA” shall mean The Americans with Disabilities Act.

B. “Bus **S**helters” shall mean those structures located in **T**ransit **V**ehicle loading zones that provide cover for the **G**eneral **P**ublic to board and alight Transit Vehicles.

C. “Commercial **A**ctivity or **A**ctivities” shall mean any enterprise or venture by groups or individuals for the purpose of promoting or selling products or services to STA **E**mployees or the **G**eneral **P**ublic, whether for profit or not.

~~C.D.~~ “Fixed Route or Fixed Route Services” means a system of transporting individuals (other than by aircraft), including the provision of designated Public Transportation Services by public entities and the provision of transportation service by private entities, including, but not limited to, specified Public Transportation Services, on which a vehicle is operated along a prescribed route according to a fixed schedule as defined by 49 CFR §37.1.

~~E.~~ “General Ppublic” shall mean any Pperson or group of Ppersons, including STA Eemployees not acting in an official capacity at the time.

~~F.~~ “Kiosk” shall mean the permanent cubieledesignated kiosk located in the interior of the Street Level at the corner of the atrium across from Stair #2 shaded and identified in “Appendix 3.”;

~~“Kiosk Endorsement” shall mean a written endorsement that grants to a Permittee permission to use the Kiosk as part of their authorized activity, consistent with applicable rules and procedures in Article V herein.~~

~~D.G.~~ “Lower Level” shall mean the underground level of The Plaza where authorized parking and storage and maintenance areas are available. The Lower Level is not open for access/egress by the Ggeneral Ppublic.

~~H.~~ “Park-and-Ride Llots” shall mean locations officially designated by STA at which Ppersons may park their individual vehicles or bicycles and transfer to an STA Ttransit Vvehicle or car/Vvanpool vehicle, or to a vehicle/shuttle permitted by STA. The term shall include all physical improvements and landscaping connected with a Park-and-Ride Llot.

~~E.I.~~ “Paratransit or Paratransit Services” means comparable transportation service required by the ADA for individuals with disabilities who are unable to use fixed route transportation systems as defined by 49 CFR §37.3.

~~F.J.~~ “Permit” shall mean a permit that gives a Permittee authority to conduct Ppublic Ccommunication Aactivities in a manner consistent with applicable endorsements, rules and procedures in Articles IV and V herein.

~~G.K.~~ “Permittee” shall mean the holder/signatory of a Permit issued in accordance with the rules and procedures in Articles IV and V herein.

~~H.L.~~ “Person” shall mean any individual, firm, partnership, corporation, organization, association or entity of any kind.

~~I.M.~~ “Public Ccommunication Aactivity or Aactivities” shall mean the posting or distributing of flyers, pamphlets, brochures, books or other written material, collecting petition signatures, political campaigning, demonstrating, displaying signs, picketing, unscheduled playing of musical instruments or other performances, public speaking, conducting surveys, soliciting or receiving of funds or contributions of any kind for any purpose, or otherwise communicating or attempting to communicate to the Ggeneral Ppublic.

~~J.N.~~ “Public ~~T~~ransportation ~~S~~ervices” shall include the definition of ~~P~~ublic ~~T~~ransportation ~~S~~ervices in RCW 36.57A.010(8), together with ~~v~~anpools and ~~f~~ixed ~~r~~oute and ~~p~~aratransit services, whether operated by STA or any governmental agency, private ~~P~~erson, firm or corporation contracting with STA pursuant to chapter 36.57A. RCW.

~~O.~~ “Rules of Conduct” shall mean the ~~R~~ules of ~~C~~onduct adopted by the Board of STA on May 24, 1995, and amended on November 27, 1996, December 17, 1997, July 24, 2002, February 25, 2004, April 19, 2007, October 15, 2009, March 17, 2010, ~~and June 21, 2012, and --~~ ~~---~~, ~~2017,~~ which regulate conduct occurring on STA Transit Vehicles, within or upon STA Facilities and Properties, and in connection with STA’s provision of ~~P~~ublic ~~T~~ransportation ~~S~~ervices. Unless otherwise provided herein, such definition shall include, collectively, Articles I through V.

~~P.~~ “Sidewalk Space A” shall mean the exterior area of The Plaza located on the Street Level at the southeast corner of The Plaza at Sprague Avenue and Wall Street shaded and identified in “Appendix 3”.

~~K.Q.~~ “Sidewalk Space B” shall mean the exterior area of The Plaza located on the Street Level at the northeast corner of The Plaza at Riverside Avenue and Wall Street shaded and identified in “Appendix 3”.

~~L.~~ “Skywalk Level” shall mean the entire second floor of The Plaza, including any and all skywalk bridges connecting The Plaza to adjoining buildings. The Skywalk Level is used for STA operational functions, authorized events and for ingress and egress of the General Public through the skywalks located on the North and East sides of the Skywalk Level.

~~M.R.~~ “STA” shall mean Spokane Transit Authority, a Washington municipal corporation and Public Transportation Benefit Area (“PTBA”) organized and operating under and by virtue of the laws of the State of Washington.

~~N.S.~~ “STA Employee” shall mean any part-time or full-time, temporary or regular, exempt or non-exempt, represented or non-represented ~~P~~erson, including an intern or contracted party, who is compensated by STA for services by wages, salary, or other remuneration.

~~Θ.T.~~ “STA Facilities and Properties” shall mean all facilities, structures, schedule and news racks, kiosks, fare vending machines, cameras and camera components, bulletin and information boards, bus stops, bus stop signs, lands, interest in lands, air rights over lands, and rights of way of all kinds that are owned, leased, held, or used by STA for the purpose of providing ~~P~~ublic ~~T~~ransportation ~~S~~ervices, including, but not limited to, Park-and-Ride ~~L~~ots, ~~T~~ransit ~~C~~enters, bus shelters, public streets and sidewalks that are used by the ~~G~~eneral ~~P~~ublic to board and alight Transit Vehicles.

~~P.U.~~ “Street Level” shall mean the interior first floor of The Plaza and adjacent exterior zones where the ~~G~~eneral ~~P~~ublic boards and alights Transit Vehicles. The interior Street Level is open for ~~G~~eneral ~~P~~ublic access/egress only when The Plaza services are operating or for authorized post-service period events.

~~Q.~~ ~~“Table Endorsement” shall mean a written endorsement that grants to a Permittee permission to use tables and chairs as part of their authorized activity, consistent with applicable rules and procedures in Article V herein.~~

~~R.V.~~ “The Plaza” shall mean the downtown Transit Center located at 701 West Riverside Avenue, Spokane, WA 99201, consisting of the Lower Level, Street Level and Skywalk Level, as such levels are defined herein.

~~S.W.~~ “Transit Centers” shall mean locations where bus routes have a common terminus and facilities are provided to facilitate General Public boarding and alighting of Transit Vehicles, including all physical improvements and landscaping, except that such definition shall not include The Plaza.

~~F.X.~~ “Transit-related Activities” shall mean activities associated with the provision or support of STA Public Transportation Services, the use of those services by the General Public, ~~or and~~ STA sales, promotion and maintenance activities in support of STA Public Transportation Services.

~~Y.~~ “Transit Vehicle” shall mean a municipal Transit Vehicle defined in RCW 46.04.355.

~~U.Z.~~ “Vanpools or Vanpool Services” shall mean a voluntary commuter ridesharing arrangement, using vans with a seating capacity greater than 7 Persons (including the driver) or buses, which provides transportation to a group of individuals traveling directly to and from their homes to their regular places of work within the same geographical area, and in which the commuter/driver does not receive compensation beyond reimbursement for his or her costs of providing the service as defined by 49 CFR §37.3

ARTICLE III.-- REGULATION OF CONDUCT

A. PROHIBITED CONDUCT

The following conduct is prohibited on STA Transit Vehicles, within or upon STA Facilities and Properties, and in connection with STA’s provision of Public Transportation Services:

1. Engaging in any conduct prohibited by RCW 9.91.025 or Spokane Municipal Code (SMC) 10.10.100;

2. Use of chewing tobacco except at a designated place; use of any nicotine or smoking device which causes any smoke, mist, vapor or the like to be emitted through its use, within twenty-five (25) feet of any STA Transit Vehicle, shelter, or other public transportation facility, or within twenty-five (25) feet of any entrance, window, or air intake opening of STA buildings; smoking or carrying a lighted or smoldering pipe, cigar, or cigarette within twenty-five (25) feet of any STA Transit Vehicle, shelter or other public transportation facility, or within twenty-five (25) feet of any entrance, window, or air intake opening of STA buildings (RCW 9.91.025, RCW 70.160.020(1)(2) and RCW 70.160.030);

3. Discarding litter other than in designated receptacles (RCW 9.91.025/SMC 10.10.100);

4. Dumping or discarding, or both, any materials on transit property, including but not limited to hazardous substances and automotive fluids (RCW 9.91.025);

5. Playing any radio, recorder, or other sound-producing equipment, except that nothing herein shall prohibit the use of such equipment when connected to earphones or an ear receiver that limits the sound to individual listeners or the use of communication devices by STA ~~E~~employees, STA contractors or public safety officers in the line of duty, or the use of private communication devices used to summon, notify, or communicate with other individuals (e.g., pagers, beepers or cellular telephones) (RCW 9.91.025);

6. Spitting, expectorating, urinating, or defecating, except in the appropriate plumbing fixtures in restroom facilities (RCW 9.91.025/SMC 10.10.100);

7. Carrying or having on their ~~P~~erson any flammable liquid, explosive, acid, or other article or material likely to cause harm to others except that nothing herein shall prevent a ~~P~~erson from carrying a cigarette, cigar, or pipe lighter or carrying a firearm or ammunition in a way that is not otherwise prohibited by law (RCW 9.91.025/SMC 10.10.100);

8. Obstructing or impeding the flow of STA Transit Vehicles or passenger movement, hindering or preventing access to STA Transit Vehicles or property, including causing unreasonable delays in boarding or alighting, blocking or partially blocking an aisle or stairway with a package or object, reclining in more than one seat, or in any way interfering with or seriously disrupting the provision or use of transit services (RCW 9.91.025/SMC 10.10.100/ADA);

9. Disturbing others by engaging in loud, raucous, unruly, aggressive, violent, harmful, or harassing behavior (RCW 9.91.025/SMC 10.10.100/ADA);

10. Destroying, defacing, or otherwise damaging STA property or any signs, notices, or advertisements on transit property (RCW 9.91.025/SMC 10.10.100);

11. Consuming an alcoholic beverage, or in possession of an open beverage container holding alcohol in any Transit Vehicle. Carrying any alcoholic beverage or controlled substance in any Transit Vehicle, unless otherwise authorized by law (RCW 46.61.519);

12. Consuming an alcoholic beverage, or in possession of an open container of alcohol on STA Facilities and Properties ~~or Transit Vehicle~~, except where permitted to do so by virtue of possession of a valid state and/or local liquor license and authorized by STA (RCW 9.91.025);

~~12.13. Consuming, Opening, or having an open a package containing marijuana, useable marijuana, or a marijuana-infused products, or marijuana concentrates or to consume marijuana, usable marijuana, or a marijuana infused product in view of the General Public on STA Facilities and Properties or in Transit Vehicles; including possessing marijuana or marijuana products in Transit Vehicles except in a package, container or receptacle that has not been opened or the seal broken or contents partially removed. (RCW 46.61.745/RCW 69.50.445/SMC 10.15.220)~~

~~13.14. Carrying, exhibiting, displaying, or drawing any firearm, dagger, sword, knife or other cutting or stabbing instrument, club, or any other weapon apparently capable of producing bodily harm, in a manner, under circumstances, and at a time and place that either manifests an intent to intimidate another or that warrants alarm for the safety of other Ppersons, unless otherwise authorized by law (RCW 9.41.270);~~

~~14.15. Throwing an object at Transit Vehicles or STA Facilities and Properties, or at any Pperson on STA Facilities and Properties or using a Transit Vehicle (RCW 9.91.025);~~

~~15.16. Allowing any animal, including service animals, to occupy a seat on Transit Vehicles or STA Facilities and Properties, to run at large, to unreasonably disturb others, leave waste matter on STA Facilities and Properties, or interfere with Ttransit-Rrelated Aactivities. Except for licensed service animals, animals are not allowed in STA Facilities and Properties or Transit Vehicles only if unless the animal is in a carrier designed specifically for animals, with absorbent material on the carrier floor;~~

~~16.17. Roller-skating, rollerblading or skateboarding on STA Facilities and Properties (RCW 9.91.025/SMC 16.61.787);~~

~~17.18. Riding bicycles, unicycles, mopeds and motorcycles, except where vehicle travel and access is permitted (SMC 16.61.787);~~

~~18.19. Using STA Facilities and Properties for residential or commercial parking purposes except as authorized by STA or its designee;~~

~~19.20. Operating, stopping, standing or parking a vehicle in any roadway or location restricted for use only by Transit Vehicles or otherwise restricted;~~

~~20. — Eating on Transit Vehicles or in prohibited areas of STA Facilities and Properties; STA permits transportation and consumption of beverages on Transit Vehicles when the beverage is in a reusable, a container with a lid. leak-proof container with a resealing lid;~~

21. Using a public address system, loudspeaker or other sound amplifying device, except as authorized by STA or its designee (RCW 9.91.025);

22. Sitting or lying on floors of Transit Vehicles, planters, handrails, stairs, counters, window sills, or any other area or fixture not specifically designed for seating purposes, or floors, sidewalks, asphalt, or other ground covering in or on STA Facilities and Properties;

23. Sleeping, camping or storing personal property on benches and floors on or within Transit Vehicles or STA Facilities and Properties, unless otherwise authorized by law;

24. Entering or remaining upon any nonpublic areas of STA Facilities and Properties, including, but not limited to, staging areas, work areas and equipment rooms, except when authorized by STA or its designee;

25. Entering or remaining in an area marked as reserved for senior citizens or ~~P~~paratransit customers without proof of age or a ride booked on Paratransit~~current paratransit ID card~~;

26. Entering Transit Vehicles or STA Facilities and Properties without wearing a shirt and shoes or failing to maintain a level of personal hygiene that is not offensive to other customers;

27. Engaging in commercial activities on STA Facilities or Properties or Transit Vehicles, except as such activities are authorized by STA or its designee in a written ~~P~~permit, license, concession contract, lease or other written authorization;

28. Engaging in ~~P~~ublic ~~C~~ommunication ~~A~~ctivities on STA Facilities or Properties or Transit Vehicles, except as such activities are authorized by Articles IV and V herein;

29. Engaging in any civic, cultural and other special event not included in the definitions of commercial or ~~P~~ublic ~~C~~ommunication ~~A~~ctivities in Article II herein, except as such activities are authorized by STA or its designee in a written ~~P~~permit, license, concession contract, lease or other written authorization;

30. Committing any act which tends to create or incite, or creates or incites, an immediate breach of the peace, including, but not limited to (a) fighting, (b) racing, (c) obscene language or conduct tending to cause a breach of the peace, and (d) personally abusive epithets, or words or language of an offensive, disgusting or insulting nature, which epithets, words or language when addressed to the ordinary citizen are, as a matter of common knowledge, inherently likely to provoke a violent reaction of fear, anger or apprehension;

31. Engaging in sexual activity with self or others while accessing or riding a ~~-~~Transit Vehicle; or on STA Facilities or Properties;

32. Engaging in gambling or any game of chance for the winning of money or anything of value (~~RCW 9.91.025~~) on STA Transit Vehicles or on STA Facilities or Properties (RCW 9.91.025);

33. Use of Transit Vehicles or STA Facilities and Properties for non ~~T~~ransit-~~R~~elated ~~A~~ctivities, except as authorized by STA (RCW 9.91.025);_

~~33.34.~~ Use of electric charging stations [or outlets] located in The Plaza for periods in excess of thirty (30) minutes per day or blocking access to electric charging stations [or outlets];

~~34.~~35. Entering Transit Vehicles or STA Facilities and Properties when lacking the ability, because of illness, intoxication, or medication(s), to care for one's self;

~~35.~~36. Extending an object or a portion of one's body through the door or window of a Transit Vehicle;

~~36.~~37. Hanging or swinging on bars or stanchions, with feet off the floor, inside a Transit Vehicle or other STA Facilities and Properties; hanging onto or otherwise attaching oneself at any time to the exterior of a Transit Vehicle or other STA Facilities and Properties;

~~37.~~38. Engaging in any physical sport activity on STA Facilities and Properties;

~~38.~~39. Failing to pay the appropriate fare as required by STA, including failure to display proof of payment when requested to do so by a ~~P~~erson designated to monitor fare payment or failure to depart the bus or other mode of public transportation when requested to do so by a ~~P~~erson designated to monitor fare payment (RCW 36.57A.230/RCW 9.91.025);

~~39.~~40. Falsely representing oneself as eligible for a special or reduced fare or -using any ~~P~~ermit or pass related to a Transit Vehicle by making a false representation of eligibility (RCW 9.91.025);

~~40.~~41. Falsely claiming to be a transit operator, other transit employee, or volunteer; or through words, actions and/or the use of clothes, insignia or equipment resembling department-issued uniforms and equipment, creating a false impression that he or she is a transit operator, other transit employee, or volunteer (RCW 9.91.025);

~~41.~~42. Refusing to allow proper securement of a wheelchair on Transit Vehicles;

~~42.~~43. Refusing to use personal restraints/seatbelts on Transit Vehicles providing ~~P~~ar transit ~~S~~ervices, unless customer has previously provided STA with written notice of a statutory exemption from such use (RCW 46.61.688);

~~43.~~44. Interfering or tampering with mobile data computers, camera components; fare boxes, or any other equipment on Transit Vehicles or STA Facilities and Properties (RCW 9.91.025);

~~44.~~45. Exceeding the number of no shows allowed under the ~~P~~ar transit procedures for shared-ride service, provided that trips missed for reasons beyond the customer's control shall not be counted as no shows;

~~45.~~46. Impeding ~~P~~ar transit ~~S~~ervices through non-compliance with the procedures set forth in the Paratransit Rider's Handbook;

~~46.~~47. Violating an exclusion order issued pursuant to B.2 of Article III herein; (RCW 9A.52.070/080);

~~47.48.~~ Engaging in other conduct that is inconsistent with the intended use and purpose of Transit Vehicles or STA Facilities or Properties and refusing to obey the lawful commands of an agent of the transit authority or a peace officer to cease such conduct (RCW 9.91+.025);

~~48.49.~~ Making hostile, harassing, threatening or nuisance ~~telephone calls statements~~ to STA ~~E~~employees, including but not limited to ~~telephone calls placed to~~ 509-328-RIDE(7433) or STA's administrative, ~~P~~paratransit or operational system telephone numbers; and

~~49.50.~~ Violating any federal, state, or municipal civil and criminal laws.

B. ENFORCEMENT

1. Removal and/or Exclusion from STA Transit Vehicles, Facilities and Properties.

Any ~~P~~person engaging in prohibited conduct under the provisions of Article III may be refused entrance upon or ordered to leave STA Transit Vehicles, Facilities and Properties by a commissioned law enforcement official, STA personnel as authorized by the Chief Executive Officer of STA, or authorized personnel of a contracted service provider in accordance with the terms of the applicable service contract. Failure to immediately comply with such a removal order may be grounds for prosecution for criminal trespass and/or unlawful transit conduct.

