

MINUTES OF DIRECTORS MEETING

LANE TRANSIT DISTRICT

REGULAR BOARD MEETING

Wednesday, January 17, 2007

Pursuant to notice given to *The Register-Guard* for publication on January 11, 2007, and distributed to persons on the mailing list of the District, the Board of Directors of the Lane Transit District held a regular board meeting on Wednesday, January 17, 2007, beginning at 5:30 p.m., in the LTD Board Room at 3500 East 17th Avenue, Eugene.

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

Absent: Dean Kortge, Secretary

CALL TO ORDER – Mr. Gaydos called the meeting to order at 5:33 p.m.

ANNOUNCEMENTS AND ADDITIONS TO THE AGENDA – Mr. Gaydos said that he would reserve his remarks until just before the Employee of the Month agenda item.

Mr. Pangborn complimented Mr. Gaydos on the excellent job he did at the EmX dedication event on Sunday, January 14. Ms. Ban agreed, and Mr. Gaydos also complimented staff on an excellent job in planning the event.

DESIGNATION OF LTD NEGOTIATION TEAM – Director of Human Resources and Risk Management Mary Adams discussed the agenda item summary appearing on pages 6 and 7 of the agenda packet. She explained that historically the Board had appointed a bargaining team at the beginning of the process for each new labor contract. However, it seemed more practical to have one designated person on an ongoing basis, so that there would always be one person managing the process. In discussing with District counsel how to structure this, counsel recommended that the Board appoint the HR director as the permanent designee, and then as the District neared contract negotiations, the Board could make an assessment about how to structure the negotiating team for that year's process. Ms. Adams said that if the Board would approve the resolution on page 7 of the agenda packet, she would be able to discuss labor issues with the Board in executive session that evening, and then staff would come back to the Board with a recommended negotiating team before negotiations began.

MOTION Mr. Eyster moved LTD Resolution No. 2007-001: "It is hereby resolved that the LTD Board of Directors (the "Board") designates the LTD Director of Human Resources and Risk Management (the "HR Director") as its permanent designee for the purpose of carrying on labor negotiations and such people as the HR Director selects as its designated negotiating team (the "Negotiating

Team”) for the purpose of carrying on labor negotiations for each new labor contract, provided that the Board shall approve all Negotiating Team members selected by the HR Director prior to the Negotiation Team conducting any deliberations in executive session.” Mr. Evans seconded the motion.

VOTE There was no further discussion, and the motion carried as follows:

AYES: Ban, Davis, Dubick, Evans, Eyster, Gaydos (6)
 NAYS: None
 ABSTENTIONS: None
 EXCUSED: Kortge (1)

MOTION **EXECUTIVE (NON-PUBLIC) SESSION** – Mr. Eyster moved that the Board meet in Executive Session pursuant to ORS 192-660(2)(d), to conduct deliberations with persons designated by the governing body to carry on labor negotiations. Ms. Davis seconded, and the motion carried as follows:

VOTE AYES: Ban, Davis, Dubick, Evans, Eyster, Gaydos (6)
 NAYS: None
 ABSTENTIONS: None
 EXCUSED: Kortge (1)

The Executive Session began at 5:35 p.m. Counsel Jackie Damm also was present for this session.

RETURN TO REGULAR SESSION – The Board returned to open session at 6:23 p.m.

BOARD CALENDARS – Mr. Pangborn noted that the preliminary public hearing on service and fare recommendations for Fiscal Year 2007-08 would be held on February 12 at the Eugene Library. He said that staff were not anticipating a lot of feedback this year because not many changes were being recommended. Mr. Pangborn also passed around a program for the Special Districts of Oregon Association’s annual conference and noted an all-day session on Thursday, February 8, “Great Boards Are Made, Not Born.” If Board members were interested in attending, he asked that they contact Jo Sullivan. Ms. Ban stated that she would not be present at the February 21 Board meeting.

