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LANE TRANSIT DISTRICT REGULAR BOARD MEETING

**February 18, 1998
7:00 p.m.**

**LTD BOARD ROOM
3500 E. 17th Avenue, Eugene
(off Glenwood Blvd.)**

A G E N D A

Page No.

I. CALL TO ORDER

II. ROLL CALL

Bennett _____ Hocken _____ Kleger _____ Kortge _____
Murphy _____ Wylie _____ Bailey _____

III. INTRODUCTORY REMARKS BY BOARD PRESIDENT

IV. EMPLOYEE OF THE MONTH

V. AUDIENCE PARTICIPATION

Each speaker is limited to three (3) minutes.

VI. FISCAL YEAR 1998-99 SERVICE RECOMMENDATIONS

A. Staff Presentation

B. Public Testimony

Each speaker is limited to three (3) minutes.

C. Board Discussion

VII. ITEMS FOR ACTION AT THIS MEETING

A. Consent Calendar

1. Minutes of the January 20, 1998, special meeting/work session
2. Minutes of the January 21, 1998, regular meeting
3. Budget Committee Nomination
4. Selection of Independent Auditor

B. Second Reading and Adoption: Lane Transit District Ordinance 36, 1998 Revision, "Regulations Governing Conduct on District Property"

C. Capital Improvements Program

D. Board Meeting Times and Preferences

VIII. ITEMS FOR INFORMATION AT THIS MEETING

A. Current Activities

1. Board Member Reports
 - a. Metropolitan Policy Committee
 - b. Statewide Livability Forum
2. Monthly Financial Report—January Financial Statement
3. Eugene Station Update
4. Eugene Station Opening Activities
5. Deferred Compensation Quarterly Report
6. Annual Employee Awards Banquet
7. Correspondence
 - a. Letter from Michael E. Farthing
 - b. Letter from Roseanne Murranks, with staff response

B. Monthly Staff Report

- IX. ITEMS FOR ACTION/INFORMATION AT A FUTURE MEETING
 - A. LCC Group Pass
 - B. Fiscal Year 1998-99 Service Changes
 - C. Fiscal Year 1998-99 Pricing Issues/Fare Policy
 - D. Low-floor Buses—Interior Design
 - E. Budget Transfers
 - F. LTD Strategic Business Plan
 - G. Quarterly Performance Reporting/Year-End Performance Report
- X. ADJOURNMENT

Alternative formats of printed material (Braille, cassette tapes, or large print) are available upon request. A sign language interpreter will be made available with 48 hours' notice. The facility used for this meeting is wheelchair accessible. For more information, please call 741-6100 (voice) or 687-4265 (TTY, for persons with hearing impairments).

AGENDA ITEM SUMMARY

DATE OF MEETING: February 18, 1998

ITEM TITLE: JANUARY FINANCIAL STATEMENT

PREPARED BY: Diane Hellekson, Finance Manager

ACTION REQUESTED: None

BACKGROUND: Year-to-date financial results for the 1997-98 fiscal year are summarized in the attached reports. Total General Fund revenue is \$453,297 ahead of budget for the seven-month period and 7.9 percent ahead of receipts for the same period in the previous fiscal year. Total General Fund expenses are \$1,107,551 less than budget through January of the current fiscal year and 8 percent over those of the previous year. No adverse financial conditions exist at this time.

Year-to-date passenger fares are ahead of plan, with cash fares exceeding seven-month expectations by \$9,154 and group pass sales exceeding expectations by \$21,528. Passenger fare revenue exceeds that of the corresponding period in the previous fiscal year by 7.1 percent. Group pass sales are ahead of last year by 13.1 percent. Special Services revenue is behind plan by \$37,841, but is more than double what was received in the same period last year. The budget plan anticipated Cottage Grove contract revenue that has not been realized as budgeted.

Year-to-date payroll tax receipts are 1.2 percent ahead of budget and 4.6 percent ahead of the same period in the last fiscal year. Self-employment tax (SET) receipts are 36.7 percent ahead of last year. State-in-lieu revenue is 9.7 percent ahead of last year, but the increase does not represent a net gain from this source. An underpayment error was discovered in the State payments during the last fiscal year. The State acknowledged the error in the third quarter of the year, but did not make the payment of the additional amount owed until the fourth quarter. The amount of the error was approximately \$45,000.

Wages are no longer within the current-year budget plan for the year to date for administrative positions due to the implementation of a new administrative salary schedule. A projection of year-end personnel expenses is currently underway as part of the FY 1998-99 budget development process. Should a Board-approved transfer from contingency be required, it will be requested prior to the end of the current fiscal year. Contract wages are within the current-year plan.

Overall, department expenses year to date are at or below budget plan. The slight delay in the opening of the new Eugene Station and a change in the timing of some department activities account for the non-wage-related surpluses that some departments show as of January 31, 1998. The Special Transportation Fund and Capital Fund both meet financial plan expectations through the first seven months of the current year.

The request for budget transfer that was anticipated for February Board consideration has been deferred again until a future Board meeting. It was to include funding for the Eugene Station security plan and community policing station, as well as any other potential expenses that were not anticipated by the current adopted budget. It is likely that a transfer request to cover non-wage items now will be combined with a request for a personnel budget increase, should either or both be required before June 30, 1998.

The budget development process for FY 1998-99 is underway, and a calendar of meetings and events has been distributed. Orientation of the citizen members of the Budget Committee is in progress. An orientation meeting of the citizen members will be held on the evening of April 6, 1998. Board input to the FY 1998-99 budget process will begin with the presentation of the Capital Improvements Program at the February meeting, and continue in March with the presentation of the Long-Range Financial Plan.

ATTACHMENTS:

Attached are the following financial reports for Board review:

1. Analysis report - comparison to prior year
2. Comparative Balance Sheets
 - a. General Fund
 - b. Special Transportation Fund
 - c. Capital Fund
3. Income Statements
 - a. General Fund
 - b. Special Transportation Fund
 - c. Capital Fund

PROPOSED MOTION:

None

AGENDA ITEM SUMMARY

DATE OF MEETING: February 18, 1998

ITEM TITLE: CAPITAL IMPROVEMENTS PROGRAM

PREPARED BY: Diane Hellekson, Finance Manager

ACTION REQUESTED: Approval of the Capital Improvements Program

BACKGROUND: The Capital Improvements Program (CIP) is reviewed and revised each year as part of the budget development process. The five-year plan forms the foundation for the proposed Long-Range Financial Plan. The first year of the rolling CIP becomes the capital budget for the next fiscal year.

The proposed capital budget for FY 1998-99 totals \$9,122,950. More than half of this total (\$4,769,670) comes from the planned acquisition of new buses. The purchase of new replacement/fleet expansion buses is considered by the Board at the time each grant application is presented for Board approval. The Board has already approved the buses included in the FY 1998-99 Capital Improvements Program.

The next largest contributor to next year's capital plan is the category of Passenger Boarding Improvements. This category is expected to account for up to 16 percent of total capital outlay in the next fiscal year (\$1,459,500) and includes new and replacement shelters, Park & Ride facility development, and miscellaneous improvements to signage and station security. Improvements to the Glenwood facility, including expansion of the bus parking lot to accommodate fleet expansion, are expected to cost \$935,000. The Bus Rapid Transit project, which now has staff dedicated exclusively to development, is budgeted at \$750,000 for FY 1998-99.

Projects funded by grants that are passed through to the Operating Fund are noted separately at the end of the project list. They include fleet maintenance parts and the Commuter Solutions coordinator position. The total cost of the pass-through activities is proposed to be \$237,300.