2. ~~Exclusion from Service~~Procedure for Administrative Exclusion.

Except as provided in STA's Code of Conduct (Article III, Section B (2)(d) - *Immediate Refusal or Removal*), STA ~~E~~employees shall not refuse service to anyone who has not been formally excluded from STA service pursuant to the application of STA's Rules of Conduct or a court order.

(a) ***Basis for Exclusion.*** Engaging in prohibited conduct under Article III shall be cause for excluding a ~~P~~person from the privilege of entering and using all or any part of Transit Vehicles, or STA Facilities and Properties for a period of time as determined by STA based on the conduct and circumstances leading to an exclusion.

(b) ***Notice Procedure.*** The STA Chief Executive Officer, or his/her designee, shall give written notice by personal delivery or by mailing a copy by regular U.S. Mail addressed to the ~~P~~person's last known address, to any ~~P~~person to be excluded from Transit Vehicles, or STA Facilities and Properties. The notice shall specify the reason for exclusion, places and duration of the exclusion, the effective date of the exclusion, the appeal process, and provide the ~~P~~person an opportunity to respond in person, by telephone or in writing, to the proposed action within five (5) calendar days of actual or constructive receipt of the notice by the ~~P~~person being excluded.

An exclusion shall commence on the sixth calendar day after actual or constructive receipt of the notice by the ~~P~~person being excluded, unless the ~~P~~person has timely requested an administrative review of the notice, in which case the STA Chief Executive Officer, or his/her designee, shall review the exclusion and shall render a written decision determining whether exclusion is warranted within five (5) calendar days

from the date of the Person's request for review. Such written decision shall be delivered personally to the requesting Person or delivered by mailing a copy by regular U.S. Mail, addressed to the Person's last known address.

If the STA Chief Executive Officer, or his/her designee, determines that exclusion is warranted, such exclusion shall commence and be effective upon actual or constructive receipt of the written decision by the Person to be excluded.

(c) **Constructive Notice.** Receipt of a notice is construed to have been accomplished if the Person knew or reasonably should have known from the circumstances that he/she is excluded from Transit Vehicles, Facilities and Properties. Receipt of a notice is also presumed to have been accomplished three (3) calendar days after the notice has been placed in the U.S. Mail.

(d) **Immediate Refusal or Removal.** The notice procedure described in Article III, Section B 2(b), (c) above may be waived, if, in STA's discretion, immediate conditions exist that pose safety or security risks, interfere with or impinge on the rights of others, impede the free flow of the General Public, impede the orderly and efficient use of Transit Vehicles or STA Facilities and Properties, or otherwise interfere with or seriously disrupt STA's transit related activities. In such immediate conditions, Persons engaging in prohibited conduct under the provisions of Article III may be immediately reseated, refused transportation, or removed from Transit Vehicles or STA Facilities and Properties. The notice and administrative review provisions of Article III, Section B 2(b) shall not be available to a Person immediately refused transportation or removed from Transit Vehicles or STA Facilities and Properties for any period less than thirty (30) calendar days.

(e) **Refusal to Comply.** The refusal to immediately comply with an order excluding a Person from Transit Vehicles or STA Facilities and Properties shall be grounds for prosecution for criminal trespass.

(f) **Length of Exclusion.** The following suggested exclusion lengths are guidelines to be used by STA in determining the duration of a particular exclusion under the provisions of Article III. The actual exclusion period imposed may be shorter or longer depending on the circumstances of each case, and the circumstances that form the basis for determining the length of exclusion shall be stated in STA's written report(s) of the incident(s) leading to exclusion. Circumstances considered by STA in determining the length of exclusion may include, without limitation, the immediate incident, STA's documented history of prior incidents involving the excluded Person, STA security records, supervisor records and any other public records available to STA regarding the individual's conduct while using or accessing Transit Vehicles or STA Facilities and Properties.

First Offense:	1-90 days
Second Offense:	91-180 days
Third Offense:	181-365 4 days
Each Subsequent Offense:	365 or more days

(g) **Appeal Procedure.** The following appeal process shall be provided to any ~~P~~person excluded from Transit Vehicles or STA Facilities and Properties for a period of thirty (30) days or more. Not later than ten (10) calendar days after commencement of the exclusion, an excluded ~~P~~person may appeal in writing to the STA ~~Director of Operations~~Director of Communications and Customer Service, or his/her designee, for de novo review of the exclusion. Commencement of the exclusion shall be defined as the date upon which the exclusion became effective and shall be determined by STA's official records. The appellant may request a hearing or may request review without a hearing based on a written statement setting forth the reasons why the exclusion is invalid or improper. If the excluded ~~P~~person is unable to respond in written format, STA will make reasonable accommodation to allow due process. If no hearing is requested, the STA ~~Director of Operations~~Director of Communications and Customer Service, or his/her designee, shall render a written decision within twenty (20) calendar days after receipt of the appeal.

(h) **Hearing.** If a hearing is requested, the hearing shall be held within twenty (20) calendar days after receipt of the appeal, and a written decision shall be rendered within twenty (20) calendar days after the hearing. Exclusions shall not be stayed during the appeal process, unless the exclusion is for missing scheduled trips under Article III, Section A-, 26 herein. If an appellant requires ~~P~~ublic ~~T~~ransportation ~~S~~ervices to attend the hearing, the appellant shall contact the STA ~~Director of Operations~~Director of Communications and Customer Service, or his/her designee, five (5) business days prior to the hearing date, and STA shall make arrangements to provide the necessary ~~P~~ublic ~~T~~ransportation ~~S~~ervices for the appellant.

3. Other Laws not Limited.

The enforcement of Article III herein is not intended to limit, in any manner, the enforcement of any applicable federal, state or municipal laws, provided STA is not authorized to assist a patron or employee in enforcing a court order prohibiting or restricting contact with any other ~~P~~person other than to notify appropriate law enforcement personnel via STA's dispatcher or STA Security.

C. LIABILITY

Nothing in Article III herein shall create a duty to any ~~P~~person on the part of STA or form any basis for liability on the part of STA, its officers, agents or employees. The obligation to comply with Article III is solely that of any ~~P~~person entering and using Transit Vehicles or STA Facilities and Properties and STA's enforcement of Article III is discretionary, not mandatory.

ARTICLE IV.-- PUBLIC COMMUNICATION ACTIVITIES AT STA TRANSIT VEHICLES, FACILITIES AND PROPERTIES OTHER THAN THE PLAZA

A. PURPOSE AND SCOPE

1. Non-Open Public Forums.

As a provider of Public Transportation Services, STA makes a variety of Transit Vehicles and certain STA Facilities and Properties available to Persons who use such Public Transportation Services. Although these Transit Vehicles and STA Facilities and Properties may be accessed by the General Public, they are not open public forums either by nature or by designation. They are intended to be used solely for Transit-related Activities and provide little, if any, space for other non-Transit-Related Activities.

2. STA's Legitimate Interests.

Most Public Communication Activities are prohibited on Transit Vehicles and within or upon STA Facilities and Properties, regardless of viewpoint expressed, because they are incompatible with STA's legitimate interests, including but not limited to:

- (a) securing the use of scarce parking spaces and shelter space for Persons who are using Public Transportation Services;
- (b) maintaining safe, clean and secure Transit Vehicles and STA Facilities and Properties to retain existing, and attract new, users of Public Transportation Services;
- (c) reducing litter pick-up and other maintenance or administrative expenses so as to maximize the provision of Public Transportation Services; and
- (d) preventing delays and inconvenience to the General Public by minimizing congestion, and expediting their boarding, transferring, and alighting of Transit Vehicles.

3. Purpose of Article IV.

STA's intent and desire is to allow members of the General Public to engage in Public Communication Activities on Transit Vehicles and within or upon STA Facilities and Properties to the extent such activities are compatible with STA's legitimate proprietary functions and interests, but expressly does not hereby designate its Transit Vehicles or STA Facilities and Properties as public forums. It is the purpose of Article IV to describe the limited extent to which the General Public is allowed to engage in Public Communication Activities on Transit Vehicles and within or upon STA Facilities and Properties. Article IV does not apply to STA Employees engaged in authorized activities in the course of their employment or to events or commercial activities previously authorized by STA. Article IV does not apply to commercial advertising on or upon STA Facilities and Properties or Transit Vehicles.

4. Facilities Governed by Article IV.

STA Transit Vehicles and STA Facilities and Properties, ~~as defined herein~~, except The Plaza, are governed by Article IV. The Plaza is governed by Article V ~~herein~~.

B. REGULATION OF PUBLIC COMMUNICATION ACTIVITIES

Persons engaging in Public eCommunication Activities at STA Facilities and Properties governed by Article IV involving signs, boxes, receptacles, easels, tables or other similar apparatus of any kind, must first obtain an STA Permit in accordance with the rules and procedures set forth in Article IV ~~herein~~. Otherwise, no Permit will be required for Public eCommunications Activities at STA Facilities and Properties governed by Article IV as ~~otherwise provided herein~~.

STA personnel may require that any Public eCommunication Activity at STA Facilities and Properties governed by Article IV not be conducted within ten feet of Persons in Transit Vehicle queue lines, loading zones, bus entrances or exits, or permanent waiting fixtures, unless invited closer by a transit patron.

1. Limitations.

Public eCommunication Activities which are otherwise lawful are permitted on STA Transit Vehicles and within or upon STA Facilities and Properties governed by Article IV, subject to the following exceptions and limitations:

(a) Unless otherwise authorized by STA Posting or affixing flyers, pamphlets, brochures, leaflets, written or graphic material of any kind is prohibited.

(b) Selling or offering for sale or donation books, pamphlets, or any other written or printed material is prohibited.

(c) Soliciting funds is prohibited, provided that solicitation for donations for non-profit causes may be conducted under Article V within designated areas of The Plaza, and are otherwise subject to the Rules of Conduct and laws applicable to such fundraising.

(d) Signs, banners, structures or other paraphernalia may not be affixed to or erected on STA Transit Vehicles and within or upon STA Facilities and Properties, except as authorized by STA or law.

(e) Signs carried by or on a Person are not permitted in Transit Vehicles. Signs carried by or on a Person are permitted within or upon other Article IV STA Facilities and Properties provided the signs are not constructed of a size or material which could inadvertently or intentionally cause injury to a Person or property, except signs are not permitted on STA Transit Vehicles. Signs may not be of a size that obstructs the free flow of the General Public and may not exceed 32 inches by 32 inches. A “sandwich board” sign may not extend beyond the carrier’s shoulders or, if used by a Permittee, beyond the permitted area.

(f) Public eCommunication Activities will not be permitted in parking areas, Park-and Ride Lots, or roadways. Public communication activities may not block any loading zone, signage, stairway, escalator, elevator, customer service counter, ticket or automatic teller machine, authorized commercial activity, any fire safety system component, telephone, information board or the normal General Public paths to and from such areas.

(g) Public communication activities otherwise permitted under Article IV are prohibited if the number of Persons engaged in the activities, their location or their manner of conducting the activities is found to create safety or security problems, interfere with the free flow of Persons onto or off of STA Transit Vehicles, or into, within or from STA Facilities and Properties; ~~or~~ interfere with, or seriously disrupt the operation of such Transit Vehicles, Facilities and Properties, or STA's provision of Public Transportation Services.

(h) Persons engaged in Public Communication Aactivities within or upon Article IV STA Facilities and Properties shall not use any parking spaces provided at such Facilities and Properties unless they are also using STA's Public Transportation Services.

~~(h)~~(i) **Hold Harmless.** Any Permittee, including Permittee's personal representatives, successors in interest, and assigns, shall, as a precondition to the issuance of the Permit, agree to indemnify, defend and hold harmless STA, and its officers, agents and employees from all suits, claims, actions and damages of whatsoever kind or nature arising out of or resulting from the Permittee's use of STA Facilities and Properties except to the extent caused by the negligence of STA and its officers, agents and employees. Permittee shall further covenant and agree to specifically assume potential liability for actions brought by Permittee's own employees against STA and its officers, agents and employees and, for that purpose only, Permittee specifically waives any immunity under the Workers' Compensation Act, Title 51 RCW; provided, however, that said waiver shall not apply to such actions in which Permittee's employee alleges that the claim arises through the fault of STA and its officers, agents and employees and through no fault of Permittee, unless the fault of Permittee is established through discovery or at trial.

C. GENERAL

1. Liability for Clean-up.

Any Person engaged in Public Communication Aactivities and found responsible for litter, damages or destruction of STA Transit Vehicles and within or around STA Facilities and Properties, whether by accident or intent, shall be responsible for the clean-up and/or liable for the cost of repairing or replacing the property.

2. Liability of STA.

Nothing in Article IV or in the ~~permission-permitting~~ of Public Communication Aactivities on STA Transit Vehicles and within or upon STA Facilities and Properties shall create a duty to any Person on the part of STA or form any basis for liability on the part of STA, the members of the Board, its agents or employees. The obligation to comply with the requirements of Article IV is solely that of any Persons engaging in Public Communication Aactivities and STA's enforcement of Article IV is discretionary, not mandatory.

3. Non-STA Uses.

Notwithstanding the limitations and prohibitions contained in Article IV, STA reserves the right to enter into leases or other use agreements permitting non-STA uses of STA Transit Vehicles and STA Facilities and Properties that are found to be compatible with STA's proprietary functions and interests.

ARTICLE V.-- PUBLIC COMMUNICATION ACTIVITIES: THE PLAZA

A. INTRODUCTION

1. Purpose of The Plaza.

The Plaza, ~~including, but not limited to the Lower Level, Street Level and Skywalk Level,~~ is first and foremost intended for STA Public Transportation Services and the use of those services by the General Public. Safe and efficient movement of STA Transit Vehicles and customers within and upon The Plaza is paramount to achieving safety, security, maintenance and operation objectives and meeting General Public expectations concerning The Plaza and STA's provision of Public Transportation Services. Selected areas of The Plaza may accommodate Public Communication Activities unrelated to the provision of Public Transportation Services at the discretion of STA. To the extent Public Communication Activities can be accommodated at The Plaza, the rules and procedures stated in this Article V shall apply.

2. Purpose of Article V.

The Plaza is primarily intended for Persons making use of Public Transportation Services, although ~~many of the~~ areas of The Plaza are also open to the General Public and patrons of the commercial establishments located ~~in The Plaza on the Street Level of The Plaza.~~

The public areas of The Plaza ~~include consist of the Street Level and designated areas of the Skywalk Level as further identified on "Appendix 3." the areas on the Street Level including the Kiosk shaded and further identified on "Appendix 3" and Skywalk Levels.~~ With respect to ~~these public areas~~ these public areas, STA is, within reasonable limits, authorized to regulate the time, place, and manner in which Persons conduct themselves.

Without regard to content, individuals or groups involved, some activities might be denied altogether or made subject to the Rules of Conduct. Such activities would include, but are not necessarily limited to, those that are inconsistent with the intended purpose of a given area, pose safety or security risks, interfere with or impinge on the rights of others, impede the free flow of the General Public, affect the orderly and efficient use of The Plaza, or otherwise interfere with STA's Public Transportation Services, operations and maintenance activities.

Accordingly, the express purpose of Article V is to accommodate freedom of expression and maintain the operational function of The Plaza as a Transit Center. Article V should be construed and interpreted to achieve that end.

B. RULES AND PROCEDURES

1. STA Intent.

It is the intent of STA to accommodate, to the extent practicable, Public Communication Activities that are not associated with the purposes for which The Plaza was intended. While attempting to accommodate such activities, STA must extend some control over them to achieve the goals and objectives described above. Accordingly, persons will be allowed to engage in Public Communication Activities within-in designated areas located on the Sidewalk Level of The Plaza, provided such activities are conducted in accordance with the following rules and procedures, as applicable, and are not in violation of the Rules of Conduct and existing laws. No Public Communication Activities are permitted on the Lower Level or Skywalk Level.

2. Public Communication Activities & Permits.

No permit is required for persons engaging in Public Communication Activities in the Transit Vehicle loading zone/sidewalks surrounding the Street Level of The Plaza which do not unless the Public Communication Activities involve the use of signs, boxes, receptacles, easels or other similar apparatus of any kind. the Plaza. However, STA personnel may require that such activity not be conducted within ten feet of Persons in sidewalk queue lines, bus exits or permanent waiting fixtures unless invited closer by a transit patron.

All other Public Communication Activities at The Plaza involving the use of signs, boxes, receptacles, easels or other similar apparatus of any kind require a Permit from STA, including all Transit Vehicle loading zone/sidewalk activity involving the use of signs, boxes, receptacles, easels or other similar apparatus of any kind. Permits will may be only be conducted issued at for use of the Kiosk, Sidewalk Space A or Sidewalk Space B. No other Public Communication Activities are permitted at The Plaza.

Persons engaging in Public Communications Activities at the Kiosk, Sidewalk Space A or Sidewalk Space B must first obtain a Permit from STA in accordance with the rules and procedures set forth in Article V. The locations of the Kiosk, Sidewalk Space A and Sidewalk Space B is are the shaded areas identified on "Appendix 3" attached hereto and by this reference incorporated herein.

Persons engaging in Public Communication Activities at Sidewalk Space A or Sidewalk Space B on must first obtain a Permit from STA in accordance with the rules and procedures set forth in Article V. The designated areas Sidewalk Space A and Sidewalk Space B of the Street Level of the Plaza are the shaded areas identified on "Appendix 3" attached hereto and by this reference incorporated herein.

(a) Application for a Permit. Any Person who desires to obtain a Permit shall submit an application ("Application") to STA's Director of Operations Communications and Customer Service or his/her designee. A copy of the form of the Application is attached hereto as "Appendix 1" and by this reference is incorporated herein. Applications may be obtained in-person, Monday - Friday (except holidays), 8:00 a.m. to 5:00 p.m., from the Customer Service Center, located on the Sidewalk Level of The Plaza Bus Shop, 701 W. Riverside Avenue., Spokane, WA 99201.

~~Persons engaging in public communication activities at The Plaza must first obtain a Permit from STA. Provided, that persons engaging in public communication activities not involving signs, boxes, receptacles, easels or other similar apparatus of any kind, on the sidewalks surrounding The Plaza may do so without obtaining a Permit in accordance with the rules and procedures set forth in this Article V.~~

~~(a) — **Application for Permit.** Any person that who desires to obtain a Permit shall submit an application (“Application”) to STA’s Director of Operations or his/her designee. A copy of the form of the Application is attached hereto as “Appendix 1” and by this reference is incorporated herein. Applications may be obtained in person, Monday–Friday (except holidays), 8:00 a.m. to 5:00 p.m., from STA’s Business Office, 1230 W. Boone Ave., Spokane, WA 99201, or The Plaza Bus Shop, 701 W. Riverside AveAvenue., Spokane, WA 99201.~~

~~(b) **Issuance of Permit.** STA’s Director of OperationsCommunications and Customer Service or his/her designee shall issue a Permit Wwithin a period of no more than two (2) business days of receipt of a completed Application, **a Permit shall be issued by STA’s Director of Operations or his/her designee,** or the applicant shall be furnished a written statement setting forth the reason why the Application for a Permit has been denied. A ~~Permit Permit~~ will not be issued more than seven (7) calendar days prior to the commencement of intended use and will be valid only for the specific dates, times and designated area(s) identified on the Permit. ~~A Permit~~ shall be effective for a period of no longer than seven (7) calendar days and will be limited to the normal hours and days that the designated area(s) identified on the ~~specific~~ Permit ~~is~~ open for ~~public aecess~~**Public Communication Activities**. No Permit ~~_~~shall be issued for more than five (5) hours in each seven (7) calendar days for any individual or group. Applications shall be processed in the order of their receipt.~~

(1) A Permit may be renewed prior to its expiration for up to seven (7) additional calendar days by filing with STA’s Director of **Operations Communications and Customer Service** or his/her designee, a notice that the Permittee intends to continue his/her activity, together with any amendments necessary to keep the information required by the Application current and accurate. A Permit shall not be renewed if the notice and information herein required are not timely filed or if the continued presence of the Permittee cannot be accommodated under the rules and procedures in this Article V.