BREAK – The Board recessed from 6:27 p.m. to 6:35 p.m.

PRELIMINARY REMARKS BY BOARD PRESIDENT – Mr. Gaydos emphasized to LTD employees that the Board understood that there were many things going on in the organization and that the policies and decisions made by the Board affected staff. He appreciated the staff’s responsiveness to Board direction and the many new initiatives being implemented. He thanked employees for making Lane Transit District one of the top districts in the country.

EMPLOYEE OF THE MONTH – Transit Operations Director Mark Johnson introduced Bus Operator Dorothy Libby, the February 2007 Employee of the Month. He noted that Ms. Libby retired on January 11 and had made many contributions to the District during her employment. He said she had undertaken the challenging task of serving on the Uniform Committee for a number of years. He said Ms. Libby’s customers had nominated her in appreciation of her care and courtesy.

Ms. Libby thanked the Board for her award and said how much she had enjoyed her time with LTD. She was looking forward to riding the new EmX service.

AUDIENCE PARTICIPATION – Mr. Gaydos determined that there was no one wishing to speak.

ITEMS FOR ACTION AT THIS MEETING

MOTION **Consent Calendar** – Mr. Dubick moved adoption of LTD Resolution 2007-002: “It is hereby resolved that the Consent Calendar for January 17, 2007, is approved as presented.” Mr. Evans provided the second. The Consent Calendar consisted of the minutes of the November 10-11, 2006, Board strategic planning work session, the November 15, 2006, regular Board meeting, the December 11, 2006, special Board meeting, the December 20, 2006, canceled regular Board meeting, and the Budget Committee nomination for Peter Davidson.

VOTE The Consent Calendar was approved as follows:

AYES: Ban, Davis, Dubick, Evans, Eyster, Gaydos (6)

NAYS: None

ABSENTIONS: None

EXCUSED: Kortge (1)

Approval, Public Hearing, and Authorization for Public Transit Discretionary Grant 2007-2009 – Accessible Services Manager Terry Parker introduced Human Services Transportation Coordinator Rand Stamm and welcomed him to the District. She described the State’s grant process, which combined funds from a number of State and federal sources and used a single application that had to meet requirements for all funding categories. She said a review committee and advisory committee processed the application to ensure that all relevant information was included, and no changes were made to the recommendations before the Board. She said that projects were listed in the agenda packet.

Public Hearing on Application for Public Transit Discretionary Grant 2007-2009 – Mr. Gaydos opened the public hearing and called for testimony. There being no one wishing to speak, he closed the public hearing.

MOTION Ms. Ban moved approval of LTD Resolution 2007-003: “It is hereby resolved that the LTD Board of Directors approves the LTD Public Transit Discretionary Consolidated Grant Application for FY 2007 through FY 2009 and authorizes the general manager to submit applications to the Oregon Department of Transportation, Public Transit Division. Mr. Eyster provided the second.

VOTE The motion was approved as follows:

AYES: Ban, Davis, Dubick, Evans, Eyster, Gaydos (6)

NAYS: None

ABSENTIONS: None

EXCUSED: Kortge (1)

Mr. Gaydos commended Ms. Parker’s passion for helping people with different abilities use the transit system.

Review and Adoption of the Lane Coordinated Public Transit Human Services Transportation Plan for 2006-07 – Ms. Parker said the plan represented the history of accessible services at LTD and described how the District had provided leadership in coordination of services in the community. She said that developing the plan was a beneficial process and new projects and partnerships would emerge as a result. She said the plan would be submitted along with the grant application.

Mr. Dubick thanked Ms. Parker for the history of services.

Ms. Ban asked if the plan would be updated periodically. Ms. Parker replied that final guidance on that had not been received from the Federal Transit Administration (FTA).

MOTION Ms. Davis moved adoption of LTD resolution No. 2007-004: “Be it resolved that the LTD Board of Directors hereby adopts the Lane Coordinated Public Transit – Human Services Transportation Plan for 2006-07. Mr. Evans provided the second.

