

MINUTES OF DIRECTORS MEETING
LANE TRANSIT DISTRICT
SPECIAL BOARD MEETING/WORK SESSION

Monday, February 12, 2007

Pursuant to notice given to *The Register-Guard* for publication on February 8, 2007, and distributed to persons on the mailing list of the District, the Board of Directors of the Lane Transit District held a special Board meeting on Monday, February 12, 2007, beginning at 5:30 p.m., in the Bascom-Tykeson Room of the Eugene Public Library, 100 West 10th Avenue, Eugene, Oregon.

Present: Gerry Gaydos, President, presiding
Susan Ban, Vice President
Debbie Davis Treasurer
Michael Dubick
Greg Evans
Mike Eyster
Dean Kortge, Secretary
Mark Pangborn, General Manager
Jo Sullivan, Clerk of the Board
Lynn Taylor, Minutes Recorder

CALL TO ORDER/ROLL CALL – Ms. Ban called the meeting order. Mr. Pangborn called the roll.

PRELIMINARY REMARKS BY BOARD PRESIDENT – Mr. Gaydos expressed his appreciation to those who came to the meeting. He invited their comments during the public hearings.

ANNOUNCEMENTS AND ADDITIONS TO THE AGENDA – There were no announcements or additions to the agenda.

PRELIMINARY PUBLIC HEARING ON FY 2007-08 FARE RECOMMENDATIONS – Director of Service Planning, Accessibility, and Marketing Andy Vobora reviewed the pricing proposal summary for 2007-2008. He noted that a preliminary review of changes in both fares and service had been conducted at the Board's January 2007 meeting, a second public hearing would be held on March 12, and the Board would take final action at its March 21 meeting. He said there were two implementation dates for fare changes, and service changes would be implemented in September 2007.

Mr. Vobora said there were increases in the monthly pass fare price and the group pass price. He reviewed a chart of the proposed monthly pass fare increases and said if approved, they would go into effect with the sale of July passes in June. He said that group pass rates would go into effect January 1, 2008, as most of the contracts were on a calendar year basis. He explained that discounts were provided as an incentive to purchase prepaid instruments such as tokens and passes and typically resulted in a 24 percent to 31 percent reduction in cost. He said that, according to policy, increases were rotated among fares.

Opening of Public Hearing: Mr. Gaydos opened the public hearing and called for testimony.

Jacquelyn King, 1006 West 7th Avenue, #3, Eugene, stated that when her pass was stolen it was a burden for the rest of the month because she was not allowed to purchase another pass and had to pay cash fare on a daily basis for the remainder of the month. She felt that riders should be allowed to purchase another pass to replace a stolen one, as even purchasing a full pass would have been less expensive than paying the daily fare. Mr. Vobora explained that passes for the next month went on sale on the 20th of the month and at that point passes for the current month were no longer sold.

Ms. King commented that riders on Supplemental Security Income (SSI) were able to ride downtown up to the third of the month to purchase a monthly pass but she had been unable to do so because she did not have her sticker from the previous month because her pass was stolen.

Valerie Anne, P.O. Box 624, Springfield, asked the Board not to increase fares under any circumstances. She said the EmX system was created at the cost of local residents and it was not practical for everyday riders because it was designed for employees of big businesses like Sacred Heart, who already received massive discounts through the group pass program. She said it would be practical to have a bus that connected from the Eugene Station at 6:30 a.m. to Mill Street because of the hardships created by discontinuation of #11.

Christine Gherardi, 424 West Fairview Drive, Springfield, said if rates were being raised the service should be improved. She said that currently those who lived in the vicinity of Fairview Drive could not leave their homes after 6:45 p.m. because there was no evening service. She said residents could not attend movies or cultural events after that time. She said there was some evening service on Saturday nights at 9:30 p.m. She said LTD should spend more time talking to the customers it already had and finding out what their needs were instead of focusing on attracting new customers to the EmX service. She said there were people who lost their jobs every time there were changes to the schedules, pointing out how eliminating the 11:30 p.m. service affected those working night shifts. She said that schedule changes also resulted in people having to move to a new location in order to connect to service.

Closing of Public Hearing: There being no further testimony, Mr. Gaydos closed the public hearing.

PRELIMINARY PUBLIC HEARING ON FY 2007-08 SERVICE RECOMMENDATIONS – Mr. Vobora characterized services changes as falling into one of four categories, and reviewed the proposed changes:

- Operational fixes - running time added to 22 routes, beginning/ending location changes to 6 routes
- Deletions - none proposed
- Additions - add weekday inbound Breeze trip at 7:03 a.m. from Valley River Center, add Eugene Station connection weekdays and Saturday to #28, extend four trips on #36 on weekdays to serve Willow Creek Industrial Park, provide 10-minute service in the late p.m. peak hours on #11 to respond to increased ridership and address timing issues
- Contingency - 0.5 percent to address issues that arose throughout the year

Mr. Vobora highlighted route changes on a system map.