(2) Permittees will be required to have the Permit on their person (or with group) when engaged in their activity. A copy of the form of the Permit is attached hereto as “Appendix 2” and by this reference is incorporated herein.

(c) Areas of Permit Exercise. Permitted Public Communication Activities, as defined in Article II herein, are permitted only at (1) the Kiosk and/or (2) Sidewalk Space A and/or (3) Sidewalk Space B on the Street Level as indicated on the Permit and as defined in Appendix 3. Use of such space is limited to the area designated on the Permit only. The Kiosk and Sidewalk Spaces designated for Public Communication Activities are the shaded areas identified on "Appendix 3" attached hereto and by this reference incorporated herein.

(b) Denial of Permit. If a Permit is denied, STA's ~~Director of Operations~~ Director of Communications and Customer Service or his/her designee shall serve on the applicant personally or by regular U.S. Mail, return receipt requested, a written statement of reasons for denial. A Permit shall not be denied unless:

(1) The applicant has not furnished the information required by the Application, or has failed to agree to the conditions of the Permit;

(2) The applicant is subject to: (i) an exclusion order issued to the applicant or participant pursuant to Article III herein; (ii) a revocation of a previous ~~p~~Permit issued to the applicant; or (iii) a failure to comply with the terms and conditions of a ~~p~~Permit previously issued to the applicant;

(3) The nature of the activity that the applicant wishes to conduct constitutes a ~~e~~Commercial ~~a~~Activity as defined in Article III herein and is subject to other requirements of STA;

(4) Emergency conditions exist that make the applicant's proposed activity at the date, time and location proposed by the applicant incompatible with the operational function of The Plaza; or

(5) More applicants than herein provided for have requested permitted activities for the same date, time and location and the applicant is not entitled to priority in accordance with the rules and procedures in this Article V.

(6) Where feasible, the Director of Communications and Customer Service or his/her designee may propose measures for curing any defect in the application for a ~~p~~Permit.

(c) Revocation of Permit. A Permit shall be revoked immediately by STA's ~~Director of Operations~~ Director of Communications and Customer Service or his/her designee when evidence exists that:

(1) A Permittee has violated the provisions of the Rules of Conduct, has been duly warned of the violation at least once, but has not complied; or

(2) The activity has attracted a crowd of sufficient size so as to begin to adversely impact the safety, security or rights of others, the free flow of the ~~G~~eneral ~~P~~ublic, or the normal operation requirements of The Plaza. Under this

circumstance, the Permit may be returned for use if the crowd disperses and the adverse conditions that existed at the time of revocation are no longer present.

(d) Notice of Revocation.

(1) Notice of revocation shall be in writing supported by a statement of facts and a list of witnesses to the facts stated, and the notice shall be personally served upon the Permittee or mailed to the Permittee by certified mail, return receipt requested. A notice of revocation need not be in writing, if immediate conditions exist that pose safety or security risks, interfere with or impinge on the rights of others, impede the free flow of the ~~G~~general ~~P~~public, affect the orderly and efficient use of The Plaza, or otherwise interfere with STA's ~~P~~public ~~T~~ransportation ~~S~~ervices, operations and maintenance activities. If written notice of revocation is not given because of such immediate conditions, the STA ~~Director of Operations~~Director of Communications and Customer Service or his/her designee shall within one (1) calendar day from the date of revocation, prepare a written notice of revocation as required above.

(2) Once a Permit has been revoked, a ~~P~~erson shall not continue their activity until another Permit has been obtained or the revoked Permit returned by the STA ~~Director of Operations~~Director of Communications and Customer Service or his/her designee. If the Permit has been revoked on a permanent basis, all materials involved in the terminated activity must be removed immediately, by the individual(s) involved.

(e) Appeal from Denial or Revocation.

(1) Upon notification of the denial of a Permit, or revocation thereof, an applicant or Permittee may file a notice of appeal with STA's Chief Executive Officer ~~or his/her designee a notice of appeal~~.

(2) Upon receipt of the notice of appeal, the matter shall be set for a hearing before STA's Chief Executive Officer or his/her designee within ten (10) calendar days and STA shall issue a notice of hearing which shall be sent by certified mail, return receipt requested, to the applicant or Permittee, and which shall contain the date, time and place of the hearing.

(3) At the hearing, the applicant or Permittee may be represented by legal counsel. Testimony shall be taken upon oath or affirmation first of witnesses in support of the denial or revocation of the Permit. The applicant or Permittee may testify and present witnesses on his behalf. A record shall be made of the proceeding and kept on file with STA.

(4) The findings and order of STA's Chief Executive Officer or his/her designee shall, within seven (7) calendar days of the conclusion of the hearing, be ~~forthwith~~ sent to the applicant or Permittee by certified mail, return receipt requested.

(5) An applicant denied a Permit may immediately appeal the order of STA's Chief Executive Officer to any court with jurisdiction. Filing an appeal stays the order of STA's Chief Executive Officer until a final judicial decision has been rendered. A denied applicant who desires to file an appeal shall have seven (7) calendar days from the date the applicant receives the order to file such appeal before the order becomes final.

(f) Availability of and Limit Upon Permits.

(1) Permits will be issued on a first-come, first-served basis, subject to availability. If more ~~P~~ersons are requesting issuance of Permits than can be accommodated for the area, date and time requested, STA's ~~Director of Operations~~Director of Communications and Customer Service or his/her designee shall give preference to the applicant or applicants who have had the least opportunity during the preceding thirty (30) calendar days to conduct ~~P~~ublic ~~C~~ommunication ~~A~~ctivities. Permits shall be issued without regard to the identity of the ~~P~~erson or cause for which the Permit is being requested.

(2) For safety and security reasons, to ensure ~~that~~ the free flow of the ~~G~~eneral ~~P~~ublic and the intended transportation functions of The Plaza are met, and to accommodate other activities competing for the limited available space, a maximum of four (4) individuals, representing the same groups or causes, will be allowed to engage in ~~P~~ublic ~~C~~ommunication ~~A~~ctivities at the area designated in the Permit at any given time. each of the designated areas in the Street Level or Skywalk Levels of The Plaza at any given time.

~~(g) — **Table Endorsement.** Persons requesting a Permit to engage in public communication activities may, at their option, indicate a desire to use tables and chairs to store, display, and distribute materials in conjunction with their activity. Permits requiring the use of a table or other furniture will be annotated by a "Table Endorsement." Subject to the availability of space, no more than two (2) tables will be permitted at each designated area in the interior Street or Skywalk Levels. Table Endorsements will not be issued for use on the sidewalks surrounding The Plaza. Tables may only be used in accordance with the following conditions:~~

~~(1) — Only tables/chairs supplied by STA are permissible. STA provides tables/chairs for a charge based on commercial rental of similar equipment in Spokane. The table/chairs will be set up and dismantled by STA staff. A table must be attended at all times, unless the Permittee is physically present within the area and can maintain sight of the table at all times.~~

~~(2) — Materials must be stored on top of or beneath each table. Under no circumstances may the table, chair, stored articles or person(s) staffing the table obstruct the free flow of persons moving within or through The Plaza.~~

~~(3) — Signs, leaflets or other materials may be affixed to the table. No signs, leaflets or other materials may be posted to or erected within The Plaza unless space has otherwise been provided for such use.~~

~~STA will not be held responsible for damage to or loss of any materials under or upon the table. (Deleted because there is only one area in the interior of the STA Plaza and the prior Rules of Conduct prohibited tables and chairs in the exterior areas of The Plaza.)~~

~~(g) **Use of the Kiosk. Endorsement.** [A2] A Permit issued to engage in Public Communications Activities at the Kiosk is subject to the following conditions.~~

~~— Persons requesting a Permit to engage in public communication activities at the Kiosk may, at their option, indicate a desire to use the Kiosk to store, display, and distribute materials in conjunction with their activity. Permits requiring the use the Kiosk will be annotated by a “Kiosk Endorsement.” The Kiosk may only be used in accordance with the following conditions:~~

~~(1) The Kiosk must be attended at all times, unless the Permittee is physically present within the area and can maintain sight of the Kiosk at all times.~~

~~(2) The Kiosk may be used to distribute and display material in conjunction with the Public Communication Activity. No materials may be stored on top of or underneath the Kiosk unless authorized by STA.~~

~~(4) (3) Under no circumstances may Person(s) staffing the Kiosk obstruct the free flow of Persons moving within or through The Plaza.~~

~~(4) Signs, leaflets or other materials may only be affixed [A3] to the Kiosk in a manner acceptable to STA. No signs, leaflets or other materials may be posted to or erected within The Plaza. unless space has otherwise been provided for such use.~~

~~(5) STA will not be held responsible for damage to or loss of any materials furnished by Permittee under or upon the Kiosk.~~

~~(k) **Transferability.** Upon written approval by STA’s ~~Director of Operations~~ Director of Communications and Customer Service, a Permit may be transferred to another ~~P~~person engaged in the same activity; provided the receiving party complies with the conditions of the Permit and retains it on his/her person during the activity.~~

(l) Reproduction. Permits may not be reproduced or altered in any manner. Reproduced or altered Permits will be considered invalid and confiscated. The holder of the invalid Permit will be required to cease their activity until a valid Permit is obtained.

(m) Signs, Banners, Literature, Etc. Signs, banners, literature, leaflets, posters, structures or other paraphernalia may not be affixed to The Plaza or any property in The Plaza or erected in conjunction with an activity, unless ~~space has otherwise been provided for such purpose at The Plaza or under provisions stated elsewhere in Article V, authorized by STA.~~ Signs carried by or on a Person are not permitted within the interior of The Plaza. Signs carried by or on a Person may be used on the exterior areas of the Street Level, provided the signs are not constructed of materials which could inadvertently or intentionally cause injury to another individual. ~~Signs must not be and are~~ of a size that does not obstructs the free flow of the General Public (e.g., a maximum of 32 inches by 32 inches or a “sandwich board” worn by an individual which does not extend beyond the carrier’s shoulders is acceptable). Permittees and other Persons engaging in authorized Public Communication Activities on the Street Level may offer literature to the General Public, but shall refrain from attempting to distribute literature to any member of the General Public who indicates he or she does not desire to receive said literature.

(n) Responsibility for Clean-up. The Permittee shall be responsible for cleaning up litter that they personally (or as a group) generate in the course of their activity. If, at the end of the Permittee’s activity, the Permittee fails to clean up such litter, STA shall cause the clean up of the Permittee’s litter and the Permittee shall reimburse STA for all costs incurred therefore.

(o) Unattended Distribution and Storage of Materials. No Permittee shall leave unattended, for distribution, storage or any other purpose, any materials, placards, boxes, or other supplies used in support of Public Communication Activities.

(p) Liability for Damaging Property. Any Person or organization engaged in Public Communication Activities and found responsible for damaging, injuring, or destroying STA property within or upon The Plaza, whether by accident or intent, shall be liable for the cost of replacing and/or repairing such property.

(q) Hold Harmless. Any Permittee, including Permittee’s personal representatives, successors in interest, and assigns, shall, as a precondition to the issuance of the Permit, agree to indemnify, defend and hold harmless STA, and its officers, agents and employees from all suits, claims, actions and damages of whatsoever kind or nature arising out of or resulting from the Permittee’s use of ~~the premises, STA Facilities and Properties~~ except to the extent caused by the negligence of STA and its officers, agents and employees. Permittee shall further covenant and agree to specifically assume potential liability for actions brought by Permittee’s own employees against STA and its officers, agents and employees and, for that purpose only, Permittee specifically waives any immunity under the Workers’ Compensation Act, Title 51 RCW; provided, however, that said waiver shall not apply to such actions in which Permittee’s employee alleges that the claim arises through the fault of STA and its officers, agents and employees and

through no fault of Permittee, unless the fault of Permittee is established through discovery or at trial.

(r) ***Interaction with the General Public.*** STA and its officers, agents and employees, shall not unnecessarily interfere with any consensual conversation between Permittees and members of the General Public. Permittees shall forthwith terminate any conversation with any member of the General Public when requested to do so by the addressee. No Person, while engaged in Public Communication Activities, shall physically touch or contact a member of the General Public, unless the Person has previously consented to the contact or unless the Person has previously agreed to contribute to the Permittee or the organization which he represents.

(s) ***Misrepresentations.*** No Person while engaging in solicitation of funds shall misrepresent the true purposes for which the resources thus obtained will be utilized by the Person. In the solicitation of funds, the Person shall inform the Person being solicited of the true intent of the organization for which said funds are solicited. No false, fraudulent, or misleading statements or representations shall be made.

(t) ***Permits and Licenses.*** The Permittee shall be responsible for obtaining all necessary permits and licenses from any other regulatory agencies required for the Permittee's use of The Plaza. Permittee shall provide copies of said permits to STA upon its request.

(u) ***Compliance with the Rules of Conduct and Laws.*** Permittees shall abide by the Rules of Conduct and all state, federal and municipal criminal and civil laws applicable to them.

APPENDIX 1

APPLICATION FOR A PERMIT TO ENGAGE IN PUBLIC COMMUNICATION ACTIVITIES

1. Please state the applicant's name, address and telephone number:

~~2. Please state the name, address and telephone number of the person that is sponsoring, promoting or organizing the activity, if any:~~

~~3. Please indicate the location of the activity:~~

~~ARTICLE IV LOCATION (Identify location and street address if known of STA Properties and Facilities, other than The Plaza, for which Permit is being requested):~~

~~ARTICLE V (The Plaza) LOCATION (Check Street Level site for which Permit is being requested; a map is available from STA):~~

- ~~Kiosk~~
- ~~Sidewalk Space A on the Street Level~~
- ~~Sidewalk Space B on the Street Level~~

~~Does the applicant desire to use the Kiosk? tables and chairs? . 34. Please state the~~

~~45. Please describe any props [without reference to content] that the applicant intends to display (e.g., size or dimensions, etc.):~~

~~56. The applicant has read and agrees to abide by the Rules of Conduct and all state, federal and municipal criminal and civil laws applicable to them. The applicant acknowledges~~

that no commercial use or activity is permitted in the Public Communication locations and any commercial use must be authorized by STA or its property manager.

DATED this _____ day of _____, 20__.

Aas applicant (Individual or Organization)

By: _____
Title: _____

APPENDIX 2

PERMIT TO ENGAGE IN PUBLIC COMMUNICATION ACTIVITIES

The Spokane Transit Authority ("STA"), 1230 W. Boone Ave., Spokane, WA 99201, hereby authorizes _____ (the "Permittee"), to engage in Public Communication Activities on STA ~~property or facilities~~ Facilities and Properties under the terms and conditions set forth herein. The Permittee recognizes and agrees that this Permit is issued for the Permittee's sole benefit and convenience. STA assumes no responsibility for the care or custody of equipment, materials, supplies ~~or any other furniture~~ to be used on STA property, nor does STA agree to provide an alternative facility if for any reason the ~~premises~~ areas designated in this Permit should cease to continue to be available. This Permit is subject to the following conditions, and by accepting this Permit, the Permittee thereby has accepted such conditions:

1. ~~I.~~ Authorized Areas. (complete one)

(a) _____ ARTICLE IV PERMIT - Permittee is authorized to engage in Public Communication Activities at the following STA Facilities and Properties:

(Insert description and address of the designated area(s) of permitted activity and include map of said area)

(b) _____ ARTICLE V PERMIT - Permittee is authorized to engage in Public Communication Activities at the following location(s) in the STA Plaza:

- Kiosk on the Street Level
- Sidewalk Space A on the Street Level
- Sidewalk Space B on the Street Level

A map of the location(s) designated in this Permit is attached to this Permit.

~~[insert description of the designated areas of permitted activity, and include a map of said area]~~ With the exception of certain exempt or permitted activities described in the Rules of Conduct, Article IV and Article V, ~~Public Communication Activities~~ on STA ~~Transit Facilities~~ Vehicles and at STA Facilities and Properties are prohibited. No commercial use of STA Facilities and Properties is authorized by this Permit.

2. **Participants.** ~~[insert identity of the Permit applicant and any Person(s) who will be engaging in is sponsoring, promoting, or organizing the activity]~~

3. **Term.** The days and hours of use are limited to [insert date and time and duration of activity]. This Permit shall be effective for a period of [insert period of time].

4. **Retention of Permit.** The Permittee is required to have this Permit on their person (or with group) or posted in the Kiosk when engaged in their activity.

5. **Reproduction or Alteration.** This Permit may not be reproduced or altered in any manner. Reproduced or altered permits will be considered invalid and confiscated. The holder of the invalid Permit will be required to cease their activity until a valid Permit is obtained.

6. **Responsibility for Clean-up.** All Persons or groups issued this Permit shall be responsible for cleaning up litter that they personally (or as a group) generate in the course of their activity. If, at the end of the Permittee's activity, the Permittee fails to clean up such litter, STA shall cause the clean up of the Permittee's litter and the Permittee shall reimburse STA for all costs incurred therefor.

7. **Liability for Damaging Property.** Any Person or organization engaged in Public Communication Activities and found responsible for damaging, injuring, or destroying STA property within or upon The Plaza, whether by accident or intent, shall be liable for the cost of replacing and/or repairing such property.

8. ~~**Kiosk Endorsement**~~Use of Kiosk. ~~The~~ If this Permit authorizes the use of the Kiosk, Permittee is authorized ~~may to~~ use the Kiosk to store, display, and distribute materials in conjunction with their activity. ~~The Kiosk must be attended at all times unless the Permittee is physically present within the area and can maintain sight of the Kiosk at all times. All materials must be stored removed from the Kiosk at the end of each day. STA is not responsible for any loss of, or damage to, Permittee materials or property. Signs or literature may only be affixed to the Kiosk in a manner approved by STA. on top of or beneath the Kiosk. Signs, leaflets or other materials may be affixed to the Kiosk in a manner approved by STA.~~

9. **Signs, Banners, Literature, Etc.** Unless otherwise specifically authorized by STA, Signs, banners, literature, leaflets, posters, structures or other paraphernalia or materials may not be affixed to The Plaza or any property in The Plaza or erected in conjunction with an activity, ~~unless space has otherwise been provided for such purpose at The Plaza or under provisions stated elsewhere in the Rules of Conduct.~~ Signs carried by or on a Person are not permitted in the interior of The Plaza. Where permitted, signs carried by or on a Person must provided the signs are not be constructed of materials which could inadvertently or intentionally cause injury to another individual. Signs must not be of a size that obstructs the free flow of the General Public (e.g., a maximum of 32 inches by 32 inches or a "sandwich board" worn by an individual which does not extend beyond the carrier's shoulders is acceptable). Permittees may offer literature to the General Public, but shall refrain from attempting to distribute literature to any member of the General Public who indicates he or she does not desire to receive said literature; such activity may not be conducted within ten (10) feet of Persons in loading zones, queue lines, bus exits or entrances, or permanent waiting fixtures unless invited closer by a transit patron.