A list of proposed projects and expenditures by expense category is attached. Included is a locally-funded contingency of \$200,000, which is included, as it was in the current year, as a hedge against the uncertainties of major projects that have not yet been designed and fully estimated. The FY 1998-99 CIP includes a total of \$404,700 in exclusively locally-funded projects. The balance of the plan for next year is expected to be grant-funded at the 80 percent or higher level. Additional information will be provided at the Board meeting.

ATTACHMENTS: Proposed Capital Improvements Program Project List by Category

PROPOSED MOTION: I move that the Board approve the following resolution: It is hereby resolved that the proposed Capital Improvements Program for fiscal years 1998-99 through 2002-2003 is approved as presented.

**CONSENT CALENDAR ITEM:
AWARD OF CONTRACT FOR INDEPENDENT AUDIT SERVICES**

Prepared by Diane Hellekson, Finance Manager
February 18, 1998

BACKGROUND: In order to comply with public purchasing regulations, it was necessary to initiate a Request for Proposals (RFP) for independent audit services following the fifth consecutive year of the previous contract. The RFP was issued in December 1997, and responses were opened on January 15, 1998. Four proposals were received. Because all four proposals met the specifications of the RFP, all four respondents were interviewed and considered viable candidates for the new audit services contract. The cost proposals of the four responding firms are summarized below:

<u>Name</u>	<u>Year 1 Cost</u>	<u>Annual Inflator</u>	<u>3-Year Cost Total</u>
Grove, Mueller, Hall & Swank	\$13,000	4%	\$40,581
Isler & Company	\$14,896	3%	\$46,042
Jones & Roth	\$16,500	5%	\$52,016
Kenneth Kuhns & Company	\$16,450	4%	\$51,350

A review committee consisting of the Purchasing Administrator, Finance Manager, and Assistant Finance Manager was convened. The General Manager and Board President were periodically consulted and informed about the progress of the process. The review committee considered audit timing and methodology with each candidate, and references were checked. Also considered was participation in and familiarity with the Government Finance Officer's Association Certificate of Excellence program for annual reporting. Based on the results of the interviews, reference checks, and consideration of cost, it is recommended that the contract for independent audit services for the audits of fiscal years 1997-98 through 1999-2000 (with an option to renew for an additional two years) be awarded to Grove, Mueller, Hall & Swank. Charles Swank, the partner to whom the engagement would be assigned, is a reviewer for the GFOA certificate program. Current clients of Grove, Mueller, Hall & Swank in the Eugene/Springfield area include the 4J School District and the Bethel School District.

Award of contract for Independent Audit Services

February 18, 1998

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ACTION REQUESTED: Staff recommend that the Board of Directors award a contract for independent audit services to the firm of Grove, Mueller, Hall & Swank.

CONSEQUENCES OF RECOMMENDED ACTION: The Finance Department will prepare a contract for the required services, and have the contract executed. Preliminary work will begin on the audit of FY 1997-98 shortly thereafter.

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AGENDA ITEM SUMMARY

DATE OF MEETING: February 18, 1998

ITEM TITLE: 1998 EMPLOYEE AWARDS BANQUET

PREPARED BY: Phyllis Loobey, General Manager

ACTION REQUESTED: None

BACKGROUND: The District's annual employee awards banquet will be held on Sunday, March 1, 1998, at the Eugene Hilton Hotel, beginning with a social hour at 5:30 p.m. Dinner service will start at 6:30 p.m., and the awards ceremony will begin at 7:30 p.m. This year's banquet will have a "sports" theme, and promises to be a fun evening. There will be a "sportswear" contest for individuals and teams, so Board members are encouraged to come dressed in their favorite sportswear, as either a participant or a fan of a particular sport or activity.

Board members should have received an invitation with more specific information, and are asked to mark this date on your calendars and plan to attend this important employee event. Staff recommend picking up your tickets in advance; they will be available at the February 18 Board meeting for your convenience. Otherwise, please call 741-6100 to let us know if you and your guest will attend.

ATTACHMENT: None

PROPOSED MOTION: None

AGENDA ITEM SUMMARY

DATE OF MEETING: February 18, 1998

ITEM TITLE: CORRESPONDENCE

PREPARED BY: Phyllis Loobey, General Manager

ACTION REQUESTED: None

ATTACHMENTS: The attached correspondence is included for the Board's information:

- * Letter from attorney Michael Farthing regarding LTD's Board staff and agenda materials
- * Letter from Roseanne Murranks regarding service in Springfield, with staff response

At the February meeting, staff will respond to any questions the Board members may have about this correspondence.

PROPOSED MOTION: None

MONTHLY STAFF REPORT

February 18, 1998

TRANSIT OPERATIONS

Prepared by Rob Montgomery, Acting Transit Operations Manager

There is no Transit Operations report this month.

HUMAN RESOURCES

Prepared by Ed Rutledge, Human Resources Manager

RECRUITMENT AND SELECTION

During the month of January, final interviews were held for the position of graphic artist. The candidate selected for this position was Jeff Wilcox, and he began his employment with the District on January 12, 1998. The interviews for the position of engineer also were held during January. The candidate selected for this position was Graham Carey, who began his employment with the District on February 2, 1998.

The District began its recruitment process for the positions of facilities custodian (2 positions), transit planner, transit operations manager, the new TS (temporary supervisor) program, and two limited-duration field supervisors. Applications for the position of facilities custodian and transit planner were accepted through February 9, 1998. The District is conducting a nationwide search for the position of transit operations manager and will be accepting applications through March 20, 1998.

The human resources specialist participated in the Career Fair held at the University of Oregon on January 21 and 22. The District's display highlighted the many current District employees who are graduates of the University of Oregon.

TRAINING

The HR manager conducted training in evaluation assessment techniques for operator instructors. While it is not expected that the instructors will formally evaluate employees, they must know how to assess new employees for training purposes.

The human resources specialist assisted with the bus operator instructor training and the new bus operator training. The human resources specialist conducted the District's Drug and Alcohol Policy training for the new safety-sensitive employees on January 16, 1998.

The risk/safety/benefits specialist (RSBS) covered a topic called "Teach Good Work Habits" for a class of new operator instructors. This topic had three areas that the new instructors specifically wanted addressed: injury prevention, ability to drive any bus, and reporting physical difficulties. The RSBS also conducted training on emergency and accident procedures and injury prevention.

RISK

An effort is being made to close out all individual litigation "exposures" that have been in the system for three or more years.

The RSBS met with the insurance agent and investigator consultant to establish the procedures in the new (SIR) limit that has been obtained through the Special Districts Association of Oregon (SDAO).

The RSBS and the HR manager discussed with the insurance agent the long-term possibility of becoming self-insured in workers' compensation insurance. The insurance agent was requested to prepare a cost/benefit profile for review.

SAFETY

In a semi-real fire drill (someone burned popcorn in the microwave oven, which set off the alarm), employees set a new record in response time by clearing the administrative building in one and a half minutes. In the previous fire drill, it took four minutes to clear the building.

The RSBS and the HR manager met with representatives of the SAIF Corporation in order to discuss the current workers' compensation cases.

The RSBS assisted in determining the location of the new radios in the buses.

The Facilities Safety Committee met this month and reviewed the injury reports received since the last meeting. Then the committee split into teams in order to conduct the facilities safety inspections.

BENEFITS

The risk/safety/benefits specialist addressed a problem with obtaining a special prescription that is paid by the insurance carrier. Owing to a few recent service delivery problems from the insurer, a meeting has been arranged with benefits consultant and representatives from QualMed in early March.

The HR manager met with some employees who wished to explore the issue of insurance benefits being extended to domestic partners.

