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## LANE TRANSIT DISTRICT REGULAR BOARD MEETING

Wednesday, April 16, 2003  
5:30 p.m.

LTD BOARD ROOM  
3500 E. 17<sup>th</sup> Avenue, Eugene  
(off Glenwood Blvd in Glenwood)

### A G E N D A

Page No.

I. CALL TO ORDER

II. ROLL CALL

Gaydos \_\_\_\_\_ Hocken \_\_\_\_\_ Kleger \_\_\_\_\_ Lauritsen \_\_\_\_\_

Wylie \_\_\_\_\_ Ban \_\_\_\_\_ Gant \_\_\_\_\_

**The following agenda items will begin at 5:30 p.m.**

III. PRELIMINARY REMARKS BY BOARD PRESIDENT

IV. ANNOUNCEMENTS AND ADDITIONS TO AGENDA 05

V. WORK SESSION

1. LTD Ordinance No. 36 (60 minutes) 06

**The following agenda items will begin at 6:30 p.m.**

VI. EMPLOYEES OF THE MONTH – April and May 2003 07

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VIII. AUDIENCE PARTICIPATION

◆ Each speaker is limited to three (3) minutes.

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	(e) Board Finance Committee – March 12, 2003	
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  - C. Springfield Station Design and Budget
  - D. Adoption of FY 2003-04 Budget
  - E. Boundary Ordinance
  - F. Board Work Sessions
  - G. BRT and Springfield Station Updates
- XII. 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 682-6100 (voice) or 1-800-735-2900 (TTY, through Oregon Relay, for persons with hearing impairments).**

Q:\Reference\Board Packet\2003\04\Regular Mtg\bdagenda.doc

## AGENDA ITEM SUMMARY

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**DATE OF MEETING:** April 16, 2003

**ITEM TITLE:** MARCH FINANCIAL STATEMENTS

**PREPARED BY:** Diane Hellekson, Director of Finance & Information Technology

**ACTION REQUESTED:** None

**BACKGROUND:** Financial results for the first nine months of the FY 2002-03 fiscal year are summarized in the attached March reports.

Passenger fare receipts softened in March in part due to the conclusion of the college basketball season and home basketball shuttle service. Unlike football service, for which fare revenue can be segregated, basketball service fares are co-mingled with those of regular fixed-route service. Because of steep price increases in fare instruments last July, fare revenue was budgeted to increase by 10 percent. Actual fare growth year to date has been 6.5 percent, which suggests that the price increase had a more negative impact on ridership than the traditional model suggests. Ridership is down 3.5 percent for the most recent twelve months. This revenue category lags budget by \$97,000 and will not recover by fiscal year end.

Group pass receipts remain slightly ahead of budget year to date and ahead of the prior year period by 9.3 percent. Advertising revenue is behind by a month's receipts due to a billing misunderstanding that will be resolved before the end of the fiscal year. Both of these resources are expected to meet budget expectations for the year.

Special service revenue is significantly ahead of plan due to under budgeting. The majority of funds in this category come from the University of Oregon home football shuttle service contract. This line item will finish the fiscal year more than \$300,000 better than projected by the budget.

As previously reported, payroll tax revenue had an unanticipated loss in October/November due to a refund granted to a local taxpayer for taxes paid in the three previous years, which have been determined were not owed. The total amount of the refund is \$538,731.78, and it was paid on November 1 from tax receipts collected in the current fiscal year. In addition, LTD can potentially expect to lose about \$175,000 in current-year and future annual receipts. An additional \$48,300 from receipts already paid to LTD was withheld by the Oregon Department of Revenue (ODOR) in November due to a different taxpayer error.

On the plus side, LTD received \$134,000 on April 1 that had previously been distributed to TriMet by mistake. Since it appears that compliance

monitoring and process accuracy may have been reduced over the past year, and are likely to be less than fully staffed in the foreseeable future, Finance and IT staff are attempting to re-establish an in-house compliance analysis process. A pilot project several years ago was very successful. The staff position responsible was eliminated in July 2000 when the project was taken over by the Oregon Department of Revenue (ODOR). ODOR no longer provides this service.

Payroll tax revenue now lags last year by 1.2 percent, which is a much stronger performance than would be expected given the local recession and the previous revenue loss by refund. Revenue is down versus current-year budget by just under \$80,000. Revenue losses associated with the closure of Sony Disc Manufacturing, Emporium, and downsizing of other local businesses would not be realized until after July 1, 2003.

