



Lane Transit District

Public notice was given to *The Register-Guard*
for publication on September 11, 2014.

**LANE TRANSIT DISTRICT
REGULAR BOARD MEETING
Wednesday, September 17, 2014
5:30 p.m.
LTD Board Room
3500 E. 17th Avenue, Eugene
(Off Glenwood Boulevard in Glenwood)**

A G E N D A

Page No.

- | | | | |
|-------|---|--------------|---|
| I. | CALL TO ORDER | | |
| II. | ROLL CALL | | |
| | Dubick _____ Gillespie _____ Yeh _____ Wildish _____ | | |
| | Necker _____ Grossman _____ Vacant _____ | | |
| III. | PRELIMINARY REMARKS BY BOARD PRESIDENT | (5 minutes) | |
| IV. | COMMENTS FROM THE GENERAL MANAGER | (2 minutes) | 4 |
| V. | ANNOUNCEMENTS AND ADDITIONS TO AGENDA | (2 minutes) | 5 |
| VI. | BOARD CALENDARS | (1 minute) | 6 |
| VII. | EMPLOYEES OF THE MONTHS – SEPTEMBER AND
OCTOBER 2014
[Andy Vobora, Mark Johnson] | (10 minutes) | 7 |
| VIII. | AUDIENCE PARTICIPATION | | |
| | ◆ <i>Public Comment Note: This part of the agenda is reserved for members of the public to address the Board on any issue. The person speaking is requested to sign-in on the Audience Participation form for submittal to the Clerk of the Board. When your name is called, please step up to the podium and give your name and address for the audio record. If you are unable to utilize the podium, you may address the Board from your seat.</i> | | |
| | ◆ <i>Citizens testifying are asked to limit testimony to three minutes.</i> | | |

IX.	EXECUTIVE (NON-PUBLIC) SESSION PURSUANT TO ORS 192.660(2)(h), to consult with counsel concerning the legal rights and duties of a public body with regard to current litigation or litigation likely to be filed.	(15 minutes)	9
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	b. Main Street Projects Governance Committee – September 4		
	c. LTD Board Human Relations Committee – September 9		
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	e. Accessible Transportation Committee (ATC) – September 16		
	2. No Meeting/No Reports		
	a. Lane Council of Governments (LCOG) Board of Directors		
	b. Governor’s Oregon Passenger Rail Leadership Council		
	c. EmX Steering Committee		
	d. Eugene Transportation Community Resource Group (TCRG) for the Eugene Transportation System Plan (TSP)		
	e. LTD Pension Trusts		
	f. LTD Board Service Committee		
	g. LTD Board Finance Committee		
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The facility used for this meeting is wheelchair accessible. If you require any special physical or language accommodations, including alternative formats of printed materials, please contact LTD's Administration office as far in advance of the meeting as possible and no later than 48 hours prior to the meeting. To request these arrangements, please call 682-6100 (voice) or 7-1-1 (TTY, through Oregon Relay, for persons with hearing impairments).

AGENDA ITEM SUMMARY

DATE OF MEETING: September 17, 2014

ITEM TITLE: COMMENTS FROM THE GENERAL MANAGER

PREPARED BY: Ron Kilcoyne, General Manager

ACTION REQUESTED: None

BACKGROUND:

This agenda item provides an opportunity for the general manager to formally communicate with the Board on any current topics or items that may need consideration.

ATTACHMENT: None

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AGENDA ITEM SUMMARY

DATE OF MEETING: September 17, 2014

ITEM TITLE: ANNOUNCEMENTS AND ADDITIONS TO AGENDA

PREPARED BY: Jeanne Schapper, Executive Office Manager/Clerk of the Board

ACTION REQUESTED: None

BACKGROUND:

This agenda item provides a formal opportunity for the Board president to announce additions to the agenda, and also for Board members to make announcements or to suggest topics for current or future Board meetings.

ATTACHMENT: None

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AGENDA ITEM SUMMARY

DATE OF MEETING: September 17, 2014

ITEM TITLE: BOARD CALENDARS

PREPARED BY: Jeanne Schapper, Executive Office Manager/Clerk of the Board

ACTION REQUESTED: Board member communication regarding participation at LTD and community events and activities.

BACKGROUND:

Board members are asked to coordinate the Board Activity Calendars with their personal calendars for discussion at each Board meeting. Updated Board Activity Calendars are included with this packet for Board members.

Board members also are asked to contact Jeanne Schapper with any changes in availability for LTD-related meetings and events, and to provide their fall and winter vacation dates.

ATTACHMENTS: Board activity calendars are included separately for Board members.

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AGENDA ITEM SUMMARY

DATE OF MEETING: September 17, 2014

ITEM TITLE: SEPTEMBER AND OCTOBER EMPLOYEES OF THE MONTHS

PREPARED BY: Jeanne Schapper, Executive Office Manager/Clerk of the Board

BACKGROUND:

September Employee of the Month: Distribution Coordinator Scott McFarland has been selected to receive the September 2014 Employee of the Month award. Scott joined the District in late 2012 and has fast become a major contributor within the Marketing team. He also has received numerous Value Awards for his initiative, teamwork, and professionalism.

Scott was nominated for this award by co-workers who recognize that Scott is a team player, that he applies his skills in effective ways, and that he is committed to serving the District's customers. One co-worker's nomination cited the good work Scott did in developing a work order system for the Marketing team. Employees throughout the District use this system on a daily basis, and this system has improved project development and project tracking tremendously. Another nomination highlighted a situation in which Scott had finished his workday; but when learning that detour signage needed to be placed along 13th Avenue before the next day's service started, he gladly stayed late and got the signs put in place.

When asked to comment on Scott's selection as Employee of the Month, Marketing Manager Russ Arnold said:

Scott possesses skills that make our team and the District more effective in serving our customers. In a short period of time, Scott has learned an incredible amount about how our system works; and he is committed to ensuring that his work is completed in a timely manner, that it's completed accurately, and that it provides our customers with the information they need to effectively use our services.

Scott utilizes his technical skills to manage our bus stop information program and has become a subject matter expert in the District's effort to develop a SharePoint system for managing projects. We are fortunate to have someone like Scott on our team. His easy-going style, his good communication skills, and his interest in providing the highest level of customer service are all characteristics that we can learn from and aspire to in our own work. I know our whole team joins me in saying, "Congratulations, Scott!"

October Employee of the Month: Bus Operator Bryan Klabo has been selected to receive the October 2014 Employee of the Month award. Bryan joined the District in 2007; and, since that time, has received a Value Award and five years of Safe Driving awards.

Bryan was nominated for this award by a customer who wanted to personally thank Bryan for helping her out recently. After she had boarded the bus, she realized that she had left her bags at the bus stop. Bryan turned his bus around, and she was able to retrieve her bags.

When asked to comment on Bryan's selection as Employee of the Month, Transit Operations Field Supervisor Shawn Mercer said:

Bryan is a terrific representative of Lane Transit District. He possesses the ability to communicate effectively with passengers by engaging them, showing concern and compassion when needed, and working to solve problems quickly and decisively. The passenger compliment that prompted Bryan's selection as the Employee of the Month demonstrates those traits.

A customer service representative also recently recognized Bryan for his patience with a passenger who was unfamiliar with the EmX fare machines at the Eugene Station. Although he was due to leave shortly, Bryan deboarded his bus and patiently walked the passenger through the functions of the ticket machine, explaining the capabilities of the machine and the fare types available to her. He made sure that she understood the process, treating her with kindness and respect and acting in a professional and selfless manner.

I appreciate Bryan for providing great service and being a great face for LTD.

AWARDS:

Scott and Bryan will attend the September 17, 2014, meeting to be introduced to the Board and to receive their awards.

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AGENDA ITEM SUMMARY

DATE OF MEETING: September 17, 2014

ITEM TITLE: EXECUTIVE (NON-PUBLIC) SESSION PURSUANT TO ORS 192.660(2)(h)

PREPARED BY: Jeanne Schapper, Administrative Services Manager/Clerk of the Board

ACTION REQUESTED: That the Board move into Executive (non-public) Session pursuant to ORS 192.660(2)(h), to consult with counsel concerning the legal rights and duties of a public body with regard to current litigation or litigation likely to be filed.

ATTACHMENT: None

PROPOSED MOTION: I move that the Board meet in Executive Session pursuant to ORS 192.660(2)(h), to consult with counsel concerning the legal rights and duties of a public body with regard to current litigation or litigation likely to be filed.

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AGENDA ITEM SUMMARY

DATE OF MEETING: September 17, 2014

ITEM TITLE: CONSENT CALENDAR

PREPARED BY: Jeanne Schapper, Executive Office Manager/Clerk of the Board

ACTION REQUESTED: Approval of Consent Calendar Items

BACKGROUND:

Issues that can be explained clearly in the written materials for each meeting, and that are not expected to draw public testimony or controversy, are included in the Consent Calendar for approval as a group. Board members can remove any items from the Consent Calendar for discussion before the Consent Calendar is approved each month.

The Consent Calendar for September 17, 2014, consists of approval of the Minutes of the July 16, 2014, Regular Board Meeting.

ATTACHMENTS: Minutes of the July 16, 2014, Regular Board Meeting

PROPOSED MOTION: I move that the Board adopt the following resolution:

LTD Resolution No. 2014-23: It is hereby resolved that the Consent Calendar for September 17, 2014, is approved as presented.

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MINUTES OF DIRECTORS MEETING

LANE TRANSIT DISTRICT

REGULAR BOARD MEETING

Wednesday, July 16, 2014

Pursuant to notice given to *The Register-Guard* for publication on June 12, 2014, 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 Monday, July 16, 2014, beginning at 6:30 p.m., at the LTD Board Room, 3500 E. 17th Avenue, Eugene, Oregon.

Present: Gary Wildish, President
Carl Yeh, Vice President
Julie Grossman, Secretary
Ed Necker, Treasurer
Gary Gillespie
Michael Dubick

Ron Kilcoyne, General Manager
Jeanne Schapper, Clerk of the Board
Lynn Taylor, Minutes Recorder

Vacant: Position 1

CALL TO ORDER/ROLL CALL: Mr. Wildish convened the meeting and called the roll at 6:30 p.m.

PRELIMINARY REMARKS BY BOARD PRESIDENT: Mr. Wildish noted this was his first meeting as Board President and welcomed everyone in attendance.

COMMENTS FROM THE GENERAL MANAGER: Mr. Kilcoyne announced that the 9th District Court had granted the Federal Transit Administration (FTA) and LTD a motion of summary judgment with prejudice in the lawsuit filed by Our Money, Our Transit (OMOT). He said that meant the charges levied by the plaintiffs were without merit. He read excerpts from the ruling that confirmed that there had been a thorough, reasoned process with ample public participation options for the West Eugene EmX Extension project. He said that utility relocation activities on the project were moving forward and he anticipated receiving an executed Small Starts grant award in September, with construction to begin shortly thereafter.

Mr. Kilcoyne introduced Cheryl Munkus, LTD's internal auditor, and Ernie Turner, who would be replacing Director of Maintenance George Trauger upon Mr. Trauger's retirement at the end of July. Mr. Turner's title will be Fleet Maintenance Manager.

ANNOUNCEMENTS AND ADDITIONS TO THE AGENDA: There were no announcements or changes to the agenda.

Mr. Gillespie asked if the District Court's summary judgment was appealable. K.C. Huffman of LTD's legal firm, Thorp, Purdy, Jewett, Urness & Wilkinson, PC, replied that matter could go to the 9th Circuit Court, but that would take some time and the project would be well under construction.

Mr. Gillespie asked if the matter was potentially subject to a petition or charter amendment. Mr. Huffman said that changes could always occur through legislation; but at this point, the plaintiff was pursuing it judicially. Attempting to address it with legislation would be an onerous process.

BOARD CALENDARS: Mr. Kilcoyne reviewed the August, September, and October 2014 Board calendars and highlighted events. He noted that there would be no Board meetings or work sessions in August. He proposed holding the October regular Board meeting on October 22 to avoid a conflict with the annual American Public Transportation Association (APTA) Meeting and EXPO, which several Board members and staff would be attending. The Board agreed to move the October meeting from the 15th to the 22nd.

EMPLOYEE OF THE MONTH - JULY 2014: The Board recognized Bus Operator Frank Wikle as the August 2014 Employee of the Month.

Mr. Wildish thanked Mr. Wikle for his service and commitment to LTD's mission and presented him with a certificate of appreciation, check, and pin commemorating his award. Mr. Wikle thanked the Board for his award. He said that he enjoyed his job with LTD and expressed appreciation for his co-workers and customers.

AUDIENCE PARTICIPATION: Mr. Wildish explained the procedures for providing public testimony.

Rob Zako, Better Eugene-Springfield Transit (BEST), Eugene, congratulated LTD on the District Court's ruling on the West Eugene EmX Extension project and said it was a testament to LTD staff, consultants, and the FTA for their commitment to doing a thorough job assessing project impacts. He felt that the Main Street-McVay process was going well, and the stakeholder's group was working together to develop a purpose, objectives, and goals. He said that the stakeholder's group had wanted some language in objectives regarding equity related to age, disability, and economic status but did not have specific language to include. He said that the group was not suggesting changes to the document that the Board would be reviewing later in the meeting but wanted to highlight those populations, particularly the economically disadvantaged.

ITEMS FOR ACTION AT THIS MEETING:

MOTION **Consent Calendar:** Mr. Necker moved adoption of LTD Resolution No. 2014-022: It is hereby resolved that the Consent Calendar for July 16, 2014, is approved as presented. Ms. Grossman provided the second. The Consent Calendar consisted of the Minutes of the June 9, 2014, Special Board Meeting/Executive Session; Minutes of the June 18, 2014, Regular Board Meeting; and Minutes of the June 30, 2014, Special Board Meeting/Executive Session.

VOTE The motion was approved as follows:
AYES: Dubick, Gillespie, Grossman, Necker, Yeh, Wildish (6)
NAYS: None
ABSTENTIONS: None
EXCUSED: None

ITEMS FOR INFORMATION AT THIS MEETING:

Board Member Reports: Mr. Yeh mentioned that the Lane Council of Governments (LCOG) Board would be revisiting the issue of LTD's membership.

Mr. Necker reported that the Eugene Transportation Community Resource Group had met on June 30, 2014, primarily to review the past year's accomplishments.

Mr. Wildish reported that the Metropolitan Policy Committee (MPC) received a report on carbon monoxide at its July 3 meeting. In 1979 Eugene was determined to be a non-compliant area; but since that time, air quality had steadily improved, and by 2010, Eugene was determined to be at 15 percent of the allowable carbon monoxide level.

Mr. Dubick reported that the projects put forward by the LaneACT (Area Commission on Transportation) had done well in the State Transportation Improvement Program (STIP) funding prioritization process, although project funding had been pushed back a year because of uncertainty at the federal level.

Main Street-McVay Transit Study Draft Purpose, Goals, and Objectives: Senior Project Manager John Evans introduced David Reesor, transportation planner for the City of Springfield. Mr. Evans said that the Board would be asked to consider language approved by the Springfield City Council regarding the purpose, goals, and objectives for the Main Street Transit Study. He noted that background information and the draft language were included in the agenda packet.

Mr. Evans said that the Stakeholder Advisory Committee (SAC) began work in Spring 2014, had met three times, and would meet again at the end of July. At this point, the intent was to develop overriding principles for the study that also would be legally adequate for future National Environmental Policy Act (NEPA) studies and to determine the community's wishes for future transit options along the Main Street-McVay Highway corridor. He said that the draft language had been recommended by the SAC to the Governance Team, which then recommended it to the Springfield City Council and LTD Board. Mr. Evans said that the next phase would address the needs and evaluation criteria and be informed by analysis of data currently being collected.

Mr. Evans reviewed the draft purpose, goals, and objectives language. He noted that while the Springfield City Council had accepted the language as submitted, LTD was not obligated to do the same. If the Board did accept the language, it would become final for the project; however, it was the first phase of the project and could evolve and be refined during subsequent phases.

Mr. Evans commented that the project objectives were based in part on Title VI requirements for equitable service; and while there was no specific reference to economic status, that issue was addressed in LTD's Service Plan and other plans. He said that the Governance Team, including LTD representatives and the Springfield City Council, felt that the language was adequate.

In response to a question from Mr. Necker, Mr. Evans reiterated that the Governance Team had concurred that the provision of equitable service for low-income residents was sufficiently covered in LTD's Service Plan and Long-Range Transit Plan, and it was not necessary to modify the objectives language.

Mr. Gillespie asked how riders would be brought down Main Street to Springfield Station and then either out McVay Highway to downtown Eugene or the Gateway area. Mr. Evans said that the next phase of the project would assess the full range of design options; the first step would be an all-day work session with the SAC to identify the desired level of transit. He said that options would then be weighed against evaluation criteria and reduced to viable alternatives.

Mr. Gillespie asked if the No. 11 Thurston route would be part of the mix of options. Mr. Evans said it would be under consideration.

Mr. Reesor said that project information would be posted at Springfield City Hall following the SAC workshop. The public would be able to view the materials and post written comments and questions. He said that feedback would be provided to the Governance Team and SAC for further analysis of alternatives. He hoped that by February 2015, a reasonable number of alternatives could be presented to the City Council and the LTD Board to determine if they could be moved to the next phase. He commended the partnership between the City and LTD.

Mr. Wildish determined that there was Board consensus to accept the draft purpose, goals, and objectives language as presented.

Safe Routes to School Program Report: Point2point Schools Program Leader Ellen Currier said that Safe Routes to School (SRTS) was a regional program coordinated by Point2point, was supported by partner agencies, and had program coordinators in each of the three school districts. She said that the SRTS program provided a number of significant benefits to children, families, and the community, including:

- Promoted physical activities to address health concerns such as childhood obesity
- Helped establish lifelong habits of walking and biking
- Improved students' learning due to before-school physical activity
- Decreased traffic congestion around schools, resulting in better air quality and safer conditions for entering and exiting schools
- Increased sense of community through walking and biking
- Increased rates of walking and biking, lowering accident rates for all travel modes and increasing sense of personal safety
- Lowered transportation costs for families, school districts, and communities
- Increased accessibility for students and others in the community with safer roads

Ms. Currier described how the SRTS program supported and enabled students to walk or bike to school through five integrated strategies that included Encouragement, Education, Evaluation, Engineering, and Enforcement. She discussed the activities and achievements in each category. She said a sixth strategy—Equity—would be added. Future program objectives included:

- Obtain sustainable SRTS funding
- Complete walk-to-school maps for all 49 elementary and middle schools
- Complete SRTS action plans at three schools in each district
- Increase the number of students participating in bike and pedestrian safety education
- Increase participation in Connect2school
- Increase outreach to charter schools

In response to a question from Mr. Yeh regarding equity, Ms. Currier said that strategies to address equity could include better access to bikes and helmets and outreach to all schools, particularly those with lower participation rates in walking and biking programs.

Ms. Grossman asked if there appeared to be disparity in program participation with communities of color. Ms. Currier said that staff were aware that there was less access to resources in certain schools and would be researching that as part of implementing the equity strategy.

Ms. Grossman noted that another program benefit was the strengthened connection between families and schools when parents walked their children to school.

Mr. Wildish said that when parents walked their children to school, interaction with other families also strengthened a sense of community.

Mr. Yeh asked if the walking and biking maps could be made into an application. Ms. Currier said that staff were exploring the best ways to get information to children and families.

Legislative and Regulatory Update: Government Relations Manager Edward McGlone stated that the federal Highway Trust Fund (HTF) was rapidly running out of money, and most recent projections had this occurring before the end of 2014. He said that MAP-21, the federal transportation authorization, was expiring; and Congress was working on a new version, as well as bills to address the HTF. The House bill would provide \$11 billion to fund the HTF under existing operations through May 2015; the Senate bill would extend HTF operations through December 2014. He said that the House bill passed the House with a bipartisan majority and would likely pass the Senate as well, which would delay but not solve the transportation funding crisis. He said that LTD received between \$6.5 and \$7 million in federal formula funds and could face up to a 40 percent cut if an HTF solution was not found. He said that the gas tax had not been increased since 1993, although decreased gas tax revenue and increased construction costs meant that alternative funding mechanisms needed to be explored. He said that with the impending expiration of MAP-21 congress was developing some policy alternatives. Of interest to LTD was the new Small Starts program, which was likely to continue, and restoration of the Bus and Bus Facilities funding program.

Mr. Kilcoyne pointed out that funding for the West Eugene EmX project came from the General Fund, not the HTF. The potential 40 percent cut would impact operations. He said that LTD would be able to weather a short-term funding shortage because of its cash reserves.

Mr. Huffman presented an overview of the City of Eugene's draft ordinance requiring all employers to provide paid sick leave. He said that the ordinance was based on the City of Portland's ordinance and that Seattle and San Francisco had similar ordinances. He said that all employees—full-time and part-time—would be covered; it was not clear whether the ordinance would apply to temporary employees. He added that there was no minimum number of employees that would exempt an employer. Leave would be accrued at the rate of one hour per 30 hours worked within the City of Eugene to a maximum of 40 hours per year. Accrual of leave would commence upon employment but could not be used until after 90 days of employment. The effective date of the ordinance will be July 1, 2015.

Mr. Huffman said that concerns had been raised about how the ordinance would apply to multi-state employers and employers based in other communities but whose employees performed work part of the time in Eugene. Only hours worked in the City were eligible for the paid sick leave accrual, and the leave could only be used when the employee was scheduled to be in Eugene. He believed that tracking that would be an accounting nightmare. He hoped that the administrative rules implementing the ordinance would address and clarify those issues as well as potential unintended consequences. The City would contract with the Bureau of Labor and Industries to enforce the ordinance and resolve violations.

Mr. Huffman said that existing paid leave policies might be sufficient to comply with the ordinance if they met the required accrual rate. There was some question about how the ordinance would affect collective bargaining agreements and if agreements would need to be reopened if they contained a leave policy that was not compliant. He said that the Lane County Board of Commissioners intended to take preemptive action that would put the ability of the City of Eugene to enact its ordinance into question; the likely outcome was litigation over jurisdiction.

Mr. Gillespie said that he was a proponent of the ordinance. It was his understanding that generally collective bargaining agreement language trumped other language. Mr. Huffman said that it was common for legislation to include those exemptions; but if there were no exemptions, the legislation had authority to impose rules. He said that as the ordinance was currently written, LTD was not exempt; but if its policies and bargaining agreements were sufficient to comply with the ordinance, it would not be affected.

Director of Administrative Services Mary Adams said that LTD's accrual rate was more generous; but the Eugene ordinance required complete compliance, and LTD employees were not allowed to take sick leave in one-hour increments as operators could not leave a bus unattended for an hour. She said that collective bargain agreement language did not mirror the ordinance language. She hoped that LTD, which had always had a commitment to sick leave and benefits, would be exempted.

Mr. McGlone said that there were some aspects of both administrative staff policies and the collective bargain agreement that might not be in compliance, and LTD was working to achieve a definition of "employer" like the definition contained in the Portland ordinance, which exempted political subdivisions of the State. He said that the provisions of the ordinance would be difficult to implement when, for example, bus operators traveled in and out of the City of Eugene many times during the work day.

Mr. Gillespie asked if LTD employees could currently take leave in one-hour increments. Ms. Adams replied that in the recent bargaining process, the union had traded enhanced sick leave benefits for wages; although the contract did allow employees to take incremental amounts of sick leave under certain pre-approved circumstances for medical appointments.

Mr. Gillespie said that the assumption seemed to be that any employee not currently covered by a sick leave policy was probably not covered by a vacation policy. He said that it was a fundamental right of a worker to be healthy, work in a healthy environment, and provide healthy interaction with customers. He said that lack of a sick leave and vacation policy was unconscionable for an employer.

Mr. Huffman commented that vacation leave policies were still discretionary under the ordinance; although if the ordinance was imposed, voluntarily provided vacation could disappear. He noted that the ordinance did not require that banked sick leave be cashed out upon separation from employment.

Mr. Yeh asked if LTD employees could use sick leave in hourly increments. Ms. Adams explained that administrative staff could use leave in one-hour increments; represented employees could take less than a full day of sick leave if it was used for an approved medical reason. She said that this was a new provision in the labor agreement and reflected the efforts of labor and management to find an approach that would work in a transit environment.

Mr. Wildish observed that similar discussions were occurring throughout the city and county. He said that if LTD policies and agreement were not in compliance and the ordinance was imposed on transit operations, it would mean an increase in administrative costs to account for work within and outside Eugene.

Mr. Kilcoyne clarified that unless specified in the ordinance, a labor agreement was not the governing instrument.

Board Committee Assignments: Mr. Wildish stated that committee assignments were included in the agenda packet. He thanked Board members for responding to a survey as to their preferences and appreciated their willingness to serve. There were no changes to the assignments as listed in the agenda packet; therefore, Board Committee assignments were finalized.

Monthly Financial Report - June 2014: Mr. Kilcoyne said that the June financial report was not yet available as the fiscal year was still being closed out. He said that preliminary data was promising, with expenditures behind budget and revenues ahead of budget. He added that ridership had increased in June.

Monthly Department Reports: Mr. Gillespie asked if the 4th of July service was successful. Director of Customer Services and Planning Andy Vobora said that it went well, and people were pleased to have the service restored. He said that ridership in the Butte-to-Butte race shuttle was down from previous years, but ridership in the Country Fair shuttle was high.