COMPENSATION STUDY

The Human Resources Department received a total of nine appeals to the compensation study. Copies of the appeal documents have been forwarded to the consultant for review and response.

PERFORMANCE MANAGEMENT PROJECT

A task team has been assembled consisting of the general manager (GM), assistant general manager (AGM), and the HR manager in order to develop and implement a performance management system. The task team has identified goals and a time line for implementation. It is expected that the GM and AGM will use the Performance Management System first in order to evaluate the manager-level positions in the administrative staff.

HUMAN RESOURCE INFORMATION SYSTEM

Planning continued for the implementation of the new HR/Payroll information system. Each of the staff in HR completed questionnaires that will be forwarded to the software installers.

EMPLOYEE RELATIONS

The HR manager met with an employee who wished to polish a resume' in the preparation for applying for the other openings within LTD.

The HR manager also met with an employee who will be retiring during the month of February.

LABOR RELATIONS

Officials from the Union met at length with the HR manager and the acting transit operations manager in order to clear up a number of misunderstandings that had emerged during December. These representatives also conducted a very successful Labor-Management Committee (LMC) meeting, in which an issue regarding floating holidays was resolved. The parties also were able to tentatively resolve a grievance emanating from certain employees in the Fleet Services Department.

The HR manager conducted two due process hearings for probationary employees who had been dismissed.

OTHER

The HR manager coordinated a one-day training session for the Eugene-Springfield Chambers Leadership Program.

SERVICE PLANNING & MARKETING

Prepared by Andy Vobora, Service Planning & Marketing Manager

There is no Service Planning & Marketing report this month.

AGENDA ITEM SUMMARY

DATE OF MEETING: February 18, 1998

ITEM TITLE: BOARD MEMBER REPORTS

PREPARED BY: Jo Sullivan, Executive Secretary

ACTION REQUESTED: None

BACKGROUND: Board members have been appointed to the Metropolitan Policy Committee (MPC), and on occasion are appointed to other local or regional committees. Board members also will 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:

- a. **MPC:** MPC meetings generally are held on the second Thursday of each month. At the February 18 Board meeting, LTD's MPC representatives Pat Hocken and Rob Bennett will provide a brief update on the February 12 MPC meeting. They also can answer any questions the Board may have about the MPC activities in general.
- b. **Statewide Livability Forum:** Board President Pat Hocken has been asked to participate on a statewide committee called the Livability Forum as one of 12 participants from the Eugene/Springfield area. At the February 18 Board meeting, she can report to the Board about this committee.

ATTACHMENTS: None

PROPOSED MOTION: None

AGENDA ITEM SUMMARY

DATE OF MEETING: February 18, 1998

ITEM TITLE: EUGENE STATION OPENING ACTIVITIES

PREPARED BY: Andy Vobora, Service Planning & Marketing Manger

ACTION REQUESTED: None

BACKGROUND: The details of operational plans, security plans, and moving plans are being refined as the Eugene Station opening date of April 5, 1998, nears. A plan for grand opening activities for the business community, the general public, and employees also has been developed. Please mark the following dates on your calendar:

Employee Event:	Sunday, March 29	12:00 p.m. to 5:00 p.m.
Dedication Ceremony:	Thursday, April 2	5:30 p.m. to 7:30 p.m.
Public Preview:	Saturday, April 4	12:00 p.m. to 4:00 p.m.
Public Opening:	Sunday, April 5	8:30 a.m. departure

At the February meeting, Service Planning and Marketing staff will review these events in more detail and answer questions from the Board.

ATTACHMENT: None

PROPOSED MOTION: None

AGENDA ITEM SUMMARY

DATE OF MEETING: February 18, 1998

ITEM TITLE: CONSENT CALENDAR

PREPARED BY: Jo Sullivan, Executive Secretary

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 February 18, 1998:

1. Approval of minutes: January 20, 1998, special Board meeting/work session
2. Approval of minutes: January 21, 1998, regular Board meeting
3. Budget Committee Nomination: George Rode
4. Selection of Independent Auditor

ATTACHMENTS:

1. Minutes of the January 20, 1998, special Board meeting
2. Minutes of the January 21, 1998, regular Board meeting
3. Budget Committee Nomination Form for George Rode
4. Contract Award: Independent Audit Services

PROPOSED MOTION: I move that the Board adopt the following resolution: It is hereby resolved that the Consent Calendar for February 18, 1998, is approved as presented.

AGENDA ITEM SUMMARY

DATE OF MEETING: February 18, 1998

ITEM TITLE: FEBRUARY EMPLOYEE OF THE MONTH

PREPARED BY: Jo Sullivan, Executive Secretary

ACTION REQUESTED: None

BACKGROUND: **March 1998 Employee of the Month:** Bus Operator Melinda Raven has been selected as the March 1998 Employee of the Month. She was hired on June 17, 1996, and has achieved one year of safe driving and one year of correct schedule operation (CSO). She recently was selected as an instructor for new bus operators. Melinda was nominated by two different customers. One customer said that Melinda's thoughtful, courteous, friendly, and professional manner greatly contributed to the pleasure of her ride, and that she felt safe and comfortable during the entire ride. She was pleased to watch Melinda wait for a woman who had her arms full of groceries to be seated before starting the bus, and was impressed with Melinda's ability to deal with a person who was using profane language.

Another woman nominated Melinda in appreciation of Melinda's assistance in putting out a vehicle fire. When asked about this event, Melinda said that she was driving her bus on Barger when she noticed a truck on the side of the road with its hood up and engine on fire. Melinda gave a man at the scene the fire extinguisher from her bus so that he could start putting out the fire while she pulled her bus forward, and then went to the truck to offer additional assistance. The customer said that she barely escaped with her life, between the flames and not being able to remove her seatbelt, and was grateful that Melinda came to her aid. Melinda was complimented for her calm and professional handling of this emergency while paying close attention to the safety of her passengers, her equipment, and herself.

When asked what makes Melinda a good employee, Field Supervisor Gary Taylor said that in her short time with the District, Melinda has shown perfection in each task that she has taken on. He described her as a very punctual person who has never missed a day of work and always arrives with plenty of time to prepare for the day, and as someone who has set very high standards for her own performance. He added

that her driving record is exceptional and that she provides outstanding customer service to all customers, including those with disabilities, showing that she is very concerned about how customers are treated and the service they receive. Additionally, he commented that Melinda's quick reactions saved the woman who was trapped in her seatbelt in a truck with the engine on fire, by getting her out of the vehicle and putting out the fire.

AWARD:

Melinda will attend the February 18 meeting to be introduced to the Board and receive her award.

AGENDA ITEM SUMMARY

DATE OF MEETING: February 18, 1998

ITEM TITLE: EUGENE STATION UPDATE

PREPARED BY: Charlie Simmons, Facility Services Manager
Jim Ball, Owner's Construction Representative

ACTION REQUESTED: None. Information only.

BACKGROUND: **Summary of Construction Activities since Previous Report:**

At the Customer Service Center, case work is complete. Electrical wiring for lighting, power, and special systems is 98 percent complete. Placement of the main floor terrazzo floor and counter is complete, and grinding to the finish surface is approximately 90 percent complete. Installation of the suspended ceiling tiles, vinyl wall covering, and ceramic tile is 90 percent complete.

At the Southwest Corner (1099 Olive) Building, the punch list of items requiring correction before substantial completion is approximately 80 percent complete. Application of anti-graffiti paint on the exterior masonry veneer is complete. Balancing of the HVAC system has begun.

