

MINUTES OF DIRECTORS MEETING

LANE TRANSIT DISTRICT

REGULAR BOARD MEETING

Wednesday, February 16, 2011

Pursuant to notice given to *The Register-Guard* for publication on February 10, 2011, 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/work session on Wednesday, February 16, 2011, beginning at 5:30 p.m., in the LTD Board Room at 3500 East 17th Avenue, Eugene.

Present: Mike Eyster, President
Greg Evans, Vice President
Doris Towery
Michael Dubick
Mark Pangborn, General Manager
Jeanne Schapper, Clerk of the Board
Katie Dettman, Minutes Recorder

Absent: Dean Kortge, Secretary
Ed Necker, Treasurer
Gary Gillespie

CALL TO ORDER: Mr. Eyster convened the meeting of the Lane Transit District Board of Directors and called the roll at 5:30 p.m.

PRELIMINARY REMARKS BY BOARD PRESENT: Mr. Eyster presented a plaque to Mr. Evans in recognition for his participation as a Board member in seeing Gateway EmX to fruition. Mr. Eyster also noted that Mr. Evans had been recognized by the Board of Lane County Commissioners.

Mr. Pangborn presented Mr. Eyster with a framed photograph of him at the dedication of the Gateway EmX extension.

ANNOUNCEMENTS AND ADDITIONS TO AGENDA: Mr. Pangborn noted that the District was trying to use less paper, so instead of sending out printed copies of the packet, staff had set up each Board member with a laptop computer with which to refer to the Board packet materials.

Mr. Pangborn referred to the 2011 Federal Priorities of the United Front document distributed during the meeting.

Director of Service Planning, Accessibility, and Marketing Andy Vobora explained that LTD staff would meet with Congressional staff and local agency staff to discuss federal funding over the next few years. He reviewed the document, stating that the policy areas and priorities discussed were meant to remind the delegation about the need to address issues including transit operating cost. Reauthorization of the transportation bill did not change from the previous year's book because it was never taken up.

Mr. Evans noted that the Obama Administration had issued a detailed proposal about the \$566 billion investment in infrastructure and rewriting the Highway Bill. In addition, the Administration was discussing recreating what was done with Surface Transportation Program-Urban funding, which involved changing the formula to allow more funding for operations. One of the stipulations was that transit agencies could take money from Formula Funds and put it toward operations in areas where service reductions might occur that would adversely affect people with low incomes.

Mr. Vobora said that he had listened in on a conference call with Transportation for America, and this had been a topic of discussion. There was flexibility in that the changes would be targeted and temporary. The Federal Government was not interested in becoming involved in operations.

Mr. Evans said that the federal government's involvement would gradually lessen over a six-year period and eventually phase out. In the meantime, LTD could obtain additional resources to maintain service.

Mr. Pangborn clarified that President Obama was proposing to put more funding into transit while also proposing a temporary suspension of the rules around how formula funds could be used. More money would be available for a short period of time and could only be used for operations. Meanwhile, Republicans wanted to cut the budget and did not agree with Obama's proposal. Mr. Pangborn had spoken to Travis Brower, the Oregon Department of Transportation staffer who dealt with federal issues, and Mr. Brower had said that Republicans wanted to cut the transportation budget for the next year. The worst case scenario would be that Formula Funds (5307 funds) would be flat for the next few years. He thought that Obama's plan to add more money did not include funding suggestions. Therefore, LTD's estimations on its Long-Range Financial Plan were probably accurate.

Mr. Vobora said that LTD staff could talk about projects that were at the top of the United Front list for each of the agencies. LTD's project priority was funding for the Gateway Park & Ride project. If this was not available, there might be ConnectOregon IV funding available at a lower level.

Mr. Pangborn noted that the amount that might be available from ConnectOregon IV was \$40 million.

Mr. Eyster stated that he, Mr. Pangborn, and Mr. Vobora had met with the Springfield Chamber of Commerce Board that morning. Mr. Vobora added that the Chamber Board had stated that it would issue a statement of support for the development of the West Eugene EmX Extension.