ADJOURNMENT: Mr. Wildish adjourned the meeting at 8:12 p.m.

LANE TRANSIT DISTRICT:

ATTEST:

Julie Grossman
Board Secretary

Jeanne Schapper
Clerk of the Board

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AGENDA ITEM SUMMARY

DATE OF MEETING: September 17, 2014

ITEM TITLE: SPECIAL DISTRICTS INSURANCE SERVICES

PREPARED BY: Steve Rayack, Claims Specialist

ACTION REQUESTED: Adoption of Agreement.

BACKGROUND:

Lane Transit District is a participating member of Special Districts Insurance Services (SDIS), a self-insured public entity trust, for its property, auto, and general liability coverage. The original Trust Agreement was created in 1985, and LTD has been a member since 2002. The SDIS Board of Trustees has approved a new Declaration of Trust that addresses tax and legal matters and gives members greater participation the Trust.

In order for LTD to continue as a member of the Trust, it is necessary that the LTD Board of Directors approve the Joinder of Trust Agreement. The Agreement is considered an intergovernmental agreement governed under ORS 190.

Adopting this resolution will have no adverse effect on the cost of membership or liability coverage for LTD. SDIS has \$38 million more than what its certified actuary estimates is needed to satisfy all claims liabilities, and the Trust purchases reinsurance to cap the Trust's and members' claims liability.

ATTACHMENTS:

- (1) Special Districts Insurance Services Memorandum dated April 4, 2014
- (2) Special Districts Insurance Services Trust First Restatement of Declaration of Trust
- (3) Exhibit A: Form of Joinder to Trust Agreement for Initial Members

PROPOSED MOTION: I move that the Board adopt the following resolution:

LTD Resolution No. 2014-024: It is hereby resolved that The LTD Board of Directors approves the Special Districts Insurance Services Trust First Restatement of Declaration of Trust as presented on September 17, 2014.

**** IMPORTANT ****
REQUIRES BOARD ACTION

APR 14 2014

DATE: April 4, 2014
TO: SDIS Members
FROM: Frank Stratton, Executive Director
SUBJECT: New SDIS Trust Agreement Requires Board Action

Over the past year, the SDIS Board of Trustees has been working at creating a new SDIS Trust Agreement. Oregon law requires that self-insured public entity programs be formed through an intergovernmental agreement between the participating entities. The enclosed SDIS Declaration of Trust is an intergovernmental agreement. The original SDIS Declaration of Trust was adopted in 1985 and has never been comprehensively amended to take into account changes to federal tax and state laws over the past 28 years. After a review of the original Declaration of Trust, the Trustees decided that it was necessary to draft a new document which would take into account tax and other legal matters.

Now that the new SDIS Declaration of Trust has been approved by the SDIS Board of Trustees, it is necessary to have all of the Trust members join the Trust by having their Boards adopt the Joinder of Trust Agreement. **The Joinder of Trust Agreement is located on the last page of the enclosed Declaration of Trust.** By signing the Joinder Agreement your Board will be entering into an intergovernmental agreement under ORS Chapter 190.

Before renewing in the SDIS self-insured employee benefits, property, liability or workers' compensation program, your Board will need to adopt the enclosed Joinder of Trust Agreement and return a signed copy to SDIS. We understand that this is not an easy task for many members to accomplish, but we assure you we would not be taking this action if the SDIS Trustees did not feel it was absolutely necessary to protect the Trust's assets, which all of the members have helped build over the past 28 years.

Following are the deadlines for sending back the signed resolution to SDIS:

- Districts participating in the new self-insured employee benefits program: 6/1/2014
- Districts participating in the self-insured workers' compensation program: 7/1/2014
- Districts participating in the self-insured property and liability program: 10/1/2014

You only need to submit one signed resolution regardless of the number of programs that your District participates in.

I am sure you and your Board members will have many questions about the new Trust Agreement. In anticipation of your questions, following are some frequently asked questions and answers for your reference.

FREQUENTLY ASKED QUESTIONS:

What is my District's financial risk as part of a self-insured program?

The revised Declaration of Trust does not increase your District's financial liability any more than you currently have under the existing Trust Agreement. The SDIS Trust is a non-assessable Trust. This means that your District can never be asked to contribute additional funds, other than your annual contributions, to cover your claims or the claims of any other member. It also means, though, that you are ultimately responsible for your own claims liabilities in the event the Trust is not able to pay your claims. The SDIS Trustees are dedicated to making sure this never happens by being extremely conservative with the amount of funds the Trust retains to pay claims. SDIS has over \$38 million more than what its certified actuary estimates is needed to satisfy all claims liabilities. These funds are invested to keep rates low and return to members as a dividend only when the actuary determines that they will not likely be needed to pay claims. In addition, the Trust purchases reinsurance that puts a cap on the Trust's and members' claims liability.

Why is the Trust Agreement an Intergovernmental Agreement?

Oregon law requires that for local governments to form their own self-insured programs they must do so through joining into an intergovernmental agreement. Intergovernmental agreements are governed under ORS 190 and require each participating organization to have a resolution adopted by its Board of Directors. The enclosed Joinder of Trust Agreement can be considered a board resolution.

What are the primary differences between this new Trust Agreement and the original Agreement?

The original Trust Agreement was controlled by the Special Districts Association of Oregon (SDAO) Board of Directors. The SDAO Board was the only body that could modify the Trust Agreement and the SDAO Board was also responsible for appointing the SDIS Board of Trustees. Legal counsel has advised SDAO and SDIS that for tax and other legal considerations the members should have a greater participation in the Trust. SDIS and its

participating members will now be responsible for adopting and amending the Trust Agreement. Also, the Trustees will now be appointed by the Trustees themselves. To ensure continuity and ongoing support, the SDAO will still be closely aligned with SDIS as its Sponsoring Member.

Why can't my District find a resolution adopting the original Trust Agreement?

When the original Trust Agreement was created in 1985, the originators did not believe the Trust Agreement needed to be approved by the participating members. They had the opinion that the coverage documents issued to members at their insurance renewals were considered an intergovernmental agreement that was entered into with the members when the members paid their contributions. With changes in law and philosophy over time, our current legal counsel feels that the best course of action for the newly amended Declaration of Trust is for each member to sign a resolution agreeing to enter into the Trust Agreement as an intergovernmental agreement.

What happens if my District does not adopt the Resolution?

Unfortunately, if your District does not adopt the Trust Agreement then your District will no longer be able to participate in the self-insured health, dental, property, liability or workers compensation programs. Your District will not be able to renew its coverage in these programs when your current policy term expires.

Who should I contact if I have questions about the enclosed materials?

Membership Services Department
sdao@sdao.com
(503) 371-8667
(800) 285-5461

Special Districts Insurance Services Trust

APR 14 2014

First Restatement of Declaration of Trust

RECITALS

1. Oregon Revised Statutes Chapter 30.282 authorizes Public Bodies within the state of Oregon to create and participate in self-insurance programs through intergovernmental agreements;
2. On July 1, 1985, the Special Districts Association of Oregon and certain trustees entered into a Declaration of Trust for the Special Districts Insurance Services Trust, which set forth the terms and conditions upon which a self-insurance program solely for the benefit of governmental entities would be organized and operated pursuant to Oregon Revised Statutes Chapter 30.282, which Declaration of Trust was amended on October 22, 1987, February 18, 1988, January 25, 1989, June 27, 1991, June 2, 1994, December 9, 1999, September 21, 2000, January 10, 2002, April 17, 2003, and June 7, 2006 (the "Amended Trust Declaration");
3. The Initial Members have made Contributions to the trustees of the Trust and the trustees have implemented a self-insurance program with multiple pools for the benefit of the Initial Members, and the funds associated with such program constitute a trust fund that has been held for the exclusive benefit of the Initial Members participating in a self-insurance program;
4. Article 7 of the Amended Trust Declaration provided that the Amended Trust Declaration could be amended by the Board of Directors of the Special Districts Association of Oregon, by delivery of a copy of the amendment to each Trustee, provided however, that no amendment could operate to the prejudice of any vested rights held by any participant in the program of the Trust under a policy, contract, or other document for the benefit of such participant; and
5. The Board of Directors of the Special Districts Association of Oregon and the trustees of the Trust have determined that a restatement of the Amended Trust Declaration in the form of this First Restatement of Declaration of Trust, is in the best interests of the Initial Members and prospective Members, and have determined that this First Restatement of Declaration of Trust should be submitted to the Initial Members, and to prospective Members as appropriate, to allow them to become Members.

SECTION 1 DEFINITIONS

1.1 Definitions. All capitalized terms in this Agreement shall have the meanings given to them in this Section 1.

1.2 "**Agreement**" means this First Restatement of the Declaration of Trust.

1.3 "**Amended Trust Declaration**" means the Special Districts Insurance Services Trust Declaration of Trust described in the Recitals.

1.4 "**Associated**" means, when used in the phrase "Associated with" an organization, the status of being a current employee of, or a member of the governing body of, that organization, or being a volunteer in good standing of an organization (in accordance with the policies and procedures of that organization) who is nominated in a writing signed by the Chair of the Board of Directors of the organization.

1.5 "**Audit Committee**" means the committee established by the Board, as described in Section 4.8(c).

1.6 "**Board**" means the Board of Trustees of the Trust.

1.7 "**Board Observer**" means the person designated by the Sponsoring Member to attend Board meetings pursuant to Section 4.1(b).

1.8 "**Contribution**" means the amount a Member contributes to the Trust annually pursuant to the Coverage Document.

1.9 "**Coverage Document**" means a contract between the Trust and a Member with respect to self-insurance coverage with respect to which a Member makes a Contribution.

1.10 "**Deadlocked**" means a situation in which the vote of the Trustees on a matter is evenly split for two or more meetings at which such matter is submitted to a vote.

1.11 "**Effective Date**" means April 1, 2014.

1.12 "**Executive Committee**" means the committee established by the Board, as described in Section 4.8(a).

1.13 "**Former Member**" means a Special District, Public Body or Sponsoring Member that was at one time a Member, but whose membership has Terminated.

1.14 "**Initial Members**" means those Special Districts and Public Bodies that had in effect a Coverage Document on the day before the Effective Date.

1.15 "**Joinder**" means a document, substantially in the form attached as Exhibit A, the execution of which constitutes a Member's agreement to be bound by the terms and conditions of this Agreement, and shall include a duly executed resolution in substantially the same form.

1.16 **"Majority"** means more than 50%.

1.17 **"Member"** means a Special District or Public Body that has executed a Joinder to this Agreement and the Sponsoring Member, the membership of which has not Terminated.

1.18 **"Nominating Committee"** means the committee established by the Board as described in Section 4.8(b).

1.19 **"Public Body"** means an entity described in Oregon Revised Statutes 30.260.

1.20 **"Quorum"** means a Majority of the Trustees.

1.21 **"Special District"** means a governmental entity described in Oregon Revised Statutes 198.010.

1.22 **"Sponsoring Member"** means the Special Districts Association of Oregon.

1.23 **"Termination"** means the cessation of the membership of a Member pursuant to this Agreement.

1.24 **"Trust"** means the Special Districts Insurance Services Trust.

1.25 **"Trustee"** means a person who has executed this Agreement or a duplicate thereof agreeing to accept the responsibilities of trusteeship under this Agreement, and who has not resigned or been removed as a Trustee.

1.26 **"Trust Property"** means cash, property or any asset held by the Trustees and subject to this Agreement.

SECTION 2 PURPOSES AND OPERATON OF TRUST

2.1 Purposes. The purposes of the Trust shall continue to be the operation of a program of self-insurance whereby the Members' exposures in the areas of tort liability, property, workers compensation, and ancillary program areas may be effectively and economically managed, and whereby insurance and risk retention strategies to manage such risks may be most responsibly and economically funded, and to provide life, health, and disability programs and other personnel benefit services to Members. The Trustees shall endeavor to accomplish these goals by:

(a) Acting to ensure that there is available to Members markets for liability, property, workers compensation, and ancillary coverages appropriate to risks to which such Members are exposed and markets, programs and services for employee benefits and health, life, and disability insurance coverage needs of Members.

(b) Aggregating the collective buying power of Members and the economic advantages of individual and pooled risk retention and other strategies, where lawful and actuarially sound, and to reduce and stabilize the cost of funding those risks.

(c) Making available to Members resources and expertise in the management of risk through loss prevention and loss control programs, claims management, consulting, data gathering, information sharing and related services.

(d) Acting as a representative and information resource for Members in presenting to appropriate legislative and administrative bodies and committees, data and policy issues related to the cost of public risk in Oregon.

(e) Creating, upon authorization by the Board, pooled self-insured programs funded by Member Contributions and based on sound actuarial analysis, which may be structured as separate pools for various types of risk, with physical or accounting segregation as determined by the Board.

(f) Developing and providing other insurance programs, retirement programs or other related services as are approved by the Board, including but not limited to loan or grant programs in amounts not material to Trust operations and designed to further the objectives of the Trust.

(g) Providing access for Members to coverages with respect to which the Trust is not an indemnitor.

2.2 Trust Property. The Trustees shall collect and manage Trust Property, including but not limited to insurance premiums, Contributions and other revenues, shall make appropriate disbursements from the Trust, and shall oversee the management and administration of the programs of the Trust, approving the necessary contracts, insurance policies, premium contributions, fee schedule group purchases and making such other arrangements and implementing such strategies as necessary to carry out purposes described herein regarding the self-insurance programs, for the exclusive benefit of the Members and as described in this Agreement.

SECTION 3 CONTINUATION OF TRUST AND FUTURE CONTRIBUTIONS

3.1 Trust Agreement. The Trustees and the Sponsoring Member hereby enter into this First Restatement of Declaration of Trust, to be effective on the Effective Date. The Trustees shall invite the Initial Members, and such other Special Districts or Public Bodies as appropriate, to become Members.

3.2 Trust Continuation. The Trust shall continue without interruption on and after the Effective Date and shall be operated from the Effective Date pursuant to this First Restatement of Declaration of Trust.

3.3 Existing and Future Trust Property. The Members confirm that the Trust Property subject to the Amended Trust Declaration as of the Effective Date of this Agreement, including all Contributions and income and profits therefrom, shall remain Trust Property, to be held, managed and distributed pursuant to this Agreement.

3.4 Contributions. Any Contributions made on or after the Effective Date of this Agreement, along with any and all income and profits therefrom, shall be Trust Property, and shall be held, managed and distributed pursuant to this Agreement. A contributing Member's Contribution is irrevocable.

3.5 Agreement by Trustees. The Trustees hereby declare that they will administer, manage, collect, receive, dispose of and distribute all Trust Property for the exclusive benefit of the Members as provided in this Agreement.

SECTION 4 BOARD OF TRUSTEES

4.1 Board of Trustees.

(a) *In General.* The Trust shall be governed by a Board of Trustees ("the Board") composed of not fewer than five, nor more than nine, Trustees. Until changed by a vote of the Board, the number of Trustees shall be seven.

(b) *Board Observer.* As long as the Sponsoring Member is a Member, it shall from time to time designate a Board Observer, who shall be entitled to attend all meetings of the Board, but who shall not be a Trustee, shall have no fiduciary duties, and shall not vote. The Board Observer shall advise the Board on matters potentially affecting Special Districts throughout Oregon, as such matters relate to the activities of the Trust. The Board Observer shall be a nonvoting member of all standing and ad hoc committees of the Board. If the Sponsoring Member ceases to be a Member, there shall be no Board Observer position.

(c) *Continuation of Trustees.* Notwithstanding any requirement of Section 4.3, Trustees of the Trust serving as of the Effective Date shall continue to serve as Trustees until the expiration of their terms of office.

(d) *Election of Trustees.* The Board shall elect a Trustee to fill any vacant Trustee position, which elected Trustee shall serve until expiration of the vacated position.

4.2 Meetings.

(a) *Annual Meeting.* An annual meeting of the Trustees shall be held in June of each year.

(b) *Special Meetings.* Special meetings of the Trustees may be called by the Sponsoring Member, Chair, the Vice-Chair, or a Majority of Trustees, by giving written notice to the Chair or the Vice-Chair.

(c) *Quorum.* A Quorum of Trustees must be present to conduct business at a duly called meeting.

(d) *Manner of Acting.* With respect to any matter to be decided by the Trustees, the Trustees shall act by Majority vote of all Trustees.

(e) *Location of Meeting.* All meetings shall be held within the State of Oregon. While every meeting must have a physical location at which at least one Trustee appears, Trustees may participate in the meeting by means of a conference telephone call or electronic communication method if all persons participating in the meeting can hear each other at the same time.

4.3 Qualifications of a Trustee.

(a) *In General.* Except as provided in Section 4.3(b), as a qualification for appointment and continued service, each Trustee shall be a natural person Associated with a Special District which is a Member.

(b) *Continued Service by Trustee.* If a Trustee becomes no longer⁶ Associated with a Member during the Trustee's term of office, the Trustee may serve out the remainder of the Trustee's term.

4.4 Term of Office of Trustee.

(a) *Fixed Terms.* Trustees shall be appointed for a fixed term. Terms shall be three years and shall be staggered so that no more than three Trustees' terms expire during any calendar year. There shall be assigned position numbers to each Trustee position.

(b) *Reappointment.* A Trustee may serve any number of consecutive terms.

4.5 Resignation of a Trustee. A Trustee may resign at any time by giving written notice to the Chair, Vice-Chair or Secretary of the Trust, which resignation shall be effective upon delivery or on such later date specified in the resignation.

4.6 Removal of a Trustee.

(a) *Removal by Trustees.* A Trustee may be removed by a Majority Vote of the Trustees other than the Trustee who is being considered for removal.

(b) *Deadlock Process.* If the Board is Deadlocked on removal of a Trustee, the matter shall be submitted pursuant to the Deadlock Process described in Section 4.13. The Board of Directors of the Sponsoring Member shall determine whether the affected Trustee is to be removed as a Trustee, which decision shall be final. If the Board of Directors of the Sponsoring Member determines that a Trustee should not be removed, that Trustee shall serve until the expiration of his or her term, unless the other Trustees determine that the affected Trustee has engaged in intentional misconduct or gross negligence in carrying out his or her duties, in which case such Trustee may be removed using the processes described in Section (a) and (b) of this Section 4.6.

4.7 Officers.

(a) *Officers.* The officers of the Board shall be a Chair, a Vice-Chair, a Secretary, and a Treasurer. The same person may not concurrently occupy more than two offices.

(b) *Appointment.* Officers shall be elected by the Board at the annual meeting and shall serve a one-year term or until their successors are elected by the Board.

(c) *Resignation.* An officer may resign at any time by giving written notice to the Chair, Vice Chair or Secretary of the Trust, which resignation shall be effective upon delivery or on such later date is specified in the resignation. In the event of a vacancy in an officer's position, the Board shall fill the unexpired portion of the term by election at the next Board meeting.

(d) *Duties of Chair.* The Chair shall, when present, preside at all meetings of the Board and of the Members. He or she shall serve as the chair of the Executive Committee and shall be an ex-officio Member of all other standing committees. The Chair shall perform all duties required of him or her by the Board.

(e) *Duties of Vice-Chair.* The Vice-Chair shall preside at all meetings of the Board and of the Members in the absence of the Chair. He or she shall perform such other duties as assigned by the Board or the Chair. The Vice-Chair shall be the chair of the Nominating Committee.

(f) *Duties of Secretary.* The Secretary will keep or cause to be kept at the Trust's principal office all of the minutes of the meetings of the Board and Members showing the time and place of meeting, the notice given, the names of those present and the content of such meeting in reasonable detail. The Secretary shall perform such other duties as assigned by the Board or the Chair.

(g) *Duties of Treasurer.* The Treasurer will be responsible for oversight of (i) the funds of the Trust; (ii) deposits and withdrawals of such funds in such depositories as may be authorized by the Board; and (iii) the keeping of a full and accurate account of receipts and disbursements at the Trust's principal office. The Treasurer shall be the chair of the Audit Committee and shall perform such other duties as assigned by the Board or the Chair.

4.8 Committees.

(a) *Executive Committee.* The Board shall establish an Executive Committee, the objective of which is to prepare for Board meetings, address the business of the Trust between Board meetings in a manner delegated by the Board, and recommend to the Board the admission of new Members and Termination of existing Members, as necessary.

(b) *Nominating Committee.* The Board shall establish a Nominating Committee, the objective of which is to identify and recommend to the Board appropriate candidates for trusteeship from among the Members.

(c) *Audit Committee.* The Board shall establish an Audit Committee, the objective of which is to assure that the Board is adequately and currently informed of the financial condition of the Trust through reports and other methods.

(d) *Other Committees.* The Board may establish such other committees as it deems necessary and appropriate to carry out its responsibilities, which committees may be standing or ad hoc committees, in the discretion of the Board.

4.9 Salaries and Expenses. Trustees shall serve without compensation, but shall be entitled to reimbursement for expenses in accordance with the applicable expense policies of the Trust.

4.10 Policies and Procedures. The Trustees may from time to time adopt policies and procedures for operation of the Board, committees, and the Trust that are not inconsistent with this Agreement. The Trustees shall establish and maintain policies and procedures designed to cause the Trust to retain net assets sufficient to satisfy projected liabilities at appropriately high actuarially determined confidence levels in the event of catastrophic loss.

4.11 Powers of Trustees. The Trustees shall have each and every power accorded to Trustees under Oregon law and the authority to act in all matters relating to the Trust and Trust property, including but not limited to the power to:

- (a) make and enter into contracts;
- (b) incur debts, liabilities, and obligations;
- (c) acquire, hold, or dispose of property, contributions and donations of Property, funds, services, and other forms of assistance from any person;
- (d) sue and be sued in the name of the Trust, and to settle or compromise any claim;
- (e) engage and employ agents, employees, consultants, contractors, advisers, and any other personnel to assist in the activities of the Trust;
- (f) receive, collect, and disburse monies from any source;
- (g) authorize and pay or credit to Members (and not Former Members) such amounts, from the excess of available funds over amounts required or projected by the Board to fund Trust operations and claim liabilities, as determined appropriate by the Board, in its sole discretion; and
- (h) do all other things necessary and appropriate to carry out the purposes of the Trust and permitted by law.

4.12 Services Contract. The Trustees may enter into a contract with a Member to perform duties of administration of the Trust, which duties shall include but not be limited to claims administration, loss control, underwriting, and other consulting services as may be specified by contract between the Trust and the service provider.

4.13 Deadlock. If at any time the Trustees are Deadlocked on any issue, the Chair or Vice-Chair shall prepare a memorandum summarizing the facts and circumstances of the

situation in reasonable detail, and shall submit this memorandum to the Chair of the Board of Directors of the Sponsoring Member. The Board of Directors of the Sponsoring Member shall resolve the Deadlock and inform the Trustees of its decision, which decision shall be binding upon the Board.

SECTION 5 MEMBERSHIP

5.1 Sponsoring Member. The Special Districts Association of Oregon is the Sponsoring Member of the Trust. The role of the Sponsoring Member is to provide the experience and continuity needed by the Trust to best serve its Members. The Sponsoring Member shall have ongoing duties to the Trust, including:

- (a) Working closely with others engaged by the Trust to provide various services;
- (b) Appointment of a Board Observer, as described in Section 4.1(b);
- (c) Providing its Executive Director as Trust Administrator for the Trust, who shall act in the role of chief operating officer and shall carry out the day-to-day duties of trust administration, as delegated by the Trustees;
- (d) Facilitating strategic planning for the Trust and recommending strategies for improving services to Members and improvement of ongoing operations of the Trust; and
- (e) Engaging in such other duties as reasonably requested by the Board to carry out the objectives of the Trust.

5.2 Distribution to Sponsoring Member. The Trust shall make an annual distribution to the Sponsoring Member in an amount to be determined by the Board in consultation with the Sponsoring Member.

5.3 Qualifications for Membership. A Member other than the Sponsoring Member must be a Special District or Public Body, within Oregon, that is a member in good standing of the Special Districts Association of Oregon.

5.4 Effect of Membership. A Member shall be eligible to participate in the coverages and services offered by or through the Trust on such terms and conditions as set forth in the Coverage Documents. Once an entity becomes a Member, such membership shall continue until terminated in accordance with this Agreement.

5.5 Initial Members. All entities who are Initial Members on the day before the Effective Date shall be eligible to become Members of the Trust as of the Effective Date by executing a Joinder.

5.6 New Members. Upon application by a Special District or Public Body to become a Member of the Trust, the Board may approve membership of such entity on such terms and

conditions as Board determines, in its sole discretion. The Board shall have the exclusive authority to approve or deny an application for membership, in its sole discretion.

5.7 Termination of Membership.

(a) *Termination of All Coverages.* Upon the termination of all participation in programs of the Trust, including but not limited to coverage under all Coverage Documents with respect to a Member (other than the Sponsoring Member), a Member's membership shall cease.

(b) *Sponsoring Member.* The Board may Terminate the membership of the Sponsoring Member for intentional wrongdoing or gross negligence, in its conduct as a Member, by a vote of two-thirds of the Trustees.

5.8 Liability after Termination of Membership. Upon Termination of membership, the Member will continue to be liable for the payment of any Contributions due as of the date of Termination. In the event the Trust is unable to perform its contractual obligations on a Former Member's behalf, the Member will continue to be liable for the payment of its own claims and liabilities arising out of the period when the Former Member was a Member.