On Site, the unit paver installation is complete except for the caulking of the expansion joints. Installation of conduit and light fixtures is complete in the small shelters and 40 percent complete in the main shelter. Wiring installations for the public address system, traffic control system, and clock system are complete. The wall-mounted section of trellis at the Gibson Building is complete, seven of the 15 support columns for the free-standing trellis at the McDonald Theater Building have been erected, and footings have been poured.

In the Right-of-Way, all work is complete except for painting lampposts and correction of a short punch list.

Activities Anticipated in the Coming Month:

At the Customer Service Center, terrazzo floor, vinyl tile floor, ceramic tile floor, and carpeting will be complete. Electrical trim and light fixture installations will be complete and operational. Ceramic tile trim will be installed on the exterior walls. Testing of communications, security, access control, and fire alarm systems will be complete, and the systems will be made operational. All work except for correction of punch list items will be complete, and the building will be ready for beneficial occupancy.

At the Southwest Corner (1099 Olive) Building, Ceramic tile trim will be installed on the exterior walls. Exterior lighting will be installed and made operational. Anti-graffiti film covering of the windows will be installed. All punch list items will be corrected, furniture will be moved in, and LTD will take beneficial occupancy of the building.

On Site, all electrical power and lighting, public address system wiring, CCTV, clock system, and telecommunications system will be complete and operational. The trellis structures, planter curbs, and hot bus driveway will be completed. Planting of all shrubs and flowers will be complete. The portico ceramic tile and glass artwork will be installed. Traffic control system software will be installed and tested, and the system will be made operational. Consequently, all site work will be complete except for minor punch list items.

In the Right-of-Way, the remaining lampposts will be painted, and the final punch list items will be completed.

ATTACHMENT: None

PROPOSED MOTION: None

AGENDA ITEM SUMMARY

DATE OF MEETING: February 18, 1998

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

PREPARED BY: Jo Sullivan, Executive Secretary

ACTION REQUESTED: None at this time

BACKGROUND: The action or information items listed below will be included on the agenda for future Board meetings:

- A. **LCC Group Pass:** It is anticipated that final approval of an LCC group pass program will be requested at the March 18, 1998, Board meeting.
- B. **Fiscal Year 1998-99 Service Changes:** Board approval of the final service change proposal for FY 98-99 will be scheduled for the March 18, 1998, meeting.
- C. **Fiscal Year 1998-99 Pricing Issues/Fare Policy:** A public hearing and approval of the pricing structure for FY 98-99 will be scheduled for the March 18, 1998, Board meeting. The first reading of an ordinance setting the fares for FY 98-99 will be scheduled for April 15, and the second reading and adoption will be held on May 20, 1998.
- D. **Low-Floor Buses—Interior Design:** The specifications for the interior design and amenities of the next bus order are being prepared. Staff will discuss such items as seat placement and interior colors with the Board at the March 18, 1998, meeting.
- E. **Budget Transfers:** At a future meeting, staff may ask for Board approval of budget transfers to accomplish the additional work plans of the District.
- F. **LTD Strategic Business Plan:** Following a public comment period on the Draft Strategic Plan, the Board will be asked to approve the final LTD Strategic Plan document at a future meeting.

- G. **Quarterly Performance Reporting**: Staff will provide quarterly performance reports for the Board's information in February, May, August, and November each year.

LTD HUMAN RESOURCES

TO: Jo Sullivan
FROM: Ed Rutledge
SUBJECT: Monthly Report for February 1998
DATE: 02/01/98

RECRUITMENT AND SELECTION

During the month of November, the final interviews were held for the position of the graphic artist. The candidate selected for this position was Jeff Wilcox, and he began his employment with the District on January 12, 1998. The interviews for the position of engineer also were held during January. The candidate selected for this position was Graham Carey, and he is expected to begin his employment with the District on February 2, 1998.

The District began its recruitment process for the positions of facilities custodians (2 positions), transit planner, transit operations manager, the new TS Program, and two limited duration field supervisors. Applications for the position of facilities custodian and transit planner will be accepted through February 9, 1998. The District is conducting a nationwide search for the position of transit operations manager and will be accepting applications through March 20, 1998.

The Human Resources Specialist participated in the Career Fair held at the University of Oregon on January 21 and 22. The District's display highlighted the many current District employees who are graduates of the University of Oregon.

TRAINING

The HR Manager conducted the training in the evaluation assessment techniques for operator instructors. While it is not expected that the instructors will formally evaluate employees, they must know how to assess new employees for training purposes.

The Human Resources Specialist assisted with the bus operator instructor training and the new bus operator training. The Human Resources Specialist conducted the District's Drug and Alcohol Policy training for the new safety-sensitive employees on January 16, 1998.

The Risk/Safety/Benefits Specialist (RSBS) covered a topic called "Teach Good Work Habits" for a class of new operator instructors. This topic had three areas that the new instructors specifically wanted addressed: injury prevention, ability to drive any bus, and reporting physical difficulties. The RSBS also conducted training on emergency and accident procedures and injury prevention.

RISK

An effort is being made to close out all individual litigation "exposures" that are have been in the system for three or more years. The table below displays the history of such "exposures" for the three fiscal years beginning with the '92/'93 year.

Fiscal Year	Bodily Injury	Property Damage	Total
1992 / 1993	\$34,552.44	\$13,608.29	\$48,160.73
1993 / 1994	\$29,635.83	\$29,992.28	\$59,628.11
1994 / 1995	\$14,915.64	\$12,342.42	\$27,258.06

The RSBS met with the insurance agent and investigator consultant to establish the procedures in the new (SIR) limit that has been obtained through the Special Districts Association of Oregon (SDAO).

The RSBS and the HR manager discussed with the insurance agent the long-term possibility of becoming self-insured in workers' compensation insurance. The insurance agent was requested to prepare a cost/benefit profile for review.

SAFETY

In a semi-real fire drill (someone burned their popcorn in the microwave and that set off the alarm), employees set a new record in response time by clearing the administrative building in one and a half minutes. In the previous fire drill, it took four minutes to clear the building.

The RSBS and the HR Manager met with the representatives of the SAIF Corporation in order to discuss the current workers' compensation cases.

The RSBS assisted in determining the location of the new radios in the buses.

The Facilities Safety Committee met this month and reviewed the injury reports received since the last meeting. Then the committee split into teams in order to conduct the facilities safety inspections. The tables below displays LTD's injury record for the month and a history from January 1995.

TOTAL INJURIES REPORTED	3
SAIF CLAIMS REPORTED	2
SAIF CLAIMS TIME LOSS	1

On-the-Job Injuries History from January 1995 to YTD

YEAR	1995	1996	1997	1998
Total Injuries Reported	48	73	95	3
Total Number SAIF Claims	17	35	38	2
Total Number SAIF Time Loss	10	17	15	1

BENEFITS

The Risk/Safety/Benefits Specialist addressed a problem with obtaining a special prescription that is paid by the insurance carrier. Owing to a few recent service delivery problems from the insurer, a meeting has been arranged with benefits consultant and representatives from QualMed in early March.

The HR Manager met with some employees who wished to explore the issue of insurance benefits being extended to domestic partners.

COMPENSATION STUDY

The Human Resources Department received a total of nine appeals to the compensation study. Copies of the appeal documents have been forwarded to the consultant for review and response.

PERFORMANCE MANAGEMENT PROJECT

A task team has been assembled consisting of the General Manager (GM), Assistant General Manager (AGM), and the HR Manager in order to develop and implement a performance management system. The task team has identified goals and a time line for implementation. It is expected that the GM and AGM will use the Performance Management System first in order to evaluate the manager-level positions in the administrative staff.

HUMAN RESOURCE INFORMATION SYSTEM

Planning continued for the implementation of the new HR/Payroll information system. Each of the staff in HR completed questionnaires that will be forwarded to the software installers.