VOTE The motion was approved as follows:

AYES: Ban, Davis, Dubick, Evans, Eyster, Gaydos (6)

NAYS: None

ABSENCES: None

EXCUSED: Kortge (1)

Mr. Evans asked if stakeholders included representatives of the Human Rights Commission. He observed that sometimes people with disabilities did not come to the District but sought assistance through other avenues, including the commission. Ms. Parker replied that Hugh Massengill was a commission member and chair of the commission’s Accessibility Committee; he participated in the process as a member of the Accessible Transportation Advisory Committee.

Mr. Dubick and Mr. Gaydos commended the work of staff and the District’s collaborative efforts.

LTD Board Participation on LCOG Board – Director of Planning and Development Tom Schwetz said the agenda item represented follow-up on the Board’s interest in having a representative on the Lane Council of Governments (LCOG) Board of Directors. He said the LCOG Board Executive Committee would meet on January 18 to discuss LTD’s involvement. He said that LCOG’s charter specified that formal membership required a policy-level governing body composed of officials elected directly by popular vote. He said the proposal would be to grant LTD *ex officio* membership similar to that extended to the Lane County legislative delegation. This would allow the LTD representative to receive full meeting materials and participate in LCOG Board discussions, but not vote. He said if the Executive Committee approved the proposal it would go to the full Board for consideration on April 22. He said the LCOG Board was interested in a broad range of topics, many of concern to LTD, and it would be very beneficial for the District to have a seat at the table.

Ms. Ban asked if there were staffing implications to LCOG Board membership, and remarked that the future role of transportation was critical and having the District at the table would keep that issue before the Board. Mr. Schwetz anticipated that there would be some added staff responsibilities.

Mr. Gaydos felt that participation on the LCOG Board would help LTD’s Board reach out to other communities in its district and obtain input from those elected officials.

Mr. Dubick commented that LTD had much to contribute to LCOG's discussions of services and planning activities and the District's voice should be heard.

MOTION **LCOG Board Participation** – Mr. Evans moved adoption of LTD resolution No. 2007-005: "The LTD Board of Directors hereby approves LTD Board member participation on the Lane Council of Governments Board of Directors, following discussion and approval by the LCOG Board. Ms. Davis provided the second.

VOTE The motion was approved as follows:

AYES: Ban, Davis, Dubick, Evans, Eyster, Gaydos (6)

NAYS: None

ABSENTIONS: None

EXCUSED: Kortge (1)

Strategic Plan Update – Assistant General Manager Stefano Viggiano stated that the Board was being asked to approve a minor update of the Strategic Plan. He said the only changes were related to performance goals and implementation strategies. He explained that this was the first time the plan included performance goals instead of performance measures, and some of the changes were prompted by discussions during the Board's strategic planning workshop.

Mr. Eyster pointed out a typographical error on page 51. He said it was not immediately obvious to him in reviewing the plan what had been changed. Mr. Viggiano referred to the performance goals on pages 5 and 6 of the plan and the related implementation strategies.

Ms. Ban asked about the strategy to implement an independent telephone system. Ms. Hellekson explained that LTD was part of LCOG's telephone system and the possibility of an independent system had been proposed several years ago.

Mr. Viggiano said that the strategy under the fiscal integrity goal was to use transfers from the General Fund to provide the local match for FTA formula funds. The match for the third EmX corridor would come from other (non-LTD) sources. He said it was challenging to develop objective measurable goals under the topic of leadership. He reviewed those goals and pointed out new implementation strategies related to a sustainability plan for operations and periodic Board self-evaluations based on strategic planning goals.

Mr. Eyster asked how ridership counts were taken. Mr. Viggiano replied that an infrared automated passenger count system was used. He said a report keyed to performance goals would be provided to the Board every six months.