State-in-lieu receipts are also surprisingly strong. This resource was expected to continue to grow modestly, primarily due to the vitality of the University of Oregon, but be tempered by the effect of the Measure 28 failure, which has yet to be determined. The majority of state-in-lieu funds comes from the University of Oregon. However, record receipts from this source were posted for the quarter ended March 31. If there are no errors in the distribution (a recurring problem), this resource could finish the fiscal year as much as \$100,000 ahead of budget.

Interest income continues to be disappointing. The current-year budget anticipated a modest recovery beginning in the first quarter. The current return rate on Local Government Investment Pool deposits is 1.50 percent.

Personnel services expense growth continues to be negative, emphasizing the effectiveness of the September service reductions in controlling costs. In addition, delays in filling several budgeted vacant contract positions also have contributed to savings. Also, the requirement for employees to self-pay the premium difference between a base health insurance plan and a managed care plan was implemented on July 1 but was not reflected in the adopted budget. Net current-year savings from this change will be approximately \$150,000.

Administration funded by capital projects continues to grow primarily due to the escalation of activity related to bus rapid transit (BRT) and the new Springfield Station and also because staff are charging more direct hours to capital projects. Such contra charges for capital project work are expected to continue for the foreseeable future.

The fuel price for the current fiscal year was budgeted at \$.91 per gallon. By the end of January, the actual price paid had edged up over \$.90. On March 11, diesel prices were at \$1.44, an increase of 60 percent in less than two months. Since March, however, the fuel market has improved. The price per gallon on April 8 was \$.90. There is speculation that OPEC has

over-produced for the foreseeable future, and prices may fall further. This expense line is back on budget year to date.

Only one program area now shows a budget deficit through the nine months of the current year: Human Resources continues to post legal expenses above what was anticipated by the current-year budget.

Earlier legislative action potentially diverted fourth-quarter cigarette tax revenue, previously dedicated to special transportation funding, to the State general fund to balance the current biennium budget in the event that the May economic forecast anticipates additional revenue losses. A subsequent decision by Oregon Department of Transportation staff restored fourth-quarter payments to transportation providers in full utilizing reserve funds. Uncertainty remains about the amount (and continued existence) of state payments past July 1, 2003.

Despite high unemployment and other local economic challenges, the General Fund is stable and essentially on plan for the nine months of the current fiscal year. If year-to-date performance continues through the final quarter of the fiscal year, the General Fund will finish the year in a financially stronger position than was originally predicted following the loss of payroll tax revenue in November.

Special Transportation Fund expenses are as anticipated through March. Capital Fund activity also was as expected, although the BRT Phase 1 corridor implementation schedule and budget are currently under review. Project reports will be provided to the Board separately. LTD began taking delivery on the first of 18 Gillig 40-foot vehicles in March, and paid \$276,000 after vehicle acceptance. The remaining 17 vehicles are expected from the end of April through early May. The Parts Room expansion project is 75 percent complete, and maintenance operations will move back in mid-May.

On March 6, LTD staff received news that additional federal formula funds due because of LTD's new Transportation Management Area (TMA) status will be available in the current fiscal year. Because of the long delay in the federal appropriations process, LTD had previously assumed that the new capital funds would not be available until federal fiscal year 2004. The additional amount available in the 2003 federal fiscal year is approximately \$1.5 million. The revised Capital Improvements Program (CIP) will include this increase.

The FY 2003-04 budget development process is underway. A new committee member orientation was held on April 3, and a citizen Budget Committee member briefing was held on April 10. Full committee meetings begin on April 23. The Finance Committee and Human Resources Committee have monitored assumptions that will be included in the Proposed Budget scheduled for distribution no later than April 18.