EMPLOYEE RELATIONS

The HR Manager met with an employee who wished to polish a resume' in the preparation for applying for the other openings within LTD.

The HR Manager also met with an employee who will be retiring in the month of February.

LABOR RELATIONS

Officials from the Union met at length with the HR manager and the Acting Transit Operations Manager in order to clear up a number of misunderstandings that had emerged in December. These representatives also conducted a very successful Labor-Management Committee (LMC) in which an issue regarding floating holidays was resolved. The parties also were able to tentatively resolve a grievance emanating from certain employees in the Fleet Services Department.

The HR Manager conducted two (2) due process hearings for probationary employees who had been dismissed.

OTHER

The HR Manager coordinated a one-day training session for the Eugene-Springfield Chambers Leadership Program.

AGENDA ITEM SUMMARY

- DATE OF MEETING:** February 18, 1998
- ITEM TITLE:** BOARD MEETING TIMES AND PREFERENCES
- PREPARED BY:** Phyllis Loobey, General Manager
- ACTION REQUESTED:** That the Board determine whether Board meetings should begin earlier in the evening or be held on a different day of the week or month.
- BACKGROUND:**
- During the fall of 1996, the Board discussed its preferences for meeting dates and beginning times. Currently, the regular monthly meeting begins at 7:00 p.m. on the third Wednesday of the month, as set by Board resolution on September 18, 1996. Special meetings and work sessions are not set by resolution and are called at the convenience of the Board. The Board agreed, during the fall of 1996, to hold work sessions on an as-needed basis on the Monday preceding the regular monthly meeting. The Board's preference at that time was to begin work sessions at 5:30 p.m. Later, to meet Board member Roger Saydack's schedule, that beginning time was changed to 6:00 p.m. Now that Mr. Saydack is no longer on the Board, staff ask whether the current Board would prefer a different beginning time, or even a different meeting day, for work sessions. This change can be made without the formality of a resolution, since these are not the regularly-scheduled monthly business meetings of the Board.
- The Board also may want to discuss the time and date of the regular monthly meetings. If the Board members would rather meet on a day other than the third Wednesday at 7:00 p.m., those changes could be made by resolution.
- Other questions for the Board include the manner in which business is handled at the regular monthly meetings, or the content of those meetings. For instance, because the regular meetings have been rather lengthy, it would be possible to place only action items on the monthly business meeting agendas, and discuss information items at a monthly work session.
- CONSEQUENCES OF REQUESTED ACTION:** The Board's regular monthly meetings and/or work sessions could begin at a different time of day and/or different day of the month, as determined by the Board. If changes to the regular monthly meeting are requested, staff

would prepare a resolution making those changes, for approval at the March 18, 1998, regular meeting, and notify the public of those changes.

ATTACHMENT: None

PROPOSED MOTION: None at this time

LANE TRANSIT DISTRICT

Ordinance 36

1998 Revision

CONTENTS

1.10	Definitions
1.15	Regulations
1.20	Exclusion
1.25	Violations
1.30	Jurisdiction
1.35	Severability

LANE TRANSIT DISTRICT

ORDINANCE 36

1998 REVISION

Regulations Governing Conduct on District Property

The Board of Directors of Lane Transit District does hereby ordain and decree the following Ordinance:

1.05 To facilitate the purposes set forth in ORS Chapter 267, and for the safety, convenience, and comfort of District passengers and for the protection and preservation of District property, it is necessary to establish the following rules and regulations governing use of District facilities and providing remedies for violations thereof.

1.10 **Definitions.** As used in this Ordinance, unless the context requires otherwise:

- (1) "District" means the Lane Transit District.
- (2) "District Station" includes the District Administrative Facility, the Eugene Transit Station, any other District transit station, any bus passenger shelter, the Customer Service Center, any District-operated parking lot or park-and-ride lot, and covered areas of any bus stop.
- (3) "District Transit System" means the property, equipment and improvements of whatever nature owned, leased or controlled by the District to provide public transportation for passengers or to provide for movement of people, and includes any District Vehicle and any District Station.
- (4) "District Vehicle" includes a bus, van or other vehicle used to transport passengers and owned or operated by or on behalf of the District.
- (5) "Emergency" includes, but is not limited to, a fire on a District Vehicle or Station, or serious physical injury to persons, or threat thereof, or any apparently urgent medical need.
- (6) "Downtown Guide" means a person who is employed by Downtown Eugene, Inc. (DEI) to enforce certain City regulations and to assist downtown visitors, and who provides services to the District through contract with DEI, including enforcement of these regulations.
- (7) "Operator" means a District employee responsible for operating any District Vehicle.
- (8) "Passenger" means a person who holds a valid fare and is enroute on a District Vehicle, or waiting for the next available District Vehicle, to such person's destination, or a person who enters a District Station with the intent to purchase a valid fare for transportation on the next available District Vehicle to such person's destination.

- (9) "Peace Officer" includes LTD's security officers, LTD supervisors, and others duly appointed by the District General Manager. LTD Peace Officers are designated as such for the purposes of ORS 267.150 and ORS 153.110. Peace Officer also includes sheriff deputies, state and local police officers, and all such other persons as may be designated by law, including Downtown Guides, if so designated.
- (10) "Supervisor" means any District employee responsible for the supervision of any District transit operation.
- (11) "Service Animal" means any animal used by a person who requires the assistance of such animal to facilitate that person's life functions, including but not limited to seeing and hearing.

1.15 **Regulations:**

- (1) **Elderly and Disabled Seating.** The aisle-facing benches at the front of buses are reserved for the use of disabled and senior passengers. Non-qualifying passengers must vacate such seating upon request of any District Vehicle operator or employee.
- (2) **Smoking Prohibited.** No person shall smoke tobacco or any other substance, or carry any burning or smoldering substance, in any form, aboard a District Vehicle.
- (3) **Alcohol and Drugs.** No person shall use or possess alcohol or illegal drugs on a District Vehicle or in a District Station, except for lawfully possessed and unopened alcoholic beverages.
- (4) **Criminal Activity.** No person shall engage in any activity prohibited by State, County or Municipal Law of Oregon while on a District Vehicle, or within any District Station or the District Transit System.
- (5) **Disorderly Conduct.** No person shall intentionally or recklessly cause inconvenience, annoyance or alarm to another by:
 - (a) Engaging in fighting, or violent, tumultuous or threatening behavior (physical or verbal), within any District Vehicle or District Station;
 - (b) Making unreasonable noise within any District Vehicle or in any District Station;
 - (c) Obstructing the free movement of passengers within any District Vehicle or District Station;
 - (d) Creating a hazardous or physically offensive condition within a District Vehicle or District Station; or
 - (e) Otherwise violate ORS 166.025 as now in effect or hereafter amended.
- (6) **Harassment.** No person shall intentionally or recklessly harass or annoy another person by:
 - (a) Subjecting such other person to offensive physical contact;