BOARD CALENDARS: Mr. Pangborn noted that LTD would show the second webinar on "Selecting a Transit CEO" on February 23. It was a case study of Denver. He encouraged Board members to attend. The Board's HR Committee would discuss pension benefits on March 4.

WORK SESSION

West Eugene EmX Extension: Mr. Pangborn stated that he, Mr. Eyster, and Mr. Evans had attended the Joint Locally Preferred Alternative (LPA) Committee meeting on February 14. The Committee's preliminary recommendation was to put forward the 13th/11th Alternative as the preferred option. A new proposal had been put forward by the President of the Jefferson Westside Neighborhood Association, Paul Conte. He had argued that 6th/7th rather than 13th/11th should be used as the Build option for the West Eugene EmX Extension. Therefore, the Committee had decided to move both options forward to the City Council for their consideration at its February 23 and March 9 work sessions.

In terms of the federal process, only one Build option could be moved all the way through the environmental process. Therefore, staff proposed a new decision-making schedule in order to slow

down the process and perform more analysis. The proposed schedule would have all three decision-making bodies making final decisions by the end of June or the beginning of July 2011. The final decision would be either a Build option or the No-Build option. The Build option would be either the 6th/7th option or the 11th/13th option. Staff thought that this was the best solution because some members of the public were concerned about how the Locally Preferred Alternative (LPA) process fit into the Envision Eugene process, which was ongoing. In a few months, the Envision Eugene process would have matured to a point that the City would have specific goals in place with which the two Build options could be compared.

Throughout the process, LTD had made significant changes to each corridor option through mitigation. Mr. Pangborn described the original proposals and then the mitigated options. LTD staff thought that taking the mitigated plans for each option and running them through the federally required modeling would provide a more definitive, accurate analysis of the options. This would take some time, but new verified data would be made available. Staff also proposed offering workshops using federal modelers on how the modeling worked. LTD wished to create greater transparency around the data that came out of the new analysis of the options. Then, a final decision could be made about which option to run through the final analysis (one of the two Build options or the No-Build option). Having this data would be preferable to making the decision now. The downside was that the decision bodies might decide to go through new public hearings with the new data. LTD was trying to get to a place where a decision could be made based on the absolute best data on each option, and the decision-making bodies could be confident that they had made the very best choice. One of the issues discussed at the Joint LPA Committee meeting was land use and how the development of the West Eugene EmX Extension would impact the City's long-term development plans for the area. This had not been discussed extensively. With the new data, LTD would be able to provide definitive analysis of operation costs, projected building costs, and environmental impacts.

Mr. Evans cautioned the Board about using consistent, clear terminology and measures in this round of analyses (for example, measuring by "boardings" versus "passenger trips"). The same measurements should be used throughout the process.

Mr. Pangborn hoped that the workshops would help with this.

Mr. Vobora added that the process being discussed would have been part of the Federal Transit Administration (FTA) Small Starts application process anyway. A modeling analysis and a corridor-specific cost analysis had both been done. They were two different processes that could not be reconciled. The additional analysis would use one model and this would help.

Mr. Pangborn said that the FTA would use this new data and analysis to evaluate a Build option if one were chosen. The community as a whole needed to understand this because this was how the FTA would evaluate future EmX corridor options as well.

Mr. Eyster asked how this proposal would affect the current decision dates.

Mr. Pangborn stated that, in July, the Metropolitan Policy Committee would meet on the 14th, and the LTD Board would meet on the 20th.

Director of Planning and Development Tom Schwetz said that the July dates were as late as he recommended. He and Mr. Pangborn said that staff preferred that the decisions be made in June.

Ms. Towery stated that city councils went on breaks in July.

Mr. Dubick asked when Small Starts applications needed to be submitted and how long an Environmental Analysis of a Build option would take.

Mr. Schwetz said that they were usually due in mid- to late-August. The Environmental Analysis usually took several months. However, the LPA that came out of the current process could be used in the application, and the Environmental Analysis could be done at the same time.