In response to a question from Mr. Dubick, Director of Human Resources and Risk Management Mary Neidig said that an organizational succession plan was being developed in response to an earlier goal related to employee turnover, which for LTD was almost exclusively due to retirements. She said the succession plan was in the Strategic Plan because it represented a method for filling positions. She said a recently hired training specialist would be responsible for the succession planning process. She indicated that each position would have a set of skills and aptitudes and when a vacancy occurred, that would be used to determine any interest within the organization in moving to that position; it would also allow people to prepare themselves to be candidates for jobs.

Ms. Ban commented that the Human Resources Committee had discussed workforce development and strategies for attracting young people into transit careers. Ms. Neidig said that

a bus would be taken to the Lane County Youth Job Fair in February and used as a tool to interest youth in transit careers.

MOTION **Strategic Plan** – Mr. Eyster moved adoption of LTD resolution No. 2007-006: “The LTD Board of Directors hereby approves the January 2007 LTD Strategic Plan.” Ms. Davis provided the second.

VOTE The motion was approved as follows:

AYES: Ban, Davis, Dubick, Evans, Eyster, Gaydos (6)

NAYS: None

ABSENCES: None

EXCUSED: Kortge (1)

Board Committee Assignments – Mr. Gaydos noted that a list of tentative committee assignments had been distributed and no objections were raised. He said if a committee chair had not been appointed, the committee could select a chair.

ITEMS FOR INFORMATION AT THIS MEETING

Legislative Briefing – Mr. Viggiano introduced Doug Barber and Kelly Brooks of The Ulum Group to provide a briefing on LTD 2007 legislative priorities and general highlights of the legislative session.

Mr. Barber distributed two handouts: *Lane Transit District 2007 Legislative Priorities* and *The 2007 Session*. He said that Democrats controlled the House for the first time since 1989 and the test would be how well they would work together. He said there currently were separate and inconsistent ethics rules for the House and Senate. He noted that few House Democrats had budget committee experience and there would be a large learning curve. He said the pledge to adjourn the legislative session on June 30 would put pressure on legislators to make budget decisions earlier in the process, and there was discussion of using the December 2006 revenue forecast as the budget number regardless of any increases in the March and May 2007 forecast; any balance would go into a reserve or “rainy day” account.

Mr. Evans asked how local legislators were positioned in terms of leadership and key assignments. Mr. Barber said that local legislators had more power and leadership than they had in years. He said several local legislators had key positions related to budget and revenue and others were committee chairs. Ms. Brooks noted that local legislators in the House were better positioned than those in the Senate, but the Senate was still favorable to transit, although somewhat tilted toward Portland metropolitan issues.

Mr. Barber said the legislature was interested in annual sessions as well as shorter sessions to address budget adjustments and policy issues that might not be resolved during the regular session. He reviewed various tax proposals, including an increase in the tobacco tax linked to universal health care coverage for children.

Ms. Brooks stated that the Ulum Group would monitor and track legislation that might impact the District and pursue a proactive agenda of legislative priorities, often in concert with other districts and the Oregon Transit Association. She briefly discussed the following LTD legislative priorities:

- Additional funding for elderly and disabled transit (paratransit)
- Funding for bus replacements
- ConnectOregon 2 project selection criteria related to connecting people to jobs, making transit projects more competitive
- High-capacity transit bonds
- Eminent domain (Measure 39)

Ms. Brooks said additional paratransit funding would come from an increase in the tobacco tax of \$.03 per pack, bring the total for paratransit to \$.05 per pack. She said the legislation to increase the tax was well positioned in the House but there was considerable work to do, as there were many competing demands for tobacco tax revenue. Mr. Viggiano said that the issue was the top priority for transit statewide.

Mr. Dubick asked if the three-cent increase could be part of a larger increase such as the increase for universal health care. Ms. Brooks said that might be possible but the current legislation for paratransit funding only addressed the three-cent increase. She said the tobacco tax already was a source of paratransit funding, and many paratransit service users were medically needy.