- (b) Publicly insulting such other person by abusive words or gestures in a manner intended and likely to provoke a violent response; or
 - (c) Otherwise violate ORS 166.065 as now in effect or hereafter amended.
- (7) **Threatening or Offensive Language.** No person shall intentionally or recklessly disturb, harass, or intimidate another person by means of threatening or offensive language, or obscenities in a District Vehicle or in a District Station in such a manner as to interfere with a passenger's use and enjoyment of the transit system.
- (8) **Food and Beverages.** For the protection of public safety, no person shall bring aboard a District Vehicle any food or beverage in open containers. No person shall consume food or alcohol on any District Vehicle. Passengers on District vehicles may consume non-alcoholic beverages only from LTD-approved containers with snap-on or screw-on lids.
- (9) **Littering, Spitting.** No person shall discard or deposit, other than into a trash receptacle provided for that purpose, any rubbish, trash, debris, cigarette butts, or offensive substance in or upon a District Vehicle or District Station. No person shall spit, defecate, or urinate in or upon any District Vehicle or District Station except in a toilet.
- (10) **Safety.**
- (a) All passengers (except infants who are held) must wear shoes, pants/shorts and shirt, a dress, or comparable clothing on District Vehicles and in District Stations. In addition, all passengers must cover any exposed skin which may transmit communicable disease.
 - (b) No person shall in any manner hang onto, or attach himself or herself onto any exterior part of a District Vehicle at any time. In addition, no person shall extend any portion of his or her body through any door or window of a District Vehicle.
 - (c) No person shall ride a skateboard, roller skates or in-line skates in a District Vehicle or District Station. Passengers with in-line skates will be allowed in a District Vehicle or District Station so long as the wheels are rendered inoperable by a device ("skate guard") designed to provide stability and traction to the user and to permit the user to walk while wearing the skates.
 - (d) No person shall discharge any weapon or throw, or cause to be thrown or projected, any object at or within a District Vehicle or District Station, or at any person on a District Vehicle or in any part of a District Station.
 - (e) No person shall interfere, in any manner, with the safe operation or movement of any District Vehicle.
- (11) **District Property.**
- (a) **Use of the Transit System.** The Transit System is intended for the use of the District's passengers. To ensure the safety, comfort, and convenience of such passengers, no person shall impede or block the free movement of passengers, interfere with ingress and egress from District facilities and vehicles, intimidate or harass other passengers, or in any manner interfere with the principal

transportation purpose to which the Transit System is dedicated.

- (b) **Off-Hours Closure.** All District Stations shall be closed during the non-operating hours of 12:00 a.m. through 4:30 a.m. The General Manager or designee shall have the discretion to extend or contract these non-operating hours. No person other than Peace Officers or District personnel shall be in or about any District Station during these hours.
 - (c) **District's Right of Closure.** The District expressly reserves the right to close any District Station or Stations and exclude all access at a time and for a duration to be determined by the District Board or General Manager. Such closure may be necessary for reasons that include, but are not limited to, an emergency, natural disaster, cleaning and repairs.
 - (d) **Damaging District Property.** No person shall damage, destroy, interfere with, or obstruct in any manner the property, services, or facilities of the District, including passengers' property located upon District property.
 - (e) **Exclusion of Non-District Vehicles.** Unless otherwise allowed by posted sign, all non-District vehicles are excluded from District Stations. Emergency vehicles and other vehicles authorized by the District are exempt from this exclusion.
 - (f) **Free Movement of District Vehicles.** No person or vehicle shall obstruct the free movement of District Vehicles while loading or unloading passengers, or while entering or exiting a District Station.
 - (g) **Skateboards, In-line Skates, Bicycles.** No person shall ride a bicycle, skateboard or in-line skates at a District Station. Bicycles shall only be parked at a District Station at designated areas.
- (12) **Animals.** No person shall bring or carry aboard a District Vehicle, or take into a District Station, any animal not housed in an enclosed carrying container, except for a person who requires a service animal, or a person training a service animal. In no event, however, shall any animal be allowed on a District Vehicle or at a District Station if such animal creates a hazard or nuisance to any passenger or District employee.
- (13) **Carriages and Strollers.** No person shall bring or carry aboard a District Vehicle a carriage or stroller unless such item is folded and unoccupied. Carriages and strollers must remain folded while aboard the District Vehicle.
- (14) **Packages.** Any packages or parcels brought aboard a District Vehicle must be able to be stored on and/or below one seat (if available), and must be secured so as to prevent their displacement should the Vehicle be required to make a sudden stop or sharp turn. In no event shall any package or parcel be allowed to block access to any aisle or stairway.
- (15) **Radios.** No person shall play radios, tape recorders, or other audio devices or musical instruments on a District Vehicle or in a District Station, unless the sound produced thereby is only audible through ear phones to the person carrying the device.
- (16) **Repulsive Odors.** No person shall board or remain on a District Vehicle or enter or remain in a District Station if the person, the person's clothing, or anything in the

person's possession, emits a grossly repulsive odor that is unavoidable by other District passengers on the Vehicle or in the Station and which causes a nuisance or extreme discomfort to District passengers or employees.

- (17) **Emergency Exit.** No person shall activate the "Emergency Exit" or alarm device of a District Vehicle or Station in the absence of an emergency.
- (18) **District Seats.** No person shall place his or her feet on seat cushions on any District Vehicle or in any District Station.
- (19) **Posting Notices.** Except as otherwise allowed by District regulation, no person shall place, permit or cause to be placed any notice or advertisement upon any District Vehicle, or on any District Station or upon any vehicle without the owner's consent while the vehicle is parked therein.
- (20) **Flammable Substances.** No person shall bring aboard a District Vehicle, or take into a District Station any flammable substance, except for matches and cigarette lighters.
- (21) **Weapons.** No person, except a Peace Officer, shall bring into or carry aboard a District Vehicle, or bring into a District Station, any knife, (except a folding knife with a blade less than 3 1/2 inches in length), ice pick, bow, arrow, crossbow, any explosive device or material, any instrument or weapon commonly known as a blackjack, sling shot, sandclub, sandbag, sap glove or metal knuckles, etc., or any other illegal or unlawfully possessed weapon of any kind.
- (22) **Eugene Station Boarding Platform.** To ensure the safety of the public, only passengers and District personnel shall be permitted on any District Station boarding platform.
- (23) **Solicitation.** To ensure the safety, comfort and convenience of District passengers, and the safe and efficient operation of the Transit System:
 - (a) No person shall impede or block the free movement of passengers, or otherwise disrupt the function of the District in any District Station or in any District Vehicle;
 - (b) No person shall canvass, seek signatures on any petition, collect money, solicit sales, or sell or distribute anything of commercial or non-commercial value, on any District Vehicle or within five feet of any Vehicle doorway, or within five feet of any District Station doorway, kiosk, ticket counter, boarding platform, bus stop, or shelter, nor otherwise interfere with passenger or public safety;
 - (c) No person shall solicit sales or sell or distribute anything of commercial value within any District Station, except that nothing herein shall prevent the District from entering into written agreements, satisfactory in form and execution to the District, to permit certain commercial uses of portions of a District Station for the benefit of the District and its passengers.
- (24) **Non-payment of Fare; Misuse of Bus Pass or Group Pass.**
 - (a) **Non-payment of Fare.** No person shall occupy, ride in or use, any Transit

Vehicle unless the person has paid the applicable fare or has a valid and lawfully acquired transfer, bus pass or group pass.

- (b) **Misuse of Bus Pass.** No person shall use or attempt to use a District bus pass to board or ride in a District Vehicle unless the bus pass was lawfully acquired at an authorized District outlet by or on behalf of the person. Unless otherwise transferrable by the express terms of the bus pass, only the person identified on the bus pass may use such pass.
- (c) **Misuse of Group Pass.** No person shall use or attempt to use a District group pass to board or ride in a District Vehicle unless:
 - (i) The group pass was lawfully acquired at an authorized District outlet by or on behalf of the person; and
 - (ii) The group pass is used according to the terms of the applicable group pass agreement; and
 - (iii) The person is a current member of the group to whom group pass were issued pursuant to the applicable group pass agreement.
- (d) **Confiscation of Misused Bus Pass or Group Bus Pass.** Any District Vehicle operator or any Peace Officer may confiscate a bus pass or group bus pass used or presented for use in violation of subsections (b) or (c) of this section.
- (e) **Nonpayment of Fare, Misuse of Bus Pass or Group Bus Pass is Theft.** Any person who violates subsections (a),(b) or (c) above, in addition to any penalties described herein, may be subject to criminal prosecution for theft of services.