Mr. Evans asked what frequency was proposed for #36. Mr. Vobora replied that trips were primarily targeting employees who worked 8 a.m. to 5 p.m.

Opening of Public Hearing on Service Proposals: Mr. Gaydos opened the public hearing and called for testimony.

Melvin Barnes of Springfield thanked LTD for moving #18 and #19 from A Street to B Street in Springfield. He requested bus routes in three areas of Springfield:

1. Laura Street from Q Street to Hayden Bridge needed a bus running in both directions to serve a high-density housing area consisting of Monta Loma Adult Mobile Home Park, Lochhaven Manufactured Home Subdivision, Pheasant Park Apartments, and an assisted living complex. A petition with 233 signatures of people interested in the route was submitted.
2. South of Main Street off 32nd Street and running down Virginia/Daisy to Thurston Station and down Jasper Road to serve several high-density adult mobile home parks, new housing developments, Agnes Stewart Middle School, and the Regional Sports Center Complex/Community Recreation Center. Written testimony suggesting a possible route and letters of interest were submitted.
3. Hayden Bridge east of 5th Street, Yolanda Street, and 31st Street to serve River Glen Development, Briggs Middle School (with a high percentage of low-income families), older residential neighborhoods, foster homes, and the Armory. Written testimony suggesting a possible route and letters of interest were submitted.

Don Young of Springfield said that he did not personally use the bus service a lot but in his neighborhood four of six homes were occupied by senior citizens 80 years or older. He wanted to see service along Hayden Bridge Road that would allow them to access bus service as it was currently necessary to walk a quarter of a mile to Q Street to catch a bus.

Bobby Lee of Eugene, speaking for Hynix Semiconductor Manufacturing America, said his company was in full support of route changes to provide better service to Hynix's workforce, which now numbered over 1,000. He said Invitrogen, a neighboring company, also was expanding. He noted that the West Eugene area designated by the City as an enterprise zone was designed to diversify the economy and attract businesses and it was appropriate to align the public transportation system with the community's economic development plan. He thanked staff for their work with Hynix and submitted written testimony.

Cynthia Kokus, a Eugene resident, said she regularly used transit. She said the additions being proposed were sensible and extending service was a wise idea, because public transit with excellent connections for specific populations and businesses could attract passengers who had the choice of a car or bus and thus increase riders, increase income, and help the environment by taking cars off the road. She urged that public transit not lose focus on populations who had no choice: those with low incomes, without cars or with unreliable vehicles, those in wheelchairs, the ill, and the elderly who no longer drove. She was concerned that this focus had been forgotten with the elimination of bus stops along the new EmX route. She said the cost of providing new service and adding services for the Breeze and routes serving businesses had added burdens to those least able to choose, and that was not acceptable.

Marion Walter of Eugene was pleased with the proposal to add service on #28 and #73 as it would benefit many people who took classes at the Hilyard Community Center. She asked why those changes could not become effective sooner than September, particularly with the increased activity at the Amazon Pool during the summer. She noted that routes along 13th Avenue ran at

the same time and it was frustrating to miss both. She asked that the routes be staggered. She urged restoration of the Breeze on Saturday. She asked if neighborhood connectors to the EmX were planned. She hoped that there might be service to replace #11 from the Eugene Station to Walnut Street, as it was very dangerous to walk in that area. She also hoped that #28 would be restored, as it would help those who were disabled.

Janelle Halesworth of Eugene, speaking for Invitrogen Corporation, stated that the Molecular Probes part of Invitrogen employed approximately 300 people in Eugene. She said that recently Commuter Solutions had assisted with a site-specific employee transportation survey and it was determined that 74 percent of survey respondents would be very or somewhat likely to begin using an alternate mode of transportation if there were altered bus routes or stops. She said there was potential to increase bus ridership among employees and Invitrogen had several initiatives to promote the use of alternative transportation. She thanked LTD for considering the #36 service changes.

Valerie Anne of Springfield stated that there was an increase in ridership between 2 p.m. and 5 p.m. because of students and she often had to leave a half hour early to catch the #13 so she could make connections downtown to go to work. She wanted to see an improvement in services and better communications as twice in one month buses had gone by without stopping. She said it was difficult for buses to make connections to downtown between 2 p.m. and 7 p.m. on Centennial Boulevard because of heavy traffic. She asked that students and traffic congestion be taken into consideration when scheduling to avoid stressing drivers and riders and ensure that people made their connections.