Ms. Towery said that she was in favor of new data, so long as work was not duplicated. She was concerned about the proposed timeline because each of the decision-making entities would be focused on difficult budget processes in June and the months preceding. She was concerned that the necessary discussions would not happen because of this, and the window of opportunity for the completion of the process would close completely without any decisions being made.

Mr. Pangborn said that staff assumed that modeling would happen between mid-February and June 1. Therefore, deliberations could be held by the decision-making bodies in June.

Mr. Evans said that he felt that the City was giving mixed signals in terms of its land-use policy and what they wished to accomplish with Envision Eugene, and what the City Council had already articulated in the TransPlan and other area-wide documents. He asked what the Envision Eugene goals were in terms of land use with regards to the build out of the system-wide EmX system. If the City wished to adjust land use priorities, LTD needed to know that as soon as possible. Otherwise, the EmX process would be slowed and complicated further.

Mr. Pangborn indicated that he did not believe that the Envision Eugene process would substantially change the City's course. He had sat in on many of the Community Resource Group (CRG) meetings. The CRG anticipated that development would occur along transit corridors. The main argument was whether to expand the Urban Growth Boundary to accommodate industrial interests and more single family residential homes; and, where the single family residential areas would be placed. In all cases, the need for a higher level of density and development along transit corridors was acknowledged, as was the need for a higher level of transit. The City planned to arrive at the conclusion of the Envision Eugene process by June.

Mr. Schwetz said that the community as a whole had been thinking about the integration of land use and transportation for approximately 40 years. In his opinion, the Envision Eugene effort would not dramatically change how the community thought about compact urban form. This fit into the concept of thinking about transit corridors, particularly the EmX corridors, as organizing elements for that growth. He did not think the long-range land use plans would reverse the progress that had been made with regards to EmX or that would make EmX inconsistent with the City's long-term goals.

Mr. Evans said that the City needed to be very clear about long-term land use goals, especially if the goals dramatically changed transit integration as it had been envisioned for the last 40 years or if the goals affected LTD's EmX work.

Ms. Towery asked if staff expected vastly different data results during this new modeling and analysis that could potentially change the dynamics of the conversation.

Mr. Pangborn explained that current LTD data indicated that the 6th/7th option would cost as much as \$730,000 more per year to run than the 13th/11th option. This was not an inconsequential amount of money. This amount had been computed after the mitigated plans had been designed. He felt comfortable about the number, but wanted to verify it to establish the best projections possible in order to help the decision-making bodies make the best route decision. LTD's current Long-Range Financial Plan, which was balanced, did not anticipate this operating cost. More funding would have to be found if the number was correct and 6th/7th was chosen.

Ms. Towery said that LTD was in its third year in the process. She wanted to make sure further delay was justified.

Mr. Dubick thought that if the additional time and effort brought the process to the point where a solid majority on the City Council supported a decision, it would be worth it. A weak or split decision would not be helpful. He thought the proposed process would benefit from the additional modeling and analysis.

Mr. Evans stated that he was uncomfortable with the possibility of choosing an option that could cost \$730,000 more per year to operate than the other. If the City of Eugene chose to stand behind this option, they would need to come up with additional revenue to support it. The EmX process was designed to augment the current system in a cost-efficient way. He had a problem with an option that was not fiscally sound or prudent.

Mr. Pangborn said that he hoped that the new analysis/modeling process would determine which option was truly the most fiscally sound.

Mr. Dubick said that the decision still had to be made about whether or not to go forward with the West Eugene EmX Extension. If the community could not pay for the option that was chosen, he understood that it did not have to be done. The decision should be based on the best data possible.

Mr. Evans agreed.

Mr. Eyster said he thought that it would be difficult to change the proposed decision-making dates. However, flexibility was required in public processes. He said that he thought it was reasonable to conduct the new process if more transparency was gained in doing so. He appreciated the idea of public workshops on the modeling. He acknowledged that the MPC and the City Council had to have input on the decision about whether to do further analysis. If those bodies agreed, he thought it should be done.

Mr. Pangborn noted that Commissioner Leiken, who serves on the Joint LPA Committee, thought that the decision was primarily up to the City Council and the LTD Board, and he agreed that it should be.