1.20 **Exclusion.**

- (1) In addition to any penalties provided herein for the violation of this Ordinance, and to any penalties for the violation of the laws of the State of Oregon, any Peace Officer, and other persons as may be designated by the District's General Manager, may issue a Notice of Exclusion from the District Transit System to any person who violates this Ordinance, or who commits any offense as defined by the criminal laws of the State of Oregon or any other city, county or municipal rule having concurrent jurisdiction over District property, when such offense is committed upon any District Vehicle or at any District Station.
 - (a) Except as provided in (b) below, written Notice signed by the issuing authority shall be given to a person who has been excluded from all or part of the District Transit System. The written Notice shall specify the particular violation or reason for exclusion, places and duration of exclusion, and the consequences for failure to comply with the notice.
 - (b) In order to ensure the safety, convenience, and comfort of all passengers, a District Vehicle operator may, without giving written Notice of Exclusion, direct a passenger to leave a District Vehicle, or direct a prospective passenger not to board a District Vehicle, if the operator has probable cause to conclude that such passenger is in violation of any provision of this Ordinance. Without written

Notice of Exclusion, such exclusion shall be effective only for the route in progress at the time of the exclusion.

- (2) A Notice of Exclusion shall be effective immediately upon issuance and shall remain in effect until the exclusion expires, or is terminated by LTD, or is rendered ineffective upon appeal. Any person receiving Notice of Exclusion may appeal in writing to the District's General Manager, or designee, under procedures provided by LTD's Contested Case Hearing Procedure as now in place or amended hereafter. Such appeal must be delivered to the District General Manager or designee within ten days of receipt of the Notice of Exclusion. The Exclusion shall remain in effect during the pendency of the appeal. If the decision on appeal is in favor of the excluded person, the period of exclusion set forth in the Notice shall be terminated immediately.
- (3) At any time during the period of exclusion, a person who has received a Notice of Exclusion may apply to the District General Manager or designee for a variance to allow the person to enter upon the District Transit System. The District General Manager or designee may, at its sole discretion, grant a variance if the person establishes a need to enter upon the District Transit System for reasons of employment, medical treatment or similar good cause. The General Manager or designee may terminate an exclusion or grant a variance if the excluded person shows that he or she was wrongly or unfairly excluded from the District Transit System. A variance may include such conditions as the District General Manager or designee determines will prevent future offenses.
- (4) A person excluded under this section may not enter or remain upon any part of the District Transit System from which the person is excluded during the stated period of exclusion. In addition to penalties imposed by this Ordinance, an excluded person who enters or remains upon any District Vehicle or part of the District Transit System from which the person has been excluded, may be charged with Criminal Trespass in the Second Degree, ORS 164.245, or as amended hereafter, and subjected to the penalties thereto.

1.25 **Violations.**

- (1) In addition to being excluded from the system pursuant to §1.20 of this Ordinance, any person who violates this Ordinance commits an infraction as defined in ORS 153.110 to 153.310 and, upon conviction, may be punished by a fine of not more than \$250, in addition to other penalties provided by law.
- (2) Any Peace Officer is authorized to issue citations to any person who violates this Ordinance, or violates any State or local law related to the protection, use, and enjoyment of District property, including laws prohibiting disorderly conduct and harassment.
- (3) LTD's Peace Officers shall have the power to arrest a private person pursuant only to ORS 133.225, and do not have the powers of police officers as defined by ORS Ch 237.

1.30 **Jurisdiction.**

- (1) The laws of the State of Oregon, and all local laws of the host jurisdiction, apply with

equal force and effect to District property. State and local law enforcement officers are expressly authorized to enforce all applicable State and local laws, and this Ordinance, upon the District Transit System.

- (2) District Peace Officers may enforce all applicable State and local laws regarding the protection, use and enjoyment of District property by issuing citations for violations thereof which occur on District Vehicles and property, including laws prohibiting disorderly conduct and harassment.

1.35 **Severability.** It is hereby declared to be the legislative intent of Lane Transit District that the provisions of this Ordinance are severable, and if any provision, clause, section, or part is held illegal, invalid, or unconstitutional or inapplicable to any person or circumstance, the remaining provisions shall continue to be in force and such partial illegality, invalidity, unconstitutionality or inapplicability shall not affect or impair the application of the remaining provisions to other persons and circumstances.

Adopted: _____, 1998.

Board President

Attest:

Recording Secretary

H:\Board Packet\1998\02\Regular Mtg\ORD36.doc

February 18, 1998

MEMORANDUM

TO: LTD Board of Directors

FROM: Mark Pangborn, Assistant General Manager

RE: Ordinance 36: Correction to Statement at
January 21, 1998, Board Meeting

I want to clarify my comments on January 21, 1998, made during a discussion of LTD Ordinance 36. I believe I may have stated that when someone is excluded from the transit system, he or she has a right to appeal, and that the General Manager may decide to hold a Contested Case Hearing to air the merits of the appeal. In my discussion of that process, I believe I mischaracterized it as a judicial process. It is only an administrative process to make sure that the excluded person receives due process when faced with an exclusion from the transit system. It is not meant to substitute for a court's judgment, should that person elect to file suit against LTD as a result of his or her exclusion from the system.

This memorandum is being included in the February 18, 1998, Board agenda packet for the public to review. It is not LTD's intent to substitute its due process hearing and any conclusions it may arrive at regarding an exclusion for that of a court of law.

Sincerely,

*Mark Pangborn
Assistant General Manager*

MP:js

AGENDA ITEM SUMMARY

DATE OF MEETING: February 18, 1998

ITEM TITLE: SECOND READING AND ADOPTION, LANE TRANSIT DISTRICT ORDINANCE 36, 1998 REVISION, "REGULATIONS GOVERNING CONDUCT ON DISTRICT PROPERTY"

PREPARED BY: Rick Bailor, Transit Projects Administrator

ACTION REQUESTED: That the Board hold the second reading of Ordinance 36, 1998 Revision, and then adopt the revised ordinance

BACKGROUND: LTD bus operators and supervisors encounter situations that leave them with no alternative but to remove individuals from the bus in order to ensure a pleasant and safe environment for other customers. The ordinance that makes this possible is Ordinance 36, which took effect on May 28, 1993. It is enforced by District staff, local law enforcement agencies, and Eugene Downtown Guides.

In order to meet our enforcement needs at the new Eugene Station, we must revise Ordinance 36. To prepare the revisions, staff and District counsel took into consideration the original version of Ordinance 36, the current ordinance used by Tri-Met, proposed changes to the Eugene City Code, and anticipated security needs at the new Eugene Station.

Staff intend to implement the revisions to coincide with the opening of the Eugene Station on April 5, 1998. The revisions of substance include definition of areas covered by the Ordinance; use of district property, including ability to close property during emergencies, non-operating hours, and station repairs; implementing an appeal process for those customers denied ridership privileges; and establishing authorization for issuance of citations.

At the December 1997 Board meeting, the Board had specific questions regarding certain areas covered by the Ordinance. Staff and legal counsel addressed those questions and discussed them at the January 21 Board meeting.

Attached is a memorandum from Assistant General Manager Mark Pangborn, correcting a statement he made about Ordinance 36 at the January 21, 1998, Board meeting.

In order to adopt the revisions to Ordinance 36, the Board must read the revised ordinance at two separate meetings. The first reading was held at the January 21, 1998, regular Board meeting. The second reading and adoption are scheduled for the February 18, 1998, meeting. The revised ordinance then will take effect 30 days after adoption.