**ATTACHMENTS:** Attached are the following financial reports for March for Board review:

1. Operating Financial Report - comparison to prior year
2. Comparative Balance Sheets
  - a. General Fund
  - b. Special Transportation Fund
  - c. Capital Projects Fund
3. Income Statements
  - a. General Fund
  - b. Special Transportation Fund
  - c. Capital Projects Fund

**PROPOSED MOTION:** None



**SPRINGFIELD STATION GRANT AMENDMENT (OR-03-0103-01)  
SECTION 5309**

GRANTEE: Lane Transit District  
Eugene, Oregon

GRANT NO.: OR-03-0103-01

	<u>FEDERAL AMOUNT</u>	<u>TOTAL AMOUNT</u>
<u>SCOPE</u>		
113-00 BUS STATION/STOPS/TERMINALS		
<u>ACTIVITY</u>		
11.33.02 SPRINGFIELD STATION CONSTRUCTION STIP KEY # 11361 5309 (80% / 20%)	1,967,357	2,459,196
<u>TOTAL SCOPE</u>	<b>1,967,357</b>	<b>2,459,196</b>
<b>TOTAL</b>	<b>\$1,967,357</b>	<b>\$2,459,196</b>

**SOURCES OF FEDERAL ASSISTANCE**

FUNDING UZA: 411440  
FUNDING UZA NAME: EUGENE-SPRINGFIELD, OREGON

FY 2003, SECTION 5309 CAPITAL \$ 1,967,357

**TOTAL** **\$1,967,357**

Program of Projects and Budget,

**FY 2003 PROGRAM OF PROJECTS AND BUDGET  
 SECTION 5307**

GRANTEE: Lane Transit District  
 Eugene, Oregon

GRANT NO.: FY 2003

	FEDERAL AMOUNT	TOTAL AMOUNT
<u>SCOPE</u>		
111-00 BUS ROLLING STOCK		
<u>ACTIVITY</u>		
11.12.40 BUS REPLACEMENT SPARE PARTS/ASSOC. CAPITAL STIP KEY # 11358 5307 (80% / 20%)	110,000	137,500
<u>TOTAL SCOPE</u>	<b>110,000</b>	<b>137,500</b>
 <u>SCOPE</u>		
112-00 BUS TRANSITWAYS/LINES		
<u>ACTIVITY</u>		
11.21.01 ENGINEERING/DESIGN (BRT Phase 2) STIP KEY # 11363 & 11364 STP (89.73% / 10.27%)	<u>506,077</u>	<u>564,000</u>
<u>TOTAL SCOPE</u>	<b>506,077</b>	<b>564,000</b>

	FEDERAL AMOUNT	TOTAL AMOUNT
<u>SCOPE</u>		
114-01 BUS : SUPPORT EQUIP AND FACILITIES STIP KEY # 11358		
<u>ACTIVITY</u>		
11.42.07 COMPUTER HARDWARE 5307 (80/20%)	96,000	120,000
11.42.08 COMPUTER SOFTWARE 5307 (80/20%)	120,000	150,000
11.42.11 SUPPORT VEHICLES 5307 (80/20%)	32,000	40,000
11.42.20 OFFICE/MISC. EQUIPMENT 5307 (80/20%)	592,000	740,000
11.43.03 FACILITIES IMPROVEMENTS 5307 (80/20%)	937,600	1,172,000
<u>TOTAL SCOPE</u>	<b>1,777,600</b>	<b>2,222,000</b>
<u>SCOPE</u>		
116-01 BUS – SIGNAL & COMMUNICATION EQUIP		
<u>ACTIVITY</u>		
11.62.20 SIGNAL & COMMUNICATION 5307 (80/20%)	<u>241,600</u>	<u>302,000</u>
<u>TOTAL SCOPE</u>	<b>241,600</b>	<b>302,000</b>
<u>SCOPE</u>		
117-01 BUS - OTHER CAPITAL ITEMS		
<u>ACTIVITY</u>		
11.72.11 TRANSPORTATION DEMAND MGMT (Programs & Projects) STIP #10641 STP FUNDS (89.73% / 10.27%)	<u>173,179</u>	<u>193,000</u>
<u>TOTAL SCOPE</u>	<b>173,179</b>	<b>193,000</b>
<b>TOTAL</b>	<b>\$2,808,456</b>	<b>\$3,418,500</b>

**SOURCES OF FEDERAL ASSISTANCE**

FUNDING UZA: 411440

FUNDING UZA NAME: EUGENE-SPRINGFIELD, OREGON

FY 2001, SECTION 5307 CAPITAL (CARRYOVER)	\$ 756,059
FY 2002, STP LOCAL	250,347
FY 2002, SECTION 5307 CAPITAL (CARRYOVER)	1,373,141
FY 2003, STP STATE	173,179
FY 2003, STP LOCAL	<u>255,730</u>

**TOTAL** **\$2,808,456**

## AGENDA ITEM SUMMARY

**DATE OF MEETING:** April 16, 2003

**ITEM TITLE:** ANNOUNCEMENTS AND ADDITIONS TO AGENDA

**PREPARED BY:** Jo Sullivan, Administrative Services Manager/Clerk of the Board

**ACTION REQUESTED:** None

**BACKGROUND:** This agenda item provides a formal opportunity for Board members to make announcements or to suggest topics for current or future Board meetings.