5.9 Resumption of Membership after Termination. A Former Member may reapply for membership three years after Termination of membership. The Board in its discretion may waive this time limit or impose additional waiting periods.

5.10 Duties and Obligations of Members.

(a) *Joinder to First Restatement.* Each Member (other than the Sponsoring Member) shall execute a Joinder to this Agreement in a form approved by the Board and shall execute such other documents as are reasonable and appropriate, in the determination of the Board, to evidence membership in the Trust.

(b) *Information.* Each Member will furnish to the Trustees such underwriting and other information as may be reasonably required to carry out the purposes of the Trust at least 45 days prior to the end of the coverage period as described in the Coverage Documents.

(c) *Contributions.* Each Member shall make an annual Contribution based on the coverages the Member elects to the Trust in the amount determined by the Trustees, which amount shall be communicated to the Members within a reasonable period prior to renewal of coverage. The amount of the Contribution of each Member shall be determined by the Board, in its sole discretion, based on the coverages the member elects.

(d) *Cooperation.* As participants in a self-insured program, Members have an obligation to control claim costs by minimizing risk by establishing best management and safety practices. Each Member shall cooperate fully with the Trustees and their agents in the mitigation of risk and the administration of claims. Members' required cooperation shall include, but not be limited to:

(i) Following the loss prevention and risk management programs of the Trust, and abiding by all conditions, requirements, rules or regulations regarding loss control and risk management which may be promulgated by the Trust or its agents.

(ii) Annually completing a best practices checklist as requested by the Trust and endeavoring to the best of its abilities to adhere to the best practices identified on the checklist.

(iii) Giving prompt notification of any claim to the Trust as provided in the Coverage Documents.

(iv) Permitting the Trust's agents at any reasonable time to inspect the Member's properties and operations, and to examine the Member's books, documents and records of any and every kind pertinent to membership or in the administration of the Trust.

(v) Answering questionnaires pertinent to the operation of the Trust, or any particular pool maintained by the Trust, regarding the operations of the Member.

(e) *Trust Insolvency.* In the event of insolvency of the Trust, each Member or Former Member will continue to be liable for the payment of its own claims and liabilities arising during the period of membership.

5.11 Appointment as Agent. Each Member hereby appoints the Trust or its designated agent to act as the Member's agent and attorney-in-fact to act on its behalf, to execute all contracts, reports, waivers, agreements and service contracts, and to make an arrangement of payment of claims and all other things required for the proper and orderly operation of the Trust. Each Member agrees that the Trust or its designees shall have the sole responsibility for the adjustment and/or settlement of any and all claims.

SECTION 6 LIABILITY OF TRUSTEES AND INDEMNIFICATION

6.1 Errors and Omissions Insurance. The Trustees shall secure errors and omissions insurance covering each Trustee in such amounts and on such terms and conditions as determined appropriate by the Board.

6.2 Indemnity.

(a) *In General.* The Trust will indemnify to the fullest extent permitted by law any person who is made or threatened to be made a party to, witness in, or otherwise involved in, any action, suit or proceeding, whether civil, criminal, administrative, investigative, or otherwise (including an action, suit or proceeding by or in the right of the Trust) by reason of the fact that the person is or was a Trustee, Board Observer, or a fiduciary within the meaning of the Employee Retirement Income Security Act of 1974 with respect to any employee benefit plan of the Trust. The Trust may indemnify to the fullest extent permitted by law any person who is made or threatened to be made a party to, witness in, or otherwise involved in, any action, suit or proceeding, whether civil, criminal, administrative, investigative, or otherwise (including an action, suit or proceeding by or in the right of the Trust) by reason of the fact that the person is or

was an employee or agent of the Trust. Any indemnification provided pursuant to this Section 5.4(a) will not be exclusive of any rights to which the person indemnified may otherwise be entitled under any provision of any agreement, statute, policy of insurance, vote or resolution of the Board, contract, or otherwise. Notwithstanding the foregoing, the Trust shall not have any obligation to indemnify any person based on actions of such person that are found to constitute gross negligence or intentional misconduct by a court decision from which no appeal may be taken.

(b) *Advancement of Expenses.* The expenses incurred by a Trustee or other person in connection with any threatened, pending or completed action, suit or proceeding (except for an action, suit or proceeding by or in behalf of the Trust), whether civil, criminal, administrative, investigative, or otherwise, which the Trustee or other person is made or threatened to be made a party to or witness in, or is otherwise involved in, will be paid by the Trust in advance upon the written request of the Trustee or other person if he or she (i) furnishes the Trust a written affirmation that in good faith the Trustee believes that he or she is entitled to be indemnified by the Trust; and (ii) furnishes the Trust a written undertaking to repay such advance to the extent that it is ultimately determined by a court that such Trustee or other person is not entitled to be indemnified by the Trust.

(c) *Amendment.* No amendment to this Section 6.2 that limits the Trust's obligation to indemnify any person will have any effect on such obligation for any act or omission that occurs prior to the later of the effective date of the amendment or the date notice of the amendment is given to the person.

(d) *Further Action.* To the fullest extent permitted by law, no Trustee of the Trust or Board Observer will be personally liable to the Trust or the Members for monetary damages for conduct as a Trustee. Without limiting the generality of the preceding, if after this Section 6.2 becomes effective the Oregon statutes are amended to authorize Trust action further eliminating or limiting the personal liability of a Trustee or Board Observer, then the liability of Trustees of the Trust and the Board Observer will be eliminated or limited to the fullest extent permitted by the Oregon statutes, as so amended. No amendment or repeal of this Section 6.2 nor a change in the law, will adversely affect any right or protection that is based upon this Section 6.2 and that pertains to conduct that occurred prior to the time of such amendment, repeal, adoption or change. No change in the law will reduce or eliminate the rights and protections set forth in this Section 6.2 unless the change in the law specifically requires such reduction or elimination.

6.3 Use of Trust Assets to Defend Trust. Trust Property may be used to defend claims of any type made against the Trust or Trustees, and such use shall not be deemed a conflict of interest for any Trustee.

SECTION 7 TERMINATION OF TRUST

7.1 Termination of Trust. The Trust shall terminate upon a vote to terminate the Trust by (A) the Board of Directors of the Sponsoring Member (if the Sponsoring Member is a Member) and (B) either (i) two-thirds of the Trustees or (ii) three-fourths of the Members. The

Trust shall terminate upon a determination by a court of competent jurisdiction that the purposes of the Trust cannot be accomplished, even with amendment or modification of the Agreement or Trust structure. In the event of termination, the Trust shall continue for the purpose of making allowances for claims, retiring any debt, distributing all assets, and performing all other functions necessary to conclude the affairs of the Trust, all of which shall be the responsibility of the Sponsoring Member, for which it will be paid reasonable compensation.

7.2 Distribution of Assets. Upon termination of the Trust, all Trust Property shall be distributed among the Special Districts and Public Bodies who are Members at the date of termination of the Trust, in proportion to their Contributions to the Trust during the 5 years immediately preceding the effective date of termination of the Trust.

7.3 No Assessments. The Trust shall not have the authority to assess Members or Former Members for additional Contributions in the event of Trust insolvency.

SECTION 8 AMENDMENT

8.1 Method of Amendment. This Agreement may be amended by vote of two-thirds of the Trustees and the approval of the Board of Directors of the Sponsoring Member. Amendments shall be distributed to the Members within 60 days of adoption.

8.2 Limitation on Amendments. No amendment to this Agreement shall be adopted which provides for distribution upon dissolution to other than the Members, that causes gratuitous diversion of Trust Property for the benefit of private interests, or retroactively divests a Member of a vested right granted to that Member pursuant to a Coverage Document.

SECTION 9 MISCELLANEOUS

9.1 Title to Trust Property. Legal title to all Trust Property shall be held by the Trustees for the exclusive benefit of the Members as described in this Agreement.

9.2 No Interest in Trust Property by Members. No Member shall have any right to or interest in Trust Property, and no creditor of any Member shall have any claim against Trust Property for any debt or obligation of a Member.

9.3 Intergovernmental Agreement. This Agreement is intended to be an intergovernmental agreement as described in Oregon Revised Statutes 30.282 for three or more Public Bodies to create a program of self-insurance, and shall be interpreted for all purposes as such an agreement.

9.4 Governing Law. This Agreement shall be governed by the laws of the State of Oregon.

9.5 Joinders. Any Joinder to this Agreement executed by a Member will be deemed to be that Member's assent to the entirety of this Agreement, as if such Member had executed an original of this Agreement.

9.6 Dispute Resolution.

(a) *Appeal to Board of Trustees.* In the event of any dispute arising from the operation of the Trust, the affected Member shall first appeal to the Board. In a matter relating to a claim under a Coverage Document, the appeal must be made within 30 days of the Trust's proposed resolution of the disputed claim unless otherwise provided in the Coverage Document. To institute an appeal, the Member must give written notice to the Chair or Vice-Chair of the Board, providing a written summary of the dispute, detailing in reasonable detail the facts and circumstances of the issue and the requested remedies. At the next scheduled Board meeting or at such other time as determined by the Chair, the Board will review the matter, using procedures as promulgated by the Board. The Board's decision will be communicated to the Member within 90 days of the Board's hearing of the appeal.

(b) *Mandatory Mediation.* If a dispute is not resolved by appeal to the Board, it must be submitted to the Arbitration Services of Portland ("ASP"), or its successor, for mediation. The Trust or any Member may commence mediation by providing ASP and the other affected parties a written request for mediation, setting forth the subject of the dispute and the relief requested. The Trust and each affected Member shall cooperate with ASP and with one another in selecting a mediator from the ASP panel of neutrals and in scheduling the mediation proceedings. They agree that they will participate in the mediation in good faith and that they will share equally in the costs (the Trust will pay one half of the costs and the other half will be paid by the affected Member, or if more than one Member, each shall contribute equally to that half or otherwise as they may agree). All of the offers, promises and conduct and statements, whether oral or written, made in the course of the mediation by any of the parties, their agents, employees, experts and attorneys, and by the mediator or any ASP employees, are confidential and privileged and inadmissible for any purpose, including impeachment, in any arbitration or other proceeding involving the parties, providing that evidence that is otherwise admissible and discoverable will not be rendered inadmissible or non-discoverable as a result of its use in the mediation.

(c) *Mandatory Arbitration.* If the matter is not resolved through mediation, then it shall be submitted to ASP, or its successor, for final and binding arbitration pursuant to the rules of commercial arbitration for ASP. The Trust or a Member may initiate the arbitration with respect to the matter submitted to mediation by filing a written demand for arbitration at any time following the initial mediation session or at any time following 45 days from the date of filing the written request for mediation, whichever occurs first ("Earliest Initiation Date"). The mediation may continue after the commencement of arbitration if the parties agree. At no time prior to the Earliest Initiation Date will either side initiate an arbitration or litigation related to this Agreement, except as provided by the rules of commercial arbitration for ASP or by agreement of the parties. All applicable statutes of limitations and defenses based upon the passage of time shall be tolled until 15 days after the Earliest Initiation Date. The parties will take such action, if any is required, to effectuate such tolling. The dispute will be settled by a single arbitrator. The parties will cooperate with ASP and with one another in selecting an arbitrator and in scheduling arbitration proceedings. Arbitration will occur in Salem, Oregon unless the parties otherwise agree. The parties will be entitled to conduct discovery in accordance with the Federal Rules of Civil Procedure, subject to limitation by the arbitrator to secure the just and efficient resolution of the dispute. If the amount in controversy exceeds \$250,000, the arbitrator's decision shall include a statement specifying in reasonable detail the basis for and computation of the amount of the award,

if any. In any arbitration arising out of or related to this Agreement, the arbitrator may not award any incidental, indirect or consequential damages, including damages for lost profits. The decision of the arbitrator will be final and binding. The party prevailing in the arbitration will also be entitled to recover any amount for his or her costs and attorney fees incurred in connection with the arbitration as determined by the arbitrator. Judgment upon the arbitration award may be entered in any court having jurisdiction.

(d) *Coverage Document Dispute Resolution.* The dispute resolution provisions in any Coverage Document shall apply for the matters to which such provisions are made applicable in the Coverage Document, and shall supersede the dispute resolution provisions of this Section 9.6. If a Coverage Document is silent, or the dispute resolutions contained within it do not apply to a particular dispute, the dispute resolution provisions of this Section 9.6 shall apply.

This First Declaration of Trust is executed by the Sponsoring Member and by the Trustees, who by affixing their signature hereto, agree to accept their appointment as Trustees under this First Restatement of the Declaration of Trust of the Special Districts Insurance Services Trust as of the Effective Date.

SPONSORING MEMBER:

Special Districts Association of Oregon


By: Diedre Conkling


Its: SDAO Board of Directors President

TRUSTEES:


Position No. 1



Position No. 2



Position No. 3



Position No. 4



Position No. 5



Position No. 6



Position No. 7



EXHIBIT A
FORM OF
JOINER TO TRUST AGREEMENT
FOR INITIAL MEMBERS

By execution of this Joinder, the undersigned public body hereby agrees to become a party to, and is bound by, the First Restatement of Declaration of Trust of the Special Districts Insurance Trust effective as of April 1, 2014 (and as the same may be amended, supplemented or otherwise modified from time to time, the "Agreement"), by and among the Trustees and the Members, in the same manner as if the undersigned were an original signatory to such Agreement.

The undersigned represents and warrants that (i) the undersigned has received a copy of, and has reviewed the terms of, the Agreement and all related or relevant documents and agreements, (ii) undertakes to become a Member of the Special Districts Insurance Trust with all the rights and obligations thereof, and (iii) such undertaking has been duly authorized as an intergovernmental agreement to create a program of self-insurance pursuant to ORS 30.282.

Capitalized terms used but not defined in this Joinder shall have the meanings set forth in the Agreement.

IN WITNESS WHEREOF, the undersigned has executed this Joinder as of this 17 day of September, 2014.

Lane Transit District

[Name of District]

By: _____

Name: Gary Wildish

Title: LTD Board President

Address for Notices:

With copies to:

036308/00001/4360779v7

AGENDA ITEM SUMMARY

DATE OF MEETING: September 17, 2014

ITEM TITLE: BOARD MEMBER REPORTS

PREPARED BY: Jeanne Schapper, Executive Office Manager/Clerk of the Board

ACTION REQUESTED: None

BACKGROUND:

Board members have been appointed to Board committees and to the Metropolitan Policy Committee (MPC), the Lane Council of Governments (LCOG) Board of Directors, and, on occasion, to other local, regional, or national committees. Board members also present testimony at public hearings on specific issues as the need arises. After meetings, public hearings, or other activities attended by individual Board members on behalf of LTD, time will be scheduled on the next Board meeting agenda for an oral report by the Board member. The following activities have occurred since the last Board meeting:

MEETINGS HELD:

Board members may take this opportunity to report briefly on any one-on-one meetings they have held with local officials or other meetings that they have attended on behalf of LTD.

1. **Metropolitan Policy Committee (MPC):** Board Member Gary Wildish and Board Member Gary Gillespie are LTD's MPC representatives, with Board Member Julie Grossman serving as an alternate. MPC meetings are held on the first Thursday of each month. At the September 4 meeting, the Committee approved Resolution 2014-03, amending the Fiscal Year 2012-15 Metropolitan Transportation Improvement Program (MTIP), to program approximately \$24 million in Federal Transit Administration (FTA) 5309 Small Starts funds for the West Eugene EmX Extension project. Also at the meeting, the Committee received presentations on the FY 2015-18 MTIP and Air Quality Conformity Determination, and the draft Regional Transportation Options Plan; approved letters of support for two grant applications -- one for the City of Eugene and the other for LTD's Ladders of Opportunity grant application; and received an update on the Scenario Planning project.
2. **Main Street Projects Governance Team:** This committee was formed to provide informed direction and collaborative decision making to support the Main Street-McVay Highway Transit Study and four other concurrent projects along Main Street in Springfield. Board members Carl Yeh and Michael Dubick serve as LTD's representatives on this committee. At the September 4 meeting, the Governance Team reviewed, made minor revisions, and finalized the project's Stakeholder Advisory Committee's (SAC) recommended Broad Range of Transit Solutions to advance into screening evaluation. The Governance Team also approved, with minor additional revisions, the SAC's recommended revisions to the project's Problem Statement, Needs Statement, and Evaluation Criteria.
3. **LTD Board Human Relations Committee:** The Board Human Relations Committee is composed of Board members Michael Dubick, Julie Grossman, and Gary Wildish, and generally meets on the second Tuesday of the month. At the September 9 meeting, The Committee developed the process for the LTD general manager's 2014 performance evaluation.

4. **Lane Area Commission on Transportation (LaneACT):** In 2009 the Oregon State Legislature directed Lane County to develop an Area Commission on Transportation (ACT). Commission membership includes representatives from Lane County, cities within the county, Lane Council of Governments, and LTD. Board Member Michael Dubick serves as LTD's representative on this Commission, which meets on the second Wednesday of the month. At the September 10 meeting, the Commission received updates on the Main Street-McVay project, the West Eugene EmX Extension project, LTD's Long-Range Transit Plan, the Oregon Transportation Options Plan, the Central Lane Metropolitan Planning Organization's Regional Transportation Options Plan, and the Oregon Transportation Commission's decision on *ConnectOregon V*.
5. **Accessible Transportation Committee (ATC):** The 16-member ATC is composed of both consumers and providers who are interested in transportation services for people with disabilities, people with low incomes, and older adults. The Committee meets six to seven times per year on the third Tuesday of the month. Board Member Ed Necker was appointed to the ex officio position representing the LTD Board on this committee. Following a summer hiatus, the ATC met on September 16 to review the annual list of projects, elect members and officers, and begin the discretionary grant process.

NO MEETINGS HELD:

1. **Lane Council of Governments (LCOG) Board of Directors:** LTD Board Member Carl Yeh represents LTD on the LCOG Board of Directors as a non-voting member. The LCOG Board generally meets every other month. The next meeting is scheduled to be held on September 25.
2. **Governor's Oregon Passenger Rail Leadership Council:** Governor Kitzhaber created a leadership council of officials from the Willamette Valley to advise the governor and the Oregon Transportation Commission on a preferred alignment for intercity passenger rail improvements. LTD Board Member Gary Gillespie represents LTD on the Leadership Council, with LTD General Manager Ron Kilcoyne serving as alternate. The next meeting is scheduled to be held on October 21.
3. **EmX Steering Committee:** The EmX Steering Committee generally meets quarterly and is composed of Chair Gary Gillespie, Board members Julie Grossman and Carl Yeh, members of local units of government, and community representatives. The next meeting will be held on October 29.
4. **Eugene Transportation Community Resource Group (TCRG) for the Eugene Transportation System Plan (TSP):** The TCRG includes community members who have an interest in transportation issues in the City of Eugene. Board Member Ed Necker represents LTD on the TCRG. The next meeting is planned to be held sometime in October.
5. **LTD Pension Trusts:** LTD's two pension plans (one for ATU-represented employees and one for administrative employees) are each governed by a board of trustees. The Pension Trustees generally meet quarterly. LTD Board Member Gary Gillespie serves as a trustee for both plans. The next meeting is scheduled to be held on November 17.
6. **LTD Board Service Committee:** The Board Service Committee is composed of Chair Ed Necker and Board members Gary Gillespie and Michael Dubick. Meetings are scheduled on an as-needed basis. The next meeting has not been scheduled.
7. **LTD Board Finance Committee:** The Board Finance Committee is composed of Chair Michael Dubick and Board members Ed Necker and Carl Yeh. Meetings are scheduled on an as-needed basis. The next meeting has not yet been scheduled.

AGENDA ITEM SUMMARY

DATE OF MEETING: September 17, 2014

ITEM TITLE: WEST EUGENE EmX UPDATE

PREPARED BY: John Evans, Senior Project Manager

ACTION REQUESTED: None

BACKGROUND:

The project is nearing completion of final design, with initial construction on portions of the project's 4.5-mile corridor due to begin this fall. The first segment planned for construction is along West 6th and 7th avenues between Garfield Street and the downtown Eugene Station. Depending on utility relocation work completion, project construction will begin either at Garfield and West 7th Avenue or on Charnelton Street. The second construction segment, which is between Garfield Street and the project terminus near Beltline Road, is expected to reach final design in October. Project staff continue to work closely with City and Oregon Department of Transportation technical and permitting staff in anticipation of obtaining all necessary construction permits for the start of project construction. Wildish Building Co. has been involved throughout final design as the project's construction manager/general contractor (CM/GC). The project team is also continuing to work with local utilities to relocate their facilities in advance of construction. The utility work will generally continue in advance of the planned construction segments throughout the corridor.

Like previous EmX projects, West Eugene EmX will include a substantial number of art elements. All artists have been selected through a request for proposals process with oversight and involvement from the project's art committee. Due to revised federal requirements, new art funded through the Federal Transit Administration must be functional to the system. For the West Eugene project, art will primarily be incorporated into the station facilities. Staff will provide a brief overview of the project's planned art installations at tonight's meeting.

With the project nearing design completion, and following the project's recent subcontractor bid selection process, Wildish Building Co. will develop a Guaranteed Maximum Price (GMP) for review by LTD. If the proposed GMP is accepted, Wildish's existing CM/GC service contract will be amended to include construction services through completion of the project. Staff will provide a status update of this process.

ATTACHMENTS: None

PROPOSED MOTION: None

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AGENDA ITEM SUMMARY

DATE OF MEETING: September 17, 2014

ITEM TITLE: REPEALING ORDINANCE NO. 43, ROUTE, SCHEDULE, AND FARE CHANGES

PREPARED BY: Andy Vobora, Director of Customer Services and Planning

ACTION REQUESTED: None. Information only.

BACKGROUND:

In June 2014 the LTD Board of Directors approved an update to the District's Fixed-Route Service Policy. The approved changes were necessitated by Federal Transit Administration (FTA) requirements as part of Title VI of the Civil Rights Act of 1964. Specifically, the definition of a "major service change" was broadened to include additional elements and to include thresholds for what constitutes disparate impacts on Title VI protected populations. With these additions the Service Policy meets the requirements of FTA.

LTD Ordinance No. 43 outlines the requirements and process for public review of service and fare changes and includes language similar to the Fixed-Route Service Policy. As staff reviewed the ordinance and began to make updates in order to create consistency between the ordinance and the service policy, it became clear that there is no need for an ordinance to provide definitions pertaining to major service changes because these definitions are outlined in the Board-adopted service policy. The service policy provides a higher level of detail than the ordinance currently contains; therefore, staff are recommending that the ordinance be repealed and that the Fixed-Route Service Policy act as the guiding document for fare and service changes.

LTD legal counsel and staff are reviewing the Fixed-Route Service Policy and will present an updated policy to the Board in October. Oregon Revised Statutes is unclear about the process for repealing an ordinance; therefore, it is appropriate that a public hearing be conducted at the October meeting. Holding a public hearing maintains a process that the District has used to create and update ordinances in the past.

Additional changes in the Service Policy language will reflect current FTA requirements for fare and service changes. In addition, staff are working on formatting that will create a more easily readable document and a document that will work better in electronic form.

ATTACHMENTS: (1) LTD Ordinance No. 43
(2) LTD Service Policy

PROPOSED MOTION: None.

Q:\Reference\Board Packet\2014\9\Sept Reg Mtg\ LTD Ordinance No 43.doc

ORDINANCE NO. 43

AN ORDINANCE ADOPTING PROCEDURES RELATING TO ROUTE, SCHEDULE, AND FARE CHANGES, AND AMENDING AND RESTATING ORDINANCE NO. 33.

WHEREAS following a recent review of its ordinances, Lane Transit District determined that its ordinances should be better organized so as to make them more accessible to the public; and

WHEREAS the District wishes to better organize and streamline its ordinances without making any substantive changes to the ordinances:

BE IT ENACTED BY LANE TRANSIT DISTRICT:

Lane Transit District Ordinance No. 33 is amended and restated in its entirety to read as follows:

The Board of Directors of Lane County Mass Transit District, under authority of ORS 267.010 to 267.990, both inclusive and in compliance with Chapter 799, Section 110, Oregon Laws 1987, ordains as follows:

Section 1. Definitions

- A. A "transit route" is a route over which a transit vehicle travels that is specifically labeled or numbered for the purpose of picking up or discharging passengers at regularly scheduled stops and intervals.
- B. A "transit route mile" is a distance of one statute mile along a route regularly traveled by transit vehicles while available for the general public to carry passengers. The length of a route is the round-trip distance traveled in traveling completely over the route and returning to the starting point to begin another circuit of the route. If a route is only defined in one direction, then this one-directional distance is the route length.
- C. A "transit revenue vehicle mile" is a distance of one statute mile traveled while a transit vehicle is available to the general public to carry passengers.
- D. "Ridership" means the number of unlinked revenue passenger trips carried. An unlinked passenger trip does not include any transfers. (A single trip by a transit user involving three vehicles and using two transfers is three unlinked passenger trips.)
- E. A "service change" is any addition or deletion resulting in the physical realignment of a transit route, or a change in the type or frequency of service provided in a specific, regularly scheduled transit route.
- F. "Experimental service change" is an addition of service to an existing transit route, or the establishment of a new transit route.

