

# MINUTES OF DIRECTORS MEETING

## LANE TRANSIT DISTRICT

### REGULAR BOARD MEETING

Wednesday, January 17, 2018

Pursuant to notice given to *The Register-Guard* for publication on January 10, 2018, 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, 2018, beginning at 5:30 p.m., at the LTD Board Room, 3500 E. 17th Avenue, Eugene, Oregon.

Present: Gary Wildish, President  
Carl Yeh, Vice President  
Don Nordin, Treasurer  
April Wick  
Steven Yett  
A.J. Jackson, General Manager  
Dwight Purdy, General Counsel  
Camille Gandolfi, Clerk of the Board  
Lynn Taylor, Minutes Recorder

Absent: Kate Reid, Secretary

**CALL TO ORDER/ROLL CALL** — Mr. Wildish convened the meeting and called the roll.

**PRELIMINARY REMARKS BY BOARD PRESIDENT** — Mr. Wildish announced that Mr. Necker would remain on the Board until his replacement was appointed. He welcomed new Board member April Wick. He said the annual staff recognition event would be held on Sunday, January 28, 2018.

**COMMENTS FROM THE GENERAL MANAGER** — There were no comments.

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

**BOARD CALENDARS** — Ms. Jackson reviewed future events. She said that the Board retreat would be held on February 20-21, 2018, and discussion would focus on priorities for 2018.

**EMPLOYEE OF THE MONTH – FEBRUARY** — The Board recognized Bus Operator Margaret Dahl as the February 2018 Employee of the Month. Mr. Wildish presented Ms. Dahl with her award and thanked her for her outstanding service and dedication to LTD's mission. Ms. Dahl thanked the Board for her award and said she had enjoyed her 23 years of employment with LTD and appreciated the opportunity to work with the public.

**AUDIENCE PARTICIPATION** — Mr. Wildish explained the process for providing testimony to the Board.

**Betty Grant**, Eugene, spoke in support of a request from the North Eugene Homeless Advocacy Group for LTD to consider hosting Conestoga huts, under Eugene's car camping program, on the District's River Road/Hunsaker Lane property. She understood there were future plans for the portion of the site not being used for the transit center, but the need for current emergency shelters was urgent. She said the car camping program was a safe, legal alternative to illegal

camping while long-term solutions to affordable housing were developed. She distributed an informational flyer on the car camping program and urged the Board to consider the request for use of its site.

**Rob Zako**, Eugene, representing Better Eugene-Springfield Transportation (BEST), said his organization understood the connection between transportation and housing. BEST had partnered with other community organizations to create a new coalition called Better Housing Together and host a community forum at the University of Oregon on February 21, 2018. He said that the Eugene/Springfield area had the second tightest housing market in the nation; Seattle was first.

Mr. Zako said that he was pleased with LTD's implementation of a Comprehensive Operations Analysis and with the new funds for transit as a result of the passage of HB 2017, although the rules for those funds were still being developed.

#### ITEMS FOR ACTION AT THIS MEETING

**MOTION** **Consent Calendar** — Mr. Necker moved that the Board approve the Consent Calendar for January 17, 2018, as presented. Mr. Yeh provided the second. The Consent Calendar consisted of the Minutes of the December 6, 2017, Special Board Meeting; Delegated Authority Report-December; Contract - CTE-Electric Bus Deployment; and Contract Amendment - SmartTrips-City of Eugene.

**VOTE** The motion was approved as follows:  
AYES: Necker, Nordin, Wick, Wildish, Yeh, Yett (6)  
NAYS: None  
ABSTENTIONS: None  
EXCUSED: Reid (1)

**General Manager Annual Review** — Mr. Yeh said the Board Human Resources Committee had reviewed the general manager's performance and had developed amendments to the current contract. He briefly reviewed the resolution, which approved a favorable evaluation of the general manager, retained the same base salary and increased the general manager's annual leave by 80 hours, and removed language that provided the general manager with the same cost of living increase as other LTD employees. He commended Ms. Jackson's performance as general manager.

Ms. Jackson explained that she had requested removal of the cost of living language as she felt it could present a conflict of interest when she was required to make recommendations about employee cost of living increases.