10. **Hold Harmless.** The Permittee, including Permittee's personal representatives, successors in interest, and assigns, hereby agrees to indemnify, defend and hold harmless STA and its officers, agents and employees from all suits, claims, actions and damages of whatsoever kind or nature arising out of or resulting from the Permittee's use of the premises STA Facilities and Properties, except to the extent caused by the negligence of STA and its officers, agents and

employees. Permittee further agrees to specifically assume potential liability for actions brought by Permittee's own employees against STA and its officers, agents and employees and, for that purpose only, Permittee specifically waives any immunity under the Workers' Compensation Act, Title 51 RCW; provided, however, that said waiver shall not apply to such actions in which Permittee's employee alleges that the claim arises through the fault of STA and its officers, agents and employees and through no fault of Permittee, unless the fault of Permittee is established through discovery or at trial.

11. Interaction with the General Public. STA and its officers, agents and employees, shall not unnecessarily interfere with any consensual conversation between Permittees and members of the General Public. Permittees shall forthwith terminate any conversation with any member of the General Public when requested to do so by the addressee. No Person, while engaged in Public Communication Activities, shall physically touch or contact a member of the General Public, unless the Person has previously consented to the contact or unless the Person has previously agreed to contribute to the Permittee or the organization which he represents.

12. Misrepresentations. No Person, while engaging in solicitation of funds, shall misrepresent the true purposes for which the resources thus obtained will be utilized by the Person. In the solicitation of funds, the Person shall inform the Person being solicited of the true intent of the organization for which said funds are solicited. No false, fraudulent, or misleading statements or representations shall be made.

13. Permits and Licenses. The Permittee shall be responsible for obtaining all necessary permits and licenses from any other regulatory agencies required for the Permittee's use of STA ~~public transportation facilities~~ Facilities and Properties. Permittee shall provide copies of said permits to STA upon its request.

14. Compliance with the Rules of Conduct and Laws. Permittees shall abide by the terms of this Permit, the STA Rules of Conduct and all state, federal and municipal criminal and civil laws applicable to them.

DATED this _____ day of _____, 20_____.

SPOKANE TRANSIT AUTHORITY

By: _____

Title: _____

as Permittee

PERMITTEE

(print name/organization)

By: _____

Title: _____

APPENDIX 3

DIAGRAM OF STREET LEVEL AREAS ~~IN THE STREET LEVEL AND SKYWALK~~
~~LEVELS~~ OF THE PLAZA DESIGNATED FOR PUBLIC COMMUNICATION
ACTIVITIES

[UPDATED DIAGRAMS NEEDED] [A4]

SPOKANE TRANSIT AUTHORITY

PERFORMANCE MONITORING AND EXTERNAL RELATIONS COMMITTEE MEETING

July 12, 2017

AGENDA ITEM 6A: 2016 ANNUAL ROUTE REPORT

REFERRAL COMMITTEE: N/A

SUBMITTED BY: Karl Otterstrom, Director of Planning & Development
Matt Kenney, Senior Transit Planner

SUMMARY: Annex 1.4 of the adopted *Connect Spokane: A Comprehensive Plan for Public Transportation*, states that by April of each year, the Planning Department will report on the performance of each route based on established performance standards. Due to the comprehensive work associated with beginning to implement *STA Moving Forward* projects (May/September 2017 service changes), this year's publication of the report was delayed until July.

This year marks the 8th Annual Route Report and reflects STA's ongoing commitment to monitor its performance to ensure the effectiveness and efficiency of STA's 34 transit routes and to promote overall system improvement through careful measurement of established performance benchmarks and standards listed in the report. Routes are rated against three performance standards: Ridership, Equivalent Energy Consumption, and Fares.

The report is organized into three sections. Section I contains the 2016 route performance results, analysis of consecutive years (2016/2015), and identifies which routes fall below the minimum standards for those years. Section II contains route indicators including route length, seated capacity, revenue hours, revenue miles, unallocated cost, average passenger trip length, passenger boardings, passenger miles, and annual fare revenue. Section III contains information related to the Universal Transit Access Pass (UTAP) program. The UTAP program enables members of an organization access to fixed route transit service through a contract with STA. Service is paid for based on the actual fare pass usage of its members.

In 2016, 14 routes evaluated met all three of the performance standards, 13 routes were unable to meet one of the three performance standards, and seven routes were unable to meet two standards. There were no routes that did not meet any of the three standards; however, ridership in 2016 was down 5.1% compared to 2015. The decrease is consistent with national trends. The largest contributors to decreased ridership are post-secondary school riders and express bus riders because lower fuel prices have contributed to enticing some of these riders to return their cars. Also contributing to the decrease was a robust road construction season which caused many routes to travel out of direction due to spring, summer, and fall detours. STA is currently conducting several marketing/communication initiatives to restore ridership in the most productive markets while some of the other negative ridership effects will be offset as *STA Moving Forward* improvements are implemented in 2017 and in the coming years. Overall, a total of 31 of STA's 34 routes had decreases in ridership productivity and 33 of the routes had overall decreases in boardings.

Any route that falls below the minimum standard for any one of the three performance standards for two consecutive years will be considered out of compliance. These routes are placed on an out of compliance list followed by a remediation plan that states possible solutions in order to improve performance. The remediation plan may correspond with the Service Implementation Plan (Section 5 of the current Transit Development Plan) where feasible, while some routes will continue to be monitored even though they are out of compliance.

The 2016 Annual Route Report is available for review on the Spokane Transit website at: https://www.spokanetransit.com/files/projects-plans/2016_Route_Report_FINAL.pdf.

RECOMMENDATION TO COMMITTEE: Information only.

FINAL REVIEW FOR BOARD BY:

Division Head _____

Chief Executive Officer _____

Legal Counsel _____

ITEM 6A: 2016 ANNUAL ROUTE REPORT

Purpose: Information only.

Requirement: The Service Design Guidelines in *Connect Spokane* call for a route performance report each year to ensure the effectiveness and efficiency of STA's transit routes and to promote overall system improvement through careful measurement of established performance benchmarks and standards.



Report Overview

- The Annual Route Report is organized in three sections:
 - Section I: performance results and analysis for 2016
 - Section II: route indicators for 2016 such as route length, seated capacity, revenue hours, ...
 - Section III: calculated direct utility rates for the Universal Transit Access Pass (UTAP) program
- Presentation focus is on Sections I & 2



Section I: Performance Standards

- Three standards looking at the performance of individual routes
- Each standard varies to reflect the role of each type of route within the network
- The three standards are used to identify areas for improvement in the fixed-route network



Section I: Performance Standards

Measure	Metric
Ridership Productivity	Measured by boardings per revenue hour
Energy Consumption	Compared to the private automobile
Farebox Recovery	Measured by farebox recovery ratio



Section I: Performance Standards

- No Routes that did not meet all three standards
 - Route 34 narrowly met the Ridership standard again but still clearly underperforms for a high frequency route
 - 31 of STA's 34 routes had decreases in ridership productivity
 - 33 of 34 routes had overall decreases in boardings
 - Overall network ridership down 5.1% compared to 2015

Summary of Performance Compared to 2015

Performance Standards	2015	2016
Unable to meet any	0 routes	0 routes
Unable to meet two	6 routes	7 routes
Unable to meet one	12 routes	13 routes
Met all	16 routes	14 routes

Section I: Performance Standards

- Any route that falls below the minimum standard for any one of the three performance standards for two consecutive years will be considered out of compliance
 - 17 routes on the "Out of Compliance" list in 2016/2015 (14 routes on 2015/2014)
 - Route 44 is the only route that had an increase in boardings in 2016 over 2015
 - It is difficult for some routes to meet the Energy standard because their short route length results in low average trip lengths
 - Some routes on the list have excess revenue hours because they take on more recovery/layover for partner routes with the interline causing the partner routes to perform better
 - Remediation plan states possible solutions in order to improve performance



Section I: Performance Standards

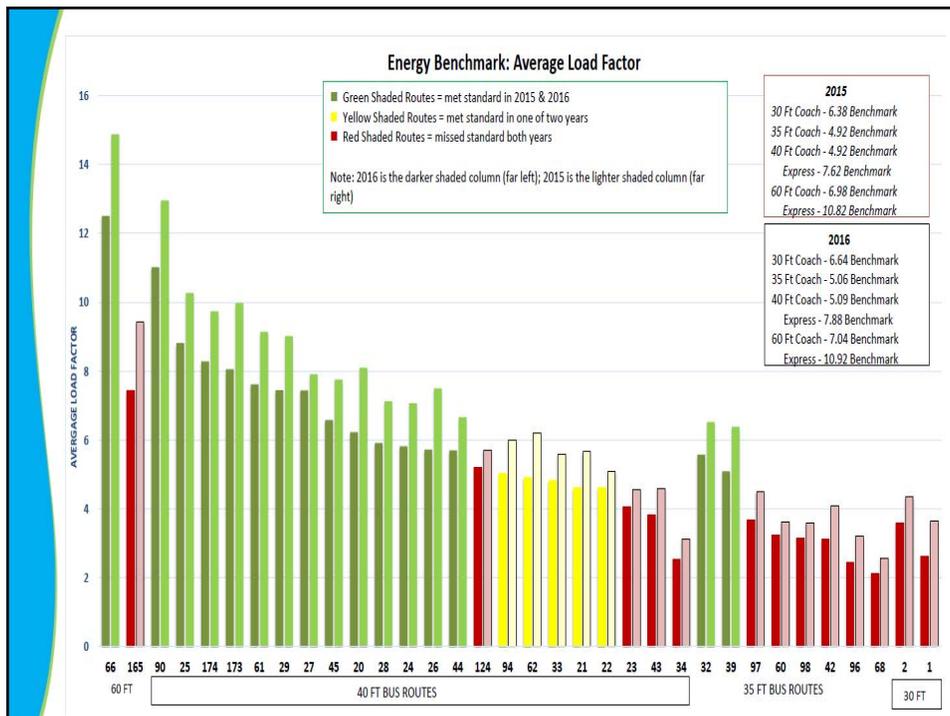
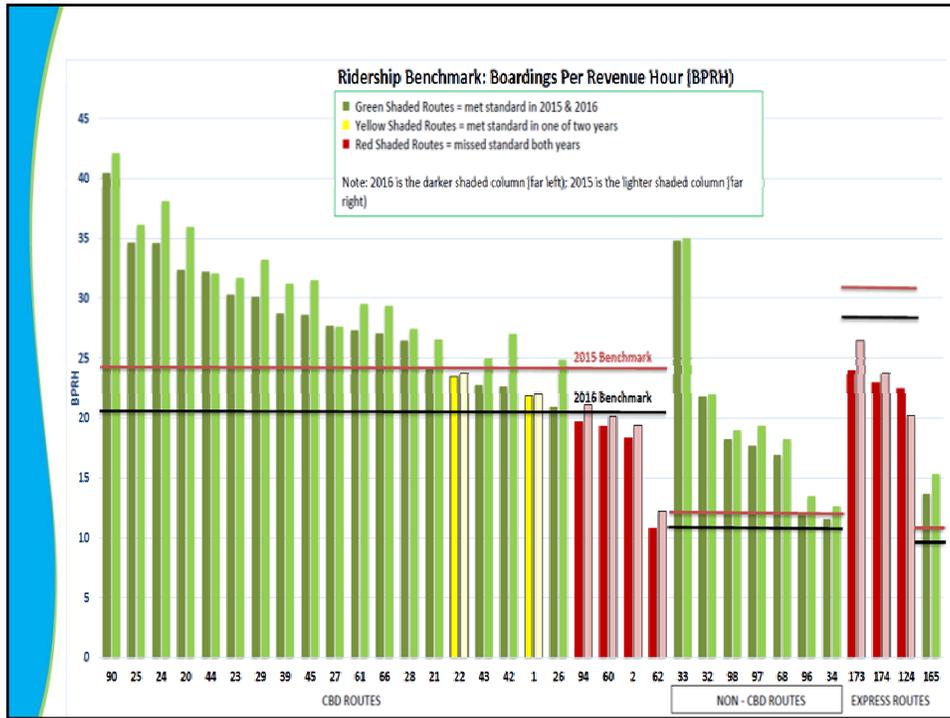
Out of Compliance List

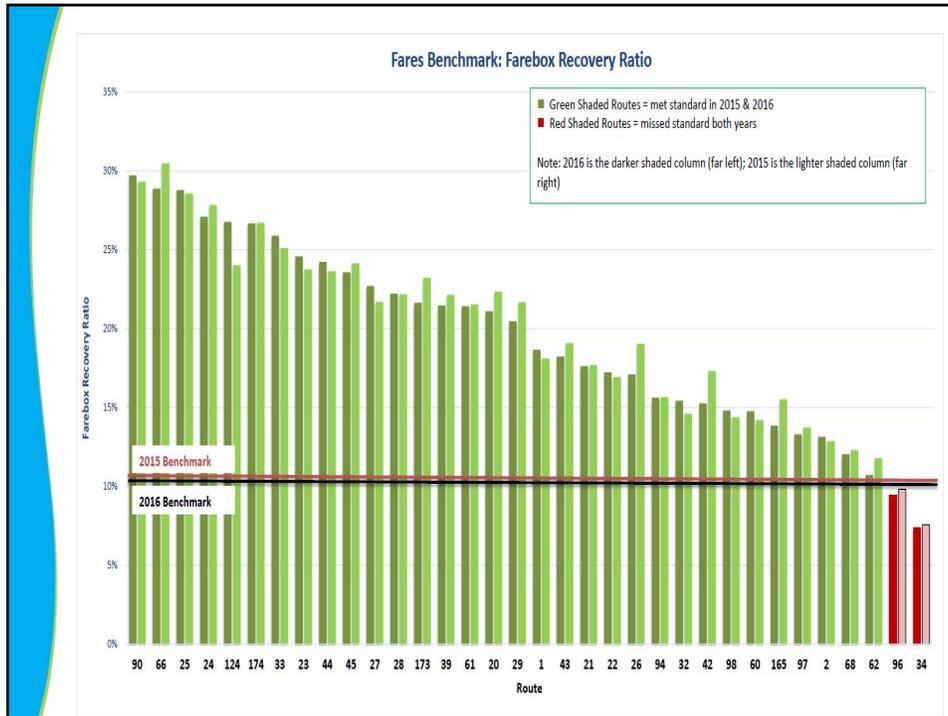
Route	2015 Standard(s) Not Met	2016 Standard(s) Not Met
1	Ridership, Energy	Energy
2	Ridership, Energy	Ridership, Energy
23	Energy	Energy
34	Energy, Fares	Energy, Fares
42	Energy	Energy
43	Energy	Energy
60	Ridership, Energy	Ridership, Energy
62	Ridership	Ridership
68	Energy	Energy
94	Ridership	Ridership

Section I: Performance Standards

Out of Compliance List (cont.)

Route	2015 Standard(s) Not Met	2016 Standard(s) Not Met
96	Energy, Fares	Energy, Fares
97	Energy	Energy
98	Energy	Energy
124	Ridership, Energy	Ridership, Energy
165	Energy	Energy
173	Ridership	Ridership
174	Ridership	Ridership





Mitigation for Out of Compliance Routes

- The mitigation plan is incorporated into the *Service Implementation Plan* of the *Transit Development Plan*
- Many of the out compliance routes will be addressed by *STA Moving Forward* Projects and other planned improvements
- Other routes will continue to be monitored

Section II: Route Indicators

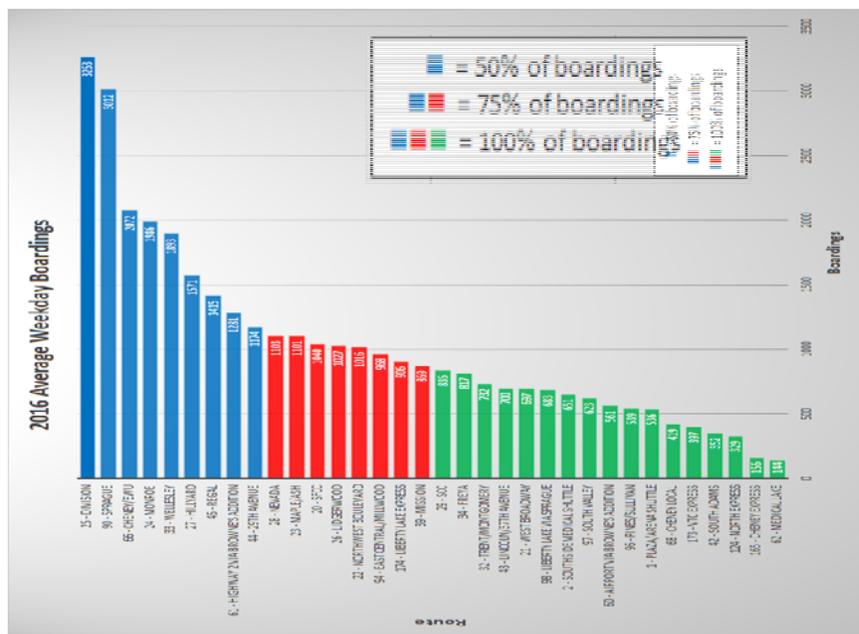
Top performing routes by category

Average Passenger Trip length		Annual Passenger Miles	
66 Cheney/EWU	14.83 Miles	66 Cheney/EWU	7,505,820
165 Cheney Ex	13.80 Miles	90 Sprague	3,509,031
174 Liberty Lake Ex	12.70 Miles	25 Division	3,349,988

Fare Revenue		Annual Boardings	
25 Division	\$857,485	25 Division	1,039,165
90 Sprague	\$694,119	90 Sprague	951,082
24 Monroe	\$598,618	24 Monroe	572,399



Section II: Route Indicators



Questions?



SPOKANE TRANSIT AUTHORITY
PERFORMANCE MONITORING AND EXTERNAL RELATIONS COMMITTEE MEETING

July 12, 2017

AGENDA ITEM 6B : **IN-PERSON ASSESSMENT PROGRAM / MOBILITY TRAINING /
MOBILITY MENTOR UPDATE**

REFERRAL COMMITTEE: N/A

SUBMITTED BY: Steve Blaska, Director of Operations
Janet Stowe, Paratransit Manager

SUMMARY: In 2016, STA's Mobility Center completed another successful year of full operations of both the Mobility Training and In-Person Assessment programs integrated at one location. Paratransit, Inc. was again awarded the contract to provide services for these three programs, effective July 1, 2016, until June 30, 2021. As a sub-recipient of 5310 grant funds, the Mobility Center introduced a new component of mobility management to the community: Mobility Mentor.

Mobility Mentor Program

This program establishes a network of volunteer coaches who help individuals learn how to use the fixed route bus system. Initial planning and start-up for the new Mobility Mentor program commenced in January 2016 with service delivery beginning in April 2016.