Section 2. When Hearing is Required

- A. Except as provided elsewhere in this ordinance, a hearing must be held when:

(1) There is a change in any fare;

- (2) There is any change in service of:
 - (a) 25 percent or more of the number of transit route miles of a route; or
 - (b) 25 percent or more of the number of transit revenue vehicle miles of a route computed on a daily basis for the day of the week for which the change is made; or
- (3) A new transit route is established.
- B. Reduced or free promotional fares which are instituted on a daily basis or periodically within a period of 180 days are exempt from the public hearing requirement.
- C. If a number of changes on a route in a fiscal year add up to the percentages in paragraph A of this section, a hearing must be held prior to the last change.
- D. Headway adjustments of up to 5 minutes during peak hour service, and up to 15 minutes during non-peak hour service, are exempt from the public hearing requirements.
- E. Standard seasonal variations are exempt from the public hearing requirement unless the number, timing, or type of standard seasonal variations changes.
- F. In an emergency situation, a service change may be implemented immediately without a public hearing being held. A public hearing on the emergency change must be held if the emergency change is to be in effect for more than 180 days and if the change meets the test of paragraph A (2) or (3) of this section. Examples of emergency service changes include but are not limited to those made because of a power failure for a rail or fixed guideway system, the collapse of a bridge over which bus routes pass, major road or rail construction, or inadequate supplies of fuel.
- G. Experimental service changes may be instituted for 180 days or less without a public hearing being held. The public hearing on an experimental service change is required if the experimental service change remains in effect for more than 180 days and if the change meets the tests of paragraph A (2) or (3). The hearing may be held prior to the institution of, or during the period of the experimental service change and will satisfy the requirement for a final public hearing if the hearing notice required by section 3 states that the experiment may become permanent at the end of the experimental period. If a hearing is not held prior to or during the period of the experimental service change, the service that existed prior to the change must be reinstated at the end of 180 days and a public hearing held in accordance with section 3 before the experimental service may be continued.

Section 3. Hearing Requirements

- A. Prior to the institution of a fare change or to a service change that falls within the levels established in section 2, a notice of intent to hold the public hearing shall be published in a newspaper of general circulation in the urbanized area. The notice must also be published in newspapers oriented to specific groups or neighborhoods that may be affected.
- B. The notice must be published at least 30 days prior to the hearing.

- C. The notice must contain:
- (1) A description of the contemplated service changes, or the fare change, as appropriate, and
 - (2) The time and place of the hearing. If a hearing required by Section 2 C is held, the notice must describe the last change being contemplated, and the prior changes that were made.

Section 4. Hearing Process

- A. Public comment received through telephone calls, e-mails, and written documents will be collated into a document and presented to the Board of Directors at the first public hearing at which testimony will be accepted. This document will continue to be updated throughout the process and until which time the final public hearing is conducted.
- B. Public comment received during open houses and public hearings will be documented and added to the summary document containing all comments received. The summary document will be reviewed by staff and provided to the Board prior to the meeting at which final action on service or fare changes is scheduled to occur. After consideration of public comments gathered at this point in the process, the Board may provide direction to staff. Under Board direction, staff will conduct additional research and prepare a final recommendation.
- C. Staff will take into account public comment and Board direction, and will present a final recommendation for review and adoption.

Section 5. Decision Notice

- A. Prior to adoption of a proposed fare or service change, notice shall be published in a newspaper of general circulation in the urbanized area.
- B. Prior to adoption of a proposed fare or service change, notice shall be provided on the District's Web site, through on-vehicle publications, and on posted information signage at transit stations and affected bus stops.
- C. District printed information will be updated to reflect service or fare changes at the next scheduled update cycle.

ADOPTED this _____ day of _____, 2013.

President and Presiding Officer

ATTEST:

Secretary

Recording Secretary

Fixed-Route Service Policy

Objective

To provide standards for the implementation and evaluation of bus service.

Application

This policy applies to all bus service offered by Lane Transit District, including regular fixed-route service, tripper service, and special events service.

Policy

The policy segment is divided into the following sections:

- A. Definition of Terms
- B. Service Standards:
 - 1. Standards for Productivity
 - 2. Standards for Customer Convenience
 - 3. Standards for Customer Comfort and Safety
 - 4. Standards for Service Reliability
- C. Service Evaluation Procedures
- D. Substandard Service
- E. Implementation/Evaluation of New Service
- F. Service Decision-Making Process
- G. Disparate Impact Policy
- H. Standards for Tripper Service
- I. Maintenance of Policy

A. Definition of Terms

Bid: Bids are held at least three times per year, as defined in the labor agreement with ATU 757, and provide an opportunity to implement service changes. Contract employees select work shifts at this time.

Block: See "Schedule."

Boardings: A boarding, or unlinked trip, occurs every time a customer boards a bus. Thus, a trip requiring a transfer would count as two boardings.

Correct Schedule Operation (CSO): Correct schedule operation is when a bus leaves a timepoint no earlier than the scheduled time and not more than four minutes late.

Coverage: Coverage is defined as the percentage of households that are within one-quarter mile of a bus stop.

Deadhead: Deadhead refers to bus travel that is not in revenue service, such as travel time to the garage after the bus has completed scheduled service.

Directional Routes: Directional routes typically are offered during peak times and are oriented toward commuter travel. Productivity results for directional routes will include a factor for unproductive deadhead time necessary to position these routes for revenue service.

Duty: See “Run.”

Express Service: Express service significantly reduces travel time for customers compared to regular bus service. Express service typically is offered during peak times and is oriented toward commuter travel. Productivity results for express service will include a factor for unproductive deadhead time necessary to position these routes for revenue service.

Farebox-to-Operating-Cost Ratio: The farebox-to-operating-cost ratio measures the percentage of the operating cost paid by customers. It is computed as the total farebox revenue (including sales of passes) divided by the total operating cost.

Headway: Bus headway refers to the amount of time between consecutive buses on a given route. The lower the headway, the more frequent the service.

Layover Time: This term identifies time that a bus is not in operation between scheduled revenue service. The typical five-minute pause at the Eugene Station between trips is not considered layover time, but instead is considered part of revenue hours.

Limited-Stop Service: Limited-stop service combines fixed-route service and express service to provide neighborhood coverage and reduced travel times. Limited-stop service typically is offered during peak times and is oriented toward commuter travel. Productivity results for limited-stop express service will include a factor for unproductive deadhead time necessary to position these routes for revenue service.

Line Route: A line route is defined as a bus route that travels outbound and inbound along the same streets. Line routes differ from loop routes, in that loop routes travel to and from their point of origin using different streets.

Passenger Trips: A passenger trip occurs when a customer travels from trip origin to trip destination, regardless of the number of transfers required to complete the trip. Thus, a trip requiring a transfer still only counts as one passenger trip.

Pay Hours: Pay hours refers to the number of hours actually paid to the bus operators to provide the service. Overtime is calculated at time and one-half (one hour of overtime is 1.5 hours at regular pay).

Peak Hour: The peak-hour period on the system is weekdays between 7 a.m. and 9 a.m., and between 2 p.m. and 6 p.m. This is the time when the greatest number of buses is in use and the greatest number of customers is carried.

Platform Hours: A platform hour is counted for every hour that a bus operator is with a bus, including deadhead and layover time. This does not include report time or turn-in time.

Preparatory Time: This term refers to the time allotted each bus operator to check a bus out from the garage.

Report Time: The time an employee is scheduled to report for work.

Revenue Hours: A revenue hour is each hour that a bus is in revenue service. This is equivalent to platform hours less deadhead time and layover time.

Ridership Productivity: Ridership productivity, as used in this document, is defined as the number of boardings per revenue hour of service. Ridership productivity is defined with different units, such as passenger trips per schedule hour, in other applications.

Road Call: A road call occurs when a bus is replaced or repaired during revenue service.

Run: A run is the work operated by a bus operator, either full-time or part-time, on a given day. Runs can be either straight (with no unpaid breaks in the workday) or splits, composed of two or more pieces of work that may include paid or unpaid breaks between them.

Run Cut: The run cut is the collection of runs developed from a set of schedules. Separate run cuts are developed for weekdays, Saturdays, and Sundays.

Run Cut Efficiency: Run cut efficiency measures how efficiently the schedules are divided into runs. It is computed as the percentage of pay hours that are used to provide platform hours. The formula is pay hours minus platform hours divided by platform hours.

Rural Route: A rural route is a route that operates, at least in part, outside the Eugene/Springfield urban growth boundary.

Schedule Efficiency: Schedule efficiency measures how efficiently the service is written into schedules. It is computed as the percentage of platform hours that actually are in revenue service. The formula is platform hours minus revenue hours divided by platform hours.

Schedule Hours: Schedule hours are simply the amount of time on the schedules.

Timed-meet: A timed-meet occurs when separate bus routes converge at one point, generally a transit station, and customers make transfers.

Time point: A designated location on a route used to control the spacing of vehicles along the route.

Transfer: To transfer means to change from one bus to another.

Trippler: A tripper is a short-term bus trip that is designed to meet a particular demand.

Turn-In Time: This term applies to the time provided every bus operator when the bus is returned to the garage.

Route Deviation: A route deviation involves deviating from the standard bus route to serve a housing, school, or commercial node.

B. Service Standards

Productivity Standards

With the exception of the college commuter category, a route will be considered substandard if ridership productivity is less than 67 percent of the average of other routes within its specific route category, computed separately for weekdays, Saturdays, and Sundays.

In the college commuter category, a route will be considered substandard if ridership productivity is less than 50 percent of the average of other routes in the category.

The following route categories are evaluated:

- ◆ **Urban.** Urban routes are arterial routes that operate from major transit stations.
- ◆ **Express.** Express routes are limited-stop routes that operate in peak direction.
- ◆ **Neighborhood/Connector.** Neighborhood/connector routes operate within neighborhoods or along designated shuttle routes in the urban core.
- ◆ **College Commuter.** College commuter routes are routes serving specific school locations.
- ◆ **Rural.** Rural routes operate outside the urban growth boundary and provide lifeline service to rural communities within the District.
- ◆ **EmX.** EmX routes are routes operating along designed EmX corridors.
- ◆ **Contracted.** Contracted routes are those paid for by other agencies or schools. (Routes may have portions of the route that are contracted service, but they still will be designated under their primary mode of operation; e.g., in 2011 route 79x UO/Kinsrow and route 82 LCC/Pearl.)

A rural route will be considered substandard if it carries less than an average of 30 boardings per round trip. A specific trip on a rural route will be considered substandard if it carries fewer than 20 boardings.

Route deviations –

Route deviations should occur only in order to satisfy one of the following conditions:

1. To serve a major trip generator.
2. To serve an area with a high population of older adults, people with disabilities, or low income.
3. To remedy a significant coverage deficiency.

Decisions on route deviations will be based on weighing the benefits of the deviation against the amount of impact to through riders, using the following formula**:

$$\frac{(\# \text{ of through riders} * \# \text{ of minutes of deviation})}{(\text{Estimated boardings and deboardings along deviation})}$$

***In the event no ridership data is available to perform the aforementioned calculation route deviations will be considered based on the following rule: The deviation will not interfere with the provision of regular service frequencies and/or the provision of coordinated service with other routes operating in the same corridor.*

Customer Convenience Standards

Route Characteristics

Based on budgetary considerations, LTD will seek to operate Urban routes at a 60-minute minimum headway with the exception of express routes. This is considered the policy headway.

Headways more frequent than the policy headway will be considered based upon demand for the service. The frequency of a route may be increased if the change is necessary to address capacity problems.

A timed-meet (pulse) system may be used as much as practicable at the Eugene Station and at other significant regional transit stations.

Route scheduling will take into consideration the following factors:

1. Staggering of routes on major arterials.
2. Minimizing the necessity to transfer.
3. Minimizing transfer time when transfers are necessary.
4. Maintaining consistency and clarity of timetables for customers.
5. Arriving and departing at major destinations in a timely manner (i.e., meeting class schedules at LCC and UO).

Whenever possible, routing will be direct, using major arterials and neighborhood collector streets to provide the shortest practical travel time between points on a line. When possible, terminal points at both ends of a route should be located at major activity centers to ensure ridership in both directions of operation.

When possible, routes will be structured as two-way line routes or two-way loop routes. Line routes reduce travel time and are easier for the public to understand. Loops at the end of routes will be used as a turnaround and to provide neighborhood coverage.

Stops and Stations

With the exception of EmX service, the spacing between bus stops in developed areas generally will be approximately two to three city blocks or 750-1,300 feet. Closer spacing may be implemented in the downtown, high-density areas or in locations that are heavily used by older adults or people with disabilities. Wider spacing will be considered in less developed areas.

Transit stations will be located in areas with very high numbers of transferring customers or major trip generators. The size of the transit station will be consistent with expected use, operational needs, and the financial capacity of the District.

The District will strive to make all service and associated facilities wheelchair accessible.

Comfort and Safety Standards

Service Capacity

The scheduled running time for routes will adequately meet average customer loads and typical traffic congestion, and will include an ample amount of recovery time for each route to compensate for variations in running time and to provide for bus operator restroom breaks.

Additional service may be added if:

- ◆ Customer loads consistently exceed 1.75 times the seated capacity of the vehicle.
- ◆ Customers are consistently not accommodated on a trip due to full customer loads and the next scheduled trip is more than 30 minutes away.
- ◆ Customers must stand longer than 20 minutes on an individual trip.

This load standard does not apply to special event service.

Bus Shelters

LTD will evaluate the distribution of these assets according to Title VI and Environmental Justice requirements. If both funding and staff resources are available and the necessary adjoining infrastructure is adequate, bus shelters will be located at bus stops with at least 30 boardings per day, with the priority of installation based on heaviest usage. Bus benches will be located at stops with at least 15 boardings per day. Shelters and benches

also may be located at stops that are heavily used by older adults or people with disabilities, or if there is a significant amount of transfer activity at the stop. Shelters and benches that do not meet the productivity criteria may be installed if the adjacent development subsidizes the cost of the shelter and its installation.

Every bus stop is to have a paved boarding area. This will not be a requirement where curbs and sidewalks do not exist. Streets will not be considered for bus routes unless the street and the associated intersections and traffic controls allow for the safe operation of the bus. LTD's Safety Committee will be consulted whenever a new street is considered for service.

All buses will be cleaned daily, inside and out.

Service Reliability Standards

In order to reliably make transfers, 90 percent of the buses will arrive no later than two minutes off their scheduled (end-of-trip) arrival time at the Eugene and Springfield Stations. In order to reliably measure system performance, 90 percent of the buses on all routes will depart within four minutes of their scheduled significant timepoints.

Road calls on the system should not occur more frequently than every 5,000 vehicle miles.

The number of missed trips will be less than one-half of one percent of total trips operated.

The average age of the bus fleet will be eight years or less, and no buses older than 20 years will be used in regular route service unless they have been rehabilitated to acceptable standards.

C. Service Evaluation Procedures

Timing of Changes

There are at least three bids per year when service changes typically are made. The fall bid typically starts one week before the start of classes at the University of Oregon (UO) and Lane Community College (LCC). The start of summer bid coincides with the end of the UO and LCC school year. The winter bid is scheduled at approximately halfway between the fall and summer bids.

Major service changes generally will be confined to the fall bid. Minor service changes can be made during the winter and summer bids, and the deletion of school service can occur during the summer bid and during holiday breaks.

An Annual Route Review (ARR) will be conducted every year. Requests for changes or additions to service and other improvements to the system will be considered during the ARR. Approved recommendations from the ARR typically will be implemented with the next fall bid.

A major bus rider survey will be conducted at least every four years. The survey will determine travel behavior, fare payment trends, and customer opinions on service options and customer information.

D. Substandard Service

Substandard service, as defined in Section B - Productivity Standards, will be evaluated as part of the Annual Route Review. The substandard service will be subject to possible

elimination or modification. The District may choose to continue to offer service that does not meet productivity standards if the service meets other District objectives.

E. Implementation/Evaluation Guidelines for New Service

New service, as defined in this context, includes the establishment of new routes or the addition of service on existing routes, either through increased frequency or increased span of service. Service hours will be allocated according to the following percentages:

1. 75 percent productivity
2. 20 percent coverage
3. 5 percent discretionary

The addition of new service generally will be considered only during the Annual Route Review. Factors to consider in evaluating potential service additions include the following:

1. Financial situation of the District.
2. Expected ridership and ridership productivity, both immediate and long-term.
3. Availability of fleet and maintenance capacity.
4. Integration of the service in the District's overall route system.

New service will be operated for a probationary period of at least 12 months without major modification, except in extenuating circumstances. Productivity standards for the performance of new service will be different than the standards for mature service. Following the probationary period, new service will be subject to the same standards as the remainder of the system. Adequate marketing resources to promote the new service are to be available during the probationary period.

In addition, the urban community service coverage standard is at least 70% of the metro area as defined by the city limit boundaries.

F. Service Decision-Making Process

Service Changes will occur as part of the Annual Route Review (ARR) process. Recommendations for service changes or the addition of new service will be made by the Customer Services and Planning Department (CUSP). CUSP staff will consult with the Service Advisory Committee, the Board Service Committee and other employees. As part of the ARR process, input will be collected from current customers and potential customers through public outreach processes before developing recommendations on major service changes. The Service Planning Committee will then review and finalize all recommendations for major service changes that will later be presented to the Board of Directors for a final decision.

A service presentation will be made to the Board of Directors each December or January, followed by public hearings in February and March. The Board of Directors will approve the ARR service package at either the March or April Board of Directors meeting.

G. DISPARATE IMPACT POLICY

The Disparate Impact Policy establishes a threshold for determining whether a major service change or fare change has a potential disparate impact on minority populations. *Per FTA Circular 4702.1B.*

A major service change is defined as:

1. A change in service of:
 - a. 25 percent or more of the number of route miles, or;
 - b. 25 percent or more of the number of a routes revenue hours of service on a daily basis for the day of the week for which a change is made, or;
 - c. Any changes in the routing of a bus route, when it is in service that alters 40 percent or more of the route's miles, or;
2. A new transit route is established, or;
3. A transit route is discontinued without reasonable access alternatives, or;
4. Restructuring of service throughout a sector as defined by LTD, or;
5. Decrease in the level of transit service (span in days and/or hours, and/or frequency) and/or decreased access to transit service defined as an increase of the access distance to beyond one-quarter mile of bus stops.

An equity analysis will be completed in advance of action on any proposed change listed above.

The following service changes are exempted:

1. Standard seasonal variations in service are not considered major service changes.
2. In an emergency situation, a service change may be implemented immediately without an equity analysis being completed. An equity analysis will be completed if the emergency change is to be in effect for more than 180 days and if the change(s) meet the definition of a Major Service Change. Examples of emergency service changes include but are not limited to those made because of a snow or ice condition, the collapse of a bridge over which bus will pass, major road or rail construction, or inadequate supplies of fuel.
3. Experimental service changes may be instituted for 365 days or less without an equity analysis being completed. An equity analysis will be completed prior to continuation of service beyond the experimental period if the change(s) meet the definition of a Major Service Change.
4. Restoration of service previously eliminated due to budget constraints, provided the service runs on the same route as it had prior to its elimination, subject to minor deviations that do not exceed the requirements of (a), (b), (c), or (d) above.

Four-Fifths Rule*

There could be evidence of disparate impact or disproportionate burden if:

- Benefits are being provided to minority or low-income populations at a rate less than 80% (four-fifths) than the benefits being provided to non-minority or non-low-income populations.
- Adverse effects are being borne by non-minority or non-low-income populations at a rate less than 80% (four-fifths) than the adverse effects being borne by minority or low-income populations.

**Based on Equal Employment Opportunity Commission's Uniform Guidelines on Employee Selection*

Example: Proposed Service Changes

A bus route restructuring project results in an increase in the overall amount of service available. We have determined the average increase in service levels for an area. Is there a disparate impact in where service improvements are being made?

Avg. % increase in service levels for various populations affected by service change:

Example 1:

Low-Income Population 6.8% - *Four-Fifths Threshold is 5.7%*
Non-Low- Income Population 7.1% *(7.1% x .8)*

Example 2:

Minority Population 8.1% - *Four-Fifths Threshold is 8.8%*
Non-Minority Population 11% *(11% x .8)*

In the first example, the benefit of the service addition to the low-income population within the area of benefit is above the 4/5 threshold (6.8% is greater than 80% of the 7.1% estimated for non-low-income populations). No disparate impact is found in this example.

In the second example, the benefit of the service addition to the minority population within the area of benefit is below the 4/5 threshold (8.1% is less than 80% of the 11% estimated for non-minority populations). This would indicate a disparate impact.

If a disparate impact is determined:

- LTD will evaluate alternatives and mitigate burdens where practicable.
- If there exists one or more alternatives that would serve the same legitimate objectives but with less disparate impact or disproportionate burden, then an alternative must be implemented.
- If the action cannot be mitigated, then LTD will present a substantial argument that shows it meets a legitimate objective, before the change moves forward.

For the purposes of this policy, the maximum acceptable difference (positive or negative) in level of benefit between protected and unprotected populations is 20 percent. For changes in transit service level or transit fares, this standard applies as follows for minority and low-income populations:

FARE CHANGES

- For fare changes, a potential disparate impact is noted when the percentage of trips by minority riders using a fare option, in combination with the percentage price change for that option, has an impact that exceeds the comparable impact on non-minority riders.
- Differences in the use of fare options between minority populations and other populations include all such differences that are documented as statistically significant at the 95 percent confidence level.

(Note that additional information on the process for fare changes is outlined in LTD's Fare Policy)

SERVICE REDUCTION

If financial constraints or other problems require that reductions must be implemented to a service that is not substandard, the elimination of service will be based upon the following factors:

- ◆ The productivity of the service (boardings per revenue hour, cost per boarding).
- ◆ The availability of alternate bus service in the area.

- ◆ Ridership by older adults and people with disabilities or others with limited transportation alternatives.
- ◆ The cost effectiveness of the service cut.

H. Standards for Tripper Service

The following criteria are to be used in determining whether to offer tripper service:

- ◆ Trips cannot be adequately provided by existing service, or there is not enough capacity within the existing service.
- ◆ There are no budgetary or fleet constraints that would preclude the addition of the tripper.

Trippers will be evaluated weekly and discontinued when no longer needed. If the demand continues, the tripper will be added as regular service and included in the next available run cut.

I. Maintenance of the Fixed-Route Service Policy

The Director of Customer Services and Planning Department is responsible for maintaining this policy and recommending changes to the policy as necessary.

Board Approval of Revisions: 6/16/99
Revised: 11/23/04
Board Approval of Revisions: 3/16/11
Revised: 06/09/14

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AGENDA ITEM SUMMARY

DATE: September 17, 2014

ITEM TITLE: JULY, AUGUST, AND SEPTEMBER FINANCIAL REPORTS

PREPARED BY: Todd Lipkin, Finance Manager/CFO

ACTION REQUESTED: None

BACKGROUND:

Lane Transit District's fiscal year ends on June 30. Because of the time needed to process the fiscal year-end financial closing and to prepare for the annual independent audit in mid-August through early September, the July financial report is traditionally provided to the Board at the September Board meeting, along with the August financial report. However, this year, audit field work will occur during the week of September 22, which requires staff focus through September on audit and FY 2013-14 financial statement preparation. Financial reports for the first quarter of FY 2014-15 will be presented on the normal schedule the day before the October Board meeting. In addition, the agenda item for September will be used for discussion with the Board regarding financial reporting to ensure that staff are providing the Board with the financial information it desires. A verbal report of financial highlights, such as payroll tax receipts and diesel fuel rates for FY 2014-15 to date, also will be presented at the September Board meeting.

ATTACHMENT: None

PROPOSED MOTION: None

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AGENDA ITEM SUMMARY

DATE OF MEETING: September 17, 2014

ITEM TITLE: TRIENNIAL REVIEW REPORT

PREPARED BY: Todd Lipkin, Finance Manager/CFO

ACTION REQUESTED: None

BACKGROUND:

Every three years, the Federal Transit Administration (FTA) requires a complete review of all aspects of a federally funded recipient's operations. A satisfactory report, which is attached to this review, is required in order for the grantee to remain eligible for federal funds. The most recent Triennial Review was conducted in August 2014, with the site visit occurring August 13-14.

The review was conducted by an FTA staff person and an FTA-contracted reviewer. After a comprehensive review of 17 areas for which compliance is required, the reviewer found two areas of deficiency. The findings were reviewed with LTD staff at the conclusion of the site visit. No deficiencies were found in 15 of the 17 areas reviewed. Findings were made in Procurement and Satisfactory Continuing Control. Corrective actions will be taken by November 28, 2014, to close these findings.

Transit Development Planner Sasha Luftig did an outstanding job managing the process, ensuring that all of the materials were prepared on time for submittal to the reviewer during the desk review portion and that all materials required were available during the site visit.

A summary of the findings and corrective actions to be taken are below. For additional details, please see the attached draft report.

Purchasing Finding

A sole source procurement for \$22,100 awarded to the consultant Trans Watch on 8/1/13 for "grant writing, attending meetings, and various projects" lacked required justifications and documentation for a non-competitive award.

Corrective Action(s) and Schedule

By November 28, LTD is to submit to the FTA Region 10 Office evidence of an implemented policy to ensure that future sole source procurements are properly conducted and documented. Where contracts are ongoing, LTD is not to exercise any options for renewal. Instead, LTD may consider the possibility of terminating the existing contract for convenience and rebidding for the required goods and services in accordance with federal requirements.