**ATTACHMENT:** None

**PROPOSED MOTION:** None

## AGENDA ITEM SUMMARY

**DATE OF MEETING:** April 16, 2003

**ITEM TITLE:** 2003-04 ANNUAL ROUTE REVIEW

**PREPARED BY:** Andy Vobora, Service Planning and Marketing Manager

**ACTION REQUESTED:**

- (1) Hold a public hearing on the service recommendations
- (2) Approve service recommendations

**BACKGROUND:** Staff provided an overview of the small number of changes recommended for 2003-04 at the February 19, 2003, Board meeting. The list is attached for reference. Staff will present a summary of the costs associated with each of the proposed changes during the meeting and will ask the Board to adopt the proposed changes

**ATTACHMENT:** Proposed 2003-04 System Changes

**PROPOSED MOTION:** I move the following resolution: LTD Resolution No. 2003-017: It is hereby resolved that the LTD Board of Directors approves the Fiscal Year 2003-04 service recommendations as presented on April 16, 2003, and as shown on the Summary Table for Annual Route Review 2003-04.

Route	Proposed Change	Effect on Service Hours	Effect on Service Coverage/Convenience
12 Gateway	Restructure and combine with route 65 to provide a Eugene Station to Springfield Station connection.	Results in a net savings of service hours.	Results in a net loss of coverage along Game Farm Road North and along Crescent Avenue.
13 Centennial	Add three weekday evening and one Sunday morning trip to strengthen connections and coordinate with the revised route 12 service.	Increases costs due to added trips.	Better connections between Eugene and Springfield.
30 Bertelsen	Trips after 8:30 p.m. would be routed to serve the WalMart and Target area on West 11th Avenue.	No change.	Provides more connections to guests traveling to this commercial node. Service is provided throughout the day and early evening by route 41 and 43.
51 Santa Clara	Trip times would change back to what they were prior to the FY 02-03 service cuts.	No change.	Restores service to every fifteen minutes along the River Road corridor.
52 Irving	Routing would change to Irvington Drive, providing greater coverage in the area and providing LTD service to an assisted living facility on Irvington Drive. Midday frequency would be increased to every thirty minutes.	Increases costs due to frequency change.	Restores service to every fifteen minutes along the River Road corridor.
64 Sheldon Plaza	Route would no longer travel cross-town between Coburg Road and Gateway Street. Would travel to Shadowview and Crescent. Chad Drive would be served during commute hours.	Results in a net savings of service hours.	Reduces coverage along Crescent. May provide inbound service along Willakenzie Road.
65 Gateway	Route would be recombined with route 12 and would no longer travel cross-town between Gateway Street and Coburg Road.	Results in a net savings of service hours.	Reduces service along Crescent. Provides better connections for guests traveling between the Eugene Station and the Springfield Station.
65s Gateway	Route would be recombined with route 12 and would no longer travel cross-town between Gateway Street and Coburg Road.	Results in a net savings of service hours.	Reduces service along Crescent. Provides better connections for guests traveling between the Eugene Station and the Springfield Station.
66 VRC/Crescent	Short-line trips as far as Delta Oaks Shopping Center would add frequency on Sunday.	Increases costs due to frequency change.	Provides better connections for guests traveling this busy corridor.
82 LCC	Departure times in the p.m. will be reviewed to ensure coordination with LCC class times.	May increase layover time at the college and increase cost.	Provides better connections for guests going to class at LCC.
Rural Routes	Modify last departure times.	No change.	Provides greater assurance that transfers to the final rural departures are made by guests.