The Mobility Mentor program exceeded all annual goals for this program. There were 114 active participants, 18 volunteer mentors, and 16 travel clubs. Volunteer hours neared 700 and total passenger trips were 3,875. The community has embraced this new program and we look forward to it expanding and assisting in meeting mobility demand for senior citizens and people with disabilities. Coordination with organizations such as the Spokane Regional Health District, 2nd Harvest, and numerous senior living facilities have helped develop this program and create positive community impact.

In-Person Assessment (IPA) Program

This program is part of the eligibility determination process for Paratransit. It is a personal assessment of each individual's capabilities to determine if they can ride the fixed route bus, require partial Paratransit eligibility, or full Paratransit eligibility. It began in October 2012 and completed its fourth full year of operations in December 2016.

The IPA program was slated to provide assessments face-to-face with applicants for Paratransit Eligibility for approximately 50% of all applications. For 2016, 46.6% of all applicants went through the IPA process. The program successfully completed 947 assessments. Of those 947 applicants assessed, 24% were given conditional eligibility (compared to 4% who went through STA's traditional, paper application process), 4% were ineligible for Paratransit Service (compared to less than 1% for Non-IPA applicants), and 72% were given full eligibility (compared to 95% without IPA).

Mobility Training Program

This program provides intensive one on one training for individuals whose conditions: 1. Do not yet qualify them for Paratransit service but still have challenges negotiating the regular bus, or 2. Present challenges that would otherwise make them dependent upon Paratransit but with intense training, they can retain use of the regular bus system. During 2016, the Mobility Training program completed its 10th year of operation.

The Mobility Training team from Paratransit, Inc. exceeded all goals for 2016. They successfully trained 204 individuals to use the Fixed Route bus system and held 49 group trainings during the year with various schools, senior centers, and community groups. Hundreds of outreach contacts were made throughout the community.

The IPA and Mobility Training provide a cost avoidance for STA that more than covers the cost of these programs. The Mobility Mentor Program was initiated with the support of a Federal grant. Initial results from the program are positive. We will continue the program in 2018.

Staff will provide a brief presentation at the Committee meeting.

RECOMMENDATION TO BOARD: Information only.

FINAL REVIEW FOR BOARD BY:

Division Head _____

Chief Executive Officer _____

Legal Counsel _____

SPOKANE TRANSIT AUTHORITY

PERFORMANCE MONITORING AND EXTERNAL RELATIONS COMMITTEE MEETING

July 12, 2017

AGENDA ITEM 7: CEO REPORT

REFERRAL COMMITTEE: N/A

SUBMITTED BY: N/A

SUMMARY: At this time, the CEO will have an opportunity to comment on various topics of interest regarding Spokane Transit.

RECOMMENDATION TO COMMITTEE: N/A

FINAL REVIEW FOR BOARD BY:

Division Head _____

Chief Executive Officer _____

Legal Counsel _____

SPOKANE TRANSIT AUTHORITY

PERFORMANCE MONITORING AND EXTERNAL RELATIONS COMMITTEE MEETING

July 12, 2017

AGENDA ITEM 8A : MAY 2017 FINANCIAL RESULTS SUMMARY

REFERRAL COMMITTEE: N/A

SUBMITTED BY: Lynda Warren, Director of Finance & Information Services
Lynn Holmes, Financial Services Manager
Tammy Johnston, Budget and Accounting Manager

SUMMARY: Attached are the May 2017 financial results. The emphasis is on what percent of the budget has been received or expended to date compared to where we are in the year. May equates to 42% of the year.

Revenue

Overall, revenue is at 40.3% of budget (\$31.2M) which is below the expected (\$32.5M).*
Fares & Other Transit Revenue is slightly higher than the budget at 43.6%.
Sales Tax Revenue is below the budget at 38.8%.*
Federal & State Grants is slightly higher than the budget at 42.7%.
Miscellaneous Revenue is higher than the expected budget at 98.0%.

*This is lower than anticipated because the sales tax rate changed from 0.006 to 0.007 in April 2017 (distribution begins in June 2017).

Operating Expenses

Operating expenses at 34.9% of budget (\$24.1M) are 17% below the expected amount of 42% (\$29.0M).

Fixed Route	36.9% of budget expended
Paratransit	30.9% of budget expended
Vanpool	32.3% of budget expended
Plaza	29.5% of budget expended
Administration	32.6% of budget expended

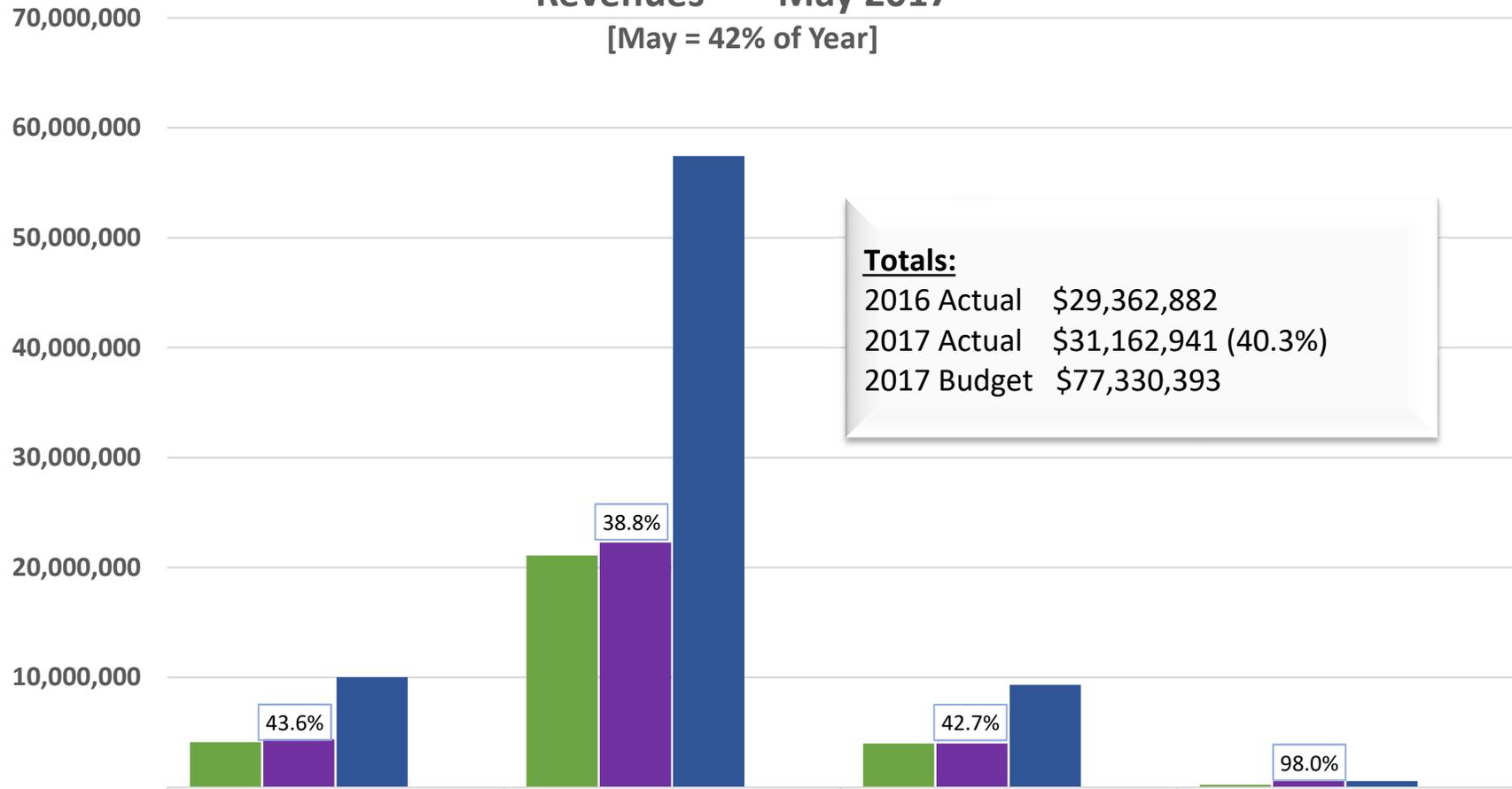
Operating expenses are greatly influenced by timing of payments. For example, only 26.6% (\$1.1M) of the fuel budget has been spent to date and we expect that to change significantly as the year goes along.

RECOMMENDATION TO COMMITTEE: Information only.

FINAL REVIEW FOR BOARD BY:

Division Head _____ Chief Executive Officer _____ Legal Counsel _____

Spokane Transit Revenues ⁽¹⁾ - May 2017 [May = 42% of Year]

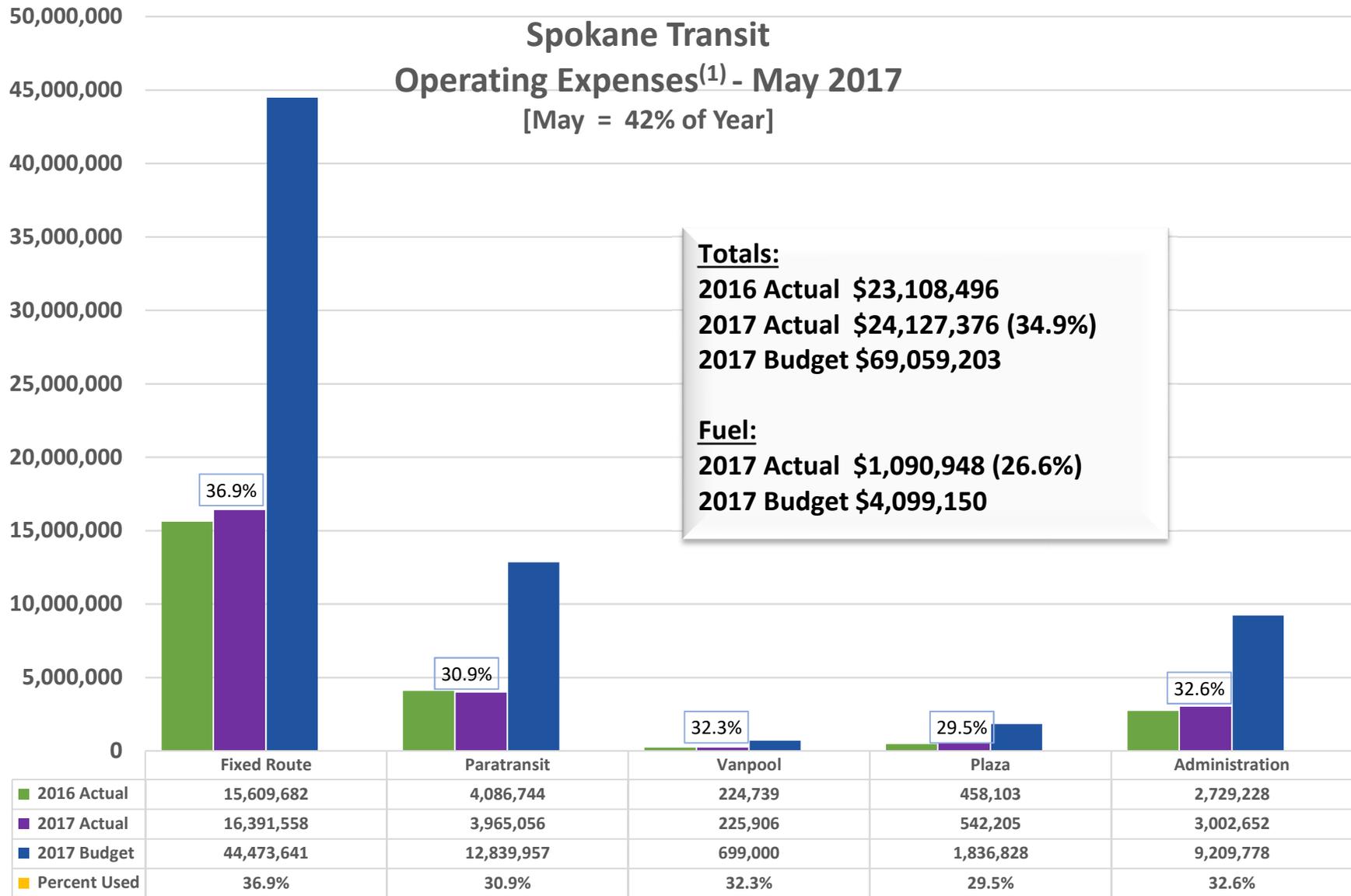


Totals:
 2016 Actual \$29,362,882
 2017 Actual \$31,162,941 (40.3%)
 2017 Budget \$77,330,393

	Fares & Other Transit Revenue	Sales Tax	Federal & State Grants	Miscellaneous
Sum of 2016 Actual	4,095,050	21,073,270	3,965,518	229,045
Sum of 2017 Actual	4,368,952	22,258,814	3,977,447	557,728
Sum of 2017 Budget	10,023,749	57,412,140	9,325,503	569,001
Percent Used	43.6%	38.8%	42.7%	98.0%

⁽¹⁾ Above amounts exclude grants used for capital projects. Year-to-date May state capital grant reimbursements total \$83,539 and federal capital grant reimbursements total \$2,128,921.

Spokane Transit Operating Expenses⁽¹⁾ - May 2017 [May = 42% of Year]



⁽¹⁾ Operating expenses exclude capital expenditures of \$4,669,851 and Street/Road cooperative projects of \$68,116 for year-to-date May 2017.

SPOKANE TRANSIT AUTHORITY

PERFORMANCE MONITORING AND EXTERNAL RELATIONS COMMITTEE MEETING

July 12, 2017

AGENDA ITEM 8B : JUNE 2017 SALES TAX REVENUE INFORMATION

REFERRAL COMMITTEE: N/A

SUBMITTED BY: Lynda Warren, Director of Finance & Information Services
Lynn Holmes, Financial Services Manager
Tammy Johnston, Budget and Accounting Manager

SUMMARY: Attached is June 2017 sales tax revenue information.

June sales tax revenue, which represents sales for April 2017, was:

+16.7%* over June 2016 actual

+7.5% above YTD actual

+7.1% YTD above budget

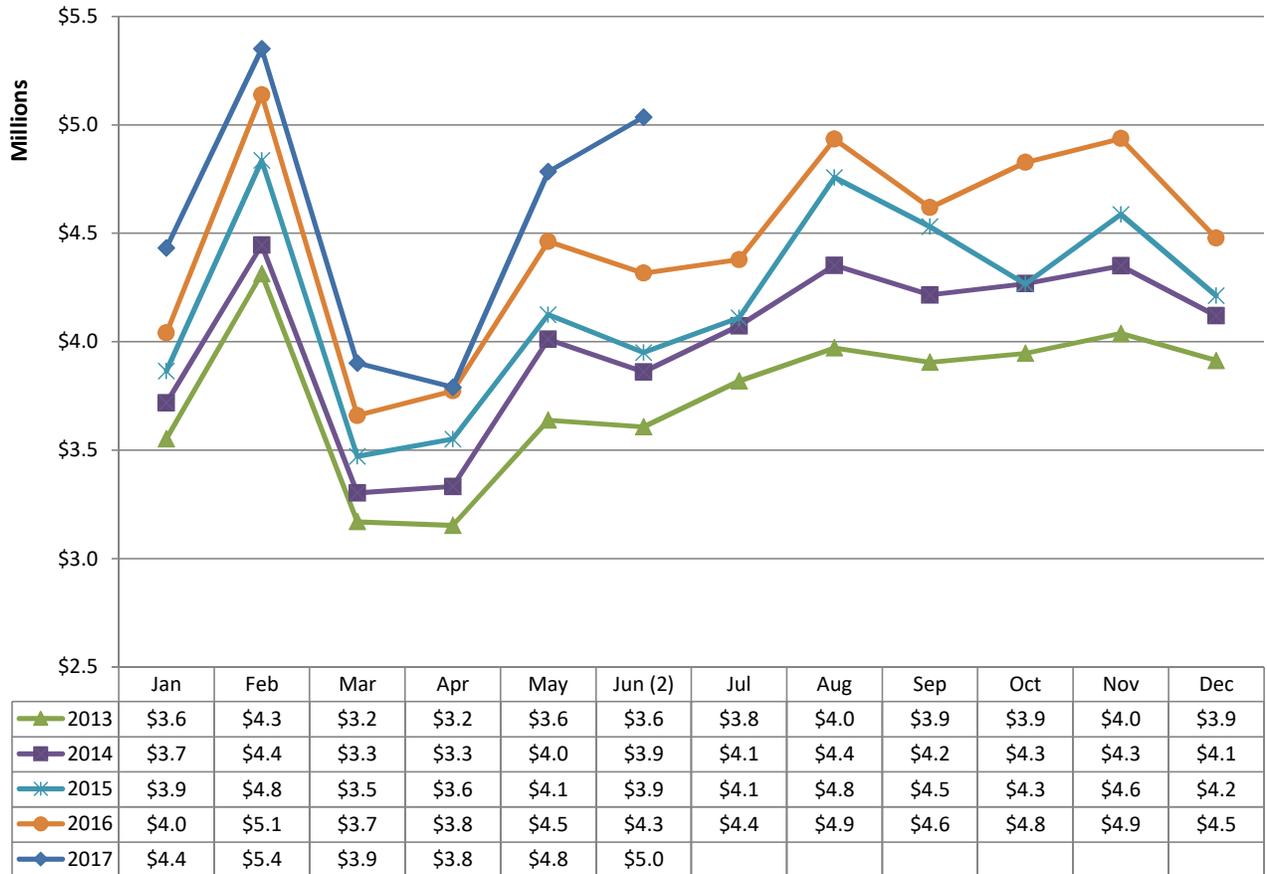
*June represents the first distribution that includes the additional 0.001 sales tax rate approved by the voters in November 2016. The new rate went into effect on April 1, 2017. Had the rate remained at 0.006, sales tax revenue would have increased 0.19% over April 2016.

RECOMMENDATION TO COMMITTEE: Information only.