Satisfactory Continuing Control Finding

LTD conducted a physical inventory in Summer 2013, but the results were not reconciled to equipment records.

Corrective Action(s) and Schedule

By November 28, LTD is to submit to the FTA Region 10 Office evidence that the physical inventory has been reconciled to equipment records. In addition, LTD is to develop and submit to the FTA Region 10 Office procedures for reconciling the biennial physical inventory to equipment records.

ATTACHMENT: FTA letter dated August 20, 2014, with FY 2014 Triennial Review Draft Report

PROPOSED MOTION: None

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U.S. Department
of Transportation
**Federal Transit
Administration**

REGION X
Alaska, Idaho, Oregon,
Washington

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August 20, 2014

Ron Kilcoyne
General Manager
Lane Transit District
PO Box 7070
Eugene, OR 97475

Re: Federal Transit Administration FY 2014 Triennial Review – Draft Report

Dear Mr. Kilcoyne:

This report documents the Federal Transit Administration's (FTA) Triennial Review of the Lane Transit District (LTD) in Eugene, Oregon. This review is required by Chapter 53 of Title 49, United States Code, Section 5307. Although less exacting than an audit, the Triennial Review is the FTA's assessment of LTD's compliance with Federal requirements, determined by examining a sample of grant management and program implementation practices. As such, the Triennial Review is not intended as, nor does it constitute a comprehensive and final review of compliance with grant requirements.

The Triennial Review focused on Lane Transit District's compliance in 17 areas. No deficiencies were found with the FTA requirements in 15 areas. Deficiencies were found in the Procurement and Satisfactory Continuing Control areas. There were no repeat deficiencies from the prior review.

Please review this draft report for accuracy and provide your comments to both the reviewer and your FTA Program Manager within ten business days from the date of this letter. A final report that incorporates your comments to the draft report will be provided to you within 24 business days of your response.

Thank you for your cooperation and assistance during this Triennial Review. If you need any technical assistance or have any questions, please do not hesitate to contact Tom Radmilovich at 206-220-7953 or Tom.Radmilovich@dot.gov, or your reviewer, Michele Butchko, at 201-725-1875 or mxb@ieitransit.com. We look forward to a meaningful and successful visit. Thank you.

Sincerely,

Richard Krochalis
Regional Administrator

DRAFT REPORT

FY2014 TRIENNIAL REVIEW

of

**Lane Transit District
(LTD)**

**Eugene, Oregon
Recipient ID: 1738**

Performed for:

**U.S. DEPARTMENT OF TRANSPORTATION
FEDERAL TRANSIT ADMINISTRATION
REGION VI**

Prepared by:

Interactive Elements Incorporated

**Scoping Meeting Date: July 14, 2014
Site Visit Dates: August 13-14, 2014
Draft Report Date: August 20, 2014**

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I. Executive Summary

This report documents the Federal Transit Administration's (FTA) Triennial Review of the Lane Transit District (LTD) in Eugene, Oregon. The review was performed by Michele Butchko of Interactive Elements. During the site visit, administrative and statutory requirements were discussed and documents were reviewed. LTD's facilities were toured to provide an overview of activities related to FTA-funded projects.

The Triennial Review focused on LTD's compliance in 17 areas. Deficiencies were found in the area listed below.

Review Area	Deficiencies	
	Code	Description
Satisfactory Continuing Control	107	Inventory results not reconciled to equipment records
Procurement	290	Lacking required justifications and documentation for non-competitive award

II. Review Background and Process

1. Background

The United States Code, Chapter 53 of Title 49, requires the FTA of the United States Department of Transportation (USDOT) to perform reviews and evaluations of Urbanized Area Formula Grant activities at least every three years. This requirement is contained in 49 U.S.C. 5307(i). This review was performed in accordance with FTA procedures (published in FTA Order 9010.1B, April 5, 1993). At least once every three years, the Secretary shall review and evaluate completely the performance of a grantee in carrying out its program, specifically referring to compliance with statutory and administrative requirements.

The Triennial Review includes a review of the grantee's compliance in 17 areas. The basic requirements for each of these areas are summarized in Section IV.

This report presents the findings from the Triennial Review of Lane Transit District (LTD). The review concentrated on procedures and practices employed during the past three years; however, coverage was extended to earlier periods as needed to assess the policies in place and the management of grants. The specific documents reviewed are referenced in this report and are available at FTA's Regional Office or at the grantee's office.

2. Process

The Triennial Review process includes a pre-review assessment, a review-scoping meeting with the FTA regional office, and an on-site visit to the grantee's location. The review-scoping meeting was conducted with the Region VI Office on July 14, 2014. Necessary files retained by the regional office were sent to the reviewer electronically. A review package was sent to LTD advising it of the site visit and indicating information that would be needed and issues that would be discussed. The site visit to Lane Transit District occurred on August 13-14, 2014.

The onsite portion of the review began with an entrance conference, in which the purpose of the Triennial Review and the review process were discussed. The remaining time was spent discussing administrative and statutory requirements and reviewing documents. A tour of Lane Transit District's maintenance facility and transit facility was conducted to provide an overview of activities related to FTA-funded projects. A sample of maintenance records for FTA-funded vehicles and equipment was also examined during the site visit. Upon completion of the review, a summary of preliminary findings was provided to Lane Transit District at an exit conference. The individuals participating in the review are listed in Section VI of this report.

3. Metrics

The metrics used to evaluate whether a grantee is meeting the requirements for each of the areas reviewed are:

- *Not Deficient*: An area is considered *not deficient* if, during the review, no findings were noted with the grantee's implementation of the requirements.
- *Deficient*: An area is considered *deficient* if all of the requirements within the area reviewed were not met.
- *Not Applicable*: An area can be deemed *not applicable* if, after an initial assessment, the grantee does not conduct activities for which the requirements of the respective area would be applicable.

III. Grantee Description

The Lane Transit District (LTD) is a regional transit agency organized in 1970 under the laws of the state of Oregon to provide transit service in Lane County, Oregon. LTD serves the Eugene and Springfield metropolitan areas, which includes the neighboring cities of Coburg, Junction City, Veneta, Cottage Grove, Creswell, Lowell, Pleasant Hill, as well as portions of the county's unincorporated areas. A board of directors, with members appointed by the Governor, governs LTD. Within the metropolitan area, LTD directly operates fixed route and bus rapid transit (BRT) service and contracts for Americans with Disabilities (ADA) paratransit service with Special Mobility Services, Inc. (SMS). LTD also contracts with SMS and two other private operators, South Lane Wheels and River Cities Taxi, to provide transportation services in some communities outside of the fixed route service area, but within Lane County. The population of the service area is approximately 300,000.

Service

LTD operates a network of 36 fixed routes throughout the service area. Service is provided weekdays from 4:45 a.m. to 11:30 p.m. Saturday service is operated from 6:25 a.m. to 11:30 p.m. Sunday service operates between 7:25 a.m. and 8:30 p.m. There is also one route that operates service until 2:40 a.m. on Friday and Saturday night. LTD's complementary paratransit service, known as RideSource, operates during the same days and hours of service as the fixed routes in the metropolitan area.

In addition to operating service, LTD administers Point2Point Solutions, a program that provides programs and resources to educate and encourage people to use different modes (public transit, bicycling, ridesharing, walking, etc.) for trips throughout the region. LTD's Point2point Solutions, along with Cascades West Rideshare (Albany/Corvallis) and Cherriots Rideshare (Salem), have formed a partnership called Valley Vanpool, which facilitates the formation of commuter vanpools throughout Lane, Linn, Benton, Lincoln, Polk, Marion, and Yamhill counties. In addition, LTD provides a monthly subsidy to eligible vanpools that have an origin or destination within the LTD service area.

The basic adult fare for fixed route bus service is \$1.75. A reduced fare of \$0.85 is offered during all operating hours to youth ages 6-18, eligible people with disabilities, and persons with a Medicare card. There are no 5307 funded fixed route services included in the half fare program. Honored Riders, defined as persons age 65 or older, ride free at all times. A number of group pass options are available, including group rates for transit passes for enrolled students at both the University of Oregon and Lane Community College. A reinvigorated effort to reinstitute funding for transit passes for students grades 6-12 has been initiated in FY 2014. The RideSource fare is \$3.50 per one-way trip.

LTD operates a fleet of 97 FTA-funded buses for regular fixed-route and BRT service. Its bus fleet consists of standard and low-floor 40-foot transit coaches and 60-foot articulated buses,

including 11 BRT vehicles. The current peak requirement is 68 vehicles for regular fixed route service and 8 vehicles for BRT service. LTD also has a fleet of 56 cutaway buses and modified mini-vans that are operated by SMS, the RideSource contractor. Fourteen of the vans were directly funded by FTA. Most of the other paratransit vehicles were funded through the Oregon Department of Transportation.

LTD operates the fixed route service from the Glenwood maintenance and administration facility on 17th Avenue in Glenwood. RideSource operates from a separate facility on Garfield Street in Eugene. Fixed route service is oriented around a transit center in downtown Eugene with a companion facility in downtown Springfield. LTD also has 9 transit centers throughout the metropolitan area and 25 park-and-ride lots.

LTD’s National Transit Database Report for FY2013 provided the following financial and operating statistics for its service:

	Fixed Route	Paratransit	VanPool
Unlinked Passengers	11,276,503	203,926	35,813
Revenue Hours	247,303	117,776	5,620
Operating Expenses	\$34,779,801	\$5,428,616	\$189,187

Completed Projects

Over the past three years, LTD completed construction of a new University of Oregon transit station.

Projects Underway

LTD is in the process of developing the West Eugene EmX (bus rapid transit) corridor. The Locally Preferred Alignment (LPA) has been selected, the FONSI has been obtained, and the project is currently nearing 90 percent design. A federal funding commitment has been made and matching funds have been secured through the State of Oregon.

Future Projects

Over the next three to five years, LTD will be evaluating two additional high frequency transit corridors: one in Eugene and one in Springfield. The West Eugene EmX line is expected to be completed and operational.

ARRA Projects

All ARRA funded projects are complete and reports closed-out. The projects included a maintenance facility remodel, security camera replacement, preventive maintenance, and bus stop sign replacement.

Grant Activity

Below is a list of Lane Transit District's active grants at the time of the review:

Grant Number	Grant Amount	Year Executed	Description
OR-03-0122-01	\$29,597,040	9/25/2009	07/08/09 5309 Small Starts Pioneer Parkway
OR-04-0030-00	\$1,000,000	9/16/2010	08 5309B Paratransit Vehicles & Signage
OR-90-X152-04	\$14,857,509	8/16/2011	07-10 5307 PM/RE/Eq/Bus/VanPool/Lanes
OR-04-0041-00	\$1,088,000	5/30/2012	11 5309 VTCLI RideSource Call Center
OR-95-X030-01	\$2,190,000	5/31/2012	11 STP UO Station Reno /SmartTrips
OR-37-X016-02	\$944,004	8/2/2012	06/07/08/09/10/11 JARC Funds
OR-95-X035-00	\$971,101	8/14/2012	2012 STP - PM, TDM/Rideshare
OR-90-X161-02	\$10,984,010	10/11/12	5307 PM/Security/Equip./Fac.
OR-57-X012-01	\$154,843	8/2/2013	FY 10, 11 New Freedom
OR-39-0007-00	\$750,000	8/15/2013	2011 5339 Main St/McVay Planning
OR-95-X055-00	\$1,447,601	9/9/2013	2013 STP PM/Mobility Mgt./Planning
OR-37-X024-00	\$171,819	7/21/2014	12 5316 JARC Mobility Mgmt.
OR-57-X014-00	\$78,524	7/21/2014	12 5317 New Freedom Mobility Mgmt.
OR-04-0038-00	\$5,500,000	7/25/2014	2011/2012 5309 SGR Bus Replacement

IV. Results of the Review

1. Financial Management and Financial Capacity

Basic Requirement: The grantee must demonstrate the ability to match and manage FTA grant funds, cover cost increases and operating deficits, cover maintenance and operational costs for FTA funded facilities and equipment, as well as conduct and respond to applicable audits.

During this Triennial Review of LTD, no deficiencies were found with the FTA requirements for Financial Management and Financial Capacity.

2. Technical Capacity

Basic Requirement: The grantee must be able to implement FTA funded projects in accordance with the grant application, Master Agreement, and all applicable laws and regulations, using sound management practices.

During this Triennial Review of LTD, no deficiencies were found with the FTA requirements for Technical Capacity.

3. Maintenance

Basic Requirement: Grantees and subrecipients must keep federally funded vehicles, equipment, and facilities in good operating condition. Grantees and subrecipients must keep ADA accessibility features on all vehicles, equipment, and facilities in good operating order.

Finding: During this Triennial Review of LTD, no deficiencies were found with the FTA requirements for Maintenance.

4. Americans with Disabilities Act

Basic Requirement: Titles II and III of the Americans with Disabilities Act of 1990 (ADA) provide that no entity shall discriminate against an individual with a disability in connection with the provision of transportation service. The law sets forth specific requirements for vehicle and facility accessibility and the provision of service, including complementary paratransit service.

Finding: During this Triennial Review of LTD, no deficiencies were found with the USDOT requirements for ADA.

5. Title VI

Basic Requirement: The grantee must ensure that no person shall, on the grounds of race, color, or national origin, be excluded from participating in, or be denied the benefits of, or be subject to

discrimination under any program or activity receiving federal financial assistance without regard to whether specific projects or services are federally funded. The grantee must ensure that federally supported transit services and related benefits are distributed in an equitable manner.

Note: The 2014 Triennial Review covers a three-year period in which the FTA issued a revised circular for Title VI, which provided more information on how to comply and changed requirements for some grantees with populations over 200,000 persons. As of October 1, 2012, grantees must comply with the requirements of FTA C 4702.1B. The Triennial Review will look at compliance with the requirement of FTA C 4702.1A for the period prior to October 1, 2012, and compliance with the revised circular for activities after this date.

Finding: During this Triennial Review of LTD, no deficiencies were found with the FTA requirements for Title VI.

6. Procurement

Basic Requirement: Grantees use their own procurement procedures that reflect applicable state and local laws and regulations, provided that the process ensures competitive procurement and the procedures conform to applicable federal law, including 49 CFR Part 18 (specifically Section 18.36) and FTA Circular 4220.1F, “Third Party Contracting Guidance.”

Finding: During this Triennial Review of LTD, a deficiency was found with the FTA requirements for Procurement.

A sole source procurement for \$22,100 awarded to the consultant Transwatch on 8/1/13 for “grant writing, attending meetings and various projects” lacked required justifications and documentation for a non-competitive award. The attached justification said that, “Transwatch is extremely familiar with the region and the projects currently going on. Her knowledge of Transportation Options is invaluable,” and that the “price is fair and reasonable with other consultants in the area and Portland.” The justification continues, “At the beginning of each fiscal year, we meet with Transwatch to discuss the upcoming projects and negotiate the number of hours required to complete.” The award was made to Transwatch for 221 hours at \$100 per hour.

Corrective Action and Schedule: By November 28, 2014, LTD is to submit to the FTA Region 10 Office evidence of an implemented policy to ensure that future sole source procurements are properly conducted and documented. Where contracts are ongoing, LTD is not to exercise any options for renewal. Instead, LTD might consider the possibility of terminating the existing contract for convenience, and rebidding for the required goods and services in accordance with federal requirements.

7. Disadvantaged Business Enterprise

Basic Requirement: The grantee must comply with 49 CFR Part 26 to ensure nondiscrimination in the award and administration of DOT-assisted contracts. Grantees also must create a level playing field on which DBEs can compete fairly for DOT-assisted contracts.

Finding: During this Triennial Review of LTD, no deficiencies were found with the USDOT requirements for DBE.

8. Legal

Basic Requirement: The grantee must be eligible and authorized under state and local law to request, receive, and dispense FTA funds and to execute and administer FTA funded projects. The authority to take actions and responsibility on behalf of the grantee must be properly delegated and executed. Grantees must comply with Restrictions on Lobbying requirements.

Finding: During this Triennial Review of LTD, no deficiencies were found with the FTA requirements for Legal.

9. Satisfactory Continuing Control

Basic Requirement: The grantee must ensure that FTA-funded property will remain available to be used for its originally authorized purpose throughout its useful life until disposition.

Finding: During this Triennial Review of LTD, a deficiency was found with the FTA requirements for Satisfactory Continuing Control.

LTD conducted a physical inventory in summer 2013, but the results were not reconciled to equipment records. LTD presented a comprehensive inventory listing containing all FTA-required elements, and gave the review team a handwritten checklist compiled during the last physical inventory. However, the documents did not contain evidence that the inventory was reconciled to its equipment records.

Corrective Action and Schedule: By November 28, 2014, LTD is to submit to the FTA Region 10 Office evidence that the physical inventory has been reconciled to equipment records. In addition, LTD is to develop and submit to the FTA Region 10 Office procedures for reconciling the biennial physical inventory to equipment records.

10. Planning/Program of Projects

Basic Requirement: The grantee must participate in the transportation planning process in accordance with FTA requirements, MAP-21, and the metropolitan and statewide planning regulations. Grantees must participate in a coordinated public transit-human services transportation planning process that identifies the transportation needs of individuals with disabilities, older adults, and people with low incomes; provides strategies for meeting those local needs; and prioritizes transportation services for funding and implementation. Each recipient of a Section 5307 grant shall develop, publish, afford an opportunity for a public hearing on, and submit for approval, a POP.

Finding: During this Triennial Review of LTD, no deficiencies were found with the FTA requirements for Planning/POP.

11. Public Comment on Fare Increases and Major Service Reductions

Basic Requirement: Section 5307 grantees are expected to have a written, locally developed process for soliciting and considering public comment before raising a fare or carrying out a major transportation service reduction.

Finding: During this Triennial Review of LTD, no deficiencies were found with the FTA requirements for Public Comment on Fare Increases and Major Service Reductions.

12. Half Fare

Basic Requirement: For service supported with Section 5307 assistance, fares charged elderly persons, persons with disabilities or an individual presenting a Medicare card during off peak hours will not be more than one half the peak hour fares.

Finding: During this Triennial Review of LTD, no deficiencies were found with the FTA requirements for Half Fare.

13. Charter Bus

Basic Requirement: Grantees are prohibited from using federally funded equipment and facilities to provide charter service if a registered private charter operator expresses interest in providing the service. Grantees are allowed to operate community based charter services excepted under the regulations.

Finding: During this Triennial Review of LTD, no deficiencies were found with the FTA requirements for Charter Bus.

14. School Bus

Basic Requirement: Grantees are prohibited from providing exclusive school bus service unless the service qualifies and is approved by the FTA Administrator under an allowable exemption. Federally funded equipment or facilities cannot be used to provide exclusive school bus service. School tripper service that operates and looks like all other regular service is allowed.

Finding: During this Triennial Review of LTD, no deficiencies were found with the FTA requirements for School Bus.

15. Safety and Security

Basic Requirement: As recipients of Section 5307 funds, grantees must annually certify that they are spending at least one percent of such funds for transit security projects or that such expenditures for security systems are not necessary.

Finding: During this Triennial Review of LTD, no deficiencies were found with the FTA requirements for Security.

16. Drug Free Workplace and Drug and Alcohol Program

Basic Requirement: All grantees are required to maintain a drug-free workplace for all employees and to have an ongoing drug-free awareness program. Grantees receiving Section 5307, 5309 or 5311 funds that have safety-sensitive employees must have a drug and alcohol-testing program in place for such employees.

Finding: During this Triennial Review of LTD, no deficiencies were found with the FTA requirements for Drug-Free Workplace and Drug and Alcohol Program.

17. Equal Employment Opportunities

Basic Requirement: The grantee must ensure that no person in the United States shall on the grounds of race, color, religion, national origin, sex, age, or disability be excluded from participating in, or denied the benefits of, or be subject to discrimination in employment under any project, program, or activity receiving federal financial assistance under the federal transit laws. (Note: EEOC's regulation only identifies/recognizes religion and not creed as one of the protected groups.)

Finding: During this Triennial Review of LTD, no deficiencies were found with the FTA requirements for Equal Employment Opportunity (EEO).

V. Summary of Findings

Review Area	Finding	Deficiency	Corrective Action	Response Date	Date Closed
1. Financial Management and Financial Capacity	ND				
2. Technical Capacity	ND				
3. Maintenance	ND				
4. ADA	ND				
5. Title VI	ND				
6. Procurement	D-290	Lacking required justifications and documentation for non-competitive award	LTD is to submit to the FTA Region 10 Office evidence of an implemented policy to ensure that future sole source procurements are properly conducted and documented. Where contracts are ongoing, LTD is not to exercise any options for renewal. Instead, LTD might consider the possibility of terminating the existing contract for convenience, and rebidding for the required goods and services in accordance with federal requirements.	November 28, 2014	
7. DBE	ND				
8. Legal	ND				
9. Satisfactory Continuing Control	D-107	Inventory results not reconciled to equipment records	LTD is to submit to the FTA Region 10 Office evidence that the physical inventory has been reconciled to equipment records. Also, submit procedures for reconciling the biennial physical inventory to equipment records.	November 28, 2014	
10. Planning/ POP	ND				
11. Public Comment on Fare Increase and Major Service Reductions	ND				
12. Half Fare	ND				
13. Charter Bus	ND				
14. School Bus	ND				
15. Safety and Security	ND				

Review Area	Finding	Deficiency	Corrective Action	Response Date	Date Closed
16. Drug-Free Workplace/ Drug and Alcohol Program	ND				
17. EEO	ND				

V. Attendees

Name	Title/Organization	Phone Number	E-mail Address
<i>Lane Transit District (LTD)</i>			
Ron Kilcoyne	General Manager	541-682-6105	ron.kilcoyne@ltd.org
Todd Lipkin	Finance Manager/CFO	541-682-6153	todd.lipkin@ltd.org
Sasha Luftig	Developmental Planner	541-862-6135	sasha.luftig@ltd.org
Cheryl Munkus	Internal Auditor	541-682-6151	cheryl.munkus@ltd.org
Jeanne Schepper	Clerk of the Board	541-682-6102	jeanne.schepper@ltd.org
Mary Adams	Director of Administrative Services	541-682-6184	mary.adams@ltd.org
Mary Talentinow	Purchasing Manager	541-682-6158	mary.talentinow@ltd.org
Andy Vobora	Director of Customer Services and Planning	541-682-6181	andy.vobora@ltd.org
Tom Schwetz	Planning Manager	541-682-6203	tom.schwetz@ltd.org
Frank Wilson	Public Safety Services Manager	541-682-7474	frank.wilson@ltd.org
Joe McCormack	Facilities Manager	541-682-6189	joe.mccormack@ltd.org
Kelly Staines	Facilities Maintenance Supervisor	541-501-9246	kelly.staines@ltd.org
Cosette Rees	Access & Customer Service Manager	541-501-9399	cosette.rees@ltd.org
Susan Hekimoglu	Accessible Services Coordinator	541-682-6108	susan.hekimoglu@ltd.org
David Collier	Human Relations Manager	541-682-6182	david.collier@ltd.org
Ernie Turner	Fleet Maintenance Manager	541-682-6163	ernie.turner@ltd.org
Steve Rayack	Claims Specialist	541-682-6134	stephen.rayack@ltd.org

John Dahl	Operations Training Supervisor	541-501-9395	john.dahl@ltd.org
David Lindelein	Risk Manager	541- 682-6152	david.lindelien@ltd.org
Kris Lyon	Human Services Transportation Coordinator	541- 682-7491	rand.stamm@ltd.org
Rebecca Hay	Purchasing Specialist	541- 682-6138	rebecca.hay@ltd.org
<i>Federal Transit Administration (FTA)</i>			
Thomas Radmilovich	Community Planner	206-220-7953	thomas.radmilovich@dot.gov
<i>Interactive Elements</i>			
Michele Butchko	Reviewer	212-490-9090	mxb@ieitransit.com

VI. Appendices

No appendices are included in this report.

AGENDA ITEM SUMMARY

DATE: September 17, 2014

ITEM TITLE: AUGUST 2014 GRANT REPORT

PREPARED BY: Todd Lipkin, Finance Manager/CFO

ACTION REQUESTED: None. Information Only.

BACKGROUND:

The Monthly Grant Report for activity through August 31, 2014, follows this summary. It contains financial data for all Federal Transit Administration (FTA) and Oregon Department of Transportation (ODOT) *ConnectOregon* grants that have a remaining balance or have had activity within the last six months. All grant totals are reported in total project dollars, so they include both the grant-funded amount and any applicable local match. Due to the timing of this report, not all of the invoices for the report month have been received. Any additional invoices charged to this report month will be reflected in the Grant Totals expenditure amounts next month.