# ARR 2003 Service Change Summary

		Change in Revenue and Schedule Hours					
Description		Wkday revenue hours per day	Sat. revenue hours per day	Sun. revenue hours per day	Approximate Annual Schedule Hours	Percent Change for Item	Cumulative Change
<b>Reductions</b>							
1	Reduce weekday route #64 service time by shortening route	(5.65)	n/a	n/a	(1,462)	-0.47%	-0.47%
2	Eliminate route #65	(17.12)	n/a	n/a	(4,429)	-1.44%	-1.91%
3	Eliminate route #65s	(5.75)	(26.03)	(17.22)	(3,804)	-1.24%	-3.15%
4	Reduce service time for weekday morning trips of route #51 (number of trips remain the same)	(2.20)	n/a	n/a	(569)	-0.18%	-3.33%
5	Make various timing adjustments for routes #36 & #40	(0.53)	n/a	(0.03)	(104)	-0.03%	-3.37%
<b>Fixes</b>							
6	GENERAL CONTINGENCY	5.00	2.00	2.00	1,509	0.49%	-2.88%
7	CONTINGENCY FOR LCC	12.00	n/a	n/a	3,060	0.99%	-1.88%
8	Add 11:33 inbound trip to route #79x to cover overloads, pick up guests left behind	0.25	n/a	n/a	60	0.02%	-1.86%
9	Add 5 minutes to running time of 3 weekday trips of route #41. Add 6 minutes to last Saturday trip of route #41	0.35	0.10	n/a	96	0.03%	-1.83%
10	Add 5 minutes to running time to 5 weekday trips of route #43.	0.42	n/a	n/a	108	0.03%	-1.80%
11	Add 10 minutes to running time of weekday #93 trip at 9:32 am.	0.16	n/a	n/a	41	0.01%	-1.78%
12	Add running time as needed to majority of weekday route #55 trips	0.20	n/a	n/a	52	0.02%	-1.77%
<b>Additions</b>							
13	Extend route #12 to connect Eugene Station and Gateway Station, replacing service lost by elimination of routes #65 & #65s and changes to route #64	9.23	9.50	11.16	3,506	1.14%	-0.63%
14	Add 3 evening weekday trips and one Sunday morning trip to route #13 to strengthen connections between Eugene and Springfield lost with elimination of route #65s	2.35	n/a	0.40	630	0.20%	-0.42%
15	Reinstate 4 weekday midday route #52 trips, while reducing running time on morning trips	1.20	n/a	n/a	310	0.10%	-0.32%
16	Add 15:10 inbound route #11 weekday trip to prevent overloads and missed transfers on the regular trip that passes Thurston H.S. after bell time	0.92	n/a	n/a	468	0.15%	-0.17%
17	Add weekday route #85 trip at 6:32 pm to fill service gap	0.25	n/a	n/a	65	0.02%	-0.15%
18	Improve Sunday afternoon service between Eugene Station and VRC from 60 minute to 30 minute frequency by adding partial trips of routes #66 and #67	n/a	n/a	8.06	451	0.15%	0.00%



# Memorandum

**Date:** May 6, 2020  
**To:** LTD Board  
**From:** Rick Bailor, Station/Security Manager  
**RE:** Restricted Access at Stations

The primary goal of operating the day to day activity of the station is to provide a safe and secure environment. This is a challenge, particularly during busy times when the platform and the GSC are crowded with passengers. There is very little room to accommodate people who are not specifically there to use LTD service or to conduct LTD business. People who are there just to gather provide a different dynamic to the overall functioning of the station and create inconvenience and safety risks to people who are there to use LTD services.

Protecting passengers and employees are an important goal for LTD. A recent appellate court decision creates a situation where a person who has been excluded from LTD services and facilities can legally continue to come onto the facilities until he or she is caught and told to leave. This has to take place on a daily basis and it is only the second time in a day or if the person refuses to leave will they be cited or arrested. This creates a very uncomfortable environment for our employees and guests who may have been the victim of the excluded person's crime. The police will deal with criminal activity but our goal is to prevent the activity from taking place.

Another issue that we deal with on a regular basis is sexual predators. The police provide a list of people who have been convicted of sexual crimes and who are living in the area. Many of these people use our facilities to access children. They are not there to take the bus and we need to be able to tell people to leave if they are not using LTD services. This is an important tool to provide a secure environment for kids who are vulnerable.

Almost daily there are periods of time where there is little room on certain platforms or in the GSC to accommodate additional people. If we were required to allow groups of people, who have no intention of using LTD services, to gather on the platform or in the GSC it would create inefficient and unsafe bottlenecks.