Jacquelyn King, Eugene, stated that there was no hand soap in bathrooms. She asked that drivers be trained to respond verbally to requests for the lift so that passengers knew they had been heard. She suggested that service on Coburg Road be 15 minutes apart and said starting the #67 at 15 minutes after would provide more varied arrival times at Delta Oaks.

Christine Gherardi, Springfield, said that attending 5:30 p.m. meetings was difficult without evening service and while people could get to the meetings there was no service to take them home. She said many elderly and disabled people rode the bus and it was confusing when there were different hours of service in the morning, afternoon and evening. She suggested that buses should run every hour on the hour from morning to evening every day of the week. She had noticed that some outlying areas had a bus in the morning and a bus at night and people got stranded in Eugene. She suggested adding one or two more runs on those routes.

Closing of Public Hearing: There being no further testimony, Mr. Gaydos closed the hearing and called for questions and comments from the Board and staff.

Board Discussion: Mr. Evans asked about the elimination of stops along the EmX route. Mr. Vobora replied that one of the features of EmX was different stop spacing and that on the route stops were farther apart to move the vehicle along more quickly. He said that many of the stops along Franklin Boulevard were close to the previous stops but there was a net loss of stops along the route.

Mr. Evans asked if there was a way to mitigate that as the system evolved or would it be necessary for the public to adjust to the new spacing. Mr. Vobora said the mitigation likely would involve a parallel service, which would not be an efficient use of resources; the spacing was something the public would need to adjust to. He said that the location of stops could be

evaluated as redevelopment occurred in Glenwood and around Walnut Station, but the premise behind EmX service was wider stop spacing.

Ms. Ban noted that an investment in the infrastructure for stops along Franklin Boulevard had already been made but there could be some opportunity for flexibility in Glenwood. Mr. Pangborn added that there had been stops every two blocks along Franklin Boulevard and the premise of EmX was fewer stops with better services at those stops. He said that even with redevelopment in Glenwood, it was likely that there would be fewer stops.

Mr. Vobora commented that late night and early morning service had been cut in 2002-2004 and were on the list for reconsideration, as were services in Springfield along Jasper Road and other areas. He said that many of those areas had experienced significant development and would be reevaluated. He said that the #12 Gateway would be considered for service to PeaceHealth's new RiverBend campus, and when EmX service became available in 2010, it would provide an opportunity to evaluate service in the entire northern area and perhaps provide service to new areas. He said a key to that would be partnering with the City of Springfield and the City's decision about what streets buses could operate on. He said that staff had been looking at ways to split service along the Thurston route to provide broader coverage.

Mr. Vobora explained that productivity data used in service decisions was based on people boarding buses and helped to determine where service hours were placed, based on how well routes were used. He added that late night services were cut because those trips were used less than other routes.

Ms. Ban emphasized that productivity reflected the number of people using a particular route and decisions to eliminate lower-productivity routes when services had to be cut meant that fewer people would be hurt by the cuts. Mr. Vobora added that cuts in 2002-2004 were done with a focus on keeping the system as a whole operating, which meant that reductions were made in late night/early morning service and some midday frequency service in order to maintain a system that still provided mobility to people while serving the greatest number of riders. He noted that some of the services had since been restored.

Mr. Eyster pointed out that at times decisions to maintain coverage were made at the expense of productivity. Mr. Vobora agreed and said that #18/#19 Mohawk/Fairview service in the Fairview neighborhood was an example of the Board keeping a service that did not meet productivity standards. He said that only the main corridor routes in the system had coverage in the late night and early morning. He said staff would cost out implementing #28 Hilyard service in the summer instead of the fall and present that to the Board at its next meeting.

Mr. Evans asked what type of neighborhood connector service was being considered. Mr. Vobora said that could be in the form of a loop off the main route instead of smaller circulating buses.

Mr. Vobora said the problems of more people on the buses and increased traffic congestion were what prompted many of the operational fixes and it was an ongoing challenge to address specific situations. He said that schedules were varied by time of day because of traffic considerations to assure that connections could be made. He said that operating buses on the same schedule all day long would take a tremendous amount of service dollars that would have to come from somewhere else in the system.

Ms. Ban asked how information was gathered from people who regularly used the service. Mr. Vobora responded that it was an ongoing process and drivers were one of the best sources of

information. He said that riders communicated frequently and data were constantly collected throughout the year to assess the efficiency of service. He said the contingency was available to make necessary adjustments. He said that periodically riders were surveyed over a weeklong period. He also encouraged people to call in their comments or submit them in writing or via e-mail, as that had the same impact as testifying at a hearing.