Federal Transit Administration TEAM Grant Applications

Two grant applications have been submitted to FTA and have been sent to the Department of Labor for certification. These grants should be executed by the end of September 2014. The applications are as follows:

- OR-95-X055-01 - Surface Transportation Program Funds - \$3,299,418 (\$3,677,051 total project)

Project	Federal	Total
Point2point	\$407,100	\$453,697
Safe Routes to School	\$121,513	\$135,421
Bike Sharing Study	\$100,000	\$111,445
Pavilion Station Construction	\$400,000	\$445,782
Northwest Eugene-Lane Community College Transit Corridor Plan	\$584,780	\$651,711
3+ Hybrid-Electric, 40-foot, Replacement Buses	\$1,686,025	\$1,878,998

- OR-90-X179 5307 Urbanized Area Formula Funds – \$4,262,640 (\$5,328,301 total)

Project	Federal	Total
Preventive Maintenance FY 13-14	\$1,520,000	\$1,900,000
Preventive Maintenance FY 14-15	\$1,324,866	\$1,656,083
Support Vehicles	\$115,600	\$144,500
Computer Hardware	\$240,000	\$300,000

Computer Software	\$231,360	\$289,200
Miscellaneous Equipment	\$84,080	\$105,100
Facilities Improvements	\$184,160	\$230,200
Shelter Installations	\$59,854	\$74,818
Security Improvements	\$345,280	\$431,600
Pavilion Station Construction	\$157,440	\$196,800

One grant application has been drafted for FTA review. This grant application probably will not be submitted to FTA until later this month or in October. The application should be executed by the end of the calendar year. The application is as follows:

- OR-16-X045 5310 - Elderly Persons & Persons with Disabilities - \$474,358 (\$592,948 total project)

Project	Federal	Total
6 Accessible Services Vehicles	\$474,358	\$592,948

Federal Transit Administration Low or No Emission Vehicle Deployment Program (LoNo)

Lane Transit District (LTD) submitted a grant application on April 9, 2014, under the Low or No Emission Vehicle Deployment Program (LoNo) to recondition five LTD buses that have exceeded their useful life to like-new condition with zero-emissions propulsion systems (ZEPS). The all-battery, electric-powered, drivetrain system is designed to save money, eliminate fuel, minimize operations and maintenance costs, and drastically reduce greenhouse gas emissions. The cost per bus is estimated to be \$590,000. The grant request is for \$2,361,000, and the total project cost is \$3,148,000 (including match).

Oregon Department of Transportation (ODOT) 2015-2018 Enhance Applications

Lane Transit District has received pre-award letters from the Oregon Department of Transportation (ODOT), which state that the following two projects have been programmed into the draft 2015-2018 Statewide Transportation Improvements Program (STIP). Once the STIP is approved, these projects will be finalized:

- **Northwest Eugene-Lane Community College Corridor National Environmental Policy Act (NEPA):** This application requests \$2 million for the analysis of a future high-capacity transit project consistent with local and state transportation and land use plans. The proposed project will provide the required first step, which is the NEPA review and analysis of the refined project, to allow for the project’s federal funding.
- **SmartTrips Regional Residential Program:** This application requests \$372,845 for the SmartTrips Regional Program, which is a comprehensive individual household marketing program aimed at increasing biking, walking, use of public transit, and ridesharing. The planned 2016-2018 project has three target areas within the Central Lane Metropolitan Planning Organization, all with high concentrations of transportation disadvantaged (youth; seniors; low-income; minorities; and people with disabilities, limited English, and/or no car). Targeted areas have safety concerns and congested corridors. SmartTrips leverages public investments in existing travel programs and infrastructure by addressing household transportation needs regardless of age or ability. Moreover,

by highlighting seniors, *SmartTrips* can offer greater access and use of available, low-cost transportation options and respond to growing demand within the aging population.

Oregon Department of Transportation (ODOT) *ConnectOregon V* Applications

Lane Transit District has submitted two applications under the *ConnectOregon V* Program. *ConnectOregon* is a lottery bond-based initiative for investment in air, rail, marine, transit, and bicycle/pedestrian infrastructure to ensure Oregon’s transportation system is strong, diverse, and efficient. A minimum 20 percent cash match is required from the recipient for all grant-funded projects. Projects eligible for funding from state fuel tax revenues are not eligible for *ConnectOregon* funding.

The Oregon Transportation Committee (OTC) approved funding for the two grants listed below. LTD staff are working with the Oregon Department of Transportation (ODOT) to execute grant agreements.

- **West 11th Bicycle/Pedestrian Bridge Connections:** This grant was awarded for \$2,866,644 for the construction of three multiuse connectors to the Amazon and Fern Ridge paths parallel to the West 11th EmX corridor. LTD and the City of Eugene were partners on this application. LTD is building multiuse connector bridges at Buck Street and Sam Reynolds Street south of West 11th Avenue as part of the West Eugene EmX Extension (WEEE) project. The match for these connectors will be federal funding associated with the WEEE project. The City of Eugene is constructing a multiuse connection at Commerce Street north of West 11th Avenue near the Target store. The City will be providing the match for this connector.

- **Franklin Boulevard - Phase 1 Transit Station:** This grant was awarded for \$648,000 for the construction of inbound and outbound EmX stations at the Franklin Boulevard and McVay Highway intersection that will function with the City of Springfield’s planned roundabout roadway. LTD and the City of Springfield are partners on this grant application.

ATTACHMENT: Monthly Grant Report

PROPOSED MOTION: None

Q:\Reference\Board Packet\2014\7\July 16 Reg Meeting\Grant report summary July 14.docx



OR-03-0122 - FTA 5309 Small Starts	Current Month Expenditures	Grant Totals (Including Match)		
		Budget	Expenditures	Balance
13.13.06 EmX Vehicles	-	1,555,073.75	1,555,073.75	-
14.01.10 Guideway	-	4,300,805.32	3,398,470.97	902,334.35
14.02.20 Stations & Stops	-	743,703.39	855,285.99	(111,582.60)
14.04.40 Sitework & Special Conditions	-	11,241,013.34	10,894,235.61	346,777.73
14.05.50 Systems	-	2,229,930.78	1,909,072.09	320,858.69
14.06.60 ROW, Land, Existing Improvements	-	1,929,027.42	1,503,670.42	425,357.00
14.08.80 Professional Services	-	7,721,200.00	8,467,799.31	(746,599.31)
14.09.90 Unallocated Contingency	-	1,088,113.00	-	1,088,113.00
	-	<u>30,808,867.00</u>	<u>28,583,608.14</u>	<u>2,225,258.86</u>

OR-04-0030 - FTA 5309 Bus and Bus Facilities	Current Month Expenditures	Grant Totals (Including Match)		
		Budget	Expenditures	Balance
11.12.04 Paratransit replacement vehicles	-	700,000.00	700,000.00	-
11.13.04 Paratransit expansion vehicles	-	140,000.00	140,000.00	-
11.32.20 Misc Passenger Boarding Improvements	3,294.00	410,000.00	174,168.62	235,831.38
	<u>3,294.00</u>	<u>1,250,000.00</u>	<u>1,014,168.62</u>	<u>235,831.38</u>

OR-04-0038 - FTA 5309 Bus and Bus Facilities	Current Month Expenditures	Grant Totals (Including Match)		
		Budget	Expenditures	Balance
11.12.01 Hybrid Electric 40' Buses	-	3,875,000.00	408.47	3,874,591.53
11.12.06 Hybrid Electric Articulated Buses	1,356.00	3,000,000.00	78,473.25	2,921,526.75
	<u>1,356.00</u>	<u>6,875,000.00</u>	<u>78,881.72</u>	<u>6,796,118.28</u>

OR-04-0041 - FTA 5309 VTCLI	Current Month Expenditures	Grant Totals (Including Match)		
		Budget	Expenditures	Balance
11.42.08 Call Center Software	8,805.00	1,062,000.00	140,262.13	921,737.87
11.62.02 Call Center Telephone System	-	298,000.00	275.93	297,724.07
	<u>8,805.00</u>	<u>1,360,000.00</u>	<u>140,538.06</u>	<u>1,219,461.94</u>

OR-37-X016 - FTA 5316 Job Access/Reverse Commute	Current Month Expenditures	Grant Totals (Including Match)		
		Budget	Expenditures	Balance
11.7L.00 Mobility Management-Assessments	-	504,570.00	504,570.00	-
11.7L.00 Mobility Mgmt	596.00	425,803.00	384,217.82	41,585.18
11.80.00 Program Administration	-	18,090.00	18,090.00	-
30.09.01 Employment Transportation Options	-	363,232.00	363,231.70	0.30
	<u>596.00</u>	<u>1,311,695.00</u>	<u>1,270,109.52</u>	<u>41,585.48</u>

OR-37-X024 - FTA 5316 Job Access/Reverse Commute	Current Month Expenditures	Grant Totals (Including Match)		
		Budget	Expenditures	Balance
11.7L.00 Mobility Management	-	214,774.00	-	214,774.00

OR-39-0007 - FTA 5339 Alternatives Analysis Program	Current Month Expenditures	Grant Totals (Including Match)		
		Budget	Expenditures	Balance
44.23.02 Main St/McVay Planning Study	2,168.00	937,500.00	250,492.74	687,007.26



OR-57-X012 - FTA 5317 New Freedom	Current Month Expenditures	Grant Totals (Including Match)		
		Budget	Expenditures	Balance
11.7L.00 Mobility Management-Assessments	-	97,026.00	531.00	96,495.00
11.7L.00 Transportation Assessments	-	96,528.00	89,686.91	6,841.09
	-	193,554.00	90,217.91	103,336.09

OR-57-X014 - FTA 5317 New Freedom	Current Month Expenditures	Grant Totals (Including Match)		
		Budget	Expenditures	Balance
11.7L.00 Mobility Management	-	98,155.00	-	98,155.00

OR-90-X152 - FTA 5307 Urbanized Area Formula Funds	Current Month Expenditures	Grant Totals (Including Match)		
		Budget	Expenditures	Balance
11.12.01 40' Gillig Low Floor Bus	-	2,787,360.00	2,787,360.00	-
11.12.01 Finance & Int. Costs Gillig Bus Purch	-	186,499.00	186,498.55	0.45
11.13.01 40' Gillig Low Floor Bus	-	1,000,850.00	1,000,849.78	0.22
11.23.01 Extend EmX Lanes	-	201,520.00	201,520.52	(0.52)
11.32.02 River Road Station Land	-	2,261,504.00	2,261,504.46	(0.46)
11.32.06 Franklin EmX Fare Machines	-	350,000.00	350,000.00	-
11.42.07 Hardware	4,981.00	1,460,900.00	1,374,109.87	86,790.13
11.42.08 Software	-	480,000.00	480,000.00	-
11.42.09 Bus Security Cameras	-	60,224.00	60,224.59	(0.59)
11.42.09 Security Improvements	-	300,000.00	300,000.00	-
11.42.20 Miscellaneous equipment	-	175,000.00	175,000.00	-
11.43.03 Improvements	-	400,000.00	400,000.00	-
11.43.03 Maintenance Facility Remodel	-	1,475,289.00	1,475,288.81	0.19
11.62.20 Communications Equipment	26.00	50,000.00	43,860.86	6,139.14
11.71.12 Vanpools	-	166,302.00	166,302.00	-
11.7A.00 FY 12 Preventive Maintenance	-	1,281,250.00	1,281,250.00	-
11.7A.00 Preventive Maintenance	-	5,718,750.00	5,718,750.00	-
11.93.02 Shelters	-	56,080.00	56,080.00	-
11.93.02 Pavilion Station	-	122,411.00	122,411.00	-
	5,007.00	18,533,939.00	18,441,010.44	92,928.56

OR-90-X161 - FTA 5307 Urbanized Area Formula Funds	Current Month Expenditures	Grant Totals (Including Match)		
		Budget	Expenditures	Balance
11.42.08 Software	-	500,000.00	500,000.00	-
11.42.09 (01) Security Improvements	-	150,000.00	123,603.60	26,396.40
11.42.09 Security Improvements	-	91,250.00	91,250.00	-
11.42.11 Support Vehicles	-	60,000.00	60,000.00	-
11.42.20 Miscellaneous equipment	-	100,000.00	100,000.00	-
11.43.03 Improvements	-	600,000.00	600,000.00	-
11.71.12 Vanpools	-	102,125.00	102,125.00	-
11.7A.00 Prevent_Maint_2	-	4,626,638.00	4,626,638.00	-
11.7A.00 Preventive Maintenance	-	7,500,000.00	7,500,000.00	-
11.92.02 Shelters	-	134,176.00	134,176.00	-
	-	13,864,189.00	13,837,792.60	26,396.40



OR-90-X179 - FTA 5307 Urbanized Area Formula Funds	Current Month Expenditures	Grant Totals (Including Match)		
		Budget	Expenditures	Balance
11.33.02 Pavilion Station	-	196,800.00	165,668.15	31,131.85
11.42.07 Hardware	-	300,000.00	-	300,000.00
11.42.08 Software	518.00	289,200.00	141,495.77	147,704.23
11.42.09 Security Improvements	-	431,600.00	-	431,600.00
11.42.11 Support Vehicles	-	144,500.00	44,510.94	99,989.06
11.42.20 Miscellaneous equipment	2,440.00	105,100.00	15,039.41	90,060.59
11.43.03 Improvements	86.00	230,200.00	113,672.36	116,527.64
11.7A.00 Preventive Maintenance 13-14	-	1,900,000.00	1,900,000.00	-
11.7A.00 Preventive Maintenance 14-15	-	1,211,583.00	971.03	1,210,611.97
11.92.02 Shelters	-	74,818.00	1,820.41	72,997.59
	3,044.00	196,800.00	2,383,178.07	(2,186,378.07)

OR-95-X030 - Federal Surface Transportation Program	Current Month Expenditures	Grant Totals (Including Match)		
		Budget	Expenditures	Balance
11.33.02 U of O Station Construction	-	2,340,354.00	2,015,800.18	324,553.82
11.7F.00 Gateway SmartTrips	-	100,301.00	100,301.00	-
	-	2,440,655.00	2,116,101.18	324,553.82

OR-95-X035 - Federal Surface Transportation Program	Current Month Expenditures	Grant Totals (Including Match)		
		Budget	Expenditures	Balance
11.72.11 Rideshare	-	354,260.63	358,633.71	(4,373.08)
11.72.11 Safe Routes to School	549.00	83,584.00	30,897.12	52,686.88
11.72.11_Rideshare_Bike_Sharing	-	6,000.00	3,596.95	2,403.05
11.72.11_Rideshare_Carpool	-	922.03	922.03	-
11.72.11_Rideshare_CMP	-	600.00	905.57	(305.57)
11.72.11_Rideshare_ETC	-	6,000.00	5,956.88	43.12
11.72.11_Rideshare_Group Pass	-	35,212.82	35,212.82	-
11.72.11_Rideshare_Park and Ride	-	4,104.52	1,872.04	2,232.48
11.7A.00 Preventive Maintenance	-	557,227.00	557,227.00	-
	549.00	1,047,911.00	995,224.12	52,686.88

OR-95-X055 - Federal Surface Transportation Program	Current Month Expenditures	Grant Totals (Including Match)		
		Budget	Expenditures	Balance
11.12.01 Hybrid 40' Bus Replacement_01	-	1,878,998.00	-	1,878,998.00
11.33.02 Pavilion Station Construction_01	-	445,782.00	445,782.00	-
11.7A.00 Preventive Maintenance	-	557,227.00	557,227.00	-
11.7L.00 Rideshare_00	-	441,436.00	441,436.00	-
11.7L.00 Rideshare_01	11,842.00	453,694.00	316,916.55	136,777.45
11.7L.00 Safe Routes-School Districts_00	-	129,834.00	129,834.00	-
11.7L.00 Safe Routes-School Districts_01	-	135,421.00	14,710.67	120,710.33
11.7L.00 SmartTrips 2	6,622.00	384,487.00	332,457.68	52,029.32
44.23.02 Bike Parking Study	-	100,301.00	100,301.00	-
44.23.02 Bike Share Study_01	14.00	111,445.00	88,815.65	22,629.35
44.23.02 NW Eugene-LCC Transit Corridor Plan_01	-	651,711.00	10,352.48	641,358.52
	18,478.00	5,290,336.00	2,437,833.03	2,852,502.97

AGENDA ITEM SUMMARY

DATE OF MEETING: September 17, 2014

ITEM TITLE: MONTHLY DEPARTMENT REPORTS

PREPARED BY: Ron Kilcoyne, General Manager

ACTION REQUESTED: None

BACKGROUND:

Monthly reports on activities within departments and throughout the District are provided for the Board's information.

ATTACHMENT: Monthly Department Reports, September 2014

Q:\Reference\Board Packet\2014\9\Sept Reg Mtg\Dept Report AIS.docx



MONTHLY DEPARTMENT REPORTS

September 17, 2014

Government Relations

Edward McGlone, Government Relations Manager

August was a very slow month. The state legislature is rapidly approaching full campaign mode; however, city, county, and federal governments were in late summer recess. The Government Relations Department joined Accessible and Customer Services staff on a pair of conference calls with the Government Accountability Office and the Senate Banking Committee's professional staff to discuss coordination of human services transportation.

Customer Services and Planning

Andy Vobora, Director of Customer Services and Planning

MARKETING AND COMMUNICATIONS

Russ Arnold, Marketing Manager

- The Marketing Division successfully announced LTD's System of the Year award with an event at Falling Sky Delicatessen. Staff launched the Transit Trail contest with 16 local business partners and had seals placed on all buses to inform the public of the award.
- A new *Rider's Digest* was delivered that is in color and on a brighter paper to enhance contrast for easier readability.
- Marketing's Facebook strategy continues to increase engagement and followers.
- A new visual identity for the RideSource Shopper is being developed.
- LTD is the title sponsor through the end of the year for the *From Here to There* transportation exhibit at the Science Factory.
- A focus group was held with West Eugene businesses to develop a business support advertising campaign. An additional focus group also was held with consumers.

ACCESSIBLE AND CUSTOMER SERVICES

Cosette Rees, Accessible and Customer Services Manager

- Staff are preparing for the discretionary grant process, including an update of the Human Services Coordination Plan. These processes, including robust public involvement, will occur over the next few months and are expected to be completed in early 2014.
- Prizes are being claimed at the Customer Service Center as a result of the Transit Trail map promotion that was part of the APTA award launch. There seems to be some excitement brewing around the award and this exciting campaign.

FACILITIES

Joe McCormack, Facilities Manager

Valley River Center Station

Repairs and modernization activities began on August 18. The station remains open while work occurs. Work has transitioned to the second half of the station, with completion scheduled for early October. Improvements include roof and fascia repair, new LED lighting, clock, signs, and paint throughout.

Customer Service Center Remodel

The majority of work has been completed to relocate the transit host program to the first floor of the building and enclose the Customer Service counter. Specially sized glass for the counter is the last major item for which staff are awaiting delivery. New electronic customer trip planning kiosks also will be installed in the lobby at the conclusion of the remodel.

Solar Lighting at Bus Shelters

After successful deployment of a prototype solar light at an existing LTD bus shelter, staff will invest in a similar installation at 15 shelter locations within the District. These initial installation locations have been identified as serving significant populations of low income, elderly, and disabled, as well as public service buildings and other high activity areas. Staff anticipate these installations to occur over the course of the next two to three months.

RideSource Office Space Modifications

The RideSource building is bursting at the seams given the continued growth of the programs operating there. The facility, built in 2004, was intended to house only the RideSource operation. Since then, the addition of a brokerage function has more than doubled the number of employees that work in the building, and that is expected to continue to increase. Staff modified the open office space area about six years ago to increase the number of individual workspaces. It is time again to look at this office space as the operation has exhausted that added capacity. Over the course of the next four months staff will revisit the needs of the RideSource and brokerage operation and try to determine how best to maximize use of the current building floor plan. That solution would then be put into place during the spring of 2015.

PLANNING AND DEVELOPMENT

Tom Schwetz, Planning and Development Manager

West Eugene EmX Extension

John Evans, Senior Project Manager

The project is nearing completion of final design, with initial construction on portions of the project's 4.5-mile corridor due to begin this fall. The first segment planned for construction is along West 6th and 7th avenues, between Garfield Street and the downtown Eugene Station. Depending on utility relocation work completion, project construction will begin either at Garfield Street and West 7th Avenue or on Charnelton Street. The second construction segment, which is between Garfield Street and the project terminus near Beltline Road, is expected to reach final design in October. Project staff continue to work closely with City and Oregon Department of Transportation (ODOT) technical and permitting staff in anticipation of obtaining all necessary construction permits for the start of project construction. Wildish Construction has been involved throughout final design as the project's construction manager/general contractor (CM/GC). The project team also is continuing to work with local utilities to relocate their facilities in advance of construction. The utility work will generally continue in advance of the planned construction segments throughout the corridor.

LTD and City staff are actively communicating with property owners and businesses affected by the project. Current activities include ongoing project updates, tree replacement planning, and site-specific discussions in advance of construction.

The project's business development workshops, intended to support businesses along the project corridor, have continued throughout the summer with three workshops in August and September. Businesses directly facing the project route are eligible to attend these Lane Small Business Development Center workshops for free. The workshops have been well received by attending corridor business owners. To advertise the workshops, LTD has mailed invitations to the eligible businesses and included workshop information in the project's various other outreach efforts, including event attendance, door-to-door coordination, e-news, and other electronic notifications. The workshops will be offered each quarter if interest continues.

POINT2POINT

Theresa Brand, Transportation Options Manager

- Staff are tracking monthly participation numbers. This effort includes the contacts that Point2point staff make monthly either through the Employer Program, special events, general outreach, or the school outreach program.
- Point2point staff have met internally a number of times to review and assess the current programs and services. This is in preparation for the strategic planning process that is slated to begin early this fall with partner agency staff, which includes the Cities of Eugene and Springfield, Lane County, ODOT, and the University of Oregon (UO). The end result will be a five-year strategic work plan for Point2point, which will go into effect in early 2015.
- Transportation Options Specialist Cammie Harris attended the Campbell Center Ice Cream Social. A map of the neighborhood was created for residents that shows access to local food, parks, transit stops, and bike paths, along with mileage to locations along the bike path (Valley River, Alton Baker Park, etc.) to assist residents with navigating their community. In addition, *Rider's Digests* were distributed along with trip planning. About 150 people attended the event

- Staff attended Marketplace@Sprout! to promote transportation and safety.

Drive Less Connect

Staff continue planning efforts for the Oregon Drive Less Challenge, which will run October 6 – 19. Planning efforts have begun for a regional carpool campaign conducted with partner agencies, Cascades West Rideshare, and Cherriots Rideshare. This campaign will be conducted in a seven-county area and will be held in early Spring 2015. Statistics for August include:

- 21 new database registrants
- 2184 non-single-occupant vehicle trips reported, for a total of 28,373 miles

Vanpool Program

Vanpool statistics for July* include:

- 17 vanpools with an origin or destination of Eugene-Springfield
- 2,747 passenger boardings
- 240,506.5 passenger miles
- 146,228 pounds of CO₂ averted

*There is a 30-day lag period before vanpool statistics are available.

Carshare Program

Staff continue to promote the Enterprise CarShare program through a summer campaign made possible by a small ODOT grant. Outreach activities included attaching promotional bookmarks to all bikes parked in the Eugene downtown area and providing bookmarks to the Eugene Library, Lane Community College Titan Court, and LTD's Customer Service Center. Staff also promoted the Springfield Carshare vehicle at the Simpson's Mural Dedication event held on August 25.

- Eleven new members joined the Enterprise CarShare program in July (nine using the special promotional code)
- The Springfield Carshare vehicle saw its highest utilization over the previous year
- The new vehicle at 8th Avenue and Monroe Street was activated on July 18 and had four reservations, for a total of 60 hours of usage.

Employer Programs

- FabTrol Systems, Inc., representing 26 employees, joined the Emergency Ride Home Program.
- Staff presented information on the Emergency Ride Home Program to the team leaders at the Oregon Supported Living Program. There were about 15 members in attendance.
- Staff are continuing to work with Northwest Community Credit Union (NWCU) on transportation options in preparation for the move to their new location on 8th Avenue, adjacent to the Federal Courthouse. NWCU will be moving about 150 employees to the new location, with only 40 employee parking spaces available. NWCU also will be adding another 150 employees at the new location. Rideshare Program Coordinator Tracy Ellis has staffed two information booths at NWCU's benefit fairs in August, helping about 70 employees plan their new commutes. Efforts will continue throughout the fall.

Park and Ride

An agreement was signed with Symantec to provide 43 Park & Ride spaces for Eugene-Springfield commuters. Signs will be installed during the next month.

School Services

- Point2point participated in two back-to-school events this month: Project Hope and Fill the Bus. Both of these events provide back-to-school supplies for students in need. At the Fill the Bus event in Springfield on August 16, information was provided about school transportation options. School Services flyers also were included in the Project Hope backpacks that were distributed to 2,500 families.
- Staff attended the Hamlin Middle School registration during the noon and evening hours to help parents look at their options for transportation since, at this time, Hamlin Middle School will not be pursuing the Group Pass Program for the 2014-15 school year. Information on finding carpool or bike partners and transit information was distributed.
- The Regional Safe Routes to School team is gearing up for back-to-school events, and Bethel School District is in the process of recruiting for a new Safe Routes to School coordinator who will be joining the regional team in September.

SmartTrips: Main Street

The Springfield Main Street 1 program concluded at the end of August. There were a number of very successful events held in Springfield this summer, and the SmartTrips team distributed more than 500 Transportation Options kits to homes in the target neighborhood. A final report will be developed late this fall outlining program successes and outcomes.

Transit Operations and Customer Satisfaction

Mark Johnson, Director of Transit Operations and Customer Satisfaction

Staff Recruitment

The theme for the summer has been retiring and hiring.