Mr. Eyster summed up the discussion, noting that all Board members present agreed with staff's proposal except Ms. Towery.

Ms. Towery thought transparency was good, but she was not sure if new analysis and modeling was needed in order for the three bodies to reach a decision. She recommended staying with the original timeline that had been agreed upon. She also was concerned about the cost of enacting the staff proposal.

Mr. Pangborn referred to an Op-Ed piece in that day's *Register-Guard* about the use of paid media to publicize LTD's planning efforts. One piece argued that, as a public entity, LTD should not be spending tax dollars on paid media for this purpose. Mr. Pangborn said that there is a state law relating to public agencies expending funds for ballot measures. The law allows public agencies to use paid media to explain ballot measures, but the law does not address the situation LTD is in. One could argue that LTD receives about \$200,000 per year in revenue from bus interior advertising. The writer argued that this was the money LTD was using to advertise about EmX. LTD also receives more than \$7.6 million per year in passenger fares. Mr. Pangborn said that when the various West Eugene EmX options were presented, opposition groups emerged with ads in the paper, lawn signs, and a billboard. At that point, LTD realized that the larger community had not been tracking the process. Therefore, LTD had to find a way to engage the community. At that point LTD had started the outreach process and more community members got involved.

Ms. Towery said she had been tracking the process and did not think that LTD had crossed any lines. However, LTD's timing had been off. It was part of LTD's responsibility as a public entity to inform the community about the value the transit system provided to the community. She thought that, had LTD's outreach begun sooner, public perception of the project might be different. Her conversations with people who were dependent on the system, and who were not being heard, were important. The story about the value of what LTD provides to the community and to community members' quality of life needs to be told. Because of the public process, more voices were being heard. Twenty percent of Lane County's population is living below federal poverty lines. A large portion of this population is dependent on public transit. Planning for the long-term strength and health of the public transit system is critically important.

Mr. Dubick said that LTD staff and the LTD Board had to do everything they could to support and advocate for bus rapid transit.

Mr. Evans was reticent to comment on practice versus policy. He did not think this was a policy decision. The policy commitment already had been made to the EmX system. It was up to staff as to how to implement the policy. He didn't think it was appropriate for the Board to micromanage staff action. However, the Board and the staff did need to be wary of advocating for a specific option.

Mr. Eyster said that he had asked that staff check with general counsel about the use of public dollars for media. Counsel had found that there had been no violation of the law. Mr. Eyster also advised that inaccurate information that LTD had released to the public be corrected to the furthest extent possible. His advice to Mr. Vobora and Mr. Pangborn was to not cross the line into advocacy. He agreed with Mr. Evans' comments about policy versus practice. He said that the Board may want to consider adopting a policy related to the issue.

Mr. Evans agreed with Ms. Towery that the timing on LTD outreach was not optimal. He said that LTD information and public education regarding bus rapid transit needs to be consistent and continuous rather than distributed when convenient.

Mr. Eyster said that headway was being made in regards to the possible creation of a Citizen Advisory Council to the LTD Board. Mr. Pangborn noted that LTD had learned many valuable lessons in the process, which will be applied to the process in the future, irrespective of whether a Build or No Build alternative is chosen.

Ms. Towery agreed, adding that it is important that all groups within the community maintain open communication with each other, and support each other and work together.

EMPLOYEE OF THE MONTH: Mr. Schwetz introduced LTD's Employee of the Month for March 2011 as Kelly Perron and briefly described her service to LTD over the last 15 years. She had been nominated for the award by both a staff person and a customer for her work on the events surrounding the opening of the Gateway EmX.

Mr. Eyster presented Ms. Perron with an award and thanked her on behalf of the LTD Board for her service to LTD.

Ms. Perron thanked the LTD Board for the award. She said that she could not get everything accomplished that she did without her co-workers. She expressed gratitude for the opportunity to work at LTD.