Mr. Wildish and Mr. Nordin also commended Ms. Jackson's performance and the positive feedback they had received from people throughout the community.

Mr. Yeh stated that Ms. Jackson met or exceeded the seven goals and objectives established by the Board and was capably leading LTD into the future.

**MOTION** Mr. Necker moved Resolution No. 2018-01-17-003: Be it resolved that the Lane Transit District Board of Directors passes a Resolution as follows:

1. Approving of the favorable evaluation of the General Manager as recommended by the Human Resources Committee;

2. Approving of the amendment to the General Manager's contract as recommended by the Human Resources Committee; and
3. Authorizing the Human Resources Committee to finalize contract language, consistent with the above, with the General Manager and counsel.

Mr. Nordin provided the second.

VOTE      The Resolution was approved as follows:  
              AYES: Necker, Nordin, Wick, Wildish, Yeh, Yett (6)  
              NAYS: None  
              ABSTENTIONS: None  
              EXCUSED: Reid (1)

**Drug and Alcohol Policy Revision** — Director of Human Resources David Collier said the revisions had resulted from changes in the Federal Transit Administration's (FTA) regulations that added synthetic opioids to the list of substances to be tested for. He said staff also took the opportunity to make some housekeeping changes, such as removing positions that did not fall into one of the five categories the FTA recognized as safety sensitive employees. He said non-safety sensitive LTD employees were subject to reasonable suspicion testing.

Mr. Wildish said his concern was that an LTD employee driving any type of LTD vehicle was covered by the Drug and Alcohol Policy. Ms. Jackson pointed out the policy section that prohibited all employees, whether safety sensitive or not, from use of alcohol and illegal, controlled or disabling substances while on duty or District premises and imposed penalties for violation.

Mr. Yett asked if testing was done on a random basis. Mr. Collier said that random testing was conducted for safety sensitive employees; reasonable suspicion testing was used for non-safety sensitive employees although during his 13 years of employment with LTD only three reasonable suspicion tested had been done. He said the positive rate on random testing was about one percent and for reasonable suspicion testing it was 10 percent positive.

In response to a question from Mr. Nordin, Mr. Collier said employees on prescription medication were encouraged to report that fact to Human Resources so that information was on file and a determination could be made about whether there were restrictions that were relative to the employee's duties.

MOTION    Ms. Wick moved Resolution No. 2018-01-17-004: Be it resolved that the Lane Transit District Board of Directors passes a Resolution as follows: Adopting the revisions to the Lane Transit District Drug and Alcohol Program policy consistent with the above and as presented. Mr. Yeh provided the second.

VOTE      The Resolution was approved as follows:  
              AYES: Necker, Nordin, Wick, Wildish, Yeh, Yett (6)  
              NAYS: None  
              ABSTENTIONS: None  
              EXCUSED: Reid (1)

#### **ITEMS FOR INFORMATION AT THIS MEETING**

**Board Member Reports** — Mr. Nordin reported that the Lane Commission on Transportation (LaneACT) received presentation on Eugene's Transportation System Plan.

Mr. Yeh said there would not be a Lane Council of Governments (LCOG) Board meeting in January. LCOG's appreciation dinner was scheduled for February 10.

**Board Committee Assignments** — Mr. Wildish reviewed the committee assignments. He noted that Ms. Wick would be assigned to the Accessible Transportation Committee (ATC) when Mr. Necker left the Board.

Mr. Necker encouraged Board members to join the Service Committee as it was a good opportunity to learn about the transit system. Ms. Jackson said staff was reviewing the committee's function and developing bylaws to present to the Board.

Mr. Wildish suggested that the Service Committee could include non-Board members similar to the ATC.

**Disadvantaged Business Enterprise (DBE) Policy and Program Update** — Compliance Manager Debera Massahos said the first task related to the DBE program was to re-establish compliance with FTA requirements, which had now been accomplished. Staff had defined and was implementing internal business processes to help maintain compliance moving forward. She said the FTA had made a number of changes in the program and she would be attending training in February in order to apply those changes to LTD's program. She said once necessary changes had been made and the program was running smoothly, staff would begin a community outreach campaign to increase utilization of the DBE program in LTD's contracting processes.