The Transit Operations Division has had several employees retire this summer. Former Operations Supervisor Dan Budd retired at the end of August after 31 years, so Operations is in the process of hiring a new supervisor. Several long-time bus operators have retired this summer, and a new class of operators began in July. Another class of new operators will begin later this year.

In the Fleet Maintenance Division, Former Director of Maintenance George Trauger retired at the end of July and was replaced with long-time Fleet Supervisor Ernie Turner, who started his new position on August 1. With Ernie being promoted, a new fleet supervisor will need to be hired, and this process is proceeding. Former Lead Journey Mechanic Tom Shackelford retired on September 5 after 39 years, and the hiring process to fill Tom's position also is proceeding.

Fall Bid

The fall bid has been signed by bus operators and is ready to go. There are some changes in the routes, and some new rules are being implemented in response to the new labor agreement; but everything will be ready to go for a September 21 start date.

University of Oregon (UO) Football Service

UO football service kicked off on August 31; fortunately it was not against a powerhouse team. It was a late game, which always presents a challenge. Even though people left the game early, staff were able to manage the crowds very well. LTD transported approximately 9,000 passengers for the first game.

FLEET MAINTENANCE

Ernie Turner, Fleet Maintenance Manager

Staff have been working on getting three new 60-foot coaches ready for service. Bus operators used them for the first football game and they performed well. Staff are still working with New Flyer and Gillig on future bus procurements.

Administrative Services

Mary Adams, Director of Administrative Services

Joint Insurance Committee

The Joint Insurance Committee met on August 18 to review the coming renewal process and determine how best to proceed. In addition, the Committee reviewed quotes from vendors who provide health savings accounts (HRAs, VEBAs, FSAs, etc.). LTD's health benefits plan year is January 1 through December 31, and the Committee makes all renewal decisions in the fall.

United Way

Staff are working on the annual United Way campaign. LTD will maintain its tradition of providing a loaned executive to support the county-wide campaign efforts. Bus Operator Vonnie Willard will be this year's loaned executive. Vonnie attended her training week in late August and will be working on behalf of United Way for approximately two months.

TransitStat

The TransitStat Executive Panel met on August 18 to hear presentations on possible new projects. Ernie Turner is recommending a project to increase the number of hours between road calls for buses, and Information Technology Manager James Hanna is considering a project to make LTD's copy and printing systems more efficient. Both presenters will return in September with additional information.

Labor Relations

Staff contacted the Labor and Education Research Center to possibly provide a workshop for LTD's Joint Labor and Management Committee. The workshop is targeted for later in September.

HUMAN RELATIONS

David Collier, Human Relations Manager

- Executive Office Administrative Secretary Mackenzie Cowan has accepted the position of administrative secretary for Human Relations. Mackenzie has been with LTD since March, and HR is delighted to have her join the team.
- Administrative Secretary Renee Jones has been promoted to marketing representative. Renee has with LTD since August 2008. She worked for the Executive Office and, most recently, for the Marketing Division.
- With Mackenzie's move, the Executive Office is recruiting for a new administrative secretary. The posting closed on September 5, with interviews to follow later this month.
- Fleet Maintenance conducted interviews on September 9 for the journeyman mechanic position and will conduct interviews for the supervisor position later in the month.
- Transit Operations will be conducting interviews for a supervisor in late September. Operations also is recruiting for bus operators, and that posting closed on September 5. Video testing for the bus operator position will be at the end of the month, with interviews to follow in October. This class of bus operators will start in early December.
- Director of Administrative Services Mary Adams announced that she will be retiring at the end of January 2015; therefore, the recruiting process is underway to find her replacement. It is expected that this process will take some time.

FINANCE

Todd Lipkin, Finance Manager/Chief Financial Officer

A detailed Financial Report is included separately in the Board meeting packet.

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AGENDA ITEM SUMMARY

DATE OF MEETING: September 17, 2014

ITEM TITLE: MONTHLY PERFORMANCE REPORTS

PREPARED BY: Ron Kilcoyne, General Manager

ACTION REQUESTED: None

BACKGROUND:

In response to a request by the Board for regular reporting on the District's performance in several areas, monthly performance reports are provided for the Board's information.

ATTACHMENTS:

July 2014 RideSource Activity and Productivity Report
August 2014 Performance Report

(The August 2014 performance report does not include passenger revenues and sales information. This information will be updated when the financial reports for the first quarter are published prior to the October 2014 Board meeting.)

PROPOSED MOTION: None

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Special Mobility Services: RideSource Activity and Productivity Information

July-14	Current Month	Prior Year's Month	% Change	Current YTD	Previous YTD	% Change	Current 12 Month	Prior 12 Month	% Change
RideSource Ridership	16,383	15,426	6.2%	16,383	15,426	6.2%	190,933	190,026	0.5%
RideSource(All Modes)	14,348	13,660	5.0%	14,348	13,660	5.0%	163,945	162,021	1.2%
Shopper	589	560	5.2%	589	560	5.2%	6,546	6,519	0.4%
Escort Volunteers-Metro	964	733	31.5%	964	733	31.5%	12,659	10,679	18.5%
Escort Volunteers-Rural	482	473	1.9%	482	473	1.9%	7,783	10,807	-28.0%
RideSource Cost per Ride	\$ 25.33	\$ 26.04	-2.7%	\$ 25.33	\$ 26.04	-2.7%	\$ 24.15	\$ 24.06	0.4%
RideSource(All Modes)	\$ 27.93	\$ 28.29	-1.3%	\$ 27.93	\$ 28.29	-1.3%	\$ 27.04	\$ 27.08	-0.2%
RideSource Shopper	\$ 13.55	\$ 14.80	-8.4%	\$ 13.55	\$ 14.80	-8.4%	\$ 13.91	\$ 14.04	-0.9%
RideSource Escort	\$ 4.33	\$ 5.75	-24.7%	\$ 4.33	\$ 5.75	-24.7%	\$ 4.32	\$ 4.33	-0.3%
Ride Reservations	16,098	14,825	8.6%	16,098	14,825	8.6%	182,715	175,714	4.0%
Cancelled Number	1,501	1,294	16.0%	1,501	1,294	16.0%	18,651	14,965	24.6%
Cancelled % of Total	9.32%	8.73%		9.32%	8.73%		10.21%	8.52%	
No-Show Number	122	202	-39.6%	122	202	-39.6%	1,391	1,964	-29.2%
No-Show % of Total	0.76%	1.36%		0.76%	1.36%		0.76%	1.12%	
Ride Refusals Number	0	0	#DIV/0!	0	0	#DIV/0!	2	2	0.0%
Ride Refusals % of Total	0.00%	0.00%		0.00%	0.00%		0.00%	0.00%	
Service Hours	8,398	8,141	3.2%	8,398	8,141	3.2%	97,428	95,146	2.4%
Agency Staff	8,293	7,991	3.8%	8,293	7,991	3.8%	95,910	93,173	2.9%
Agency SMS Volunteer	105	150	-30.0%	105	150	-30.0%	1,518	1,973	-23.1%
Avg. Trips/Service Hr.	1.78	1.75	1.7%	1.78	1.75	1.7%	1.75	1.77	-1.1%
RideSource System Miles	105,340	100,789	4.5%	105,340	100,789	4.5%	1,207,108	1,193,532	1.1%
Avg. Miles/Trip	7.05	7.09	-0.5%	7.05	7.09	-0.5%	7.08	7.08	0.0%
Miles/Vehicle Hour	12.54	12.38	1.3%	12.54	12.38	1.3%	12.39	12.54	-1.2%

Special Mobility Services: RideSource Activity and Productivity Information

July-14	Current Month	Prior Year's Month	% Change	Current YTD	Previous YTD	% Change	Current 12 Month	Prior 12 Month	% Change
On-Time Performance %	86.8%	89.5%	-3.1%	86.8%	89.5%	-3.1%	88.3%	88.7%	-0.4%
Sample	12,987	12,064		12,987	12,064		146,720	144,949	
On-Time	11,271	10,800		11,271	10,800		129,605	128,505	

- RideSource (All Modes) includes rides done by SMS volunteers.
- Escort Volunteers-Metro includes in-district volunteer rides and SMS volunteer escort rides.
- Escort Volunteers-Rural is out of district volunteer rides.

- RideSource cost per Ride (All Modes) is from the current cost model less Brokerage, Oakridge, volunteer escort, and Shopper
- Shopper cost per ride is from the current cost model
- Escort cost per ride is from the current cost model

- RideSource System Miles includes miles by volunteers in agency vehicles.

- On-Time Performance reflects a 100% sample of all rides with scheduled pickup times, plus will-call rides. The standard is +/- 10 minutes for scheduled pickups and within 30 minutes of will-call request.

LANE TRANSIT DISTRICT
August 2014 Performance Report *
 11-September-2014

Performance Measure	Prior			Current			12 Month		
	Current Month	Year's Month	% Change	Current Y-T-D	Previous Y-T-D	% Change	Current 12 Month	Prior 12 Month	% Change
Fixed Route Service									
Passenger Boardings	752,582	760,267	- 1.0%	1,577,203	1,557,504	+ 1.3%	11,212,553	11,305,022	- 0.8%
Mobility Assisted Riders	14,660	11,962	+ 22.6%	29,239	24,491	+ 19.4%	144,768	138,874	+ 4.2%
<u>Average Passenger Boardings:</u>									
Weekday	28,945	28,504	+ 1.5%	30,002	29,485	+ 1.8%	37,529	38,276	- 2.0%
Saturday	19,586	19,595	- 0.0%	20,179	19,799	+ 1.9%	20,866	19,540	+ 6.8%
Sunday	9,362	8,803	+ 6.4%	10,506	10,278	+ 2.2%	10,377	10,174	+ 2.0%
Monthly Revenue Hours	20,350	20,473	- 0.6%	41,184	40,657	+ 1.3%	248,699	248,506	+ 0.1%
Boardings Per Revenue Hour	37.0	37.1	- 0.4%	38.30	38.31	- 0.0%	45.08	45.49	- 0.9%
Weekly Revenue Hours	4,621	4,524	+ 2.1%	4,623	4,528	+ 2.1%	4,855	4,853	+ 0.1%
Weekdays	21	22		43	44		254	254	
Saturdays	5	5		9	9		52	53	
Sundays	5	4		10	8		54	52	

Passenger Revenues & Sales

Financial data for the first quarter of FY 2014-15 (July 2014 - September 2014) will be reported with the October 2014 Board meeting information (financial and performance reports will be submitted the day prior to the Board meeting). Passenger revenues and sales information on this Performance Report will be updated at that time.

Fleet Services

Fleet Miles	282,375	295,995	- 4.6%	579,791	588,800	- 1.5%	3,525,855	3,538,703	- 0.4%
Average Passenger Boardings/Mile	2.67	2.57	+ 3.8%	2.72	2.65	+ 2.8%	3.18	3.19	- 0.5%
Fuel Cost	\$248,328	\$256,623	- 3.2%	\$529,297	\$507,115	+ 4.4%	\$3,051,499	\$3,070,940	- 0.6%
Fuel Cost Per Mile	\$0.879	\$0.867	+ 1.4%	\$0.913	\$0.861	+ 6.0%	\$0.865	\$0.868	- 0.3%
Repair Costs	\$210,672	\$199,469	+ 5.6%	\$446,114	\$360,565	+ 23.7%	\$2,556,703	\$2,406,036	+ 6.3%
Total Repair Cost Per Mile	\$0.746	\$0.674	+ 10.7%	\$0.769	\$0.612	+ 25.6%	\$0.725	\$0.680	+ 6.6%
Preventive Maintenance Costs	\$28,907	\$36,361	- 20.5%	\$59,999	\$64,557	- 7.1%	\$425,794	\$426,034	- 0.1%
Total PM Cost Per Mile	\$0.102	\$0.123	- 16.7%	\$0.103	\$0.110	- 5.6%	\$0.121	\$0.120	+ 0.3%
Mechanical Road Calls	59	43	+ 37.2%	117	91	+ 28.6%	663	667	- 0.6%
Miles/Mech. Road Call	4,786	6,884	- 30.5%	4,955	6,470	- 23.4%	5,318	5,305	+ 0.2%

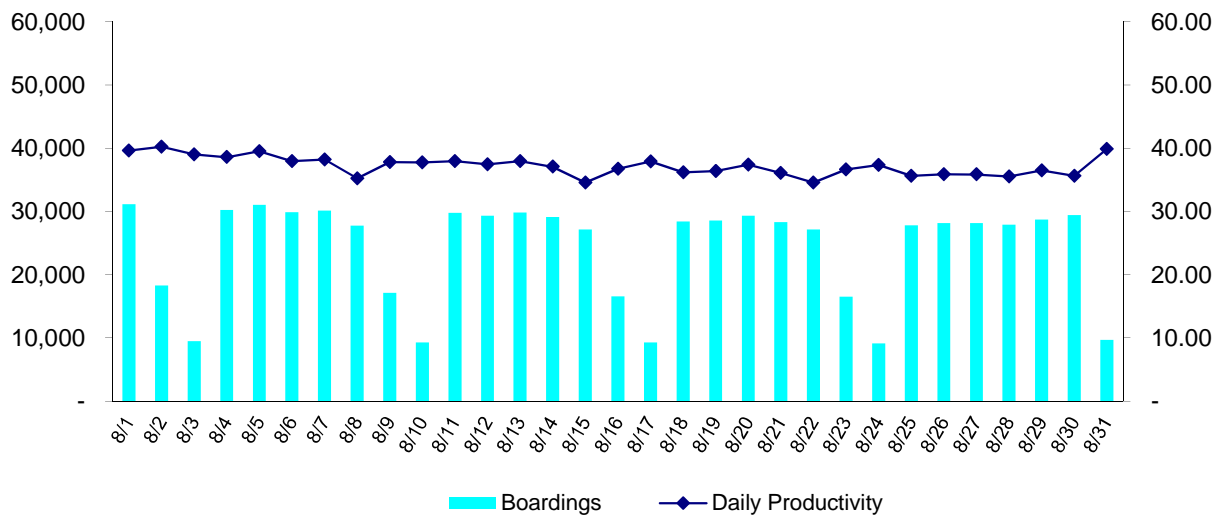
Special Mobility Service

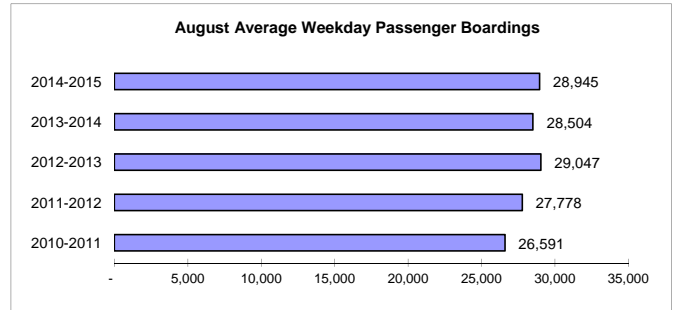
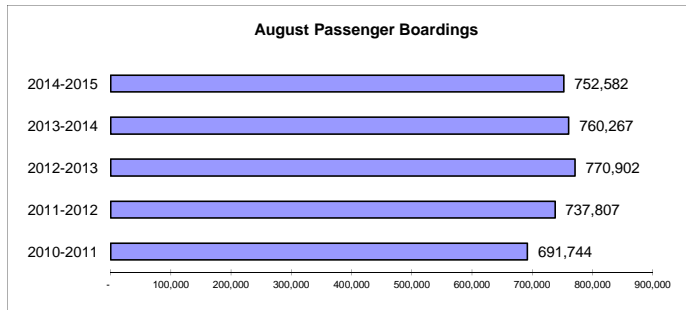
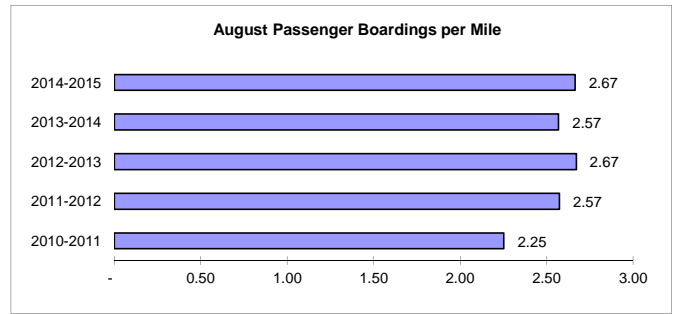
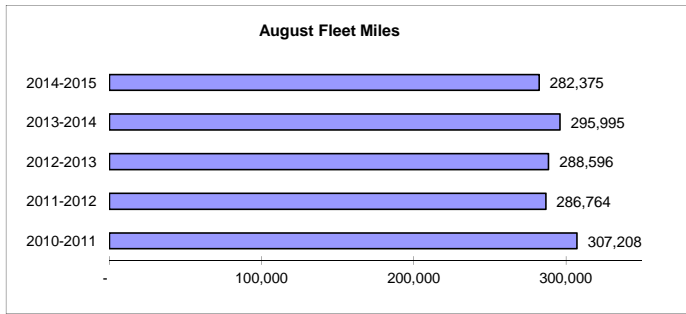
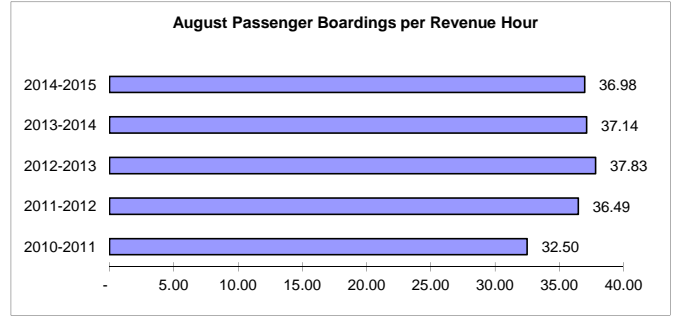
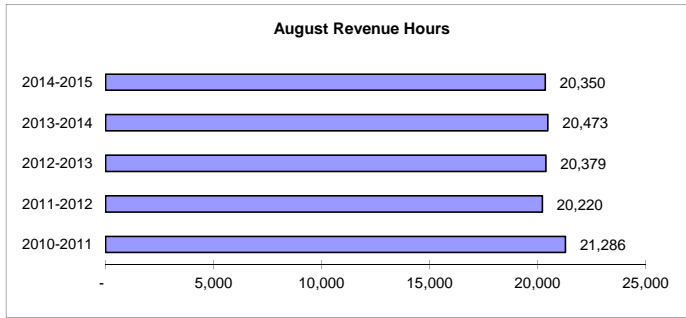
SMS Rides	16,576	15,702	+ 5.6%	32,957	31,139	+ 5.8%	195,823	188,850	+ 3.7%
SMS Ride Refusals	-	-	+ 0.0%	-	-	+ 0.0%	-	2	- 100.0%
RideSource	6,996	7,699	- 9.1%	13,860	15,314	- 9.5%	83,186	84,184	- 1.2%
RideSource Refusals	-	-	+ 0.0%	-	-	+ 0.0%	-	1	- 100.0%

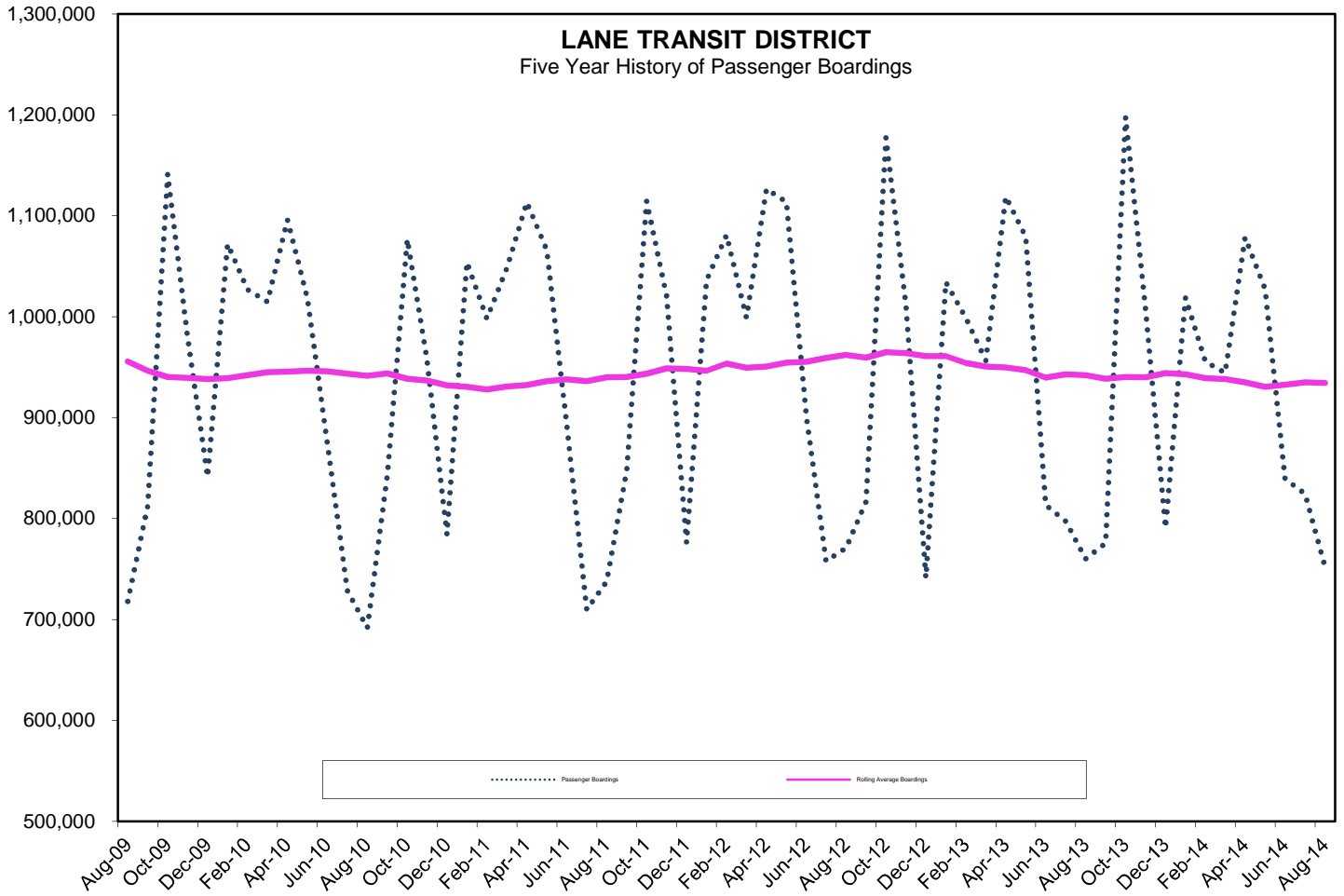
* Data for prior months has been updated to reflect ridership from routes 988x, 989x, and 990x-999x.

Daily Ridership Recap August 2014

Date	Day	Service	Boardings	Mobility	Revenue	Daily
				Assisted Boardings	Hours	Productivity
8/1/2014	Friday	Weekday	31,135	723	786.00	39.61
8/2/2014	Saturday	Saturday	18,293	481	455.00	40.20
8/3/2014	Sunday	Sunday	9,477	255	243.00	39.00
8/4/2014	Monday	Weekday	30,249	555	784.00	38.58
8/5/2014	Tuesday	Weekday	31,047	646	786.00	39.50
8/6/2014	Wednesday	Weekday	29,857	553	787.00	37.94
8/7/2014	Thursday	Weekday	30,113	526	788.00	38.21
8/8/2014	Friday	Weekday	27,760	622	788.00	35.23
8/9/2014	Saturday	Saturday	17,125	363	453.00	37.80
8/10/2014	Sunday	Sunday	9,253	297	245.00	37.77
8/11/2014	Monday	Weekday	29,784	464	785.00	37.94
8/12/2014	Tuesday	Weekday	29,320	470	783.00	37.45
8/13/2014	Wednesday	Weekday	29,815	502	786.00	37.93
8/14/2014	Thursday	Weekday	29,131	555	786.00	37.06
8/15/2014	Friday	Weekday	27,142	546	785.00	34.58
8/16/2014	Saturday	Saturday	16,565	369	451.00	36.73
8/17/2014	Sunday	Sunday	9,283	246	245.00	37.89
8/18/2014	Monday	Weekday	28,422	551	786.00	36.16
8/19/2014	Tuesday	Weekday	28,571	505	785.00	36.40
8/20/2014	Wednesday	Weekday	29,308	502	784.00	37.38
8/21/2014	Thursday	Weekday	28,325	428	785.00	36.08
8/22/2014	Friday	Weekday	27,127	541	785.00	34.56
8/23/2014	Saturday	Saturday	16,531	434	451.00	36.65
8/24/2014	Sunday	Sunday	9,111	264	244.00	37.34
8/25/2014	Monday	Weekday	27,807	479	781.00	35.60
8/26/2014	Tuesday	Weekday	28,179	461	786.00	35.85
8/27/2014	Wednesday	Weekday	28,141	494	785.00	35.85
8/28/2014	Thursday	Weekday	27,915	473	786.00	35.52
8/29/2014	Friday	Weekday	28,697	626	787.00	36.46
8/30/2014	Saturday	Saturday	29,414	424	826.00	35.61
8/31/2014	Sunday	Sunday	9,685	305	243.00	39.86
Totals			752,582	14,660	20,350	36.98







AGENDA ITEM SUMMARY

DATE OF MEETING: September 17, 2014

ITEM TITLE: ITEMS FOR ACTION/INFORMATION AT A FUTURE MEETING

PREPARED BY: Jeanne Schapper, Executive Office Manager/Clerk of the Board

ACTION REQUESTED: None

BACKGROUND:

Listed below are Action or Information items that will be included on the agenda for future Board meetings.