AUDIENCE PARTICIPATION

Erin Ellis, 901 S. 32nd Place, Springfield, mentioned the hearing and the presentation about past experiences with the EmX project. After being told that there were not any negative impacts, several people had come to her organization, Our Money Our Transit (OMOT), to discuss what they experienced during EmX construction on Franklin and Gateway. Ms. Ellis distributed written comments submitted by three members of the public about their experiences being negatively impacted by the EmX project (from Casey Pilkenton of Chuck's Service Center on Franklin Blvd., Sarita, Springfield resident, and Casey Dresser of Springfield Cleaners).

Robert Rubin, 2836 W. 11th Avenue, Eugene, said that he represented Citizens for Sustainable Public Transit. He suggested that the LTD Board invite members of the public who attended Board meetings to participate in the discussions. He thought that it would be beneficial for LTD to hear their thoughts. He had three comments. Regarding solving the alleged congestion problems on W. 11th with an EmX bus, he read from a recent *Register-Guard* article, quoting someone from LTD: "The portion of travelers using public transit instead of cars and other modes of travel would be 2.8 percent by 2031, up from 2.35 currently." This was less than one half of one percent over 20 years. This was one reason why he thought EmX was not a good solution. Some people thought the big EmX buses would add to congestion. He was a true supporter of public transit. He had served on boards of directors, and had attended many board of director's meetings as an employee of nonprofit and for-profit companies. He knew the difference between a Board member and an employee. He understood the dedication and sacrifices that Board members make to ensure the success of their organization. He thanked LTD Board members for their time and dedication to public transit. He said he knew that impassioned and driven employees could sway or manipulate Boards with their enthusiasm and zeal. He encouraged LTD Board members to really pay attention, on behalf of the citizens of the Lane Transit District who feared West Eugene EmX plans would contribute to the destruction of the current system. He asked the LTD Board to keep in mind its primary mission.

Pauline Hutson, 1025 Taylor Street, Eugene, said that she felt that there isn't support for the West Eugene EmX project. She commented that she felt it was wrong of LTD to already begin working on the Main Street EmX expansion as evidenced by the removal of bus stops along Main Street between 6th and 15th streets.

Joseph Siekiel-Zdzienicki, 1025 Taylor Street, Eugene, said that he had not changed his mind about some things. For example, he was advocating for total discussion of the public right-of-way in the Envision Eugene process, which would affect LTD. He noted that the City needed to address the 15-foot setback issue; and that, while it's not LTD's issue, it affects LTD's long term EmX plans. He said that the Eugene City Council might appreciate a little more time to deliberate the preferred West EmX Extension option. He appreciated the discussions that the Board had undertaken tonight and said that he felt that these discussions should have occurred three years ago. He continues to support a no build option for West Eugene.

Bob Macherione, 1994 Brewer Avenue, Eugene, referred to Mr. Pangborn's argument about campaigning against LTD opponents. He acknowledged that some LTD Board members did not think this was true. He challenged them to look above his building on 6th Street to see his billboard. The billboard had been put up after OMOT's campaign began. He said that if LTD did not like the public input, they should not have started a media campaign. He thought the explanation about which pot of money paid for the media campaign was unconvincing. He said that 80 cents out of every dollar that came to LTD came out of business taxes. He noted the proposed recalculation of data and modeling. He said that this was being proposed due to the fact that members of the public had pointed out discrepancies. He distributed a flier titled *LTD's EmX Operating Costs are Flawed* that he said showed the most accurate representation of the operation cost to run EmX on each of

the proposed routes. He had changed two numbers on the chart that LTD provided depicting operating costs for each option. LTD had explained to him how they had calculated their costs. There had been a \$1.4 million difference between the numbers presented at one meeting and numbers presented at the following meeting. LTD had used fleet averages for their calculations and charts. Real data was available from the operating EmX line, but fleet averages were used. He had recalculated using actual fuel economy numbers for EmX, which did not include added maintenance or depreciation. He noted that with his calculations, the No Build option showed that no additional buses would be needed in 2031. With his calculations, three 60 foot buses per hour would be needed with No Build (LTD's calculations showed four 40 foot buses per hour would be needed with No Build). His calculations showed that it would take 16 years longer to break even with EmX than LTD's calculations showed. He appreciated accurate numbers. He did not think that the LTD Board or the public got accurate numbers. He said that when federal modeling was done and the FTA recommended putting in another line a half-mile away, LTD could not expect people to walk from 18th to 11th to catch the EmX. The City Council was recommending a corridor (6th/7th) that was unworkable. Development was not going to happen on that corridor.