Mr. Evans asked if research could be extended to include focus groups in a community setting so that people would feel comfortable coming in and having a conversation with staff. Mr. Vobora said that had occurred in the past and outreach to outlying communities was planned when rural services were being considered. He said that specific focus groups in targeted areas also could be done.

Mr. Kortge noted that the 2.11 percent increase—\$300,000—was significant.

WORK SESSION

Senate Bill 476 – Assistant General Manager Stefano Viggiano and Kelly Brooks of The Ulum Group provided an update on current legislative measures. Mr. Viggiano distributed a document entitled *Current Measure Status Report* that identified bills in three different priority groupings. He said that Priority 3 bills did not affect the District directly and he did not expect that the District would testify on them; Priority 2 bills did not address transit specifically but contained language that was of sufficient concern to the District to require testimony or a request to modify. As an example, he said that several Priority 2 bills were related to restrictions on communication devices while driving and, although intended to address the use of cell phones by drivers, the current wording would prevent bus operators from communicating with operations and that was a critical function. He said the District supported those bills as long as transit operators were exempted from that restriction.

Mr. Viggiano said that the Priority 1 bills were the most significant. Two bills in that category were funding measures—one related to ConnectOregon and the other to an increase in the cigarette tax—and the District supported those, although the Board had not taken a formal position. He said there were two other bills in the Priority 1 category and one of them, HB 2537, related to prohibiting bus operators from striking and required binding interest arbitration to settle disputes. He said the bill had just been introduced and would be discussed with the Board at its February 21 meeting, and it was likely that the Oregon Transit Association would have taken a position by that time. He said the only caveat was that if the bill moved more quickly than expected, a Board position might be required before the next meeting. He added that if that was the case staff would contact Board members.

Mr. Kortge noted that the position on all of the Priority 2 bills was indicated as "support with amendments" and suggested that the position could be "neutral with amendments." Ms. Brooks agreed that was an option if the Board preferred.

Mr. Viggiano pointed out that the District had prohibited personal cell phone use by staff on all of its vehicles. Ms. Brooks said the primary objective of amendments was to ensure that transit operators could use their radios.

Mr. Evans asked if other states in the region had extended the prohibition of strikes to transit workers. Director of Human Resources and Risk Management Mary Adams said that most states exempted some groups, generally related to public safety. She said the State of Washington

exempted transit, although there was a different definition of arbitration. There the arbitrator could pick and choose among elements of employer and union offers and render a decision based on both offers if a contract could not be settled. She explained that the model in Oregon was that the arbitrator had to choose between the employer's and the union's final offer. She said some other states had binding arbitration for transit but it was not the norm.

Ms. Ban asked if HB 2514, which related to TriMet, could also affect LTD. Ms. Brooks said the bill was specific to TriMet and she was monitoring it, but did not expect to be involved unless the State indicated it would consider changing the rules in a way that would affect LTD.

Mr. Gaydos suggested that the Board could continue to be notified about legislative measures via e-mail and if there was something of particular interest that could require adopting a position, a special meeting could be considered. He asked for discussion of Mr. Kortge's suggestion about maintaining a neutral position with amendments on Priority 2 measures.

Mr. Eyster stated he was in favor of a position in support of Priority 2 measures with amendments because their purpose was to make the roads safer, including for LTD passengers and vehicles.

Mr. Kortge said he agreed with offering amendments but was concerned was making ad hoc policy statements. He preferred more discussion before taking a position.

Mr. Viggiano commented that sometimes bills moved quickly and it was necessary to take a position. He said that contacting the Board under those circumstances could be difficult. He said that some boards or councils created a subcommittee to handle legislative issues and that was something the Board could choose to do.

Mr. Dubick said he had mixed feelings on Priority 2 bills and was hesitant to support the bills without having actually seen them. He thought that the Board was more likely to be involved with Priority 1 measures and without more information his inclination was not to support HB 2537. Mr. Viggiano said that the subject of HB 2537 would be on the agenda for the February 21 Board meeting and copies of the bill would be provided. Ms. Brooks said that if the bill moved before that date, an emergency e-mail would be sent to Board members, as the District would need to address it.

In response to a question from Mr. Evans, Ms. Brooks said that HB 2537 did not have specific sponsors and seemed to be a committee bill, but it did appear to have support from many legislators. She would check on sponsorship and report back to the Board.