The Board can elect to read the ordinance by title only. Staff will have additional copies of the ordinance available for anyone in the audience who desires a copy.

ATTACHMENTS:

- (1) Memorandum correcting statement made at January 21, 1998, meeting
- (2) Lane Transit District Ordinance 36, 1998 Revision

PROPOSED MOTIONS:

- (1) I move that Ordinance 36, 1998 Revision, be read by title only.

(Following an affirmative vote, the ordinance title should be read:
Lane Transit District Ordinance 36, 1998 Revision, Regulations Governing Conduct on District Property.)
- (2) I move the following resolution: It is hereby resolved that Lane Transit District Ordinance 36, 1998 Revision, Regulations Governing Conduct on District Property, is adopted as read.

MONTHLY STAFF REPORT

February 18, 1998

TRANSIT OPERATIONS

Prepared by Rob Montgomery, Acting Transit Operations Manager

There is no Transit Operations report this month.

HUMAN RESOURCES

Prepared by Ed Rutledge, Human Resources Manager

RECRUITMENT AND SELECTION

During the month of January, final interviews were held for the position of graphic artist. The candidate selected for this position was Jeff Wilcox, and he began his employment with the District on January 12, 1998. The interviews for the position of engineer also were held during January. The candidate selected for this position was Graham Carey, who began his employment with the District on February 2, 1998.

The District began its recruitment process for the positions of facilities custodian (2 positions), transit planner, transit operations manager, the new TS (temporary supervisor) program, and two limited-duration field supervisors. Applications for the position of facilities custodian and transit planner were accepted through February 9, 1998. The District is conducting a nationwide search for the position of transit operations manager and will be accepting applications through March 20, 1998.

The human resources specialist participated in the Career Fair held at the University of Oregon on January 21 and 22. The District's display highlighted the many current District employees who are graduates of the University of Oregon.

TRAINING

The HR manager conducted training in evaluation assessment techniques for operator instructors. While it is not expected that the instructors will formally evaluate employees, they must know how to assess new employees for training purposes.

The human resources specialist assisted with the bus operator instructor training and the new bus operator training. The human resources specialist conducted the District's Drug and Alcohol Policy training for the new safety-sensitive employees on January 16, 1998.

The risk/safety/benefits specialist (RSBS) covered a topic called "Teach Good Work Habits" for a class of new operator instructors. This topic had three areas that the new instructors specifically wanted addressed: injury prevention, ability to drive any bus, and reporting physical difficulties. The RSBS also conducted training on emergency and accident procedures and injury prevention.

RISK

An effort is being made to close out all individual litigation "exposures" that have been in the system for three or more years.

The RSBS met with the insurance agent and investigator consultant to establish the procedures in the new, lower self-insurance retention (SIR) limit that has been obtained through the Special Districts Association of Oregon (SDAO).

The RSBS and the HR manager discussed with the insurance agent the long-term possibility of becoming self-insured in workers' compensation insurance. The insurance agent was requested to prepare a cost/benefit profile for review.

SAFETY

In a semi-real fire drill (someone burned popcorn in the microwave oven, which set off the alarm), employees set a new record in response time by clearing the administrative building in one and a half minutes. In the previous fire drill, it took four minutes to clear the building.

The RSBS and the HR manager met with representatives of the SAIF Corporation in order to discuss the current workers' compensation cases.

The RSBS assisted in determining the location of the new radios in the buses.

The Facilities Safety Committee met this month and reviewed the injury reports received since the last meeting. Then the committee split into teams in order to conduct the facilities safety inspections.

BENEFITS

The risk/safety/benefits specialist addressed a problem with obtaining a special prescription that is paid by the insurance carrier. Owing to a few recent service delivery problems from the insurer, a meeting has been arranged with benefits consultant and representatives from QualMed in early March.

The HR manager met with some employees who wished to explore the issue of insurance benefits being extended to domestic partners.

COMPENSATION STUDY

The Human Resources Department received a total of nine appeals to the compensation study. Copies of the appeal documents have been forwarded to the consultant for review and response.

PERFORMANCE MANAGEMENT PROJECT

A task team has been assembled consisting of the general manager (GM), assistant general manager (AGM), and the HR manager in order to develop and implement a performance management system. The task team has identified goals and a time line for implementation. It is expected that the GM and AGM will use the Performance Management System first in order to evaluate the manager-level positions in the administrative staff.

HUMAN RESOURCE INFORMATION SYSTEM

Planning continued for the implementation of the new HR/Payroll information system. Each of the staff in HR completed questionnaires that will be forwarded to the software installers.

EMPLOYEE RELATIONS

The HR manager met with an employee who wished to polish a resume' in the preparation for applying for the other openings within LTD.

The HR manager also met with an employee who will be retiring during the month of February.

LABOR RELATIONS

Officials from the Union met at length with the HR manager and the acting transit operations manager in order to clear up a number of misunderstandings that had emerged during December. These representatives also conducted a very successful Labor-Management Committee (LMC) meeting, in which an issue regarding floating holidays was resolved. The parties also were able to tentatively resolve a grievance emanating from certain employees in the Fleet Services Department.

The HR manager conducted two due process hearings for probationary employees who had been dismissed.

OTHER

The HR manager coordinated a one-day training session for the Eugene-Springfield Chambers Leadership Program.

SERVICE PLANNING & MARKETING

Prepared by Andy Vobora, Service Planning & Marketing Manager

There is no Service Planning & Marketing report this month.

AGENDA ITEM SUMMARY

DATE OF MEETING: February 18, 1998

ITEM TITLE: LTD DEFERRED COMPENSATION QUARTERLY REPORT

PREPARED BY: Diane Hellekson, Finance Manager

ACTION REQUESTED: None

BACKGROUND: Lane Transit District contracts with Hartford Life Insurance Company to administer the District's deferred compensation plan, which is a Section 457 Plan. Though each individual employee is in charge of personal investment decisions, the District selects the deferred compensation carrier. The District maintains a "watchdog" service from Weiss Ratings, Inc. If Weiss believes the insurance portion of Hartford deserves a higher or lower rating than previously given, the District is notified. In addition, staff telephone the rating service quarterly to inquire about the rating on Hartford.

In accordance with Board policy, Hartford's rating was verified on February 2, 1998. No change was reported; Hartford maintains a B+ rating.

All of the Lane Transit District Deferred Compensation Plan assets and liabilities were transferred to a Deferred Compensation Trust on January 1, 1998, as the result of action previously taken by the Board. A Request for Proposal for an additional deferred compensation service provider is in preparation. A second provider is expected to be identified before the next Plan open enrollment period in June 1998. A second provider will allow employees more investment choices, will better meet the risk management objectives of the Deferred Compensation Trust, and will add personal retirement planning training as a component of deferred compensation service provider services.

The December 1997 issue of *Money Magazine* contained an article about government 457 deferred compensation plans, and reported The Hartford's performance unfavorably. A letter from John P. Ginnetti, Executive Vice President of the Hartford Life Insurance Company, which responds to the allegations of the article, is attached to this summary. Also attached is a letter from the Managing Editor of *Money Magazine* to Mr. Ginnetti, acknowledging that serious errors were made in the article. A correction will be published in the February 1998 edition of the magazine. At this time, there appears to be no cause for concern regarding The Hartford's products or services based on the *Money Magazine* article. The Hartford's performance will continue to be closely monitored.

ATTACHMENTS: Letter from John P. Ginnetti, Hartford Insurance Company
Letter from Frank Lalli, *Money Magazine* Managing Editor

PROPOSED MOTION: None

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