FINAL REVIEW FOR COMMITTEE BY:

Division Head _____ Chief Executive Officer _____ Legal Counsel _____

Sales Tax Revenue History-June 2017⁽¹⁾

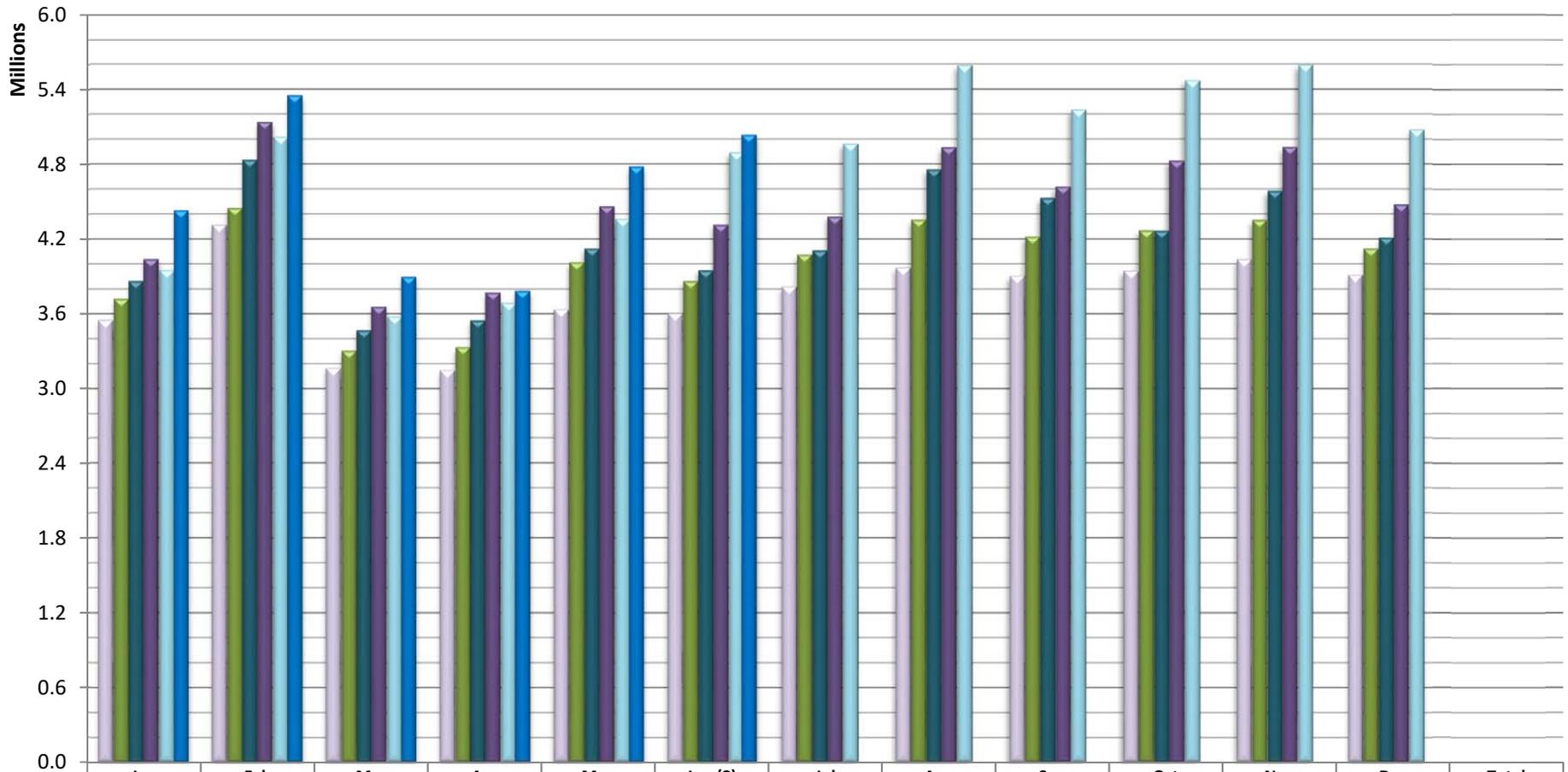


(1) Sales tax distributions lag two months after collection by the state. For example, collection of January taxable sales are distributed in March.

(2) June distribution is April taxable sales in which the sales and use tax rate increased one-tenth of one percent (.001) from .006 to .007.

Sales Tax Summary (with Mitigation for All Jurisdictions)				
Jun-17				
	YTD 2016	YTD 2017	\$ CHANGE	% CHANGE
LIBERTY LAKE	\$ 1,373,037	\$ 1,557,258	\$ 184,221	13.4%
AIRWAY HEIGHTS	814,316	903,993	89,677	11.0%
CHENEY	635,380	691,602	56,222	8.8%
MILLWOOD	227,025	244,259	17,234	7.6%
STA	25,389,054	27,294,392	1,905,339	7.5%
MEDICAL LAKE	124,756	132,286	7,530	6.0%
SPOKANE VALLEY	9,491,286	9,995,491	504,205	5.3%
PFD	4,491,713	4,702,817	211,104	4.7%
SPOKANE COUNTY	11,657,763	12,163,687	505,924	4.3%
SPOKANE	20,477,418	21,172,409	694,990	3.4%
ALL	\$ 74,681,746	\$ 78,858,194	\$ 4,176,447	5.6%

2013 - 2017 SALES TAX RECEIPTS ⁽¹⁾



	Jan	Feb	Mar	Apr	May	Jun (2)	Jul	Aug	Sep	Oct	Nov	Dec	Total
2013 Act.	3,552,629	4,313,315	3,170,287	3,152,776	3,638,110	3,607,445	3,818,364	3,971,379	3,905,284	3,946,531	4,038,362	3,913,617	45,028,101
2014 Act.	3,717,183	4,445,759	3,303,019	3,331,820	4,010,737	3,860,469	4,073,091	4,352,108	4,215,907	4,267,406	4,349,765	4,119,702	48,046,965
2015 Act.	3,865,250	4,835,478	3,471,459	3,550,797	4,124,484	3,949,801	4,109,906	4,756,705	4,530,359	4,265,975	4,587,132	4,211,936	50,259,282
2016 Act.	4,040,342	5,138,043	3,659,616	3,772,996	4,462,273	4,315,784	4,378,473	4,933,936	4,618,531	4,826,474	4,936,883	4,477,725	53,561,075
2017 Bud.	3,947,098	5,019,467	3,575,159	3,685,923	4,359,292	4,891,978	4,963,036	5,592,658	5,235,144	5,470,849	5,595,998	5,075,538	57,412,140
2017 Act.	4,432,233	5,350,787	3,901,562	3,790,349	4,783,883	5,035,578	-	-	-	-	-	-	-
\$ Mo. Var.	391,892	212,744	241,946	17,353	321,610	719,794	-	-	-	-	-	-	-
% Mo. Var.	9.7%	4.1%	6.6%	0.5%	7.2%	16.7%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%
\$ YTD Var.	391,892	604,635	846,582	863,934	1,185,545	1,905,339	-	-	-	-	-	-	-
% YTD Var.	9.7%	6.6%	6.6%	5.2%	5.6%	7.5%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%
% YTD Bud. Var.	12.3%	9.1%	9.1%	7.7%	8.1%	7.1%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%

⁽¹⁾ Sales tax distributions lag two months after collection. For example, collection of January taxable sales are distributed in March.

⁽²⁾ June distribution is April taxable sales in which the sales and use tax rate increased one-tenth of one percent (.001) from .006 to .007.

SPOKANE TRANSIT AUTHORITY

PERFORMANCE MONITORING AND EXTERNAL RELATIONS COMMITTEE MEETING

July 12, 2017

AGENDA ITEM 8C : MAY 2017 OPERATING INDICATORS

REFERRAL COMMITTEE: N/A

SUBMITTED BY: Steve Blaska, Director of Operations
Karl Otterstrom, Director of Planning and Development

SUMMARY: Ridership in May again shows early indications that STA's ridership is beginning to recover. There was one additional weekday in May 2017 compared to May 2016.

FIXED ROUTE

Fixed Route 2017 ridership goal is to sustain 2016 ridership levels.

Another month indicating Ridership may have stabilized after the impact of lower fuel prices has been absorbed. Last month's April to April comparison showed a slight decrease in ridership. This month, when correcting for one more weekday, month to month comparison is up, as well as the average weekday ridership.

May ridership was up 5.2% compared to May 2016 (966,260 vs 918,648). Year-to-Date ridership is down 2.1% (4,525,995 vs. 4,621,418). Average weekday ridership is up 2.6% over May 2016 (38,179 vs 37,209).

Adult 31-Day Pass and City Ticket programs are largely responsible for the recovery of some ridership. Community Colleges of Spokane (CCS) continues to be down slightly, largely due to lower student population.

Detailed breakdown:

Adult ridership increased 7.2% (593,358 vs. 553,557 in May 2016) and is down 1.4% (2,840,880 vs. 2,882,156) YTD.

- Adult 31-Day Pass ridership is was up 11.9% (260,847 vs. 233,088 in May 2016). This is a good omen because this market is our largest ridership source.
- CCS Pass ridership decreased 3.9% (72,220 vs. 75,173 in May 2016) and is down 6.5% (317,811 vs. 340,077) YTD. Ridership decline in CCS is likely attributable to lower enrollment.
- Eagle Pass ridership increased 3.4% (83,640 vs. 80,906 in May 2016) and is down 5.6% (408,871 vs. 432,930) YTD.
- GU Bulldogs Pass ridership decreased 11.2% (2,969 vs. 3,343 in May 2016) and is down 30.8% (17,759 vs. 7,918) YTD.

Youth ridership increased 8.0% (68,238 vs. 63,206 in May 2016) and is down 2.5% (304,062 vs. 311,952) YTD.

Reduced Fare / Para ridership decreased 5.1% (125,203 vs. 131,871 in May 2016) and is down 10.6% (564,338 vs. 630,949) YTD.

Fixed Route on time performance for May 2017 was 93%. Our goal is 90%.

PARATRANSIT

Paratransit 2017 ridership goal is to maintain the 2016 ridership level.

Paratransit is experiencing a similar trend as Fixed Route with the improved weather. Even with one additional weekday, ridership increased slightly month to month. Paratransit experienced a 5.2% increase in monthly ridership (43,234 vs 41,088 in May 2016). Year-to-Date ridership is down 0.4% (202,573 vs. 203,375 YTD 2016).

Detailed breakdown:

Overall, ridership growth appears to be a good trend. Unfortunately, however, there has been a loss in ridership in SUV revenue customers which is our most cost effective way to deliver service and an increase in non-revenue customer ridership.

- SUV ridership decreased 15.05% (3,025 vs. 3,826 in May 2016)
- Non-revenue customer ridership increased 18.79% (3,054 vs. 2,571 in May 2016)

In discussing the drop in ridership with the SUV providers, they have stated that the paperwork required for documenting the customer trips and associated mileage presents a challenge in both accuracy and consistency. We are working on a solution to automate this process and hope to have a test in place soon.

VANPOOL

Vanpool customer trips were up 8.4% in May 2017 vs May 2016 (15,868 vs 14,626) and down 4.6% year to date (79,733 vs. 83,609). There were 85 vans in service in May 2017 vs 94 in May 2016. The same amount of vans were in service in May 2017 vs April 2017 (85 vs 85).

659 riders took at least one trip in May 2017 vs 720 in May of 2016.

- Riders added in May this year 21 vs 11 in May 2016.
- Riders removed this year, 33 in 2017 vs 40 in May of 2016.
- Days operated 1,521 vs 1,793 in May of 2016.
- Average vanpool round trip 52.28
- Total vans in operation 85 vs 94 in 2016

The vanpool team completed three onsite visits with Meadowood Technology Park (which includes Liberty Mutual, Providence, and Comcast); one with Multifab and Spokane County; and did some 'door knocking' in downtown Spokane. Vanpool completed a site visit with Pullman and Moscow to join marketing efforts for long distance van groups. The team attended four Employee Transportation Coordinator (ETC) luncheons to present incentive information and pitch STA Vanpool to the ETCs.

One van folded in June, which was anticipated. Walt Worthy's River View Corporate Center was using vanpool services only until Route 95 was established.

CUSTOMER SERVICE

Pass sales generally trend with ridership. Staff are continuing to see recovery in Adult Pass sales (both 31-Day passes and passes through the City Ticket program).

Much of the month to month increase in Adult Pass sales is due to cyclic purchases to restore inventories of our fare outlet partners. Some increased activity might also be attributed to getting passes purchased prior to the July 1st fare increase. Customer Service is managing bulk sales to ensure the number of bulk pass purchases is reasonable.

The City Ticket continued to grow as a popular option since the closure of the Bosch parking lot on the north side of the Spokane River.

Summer Youth Passes also had a huge upturn probably due to the greater value of this discounted program in light of the fare increase in July.

Detailed statistics breakdown:

Total monthly pass sales increased 26.2% (11,607 vs. 9,197 in 2016). YTD pass sales increased 10.6% (51,327 vs. 46,397 in 2016).

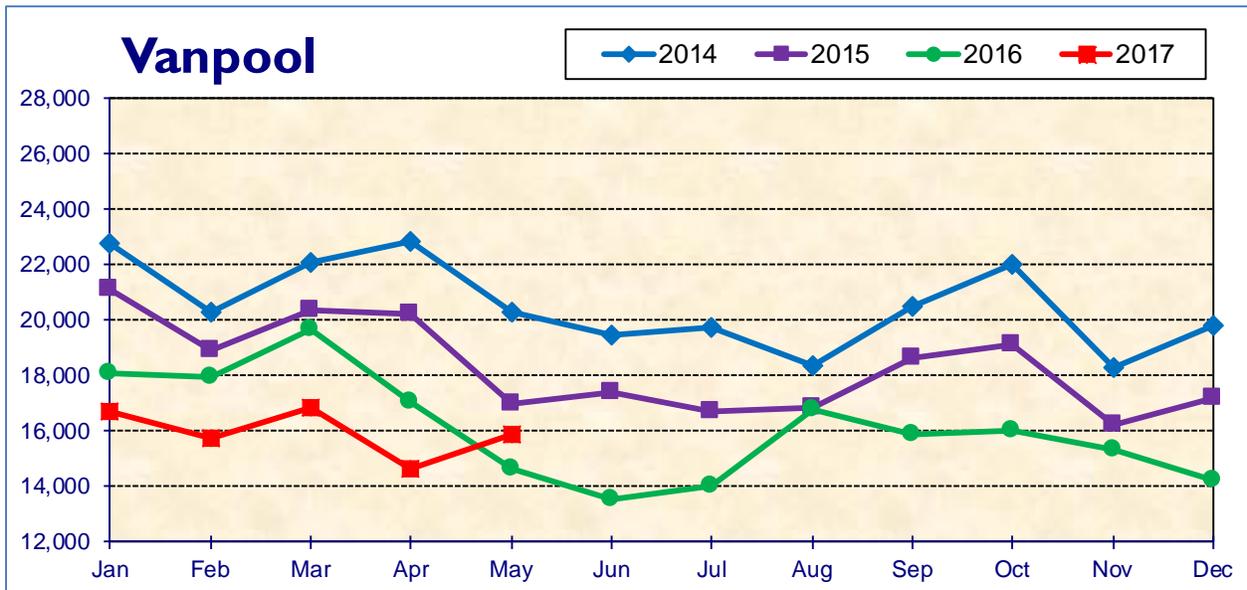
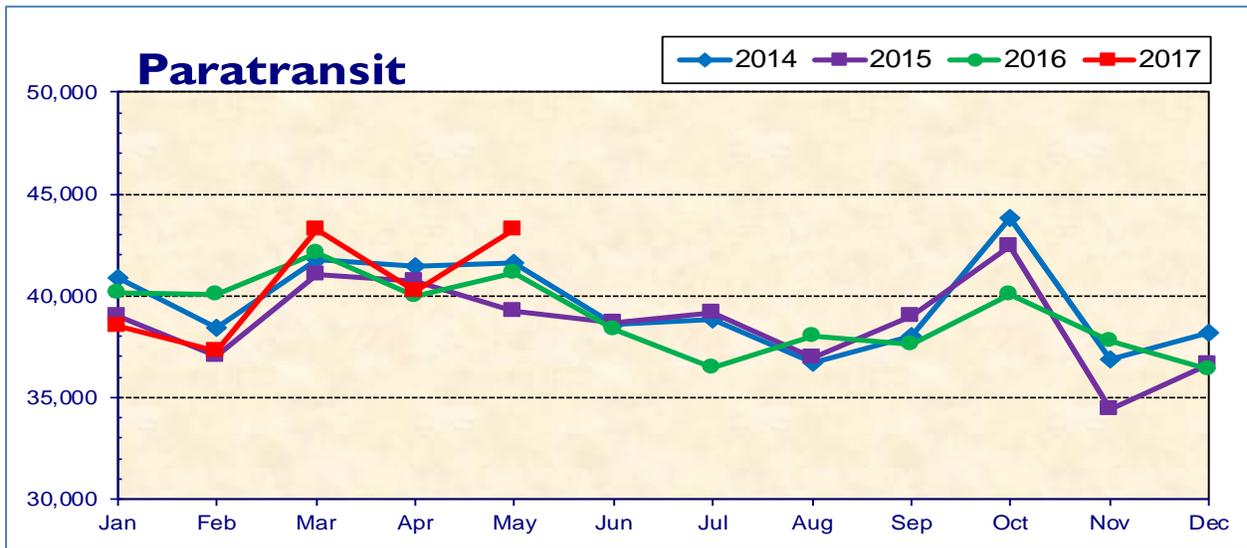
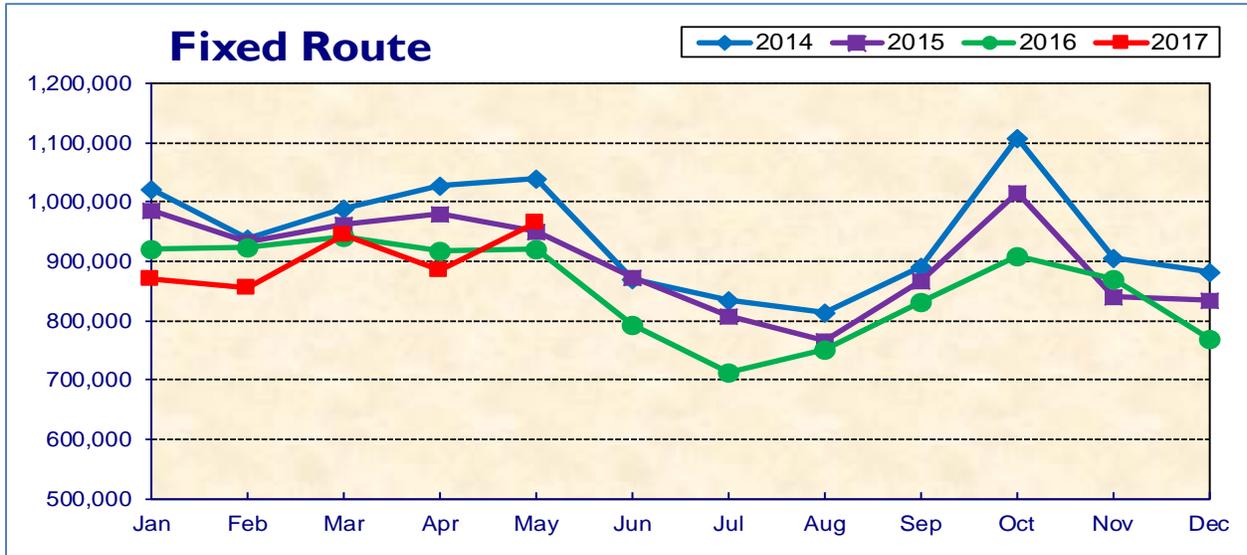
- Adult Pass/Smartcard sales increased 61.8% (5,502 vs. 3,401 in May 2016). YTD sales increased 15.8% (22,302 vs. 19,253 in 2016).
- ESBP sales decreased 5.9% (928 vs 986 in May 2016). YTD pass sales increased 15.6% (4,789 vs 4,141 in 2016). Student Pass sales decreased 44.7% (21 vs. 38 in May 2016). YTD pass sales decreased 52.4% (120 vs. 252 in 2016).
- Youth Pass/Smartcard monthly sales decreased 4.2% (1,834 vs. 1,914 in May 2016). YTD pass sales increased 21.1% (9,300 vs. 7,680 in 2016). Summer Youth Pass increased 204.8% (576 vs. 189 in May of 2016). YTD pass sales increased 31.2% (576 vs. 439)
- City Ticket monthly sales increased 8.5% (460 vs. 424) in May of 2016). YTD pass sales increased 8.0% (2,171 vs. 2,010) in 2016).
- Reduced Fare Pass/Smartcard monthly sales increased 26.2% (2,016 vs. 1,598 in May 2016). YTD pass sales decreased 5.8% (8,426 vs. 8,947 in 2016).
- Paratransit Pass/Smartcard sales increased 1.2% (846 vs. 836) in May 2016). YTD sales increased 2.6% (4,219 vs. 4,114) in 2016).