ITEMS FOR ACTION AT THIS MEETING

Public Hearing: FY 2012-19 Capital Improvement Program Approval: Financial Services Manager Todd Lipkin reviewed the FY 2012-19 Capital Improvements Program.

Mr. Eyster opened the public hearing and invited people to speak. There being no requests to speak, Mr. Eyster closed the public hearing.

MOTION Mr. Evans moved adoption of LTD Resolution 2011-002: It is hereby resolved that the Draft FY 2012-19 Capital Improvements Program is approved as presented. Ms. Towery provided the second.

VOTE The motion was approved as follows:
 AYES: Dubick, Evans, Eyster, Towery (4)
 NAYS: None
 ABSTENTIONS: None
 EXCUSED: Gillespie, Kortge, Necker (3)

FY 2012-19 Long-Range Financial Plan Approval: Director of Finance and Information Technology Diane Hellekson provided an overview of the FY 2012-2019 Long-Range Financial Plan.

Mr. Evans said that he had spoken with Former Eugene City Councilor Shawn Boles regarding Board conversation around the issue of fuel prices, and that the LTD Board might be underestimating the possibility of a fuel crisis coming as early as this summer. He asked if staff had discussed this possibility. He asked what LTD's contingency plan would be should a fuel crisis occur.

Ms. Hellekson said that this was one of the reasons that LTD had reserves. No matter how much hybrid and alternative technologies were incorporated into the fleet, LTD was still fossil-fuel dependent. At some point, LTD would have to find a way to deal with fuel prices.

Director of Maintenance George Trauger said that fuel prices were a concern because of events in the Middle East and fuel usage projections. February had seen fuel costs rise significantly. He had not been able to make price commitments to purchase and store bulk fuel when the price had been somewhat lower.

In response to a question from Mr. Evans regarding a long-term fuel crisis, Ms. Hellekson said that LTD managed to its resources. Dipping into the reserves was intended as a temporary measure to provide a transition period in planning strategies. If it became necessary to draw from reserves, they

would last about one year.

Mr. Lipkin said that LTD was replacing 40 percent of its peak fleet with hybrid vehicles. The current plan projected the same fuel needs and did not take into account hybrid replacements. This provided some flexibility.

Mr. Trauger said that the new hybrid buses would provide 25 percent fuel savings.

Mr. Pangborn mentioned other transit providers that also could face a fuel crisis. Utah Transit Authority had implemented a fuel excise tax on its fares when fuel prices rose to a certain point. In the event of a fuel crisis, LTD would attempt to find additional funding, raise fares, or it would have to cut service.

MOTION Mr. Dubick moved adoption of LTD Resolution 2011-003: Resolved, that the LTD Board of Directors approves the FY 2012-19 Long-Range Financial Plan as presented. Ms. Towery provided the second.

VOTE The motion was approved as follows:
 AYES: Dubick, Evans, Eyster, Towery (4)
 NAYS: None
 ABSTENTIONS: None
 EXCUSED: Gillespie, Kortge, Necker (3)

Second Reading and Adoption of Ordinance No. 41, an Ordinance Amending Ordinance No. 38 to Revise the Definition of "Net Earnings From Self-Employment": Ms. Hellekson reviewed the item.

MOTION Mr. Dubick moved that Ordinance 41 be read by title only. Mr. Evans provided the second.

VOTE The motion was approved as follows:
 AYES: Dubick, Evans, Eyster, Towery (4)
 NAYS: None
 ABSTENTIONS: None
 EXCUSED: Gillespie, Kortge, Necker (3)

Mr. Pangborn read the ordinance: Ordinance No. 41, an ordinance of the Lane Transit District amending Ordinance No. 38 to revise the definition of "net earnings from self-employment."