- A. **EmX Steering Committee Engagement and Direction:** The October 15 regular Board meeting is canceled. At the October 22 special Board meeting, the Board will be asked to formalize its direction to the EmX Steering Committee.
- B. **Ordinance No. 43 and Service Policy:** LTD legal counsel and staff are reviewing the route, schedule, and fare change ordinance along with the Fixed-Route Service Policy. Staff will present an updated policy to the Board at its October 22 special meeting and hold a public hearing regarding repealing Ordinance No. 43.
- C. **Regional Transportation Options Plan (RTOP):** Board adoption of this plan is scheduled for the October 22 special Board meeting.
- D. **Regional Scenario Planning:** Staff will provide an update on the Central Lane Scenario Planning project at the October 22 Board meeting. The update will include information on the refined scenarios and a description of how Lane County and the cities of Eugene, Springfield, and Coburg will cooperatively select a preferred scenario.
- E. **Bike Share Feasibility Study:** At the October 22 Board meeting, staff will present a review of the recently completed bike share feasibility study. LTD and City of Eugene staff are currently developing implementation strategies to be reviewed by LTD and the City of Eugene.
- F. **Main Street-McVay Transit Study:** At the October 22 Board meeting, staff will provide a brief update on the study activities to date, including recent progress with the project's Stakeholder Advisory Committee.
- G. **West Eugene EmX Construction:** At the October 22 Board meeting, staff will provide a brief update on the initial project construction activities and planned construction sequencing.
- H. **Pension Funding Policy:** The Governmental Accounting Standards Board suggests that a written pension funding policy be approved by the LTD's governing body. At its October 22 meeting, the Board will be asked to approve the pension funding policies and objectives of the LTD Salaried Employees' Retirement Plan and the LTD/ATU Local No. 747 Pension Trust.

- I. **General Manager Performance Evaluation**: The Board Human Resources Committee met on September 9 to begin the general manager's annual performance evaluation process. An executive session for the full Board to evaluate the performance of the general manager will be scheduled for the November 10 special Board meeting.
- J. **Benchmarking Project**: At the November 19 regular Board meeting, an update will be provided on the progress of the American Bus Benchmarking Group and how LTD is using the information to improve its business.
- K. **Board Strategic Planning Session**: A Board strategic planning work session will be scheduled in the fall.
- L. **Independent Audit Report and Comprehensive Annual Financial Report (CAFR)**: The annual audit findings and the CAFR will be presented to the Board in the fall.
- M. **Point2point Strategic Plan**: Point2point is engaging its partner agencies in a process to update its five-year strategic plan. The Plan has been updated annually over the past four years and, with completion of the Regional Transportation Options Plan (RTOP) imminent, Point2point staff will be leading the development of specific strategies to guide the investment in transportation options programs during the coming five years. Early this winter, staff will present a review of how the process will move to completion by January 2015.
- N. **TransitStat Update**: This winter, staff will present the TransitStat accomplishments to date and provide information on the long-term vision of TransitStat.
- O. **Draft Regional Bicycle Parking Study**: An overview of the Draft Regional Bicycle Parking Study will be presented to the Board at a future meeting.
- P. **Business Commute Challenge Final Report**: This will be presented to the Board along with the Draft Regional Bicycle Parking Study at a future meeting.

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West Eugene EmX



Topics

Final Design - Benefits

Funding

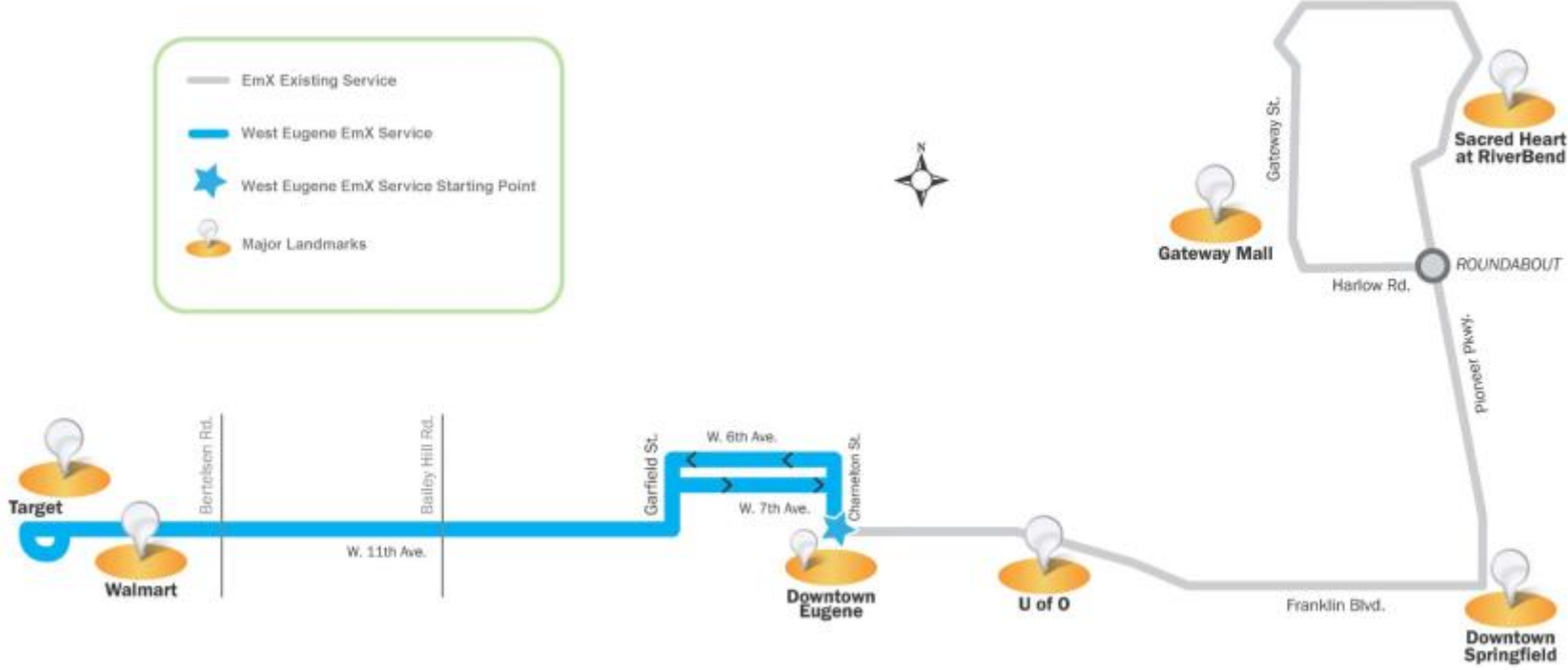
Public Outreach

Construction

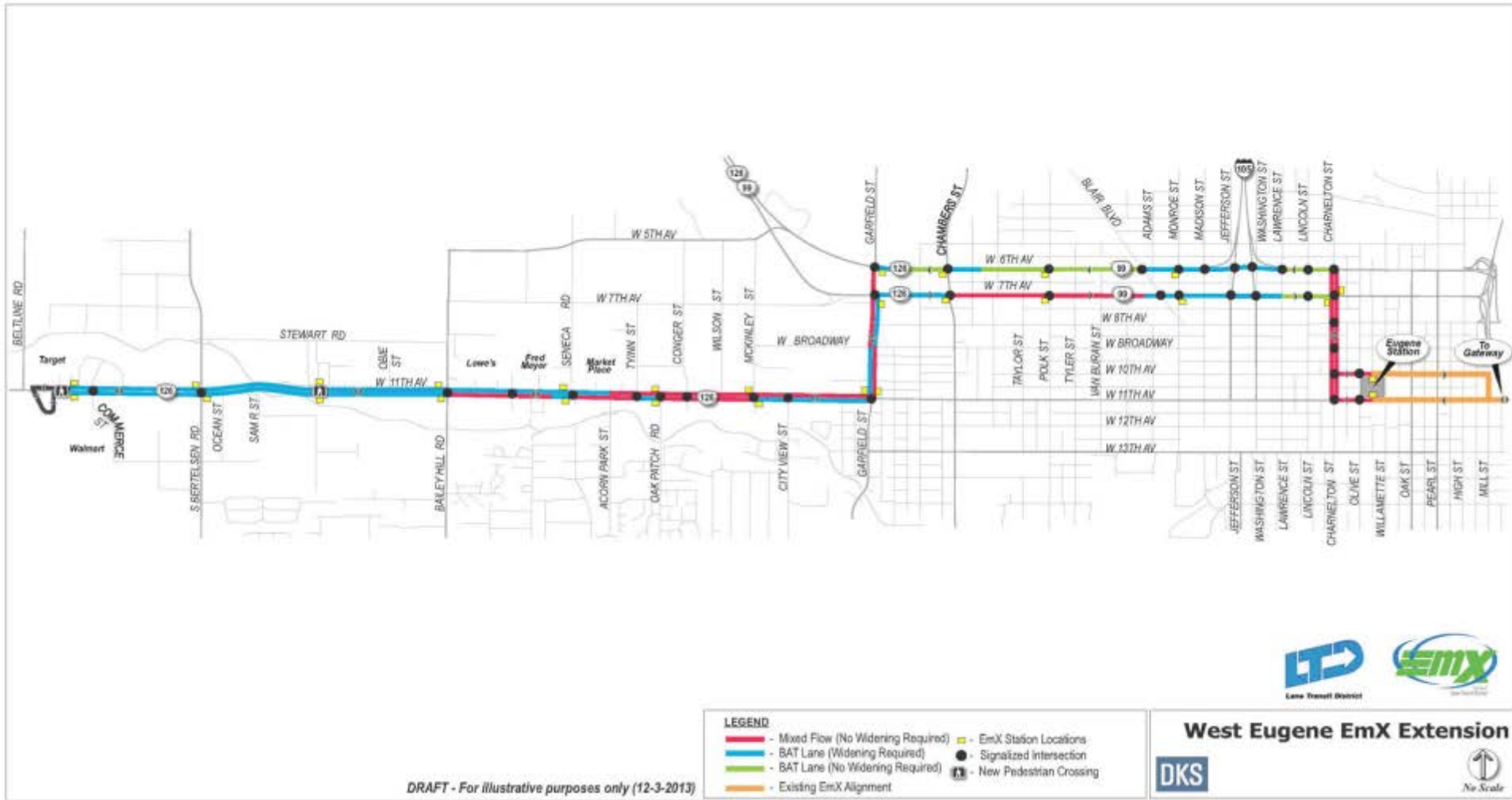
Art



Project Map



Project Map



Benefits Motorists



Widen major intersections to maintain road capacity

Pave 6 miles of roadway

Provide same travel time for motorists

Benefits Cyclists/Pedestrians

Rebuild 5 miles of sidewalk

Add 2 new bike-ped bridges

Add 2 signalized, mid-block pedestrian crossings

Improve sidewalk curb ramps



Benefits Landscaping

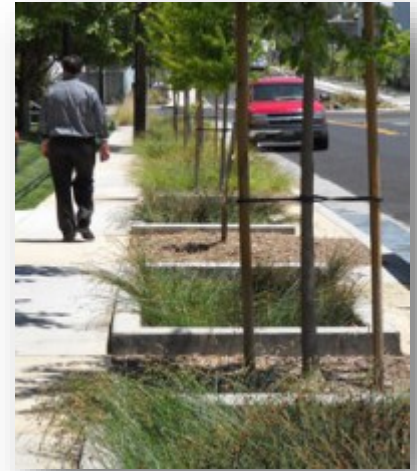
Plant more street trees than are removed

Create better growing spaces for new trees

Add planters to filter stormwater

Donate wood for community benefit

Plan to partner with community group to plant 50 new street trees near West 6th and 7th Avenues



Fewer Impacts – Design Solutions

Refine design to address property and business concerns

Listen to property and business owner concerns

Explore design options with team (civil and traffic engineering, architecture, property valuation, public outreach, etc.)

Get City of Eugene and ODOT approval for changes



Design Solutions Before



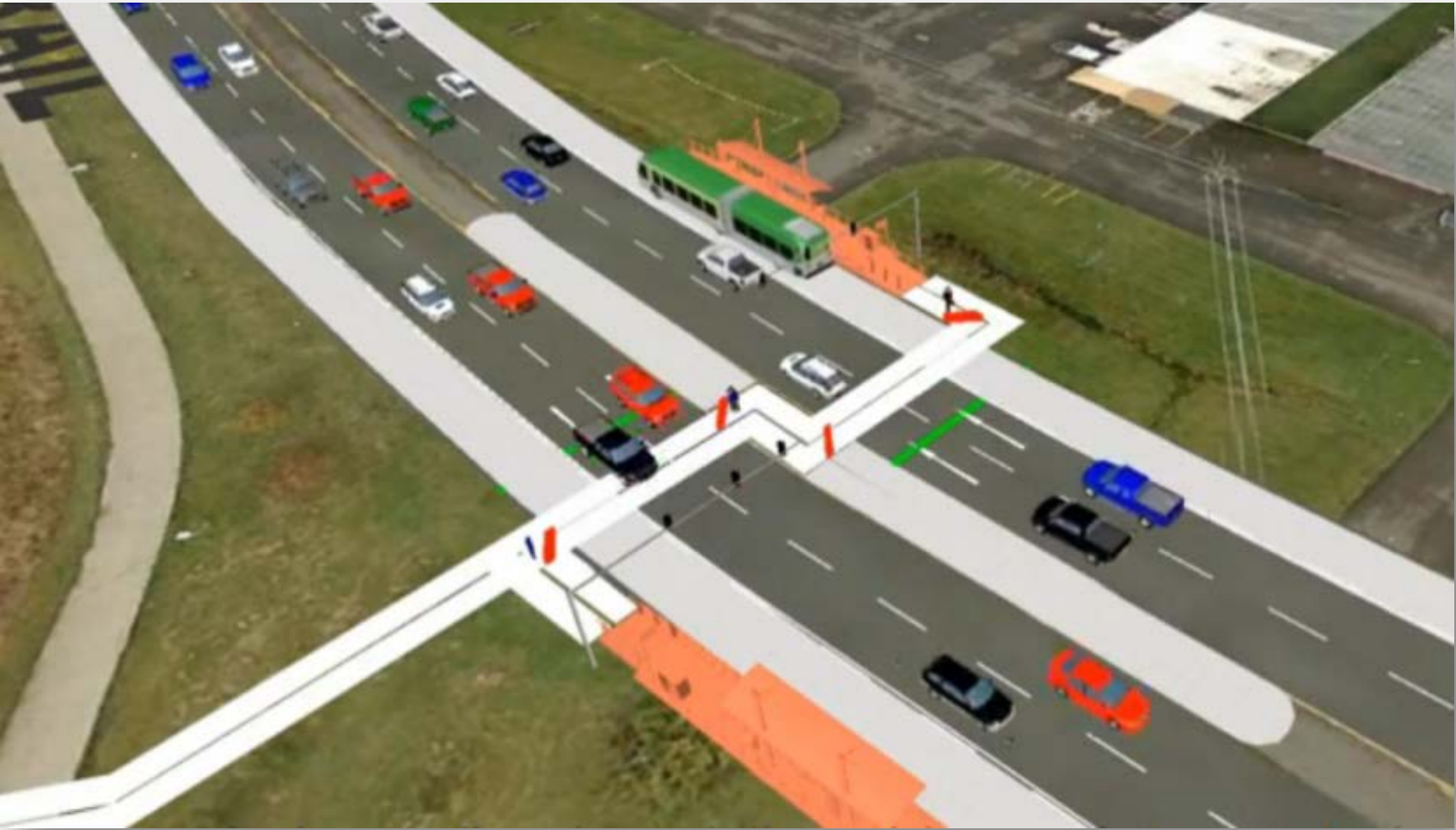
Eastbound on West 11th at Garfield

Design Solutions After



Eastbound on West 11th at Garfield

Design Solutions West 11th Ped Crossing



Design Solutions Before



Eastbound on West 11th between Bertelsen and Bailey Hill

Design Solutions After



Eastbound on West 11th between Bertelsen and Bailey Hill

Fewer Impacts - Construction

Work in sections of 3-5 blocks

Nighttime construction (7 p.m. – 7 a.m.)

Easier for daytime businesses

Ease traffic congestion

Night noise will affect residents

Discount LTD passes during
construction in their neighborhood



Fewer Impacts - Construction



Maintain access

“Open during Construction” signage

Advance communication

Door-to-door to adjacent businesses, with hotline

Direct mail to those within ½ mile

General public: e-news, web, traffic advisories, print/radio ads

Business Support

Workshops

Lane Small Business Development Center workshops,
(2 or 3 per quarter)

LTD Passes

Free or discount passes for employees and residents
on route

Advertising

Promote the corridor businesses (bus, print, radio,
mobile, web ads)



Construction



Timing

Fall 2014 – early 2017

Sequencing

1. Charnelton
2. West 7th Avenue
3. West 6th Avenue
4. Garfield
5. West 11th Avenue

**Subject to change, and construction may occur on different streets simultaneously*

Art

Budget

.05% to Art, ~ \$500K

Selection Process

Community Art Committee

Focus Groups

Request for Proposals

3 entries, all Selected

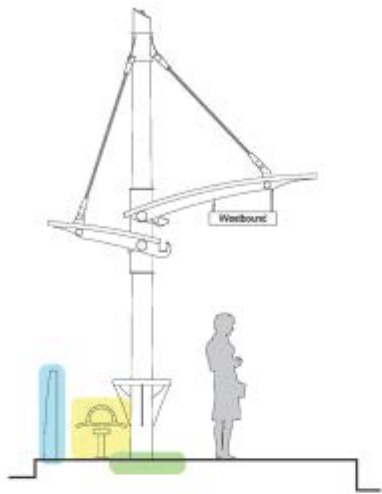
Thread

Kari Johnson

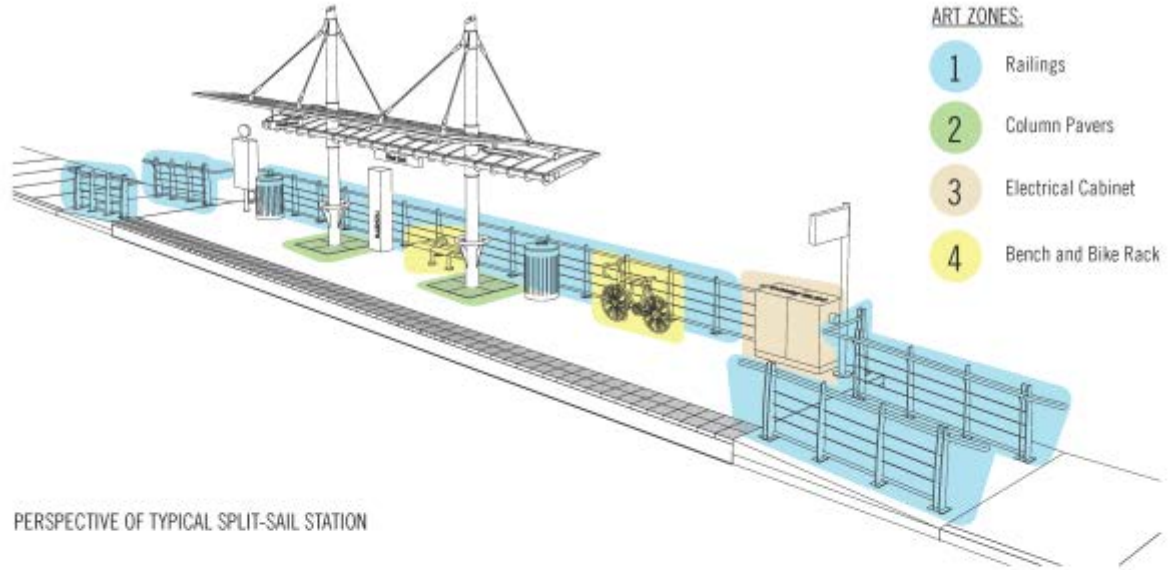
Tallmadge Doyle



Art – Function and Location



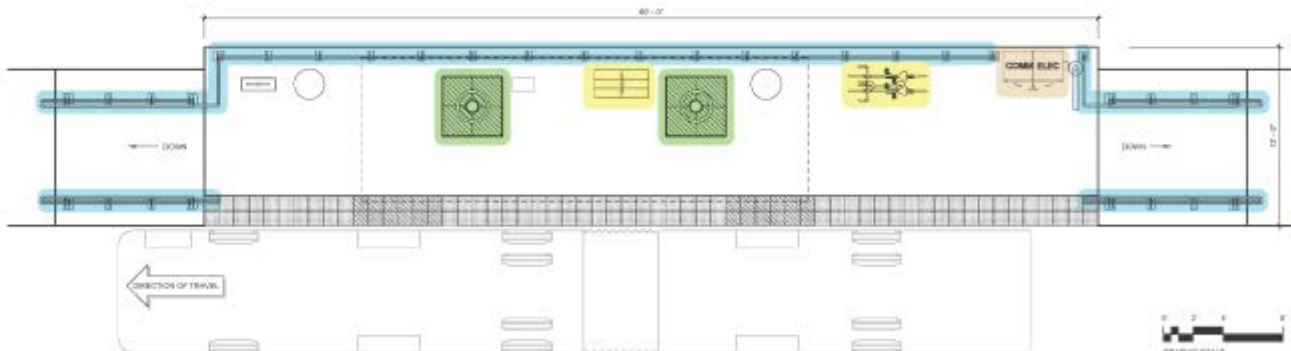
SIDE ELEVATION OF TYPICAL SPLIT-SAIL STATION



PERSPECTIVE OF TYPICAL SPLIT-SAIL STATION

ART ZONES:

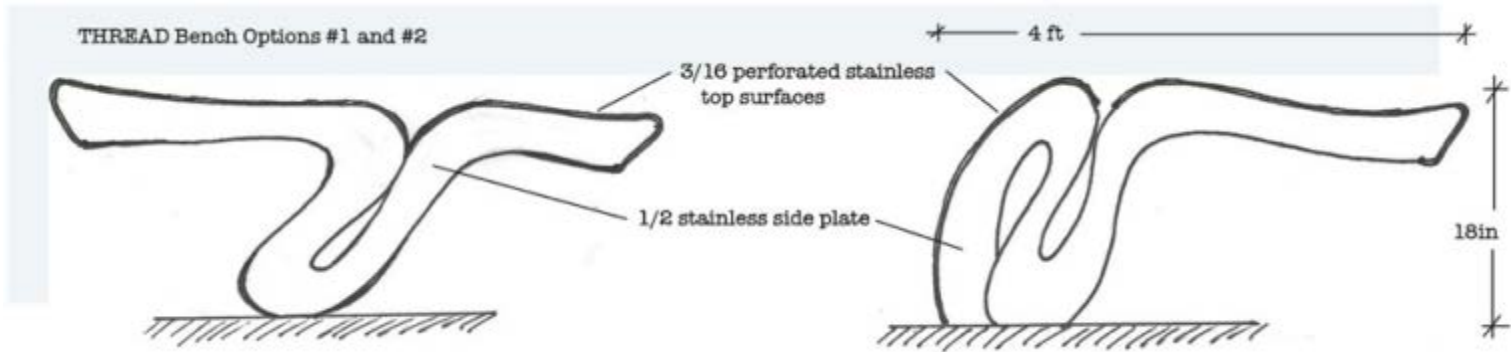
- 1 Railings
- 2 Column Pavers
- 3 Electrical Cabinet
- 4 Bench and Bike Rack



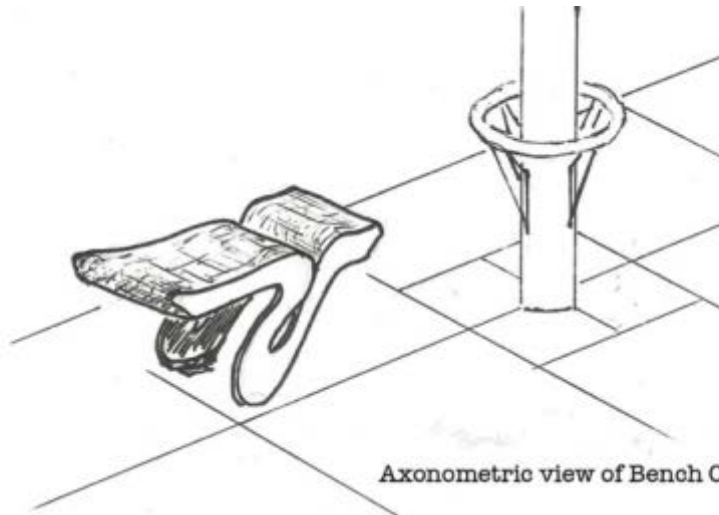
FLOOR PLAN OF TYPICAL SPLIT-SAIL STATION

Exhibit A - Split Sail Station
April 2, 2014

Art



Stainless perforated plate
1/4 inch holes offset



Art



Art



Questions?