Ms. Brooks said that \$4 million had been included in the Governor's budget for bus replacement, and that ODOT would allocate those funds among districts based on need. She expected that LTD would receive enough funding for one or two replacement buses. She said there would be lobbying to expand the project selection criteria language in ConnectOregon 2 to link transit to job access and economic development. She said that transit received 12 percent of the \$100 million available through ConnectOregon 1, and hoped it would be more competitive with the language change. Mr. Viggiano commented that a project had to be shovel-ready in order to compete for the funding.

Ms. Brooks explained that bonding authority used to build the light rail system in Portland would expire in the 2009-2011 biennium and the Governor's Office had proposed reissuing those bonds for high-capacity transit projects in the Portland metro region. She said the goal was to revise the language to allow LTD, as the only other district with high-capacity transit, to access the funds as well. Mr. Pangborn pointed out that the funds could provide a source of local match for federal funds for subsequent EmX corridors.

Ms. Brooks said that eminent domain was not a significant concern for LTD but Measure 39 could have implications in terms of payment of attorney fees. She had not yet seen legislation related to making the LTD Board elected instead of appointed, but expected that a bill would be introduced. She said that education would be critical to helping legislators understand why the Board is appointed and urged Board members and staff to provide information whenever possible.

Ms. Ban asked for a one-page overview of reasons why transit district boards typically were appointed instead of elected and why that structure worked well. Mr. Viggiano said a package of information would be provided and the Board could discuss taking a position on the issue at its February 2007 meeting. He said the Eugene Chamber of Commerce had taken a position opposing legislation to make the Board an elected body.

Franklin EmX Update – Mr. Johnson announced that the beginning of EmX service on January 14 went well. He said EmX was a complex system and there were still operational details, such as signaling and timing issues, being worked out. He said that a majority of the buses were full and passengers were quickly becoming familiar with the new system.

Ms. Ban asked if there had been problems between the EmX vehicles and other vehicles on the road. Mr. Johnson replied that there had been a few incidents with automobile drivers and pedestrians not accustomed the dealing with the new system, but bus operators were very watchful and diligent in their efforts to minimize problems.

Director of Service Planning, Accessibility, and Marketing Andy Vobora said that safety and co-existence with EmX had been the major focus of recent public information efforts, but it would take some time for the community to adjust.

Mr. Eyster asked about the status of efforts to educate the public about timing and loads. Mr. Vobora said that the media were pushing for early updates on trip times but realistically it would take four or five weeks for the system to get to a point that reliable information was available.

Ms. Ban remarked that there were standards related to introduction of new technology developed by process engineers, and it might be useful to cite that information when there were unrealistic expectations about initial service.

Mr. Johnson said that drivers would be asked to report on operational issues once more time had been spent on the system.

Mr. Evans asked if rider satisfaction was being assessed. Mr. Johnson said that short-term customer complaints related to EmX were being tracked to identify specific issues. Mr. Vobora said that educational campaigns would target problems related to misunderstandings about how EmX worked.

Board Member Reports – There were no questions.

2006-07 Pricing Plan Discussion – Mr. Vobora stated that the Board Finance Committee had reviewed the proposed pricing plan. He said that in accordance with the fare policy, an increase was recommended in the monthly pass price of approximately 8.5 percent and an increase in group pass rates of approximately 8.1 percent. He reviewed the details of increases for different fare instruments. Mr. Pangborn added that public hearings on the increases would be held in February and March.

In response to a question from Ms. Ban, Mr. Dubick said that the Board Finance Committee had determined that the pricing plan was consistent with the fare policy and expressed no concerns about the proposed increases.