MOTION Mr. Evans moved to approve LTD Resolution No. 2011-004: Be it resolved that the LTD Board of Directors hereby adopts Lane Transit District Ordinance No. 41, an ordinance amending Ordinance No. 38 to revise the definition of "Net Earnings from Self-Employment." Ms. Towery provided the second.

VOTE The motion was approved as follows:
 AYES: Dubick, Evans, Eyster, Towery (4)
 NAYS: None
 ABSTENTIONS: None
 EXCUSED: Gillespie, Kortge, Necker (3)

ITEMS FOR INFORMATION AT THIS MEETING

Board Member Reports: Senior Human Resources Analyst David Collier said that the Executive

Search Committee met with the Generator Group (GG) on January 26 to refine competencies in order to develop the profile for the next general Manager. On February 15 staff had given GG a draft of desired competencies, which GG were going to distribute to the Board within a week. He had received feedback from Mr. Eyster, Mr. Dubick, and Mr. Gillespie. He said that the Committee was on track and on schedule.

Mr. Eyster said that the Springfield Transportation System Plan Stakeholder Advisory Committee had met the previous week and would meet again in the summer.

Mr. Dubick reported that the Human Resources Committee would meet on March 4 to discuss ideas for revising the pension plans. The District needed to find a way to maintain costs while continuing to provide an adequate, fair pension plan to employees. He said that the Committee will meet with the actuary on March 4 to discuss how the system might change for future employees.

Mr. Eyster noted that the Springfield Chamber of Commerce had invited UO Economist Tim Duy to speak at a recent breakfast. Mr. Duy had reported that there was a "light at the end of the tunnel" in terms of economic recovery; however, he had no encouraging news for the public sector, including states, counties, and municipalities.

Mr. Evans reported that the Service Committee had met and discussed the implementation of the Gateway EmX and issues that had emerged. They also had discussed recent service reductions.

Mr. Evans recently attended the APTA Board of Directors Executive Committee meeting in Denver to discuss the expected retirement of ATA President Bill Millar. The Committee chose a search firm. Mr. Evans would participate in a conference call the next day to discuss authorization, Obama Administration proposals, and issues related to the internal workings of APTA. The Committee also would discuss rail agreements. He was on the Transit Board Members ADA Subcommittee and referred to the booklet that had been provided to Board Members, *ADA Essentials for Transit Board Members*. He encouraged all members to read it.

ADA Essentials for Transit Board Members: Accessible Services Program Manager Terry Parker referred the Board to the *ADA Essentials for Transit Board Members* publication and also encouraged the members to read it. She thanked Mr. Evans for his work on APTA's Action Committee.

Special Transportation Discretionary Grant Update: Ms. Parker acknowledged Mr. Necker and other members of the Accessible Transportation Committee who recognized the importance of supporting fixed-route and paratransit equally. She noted that the LTD Board had given Mr. Pangborn authority to approve these grants.

Legal Services Contract: Purchasing Manager Jeanette Bailor said that during the last federal procurement review, LTD was advised to seek proposals for legal services in the near future.

Mr. Eyster asked what the timeline was.

Ms. Bailor said she wished to start work on forming a committee as soon as possible, and she hoped that a firm would be selected by April; recommended to the full Board for approval in May; and the contract to begin June 1.

Mr. Pangborn suggested using the Finance Committee to help select a new legal firm.

Mr. Pangborn and Ms. Bailor said that the contract with LTD's current counsel, Arnold Gallagher Percell Roberts and Potter, P.C., could be extended if necessary.


Mr. Dubick agreed that perhaps the Finance Committee could work on the Legal Services contract. He said he thought that it could be done in a short period of time. He was the only Board member who served on both the Finance Committee and the Executive Search Committee.

The Board members expressed agreement to having the Finance Committee commit to work on the process.

Monthly Financial Report – January 2011: Ms. Hellekson reviewed the January financial statements and the January 2011 Grant Report.

Monthly Performance Reports: Mr. Pangborn referred to the Monthly Performance Report. He noted that boardings were down only 0.9 percent after a 13 percent service cut.

ADJOURNMENT: Mr. Eyster adjourned the meeting at 7:31 p.m.



Board Secretary

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