RECOMMENDATION TO COMMITTEE: Information only.

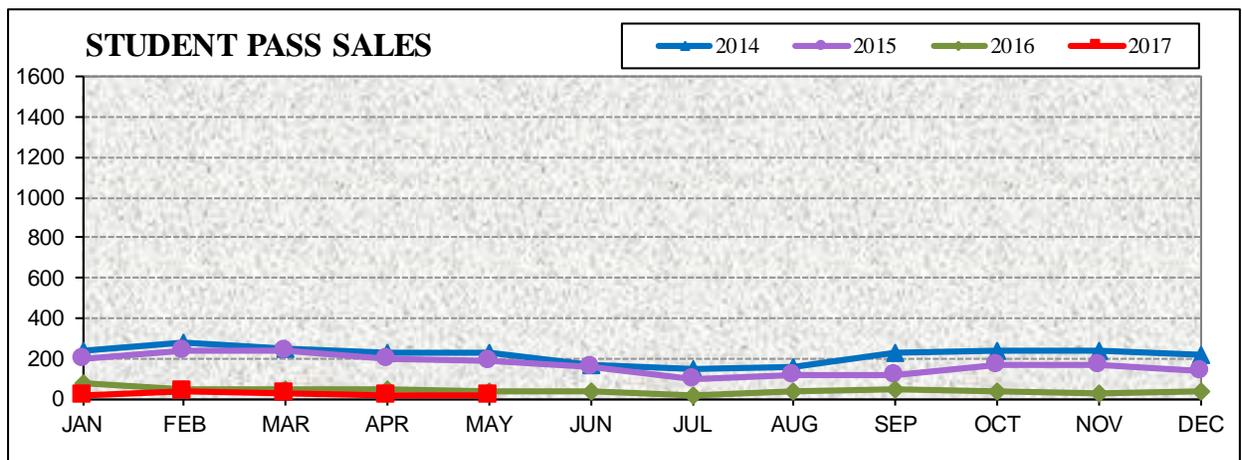
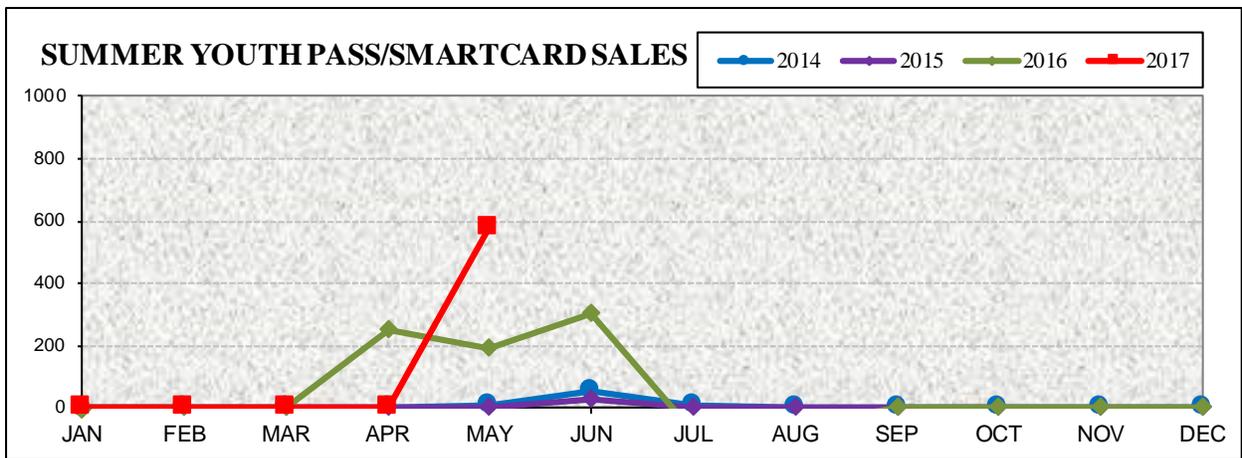
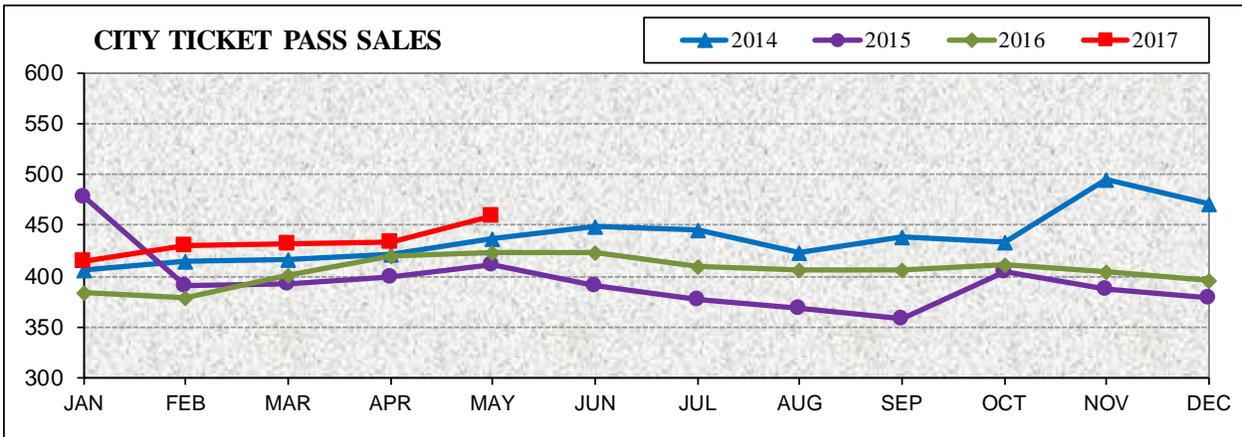
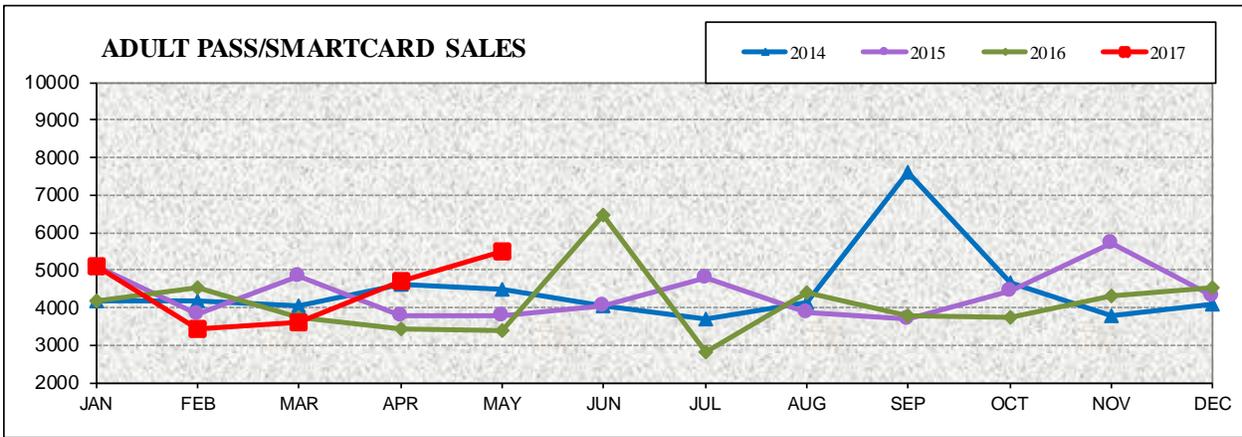
FINAL REVIEW FOR BOARD BY:

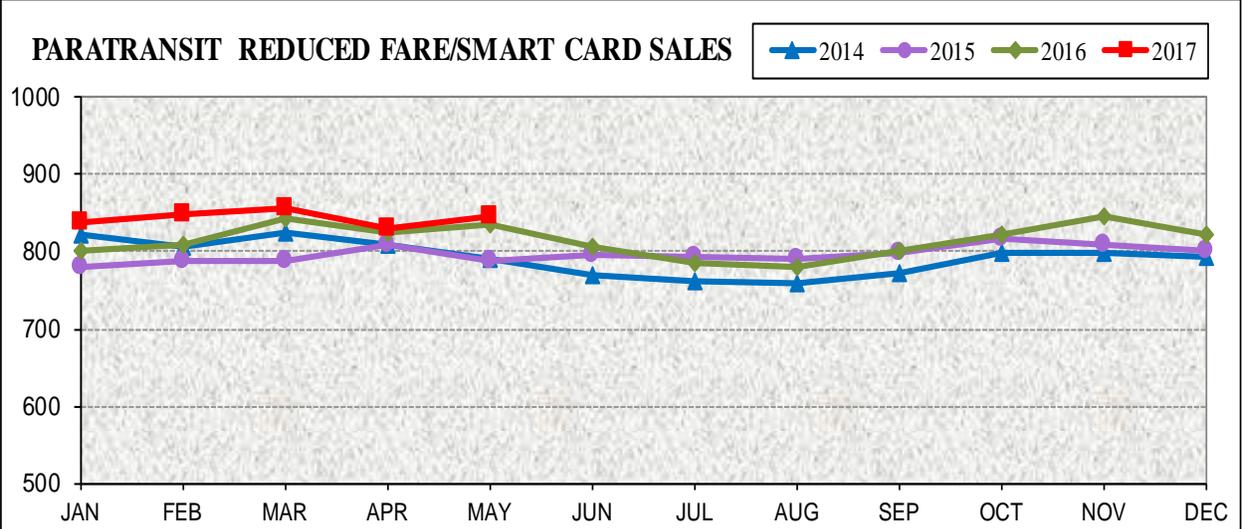
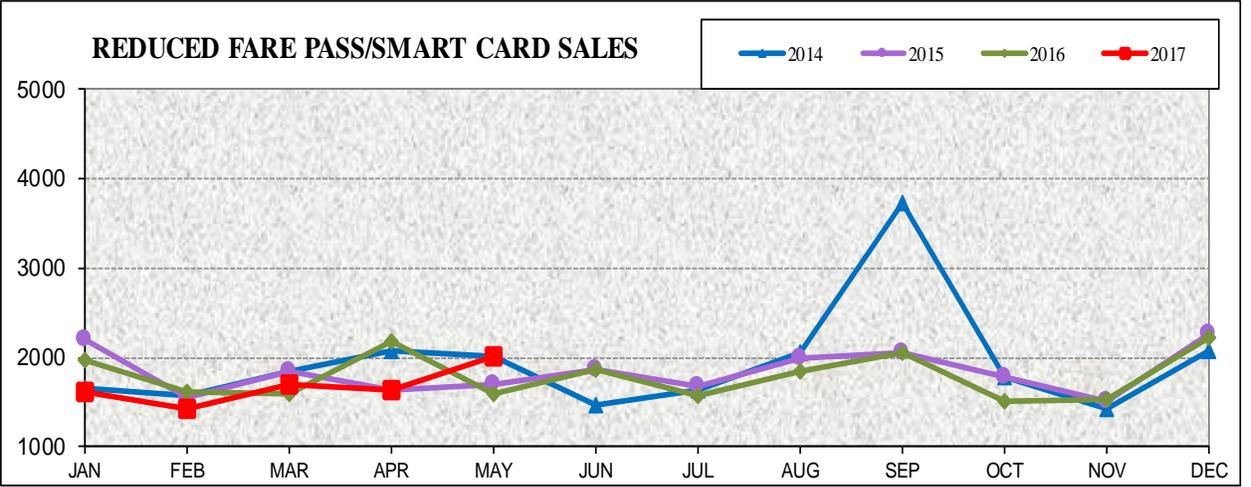
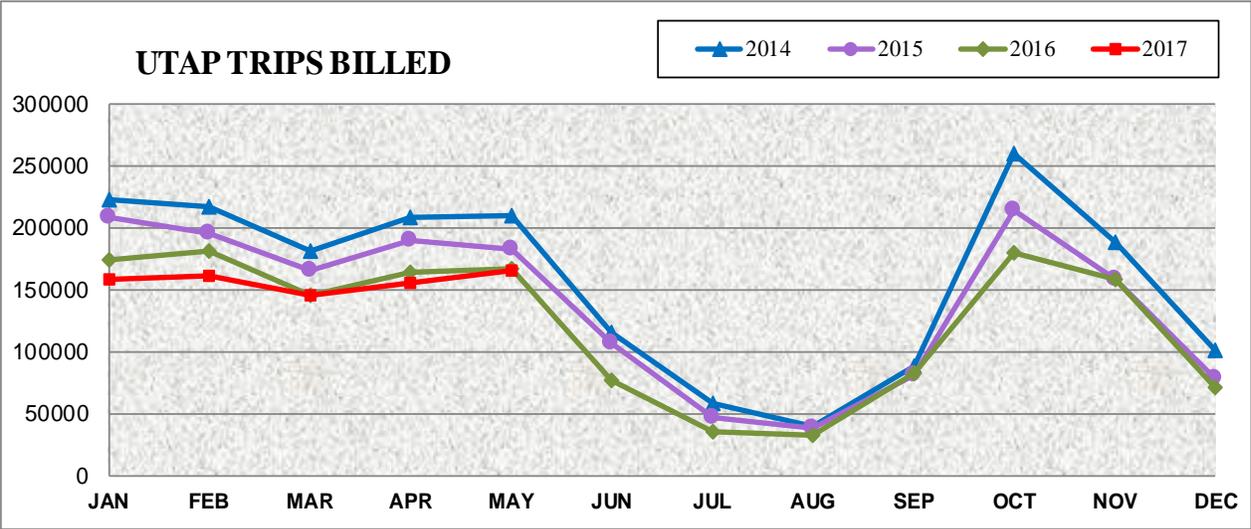
Division Head _____ Chief Executive Officer _____ Legal Counsel _____

RIDERSHIP



PASS SALES





SPOKANE TRANSIT AUTHORITY

PERFORMANCE MONITORING AND EXTERNAL RELATIONS COMMITTEE MEETING

July 12, 2017

AGENDA ITEM 8D : **SEPTEMBER 2017 DIVISION AND SPRAGUE RELIABILITY IMPROVEMENTS**

REFERRAL COMMITTEE: N/A

SUBMITTED BY: Karl Otterstrom, Director of Planning & Development

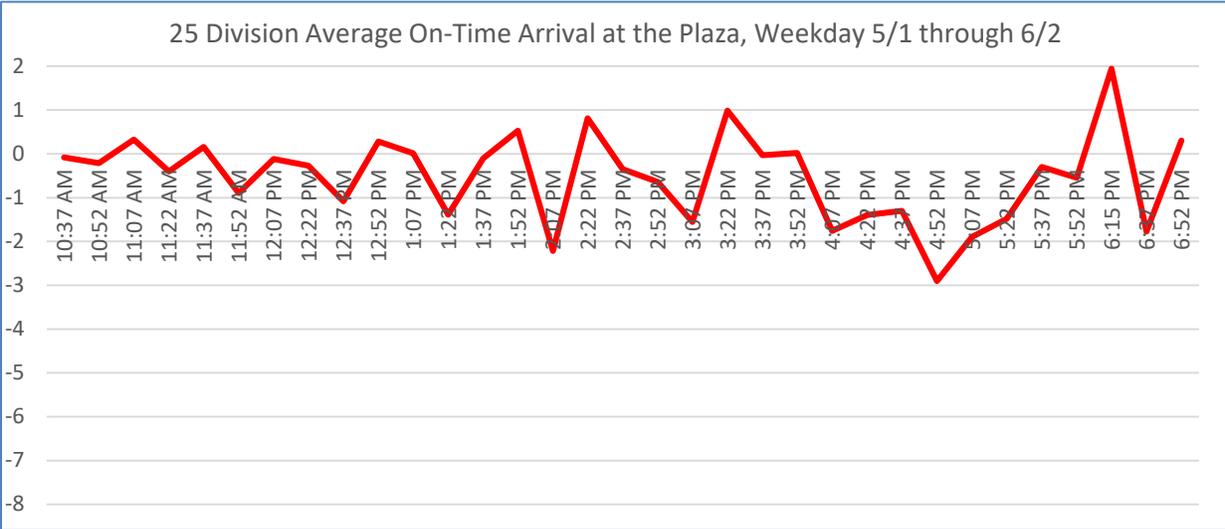
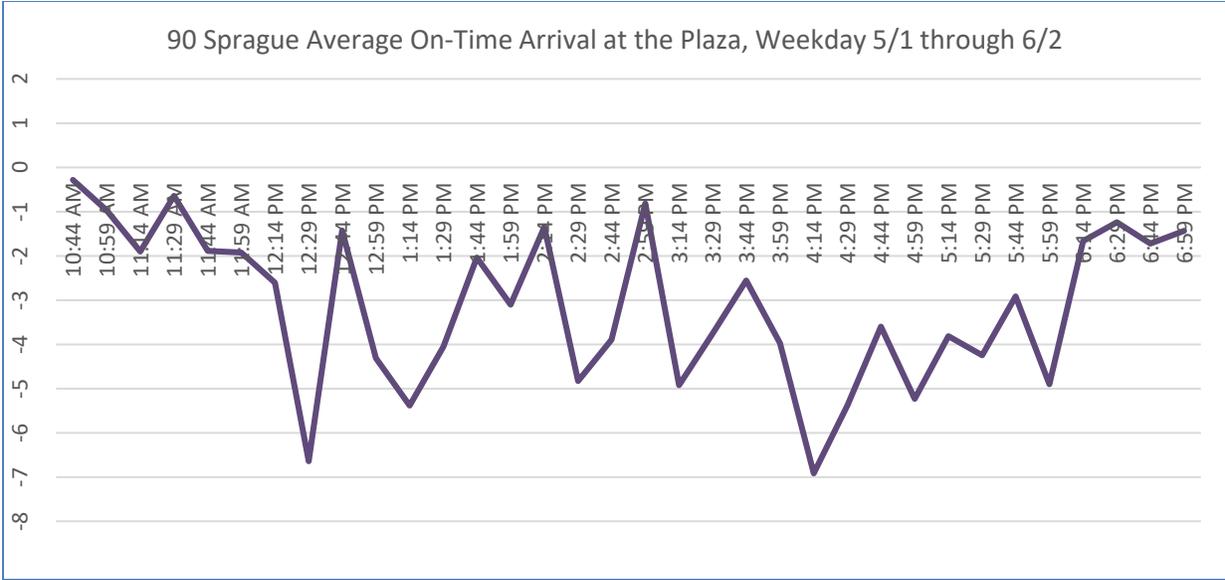
SUMMARY: The Route 90 on Sprague Avenue and Route 25 on Division are two of the busiest routes in the bus system. The *STA Moving Forward* plan calls for reliability (on-time performance) improvements to these two routes this September. The *2016 Service Improvement Plan* and recently adopted *2017 September Service Revisions* planned to start utilizing a downtown layover location for the 25 Division starting this September. Additionally, layover time was proposed to be added to the 90 Sprague September of next year. Conceptually the 25 Division downtown layover would allow the schedule to include extra recovery time between busy runs without occupying plaza loading space during that time. However, securing a suitable downtown layover location for the 25 Division in anticipation of the scheduled September 2017 improvements has been challenging. Scouted locations are either farther than ideal from the Plaza to effectively travel to layover within the anticipated running time or have met resistance from adjoining property owners or city officials.