In response to a question from Mr. Wildish, Ms. Massahos said local agencies were working together to establish a more consistent approach and help vendors understand the difference between state and federal DBE programs and certifications in order to increase participation rates.

**Comprehensive Operations Analysis (COA) Update** — Director of Planning and Development Tom Schwetz said staff was working with Jarrett Walker and Associates and a public involvement consultant, Jean Lawson and Associates, to finalize the COA scope of work. He said the COA would be a 12-month process, with a kick-off meeting planned for January 29, 2018.

In response to a question from Mr. Nordin, Mr. Schwetz said that the purpose of the COA, which included an optional four additional years, was to make LTD more nimble and responsive to changes in the operating environment and marketplace and new strategies could be implemented as necessary during the process.

Ms. Jackson added that the COA would provide options that would allow LTD to engage the community in conversations on the District's direction as well as evaluating decisions to assure they align with that direction. She said decisions could be made at the end of the first year of analysis, but the Board could redirect the District at any point and any additional work required of the consult could be obtained by exercising the option for additional years under the contract. The COA would help the Board and the organization make more informed decisions.

Mr. Schwetz said the Board would be asked to make decisions on broad options related to system design. Implementation would occur over time during annual reviews.

**Monthly Financial Reports - November** — Director of Finance Christina Shew presented a communication from the Moss Adams audit team that an extension of the audit deadline through February 2, 2018, had been approved by the State of Oregon Audit Division. She said that the

auditors would present the Comprehensive Annual Financial Report (CAFR) at the February 2018 Board meeting.

Ms. Shew reviewed the November 2017 Year-to-Date financial report provided in the agenda packet, noting key drivers for revenues and expenditures in the General Fund, Medicaid Fund, Accessible Services Fund, and Capital Projects Fund. She said that inconsistencies in payroll tax receipts from the Oregon Department of Revenue had caused fluctuations in LTD's revenue stream, as well as challenges in developing the annual budget. Ms. Jackson said staff would be discussing those issues with the state to assure that LTD was receiving the proper amount of revenue and could make accurate projections.

Regarding the Medicaid Fund, Ms. Shew commented that the transition to Novus software had delayed the submission of claims, delaying the receipt of revenue.

Ms. Jackson said LTD was revising internal processes and working with funding providers to improve the timing of drawdowns, particularly from the state and federal governments.

Mr. Necker remarked that the ATC had discussed the increase in 5310 funds for accessible services. Ms. Jackson said LTD would receive \$232,000 to offset costs from the General Fund during the next fiscal year.

**Monthly Cash Disbursements - December** — Mr. Yeh was pleased to see that the emergency ride home program had been used.

**Monthly Grants Report - December** — Ms. Jackson said staff was revising the grants report and a draft of the new format would be available for review at the Board's February retreat.

**Monthly Performance Reports - November/December** — There were no questions.

**Monthly Department Reports - December** — Ms. Wick asked for clarification of exclusion case review and hearing. Assistant General Manager Service Delivery Mark Johnson explained that the review was conducted when a person had been excluded from riding the bus. He said staff met with the person to discuss how they could be a more successful rider and 85-90 percent of the time the person was allowed to continue riding after the hearing.

**ITEMS FOR ACTION/INFORMATION AT A FUTURE MEETING - REQUESTED BY THE BOARD —**

**MOTION EXECUTIVE (NON-PUBLIC) SESSION PURSUANT TO ORS 192.660(2)(d):** to conduct deliberations with persons designated by the governing body to carry on labor negotiations. April Wick moved that the Board meet in Executive (Non-Public) session pursuant to ORS 192.660(2), to conduct deliberations with persons designated by the governing body to carry on labor negotiations. Carl Yeh provided the second.

**VOTE** The motion was approved as follows:  
AYES: Necker, Nordin, Wick, Wildish, Yeh, Yett (6)  
NAYS: None  
ABSTENTIONS: None  
EXCUSED: Reid (1)

The Board entered executive session at 7:00 p.m.

**ADJOURNMENT** — Mr. Wildish adjourned the meeting at 9:40 p.m.


LANE TRANSIT DISTRICT:



Kate Reid  
Board Secretary

Date Approved: 2/21/18

ATTEST:



Camille Gandolfi  
Clerk of the Board