2007 Annual Route Review – Mr. Vobora distributed a compilation of customer comments from the past year. He said the Annual Route Review (ARR) considered service additions and deletions, operational fixes, redesign of current services, and substandard aspects of the system. He said the Board's preliminary review would be followed by public hearings on February 12 and March 12, with a decision scheduled for the Board's regular meeting on March 21, 2007. He said the ARR was based on customer and operator input and recommendations from the Service Advisory Committee. He reviewed efforts to keep LTD employees and the public informed about the ARR. He highlighted some of the changes made during the fall of 2006.

Ms. Ban remarked that a number of customer comments were in regard to Oregon Medical Laboratories and asked if some of the new service additions would be helpful. Mr. Vobora said that discussions of service to that area would continue as the employee population increased. He

hoped that Pioneer Parkway EmX would be the long-term solution. He said that a recent decision by RiverBend to provide employees with no-cost parking onsite would affect LTD's service decisions in that area.

Mr. Vobora described some of the changes being proposed:

- Operational fixes – running time added to 22 routes, begin/end trip changes for 6 routes
- Additions – add trip to address gap in Breeze service on weekdays inbound, restore the Eugene Station connection on #28

In response to a question from Mr. Eyster, Mr. Vobora said that eliminating some Breeze trips between downtown Eugene and the University of Oregon campus because of the inception of EmX service was not feasible, since the Breeze currently was overloaded and it would take some time for people to reorient themselves to using the new EmX service. Continuing with his description of additions, he said there was some discussion with employers of extending #36 to Willow Creek with two trips in the morning and two in the afternoon, to target the 8 a.m. to 5 p.m. workers.

Mr. Vobora cautioned the Board to be prepared for a number of comments regarding EmX during the ARR public hearings. He asked if the Board wanted any changes in the format of the public hearing. Mr. Pangborn thought it served everyone's interests if there was an opportunity to respond to comments and questions from the public; saying nothing left the impression that public input was not meaningful.

Service Planning Manager Will Mueller said that it would be important to provide that feedback in a way that avoided triggering a two-way dialogue between the Board and the audience. He suggested that perhaps staff could respond to issues when information was available and if a new issue was raised let the public know that an answer would be forthcoming.

Mr. Evans suggested offering the public comment cards that could be filled in with questions and comments. He said that would allow the District to acknowledge the public input and respond to it with appropriate information. Mr. Vobora said that an informal approach had been taken in the past.

Ms. Ban favored responding to comments at the hearing by listing the concerns that were expressed, indicating why decisions had been made in the past and what issues the District was willing to take under consideration for the future. She said that would provide a degree of closure for those in attendance and help them understand how decisions were made based on various factors, such as productivity.

Mr. Pangborn observed that being an appointed board meant that decisions were based on the broader interests of the community and the system, not on the interests of a particular constituency.

Ms. Ban asked if data was available to determine whether reduction of #28 service caused an increase in RideSource demand. Mr. Vobora said he would work with Ms. Parker to research the issue.

FY 2008 United Front Requests – Mr. Viggiano described the three requests from LTD that were included in the FY 2008 United Front package of funding requests:

- 80 percent funding for the Pioneer Parkway EmX from Small Starts (\$29.6 million)
- \$2 million to upgrade the radio system
- \$500,000 to conduct an Alternatives Analysis for the third EmX corridor

Mr. Viggiano noted that the City of Eugene was requesting \$500,000 for planning for West Eugene transportation improvements. He said the requests from the City and District would come from different funding sources, so were kept separate rather than in a combined request.

Monthly Financial Report – Director of Finance & Information Technology Diane Hellekson said the financial report was primarily good news because the growth of personnel services was being controlled successfully and there had been a decrease in the cost of fuel. She said that payroll tax receipts growth was still at 7 percent instead of the 8 percent to 9 percent anticipated in the budget. However, that was not a significant concern as there was only one quarter of receipts to date and typically the biggest quarter included holiday sales. She said that quarter's receipts would be received in February and the next quarter would include the payroll tax increase.

ADJOURNMENT: There was no further discussion, and the meeting adjourned at 8:45 p.m.

Board Secretary