In addition to these setbacks in securing a layover location for the 25 Division, the urgency of reliability improvements for the 90 Sprague has become more apparent. A review of on-time performance data verifies reliability issues reported by coach operators. On weekdays, over a five-week period from May 1, 2017 through June 2, 2017 the 90 Sprague arrived at the Plaza on average, three minutes and seven seconds late over all mid-day trips between 10:44 AM and 6:59 PM. Further exacerbating the situation of the 90 arrival is the fact that it arrives and alights its passengers at Zone 10 on the south of the building. After alighting passengers, it then must drive two minutes or more around the block to arrive at the north side of the Plaza to board the waiting passengers at Zone 2. It often takes a while to board these passengers. Even if a bus arrives at a generally manageable three minutes late, it must drive two minutes to the other side of the plaza and then take two or three minutes to board the passengers, now making the coach two to three minutes late for departure.

Further adding to the persistent tardiness of the 90 is construction along Sprague Avenue east of downtown Spokane. The City of Spokane has several phases of road construction scheduled for the corridor over the next couple of years. Currently, a section of Sprague Avenue is completely closed to traffic which requires the coaches to perform a detour of upwards of two minutes which can cause individuals to be late arriving not only downtown but also to the Valley Transit Center. The continual late arrival in both directions has become burdensome for the passengers and operators alike.

The charts below provide a visual representation of this data. On the graphs, the numbers on the left hand side are average adherence in minutes to the scheduled time (times listed in the middle of the graph). A value of zero is on time with the schedule, whereas negative numbers are late and positive numbers are early. Over the five-week period, none of the 90 Sprague trips averaged an on time arrival at the plaza. Also worth noting are the volume of instances where the buses averaged being five minutes or more late. The 25 Division on the other hand never averaged being close to five minutes late. In fact, some of the reliability issues with the route is that it will often arrive early at the Plaza.

Side-by-side comparison of these two routes show that a reliability adjustment to the 90 Sprague are a higher priority improvement than that of the 25 Division.



Given these conditions, STA plans to implement reliability improvements on both routes in September 2017, representing a change from the *2017-2019 Service Implementation Plan* yet aligned with the *STA Moving Forward* targeted implementation schedule. The reliability improvements for the 25 Division will focus on schedule revisions that do not require additional vehicle or operator resources. The improvements to the 90 Sprague will include extending the running time in the middle of the day until after the PM peak. The extra running time requires an additional vehicle be in service to provide the same frequency of service (every 15 minutes). This will allow for extra recovery time at the Plaza and VTC between busy runs, thus improving schedule reliability. The 90 Sprague is the only route that currently uses Zone 2 at the Plaza and as such, and unlike the 25 Division, does not require an off-site layover location at this time in order to accomplish an extended downtown layover. Minor scheduling changes will also be made to improve reliability on the route 25 Division this September. Staff will continue to explore downtown layover locations and/or additional reliability improvements for the 25 Division to be implemented in September 2018.

RECOMMENDATION TO COMMITTEE: Information only.

FINAL REVIEW FOR BOARD BY:

Division Head _____

Chief Executive Officer _____

Legal Counsel _____

SPOKANE TRANSIT AUTHORITY

PERFORMANCE MONITORING AND EXTERNAL RELATIONS COMMITTEE MEETING

July 12, 2017

AGENDA ITEM **8E** : 2017 COMMUNICATIONS UPDATE

REFERRAL COMMITTEE: N/A

SUBMITTED BY: Beth Bousley, Director of Communications and Customer Service

SUMMARY: The Spokane Transit communications update provides highlights of STA communications efforts to support STA's goal and priorities.

Recent Results: See attached media report.

Upcoming events:

- **West Plains Transit Center Ground Breaking – July 19th, 9-10 am**
 - We hope you can join us for the groundbreaking ceremony of the West Plains Transit Center. The new facility, which will be complete in 2018, will address several transportation needs and provide more efficient use of service between Spokane and Cheney with a new park and ride for commuters. Future transit improvements also include direct connections between cities on the West Plains. Location: 10810 W. Westbow Road, Spokane, Off I90 at Medical Lake exit 272
- **Touch a Bus Story Time – July 13, 27, August 16, 30**
 - Spokane Transit is partnering with Spokane County Library District in a series of Touch-a-Bus Storytime events where kids and parents explores buses at storytime. This event is part of Spokane Transit's commitment to help individuals of all ages in the community learn to confidently use the bus. Ensuring access to affordable public transit in the Spokane region, STA is doing its part to build a stronger community and stronger economy for all.
 - Following are upcoming Touch-a-Bus Storytimes at Spokane County Library locations:
 - Cheney- Thursday, July 13, 10:30–11:30am
 - North Spokane - Thursday, July 27, 10:30–11:30am
 - Medical Lake - Wednesday, August 16, 10:30–11:30am
 - Spokane Valley - Wednesday, August 30, 10:30–11:30am
- **First Friday at the Plaza – August 4th, 4-6pm**
 - Featuring art and live music. Location: STA Plaza 2nd Floor Rotunda.

RECOMMENDATION TO COMMITTEE: Information only.

FINAL REVIEW FOR BOARD BY:

Division Head _____

Chief Executive Officer _____

Legal Counsel _____

EXECUTIVE SUMMARY

STA's media coverage in the month of May was outstanding. The breadth of coverage from print was significant, with feature stories in all major publications, including the Journal of Business, the Inlander and the Spokesman Review. The tone was overwhelmingly positive (79%) with a strong focus on the progress of strategic projects within STA Moving Forward.

At the beginning of the month, several outlets highlighted STA's involvement in Bloomsday, as shuttles were positioned to help move about 20% of race participants. Beth Bousley shared with the Spokesman, "Nothing's changing with our service this year," exemplifying STA as a reliable service for the community and tourists alike. Pre-race stories in the Inlander and Spokesman, as well as several broadcast outlets, highlighted the Bloomsday service shuttles.

Moving through the month, coverage spotlighted the Central City Line. Articles outlined the importance of improved infrastructure nationwide, including availability of public transit. Additionally, one article highlighted the newly-renovated downtown Plaza. The tone in these articles conveyed strong community support for both projects.

STA rose to the top of local coverage again for the late May announcement of the new Route 95 which expanded STA's service to the Spokane Valley. Local news outlets were well-prepared with information about the announcement, and some reporters showed interest by attending the event and interviewing STA representatives. The coverage that resulted was positive and celebratory.

Additionally, STA scored 14 mentions this month, including two stories regarding extended holiday service on Memorial Day weekend. Eight pieces mentioned Couer d'Alene's unwillingness to expand its transit services and allow STA in the region. In one article on the topic, STA's Brandon Rapez-Betty said a pilot project for STA to reach Idaho in 2025 is tentatively planned, but multiple levels of discussions and approvals would need to happen to make it a reality. "To make it work, it would require sustainable transit funding on both sides and we know that's not in place in Idaho," Brandon said.

Overall, the tone was positive to neutral for the month of May across all 56 pieces of coverage.

EARNED MEDIA HIGHLIGHTS



Detour Ahead

The Inlander - MAY 4, 2017

This article provides helpful tips for Bloomsday attendees, included information on Bloomsday bus shuttles and fares.

COMMENTS: 0 | LIKES: 11 | SHARES: 0



The latest federal budget proposal is an encouraging sign for STA's Central City Line

The Inlander - MAY 3, 2017

In this article, The Inlander highlights Trump's proposed federal budget and its implications locally. The Inlander sought insights from STA about funding for the Central City Line project, which is dependent on the Small Starts grants program. CEO Susan E. Meyer said not to worry about funding, as "there is nothing to suggest to us we should do anything but stay the course." STA's Brandon Rapez-Betty said, "Congress has agreed to increase the amount in the Small Starts budget. We didn't think it was going to disappear in the first place, but now we can say we're that much more confident."

COMMENTS: 0 | LIKES: 29 | SHARES: 0



Local News > Spokane Transit Authority plans \$10.8 million complex

Spokane Transit Authority plans \$10.8 million complex

Spokane Transit Authority plans \$10.8 million complex

Journal of Business - MAY 11, 2017

This piece of coverage outlines details of a \$10.8 million transit vehicle storage building, parking lot, and fuel storage facility to be located just northwest of STA's headquarters in west central Spokane. Brandon Rapez-Betty, spokesman for the STA, says the project is expected to begin in the summer of 2018 and to be completed the following summer.

COMMENTS: 0 | LIKES: 0 | SHARES: 0



STA kicks off new Spokane Valley bus route

The Spokesman-Review - MAY 23, 2017

This article highlights the new Route 95 with service to Mid-Valley, serving the fast-growing areas of Spokane Valley east of Sullivan Road and especially along Indiana Avenue between Sullivan and Flora roads. Katherine Morgan, president and CEO of the Spokane Valley Chamber of Commerce, said, "This is a really big deal for the Valley," as some 7,200 jobs are located within a quarter-mile of the route, giving workers another choice for transportation.

COMMENTS: 0 | LIKES: 0 | SHARES: 0

KEY OBSERVATIONS

- STA's rollout of May service improvements reflected positively in media and on STA's social media outlets.
- Video was a powerful medium for educating audiences on social media.
- FAQs and messaging guides were essential to communication with media partners.

TOP INTERNET STORIES BY NUMBER OF IMPRESSIONS

"Gonzaga students call on university to divest from fossil fuels"

THE SPOKESMAN-REVIEW,
IMPRESSIONS: 869,160

"Spokane Transit Authority plans \$10.8 million complex"

MYINFORMS.COM,
IMPRESSIONS: 1,173,580

TOP PRINT STORIES BY NUMBER OF IMPRESSIONS

"U.S. needs bridge to better roads and tunnels"

THE SPOKESMAN-REVIEW,
CIRCULATION: 70,534

"Transportation budget: \$127 million for county"

THE SPOKESMAN-REVIEW,
CIRCULATION: 70,534

TOP BROADCAST STORIES BY NUMBER OF IMPRESSIONS

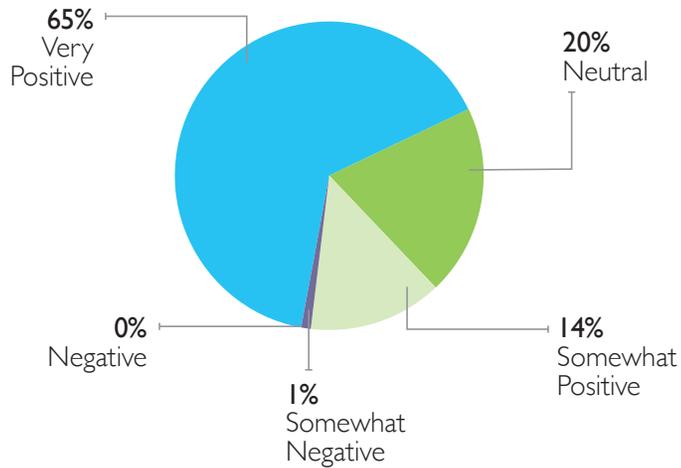
"STA has four Bloomsday shuttle lots"

KHQ NEWS 6PM, VIEWERSHIP: 29,021

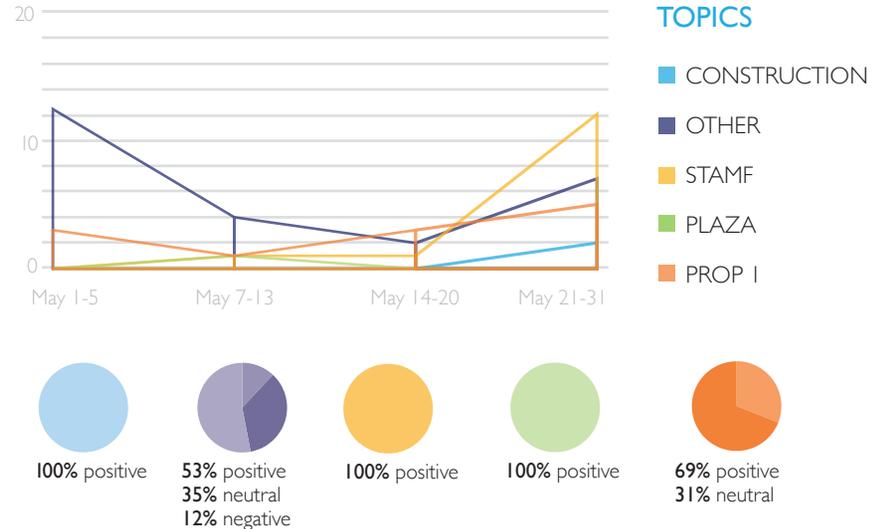
"Spokane Transit Authority launched brand new route"

KXLY 4 NEWS AT 5PM, VIEWERSHIP: 27,846

MEDIA COVERAGE BY SENTIMENT



MEDIA COVERAGE BY TOPIC



MEDIA COVERAGE

56 STORIES	8,764,913 INTERNET IMPRESSIONS	214,790 BROADCAST VIEWERSHIP
526,707 PRINT CIRCULATION	\$104,813.04 PUBLICITY VALUE	

NOTABLE SOCIAL MEDIA STORIES

FACEBOOK

105,790 TOTAL IMPRESSIONS	3,334 TOTAL PAGE LIKES
426 PAGE VIEWS	26 NEW LIKES
76 POSTS	0.79% GROWTH
937 ENGAGEMENTS	0.89% ENGAGEMENT RATE

TWITTER

26,300 TOTAL IMPRESSIONS	1,885 FOLLOWERS
289 PROFILE VISITS	49 NEW FOLLOWERS
69 TWEETS	2.67% FOLLOWER GROWTH
52 RETWEETS	1.10% ENGAGEMENT RATE

Tom Sherry @KREMTomSherry

And that a wrap. Thanks @spokanetransit for the super handy and quick shuttle. Next stop Valley Mall.

TOP MEDIA TWEET

ENGAGEMENTS:44 | RETWEETS: 2 | LIKES: 3

Spokane Transit Authority

Service changes are on the horizon! Get the scoop on all the exciting changes from our very own bow-tie man. These are just a few of the 25 projects making us move forward. To learn more visit <http://bit.ly/2q1gQTN>.

TOP MENTION

REACH: 2,500 | ENGAGEMENTS: 247 | SHARES: 24 | LIKES: 52

Spokane Transit @spokanetransit

Headed to Bloomsday? Don't forget to pick up an all-day sticker pass to ride our Bloomsday Express Shuttles. buff.ly/2pKyeVv

TOP TWEET

IMPRESSIONS: 3,339 | ENGAGEMENTS: 61 | RETWEETS: 3 | LIKES: 2

Spokane Transit Authority

Service changes are on the horizon! Get the scoop on all the exciting changes from our very own bow-tie man. These are just a few of the 25 projects making us move forward. To learn more visit <http://bit.ly/2q1gQTN>.

LARGEST REACH

REACH: 5,735 | ENGAGEMENTS: 247 | SHARES: 24 | LIKES: 52

SPOKANE TRANSIT AUTHORITY
PERFORMANCE MONITORING AND EXTERNAL RELATIONS COMMITTEE MEETING

July 12, 2017

AGENDA ITEM 9 : SEPTEMBER 2017 DRAFT COMMITTEE PACKET AGENDA REVIEW

REFERRAL COMMITTEE: N/A

SUBMITTED BY: STA Staff

SUMMARY: At this time, members of the Performance Monitoring and External Relations Committee will have an opportunity to review and discuss the items proposed to be included on the agenda for the July 12, 2017, meeting.

PERFORMANCE MONITORING & EXTERNAL RELATIONS COMMITTEE MEETING

Wednesday, September 6, 2017, 1:30 p.m.
Spokane Transit Southside Conference Room

DRAFT AGENDA

Estimated meeting time: 90 minutes

1. Call to Order and Roll Call
2. Public Expressions
3. Committee Chair Report *(5 minutes)*
4. Committee Action *(15 minutes)*
 - A. Approval of Minutes of the July 12, 2017, Committee meeting – *Corrections/Approval*
 - B. Approval of Scope of Work for Boone Northwest Garage *(Otterstrom)*
 - C. Approval of Scope of Work for Division Passenger & Operational Improvements *(Otterstrom)*
5. **Committee Action** *(10 minutes)*
 - A. Board Consent Agenda
 1. Acceptance of Plaza Upgrade Project & Authorize Release of Retainage *(Otterstrom)*
 2. Approval to Purchase Six (6) 40' Diesel Fixed Route Replacement Coaches *(Blaska)*
 3. Request for Approval of "Free Ride Day" November 2018 and 2018 Special Community Events Fare Structure *(Bousley)*
 - B. Board Discussion Agenda
 1. *(No Items being presented this month)*
6. **Reports to Committee** *(40 minutes)*
 - A. Bus Advertising Evaluation *(Meyer/Blaska/Bousley)*
 - B. Supplemental Low Income Pass Grant Update *(Blaska)*
 - C. 2nd Quarter 2017 Performance Measures-Results *(Blaska)*
 - D. 2nd Quarter 2017 CAC Update *(Bousley)*
7. CEO Report *(10 minutes)*
8. Committee Information – *no discussion/staff available for questions*
 - A. June 2017 Semi-Annual Financial Reports *(Warren)*
 - B. July Financial Results Summary *(Warren)*
 - C. August Sales Tax Revenue Information *(Warren)*
 - D. July 2017 Operating Indicators *(Blaska)*
 - E. 2nd Quarter 2017 Safety & Loss Summary *(Williams/Toole)*
 - F. 2nd Quarter 2017 Service Planning Input Report *(Otterstrom/Weinand)*
 - G. Communications Update *(Bousley)*
 - H. Citizen Advisory Committee Chair Selection *(Bousley)*
9. October 4, 2017, Committee Packet Draft Agenda Review
10. New Business *(5 minutes)*
11. Committee Members' Expressions *(5 minutes)*
12. Adjourn
13. Next Committee Meeting: October 4, 2017, 1:30 p.m.
(STA Southside Conference Room, 1230 West Boone Avenue, Spokane, Washington)

SPOKANE TRANSIT AUTHORITY

PERFORMANCE MONITORING AND EXTERNAL RELATIONS COMMITTEE MEETING

July 12, 2017

AGENDA ITEM 11 : COMMITTEE MEMBERS' EXPRESSIONS

REFERRAL COMMITTEE: N/A

SUBMITTED BY: N/A

At this time, members of the Performance Monitoring and External Relations Committee will have an opportunity to express comments or opinions.

RECOMMENDATION TO COMMITTEE: N/A

FINAL REVIEW FOR BOARD BY:

Division Head _____

Chief Executive Officer _____

Legal Counsel _____