Mr. Pangborn explained that emergency telephone workers, parole and probation officers, police officers, firefighters, and guards at correctional institutions and mental hospitals were currently covered by binding interest arbitration, and the proposal was to add employees of mass transit districts and municipal bus systems. He said that staff would provide an analysis of the issue, including the motivation of those requesting the legislation and what problem the bill was solving.

Mr. Viggiano confirmed that the Board preferred that staff issue amendments that protected the District instead of taking a position on Priority 2 bills; there was no need to take a position on Priority 3 bills; and positions would be taken only on Priority 1 bills.

Mr. Kortge commented regarding HB 2422 that there would be considerable competition for the additional revenue from an increase to the cigarette tax.

Ms. Brooks stated that an explanation of SB 476, along with a copy of the bill, was provided in the agenda packet. She said Senator Morrisette proposed the bill and his argument was that LTD had taxing authority and the Board should be elected by the people. She said this bill was somewhat different from earlier versions and required that five Board members be elected and two appointed to represent riders with disabilities and regular riders (those who ride on a regular basis).

MOTION Mr. Kortge moved LTD Resolution 2007-007: "Be it resolved that the LTD Board of Directors hereby states its opposition to Senate Bill 476." Mr. Dubick provided the second.

Mr. Viggiano referred to the fact sheet contained in the agenda packet and said that another relevant fact to include would be that LTD worked cooperatively with elected officials on almost all of the District's major initiatives and projects. He said the EmX project would not have gone forward without the approval of the Springfield and Eugene city councils and the Lane County Board of Commissioners. He said the project would not have proceeded if any one of those bodies had not given its approval. Ms. Brooks pointed out that many elected bodies had direct control over the District's funding, including the legislature, which set the payroll tax.

Mr. Evans observed that it was poorly crafted legislation and done out of context, especially since it did not involve TriMet. He said it appeared to be based on a personal issue instead of good public policy.

Mr. Gaydos said the Board and the community needed to be concerned about good governance and his sense was that good governance had occurred throughout LTD's history. He said an appointed Board made sense and the *Register-Guard* editorial board had pointed out that the bill was a solution in search of a problem. He said that there would be a cost to the District to hold elections and that there was a possibility that many of the people who volunteered to be on the appointed board would not be willing to serve on an elected board because of the time and expense involved in an election campaign. He said that he came down on good governance in the sense that there was nothing broken and the community had been well served and would continue to be well served. He said that he did not understand Senator Morrisette's "taxation without representation" argument, as the senator was part of the body that allowed the authorization. Regarding accountability, Mr. Gaydos said that the governor had shown with the Higher Education board that members of an appointed board could be removed swiftly if they failed to perform their duties and, and that the LTD Board was subjected to significant oversight through state and federal audits and monitoring that did not occur on other boards. He said that he was proud to serve on the Board and thought that the opposition was appropriate.

Ms. Ban stated she saw no good reason for the bill and echoed Mr. Gaydos comments regarding accountability of the Board and the fact that taxation was set at the State level by an elected body. She said on a personal level she chose to be on the Board to represent a population that was disabled and low income and unlikely to be a business owner or involved in an election campaign. She was concerned that an appointed board could not effectively represent those populations even though the bill provided representation for those categories. She said she would not run for election.

Mr. Dubick commented that he had been on elected boards and there were advantages and disadvantages. He said disadvantages were the money and time issues associated with elections and the expectation that promises would be kept to people who donated to the campaign. He said that some elected board were considered merely a stepping stone to higher office and that presented problems in terms of how people addressed the issues that came

before them. He agreed that the bill was a solution looking for a problem and an example of legislation based on someone's personal agenda because it did not address TriMet, which also had an appointed board. He was concerned that an elected board could politicize service decisions.

Mr. Eyster expressed concern that an elected board could damage the District by politicizing decisions. His only reluctance about the motion was that publicity about the bill was designed to make it appear self-serving if the Board opposed it, when in reality the people who opposed it were in favor of better governance for the District.

Ms. Davis echoed previous comments. She said she had gotten involved with the Board to serve her community and create a vision for the future. She felt the Board did a good job of planning for the future.

VOTE

The resolution was approved as follows:

AYES: Ban, Davis, Dubick, Evans, Eyster, Gaydos, Kortge (7)

NAYS: None

ABSENTIONS: None

EXCUSED: None

Mr. Kortge asked if it was appropriate for Board members to discuss the bill with legislators.

Mr. Gaydos replied that it was appropriate to discuss the matter with legislators and members of the community now that the Board had taken a position.

ADJOURNMENT – The meeting adjourned at 7:05 p.m.

Board Secretary