LTD's primary purpose is to provide safe, secure and efficient transit services to employees and people who use our services. Restricting access to only those folks is a common-sense approach, which will help LTD achieve our long term goals.



## **Lane Transit District**

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DRAFT – April 16, 2003

## **HUMAN RESOURCES COMMITTEE OF THE LTD BOARD OF DIRECTORS**

### **STATEMENT OF RESPONSIBILITIES**

Prepared by the LTD Human Resources Committee  
Adopted by the LTD Board of Directors  
\_\_\_\_\_, 2003

#### **Members**

The LTD Board Human Resources Committee consists of three members of the Board of Directors appointed by the LTD Board president.

#### **Purpose**

ORS 267.140(4) requires the general manager of a transit district to “administer the personnel system adopted by the board and, except for officers appointed by the board, appoint, discipline or remove all officers and employees, subject to ORS 267.010 to 267.390 and the rules of the board.” The purpose of the LTD Board Human Resources Committee is to provide policy oversight and to review and make recommendations to the LTD Board of Directors and to the general manager concerning the administration of the District’s personnel system. The

#### **Responsibilities**

The LTD Human Resources Committee shall:

1. Review and make recommendations to the LTD Board of Directors and the general manager regarding all LTD policies that affect LTD employees, including, but not limited

to, policies concerning employment status and records, working conditions, employee conduct and discipline, employee benefit programs, and other policies contained in the *LTD Administrative Personnel Policy Handbook*.

2. Review and make recommendations to the LTD Board of Directors and the general manager regarding LTD's organizational culture and workplace environment as they relate to LTD's vision, mission statement, values, and guiding principles.
3. Review and make recommendations to the LTD Board of Directors and the general manager on an annual basis regarding the District's administrative employee compensation package. The LTD Human Resources Committee's review of the administrative employee compensation package shall include an evaluation of its effectiveness in meeting the District's need to recruit, retain, and motivate quality employees. The LTD Human Resources Committee also shall work with staff and the LTD Board of Directors to develop long-range goals and objectives concerning the District's administrative employee compensation package. When appropriate, the LTD Human Resources Committee may direct the general manager to collect data and make recommendations regarding the administrative employee total compensation package.
4. Review and make recommendations to the LTD Board of Directors on an annual basis regarding the general manager's performance and proposed salary and benefit adjustments. The LTD Human Resources Committee also shall periodically review the methods and procedures used to measure the general manager's performance and the methodology used in making salary and benefit adjustment recommendations.
5. Review and make recommendations to the LTD Board of Directors and the general manager regarding the administrative employee retirement plan and the LTD/ATU Pension Trust, including consideration of current and long-term costs and benefits of any

proposed changes. The LTD Human Resource Committee also shall review recommendations regarding contribution rates recommended by the Trustees as received from the Actuary of the plan.

6. Provide policy and strategic guidance regarding labor relations and labor contract negotiations to the general manager and the District's labor contract negotiation team.
7. Review and make recommendations to the LTD Board of Directors from time to time regarding changes to the LTD Human Resources Committee Statement of Responsibilities.

## AGENDA ITEM SUMMARY

- DATE OF MEETING:** April 16, 2003
- ITEM TITLE:** BOARD MEMBER REPORTS
- PREPARED BY:** Jo Sullivan, Administrative Services Manager/Clerk of the Board
- 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:
1. **Metropolitan Policy Committee:** LTD's MPC representatives are Board members Hillary Wylie and Gerry Gaydos, with Pat Hocken as an alternate. MPC meetings generally are held on the second Thursday of each month. At the March 13, 2003, MPC meeting, MPC adopted a resolution designating LTD as a Direct Recipient of FTA 5307 funds. Information items discussed at the meeting included a report from the MPC subcommittee on ACT guidelines. At the April 10, 2003, MPC meeting, MPC conducted a public hearing and approved proposed amendments to the FY 02-04 Transportation Improvement Program (TIP). MPC also discussed and adopted the FY 04 Unified Planning Work Program, which meets federal requirements for planning activities in the Central Lane metropolitan area. Information items discussed at the meeting included preparation for Federal Certification review, an overview of the Transportation Growth Management Project for Refinement of TransPlan - TDM element, and an update on Transportation Finance, including a legislative update.
  2. **BRT Steering Committee and Board BRT Committee:** Board members Gerry Gaydos, Pat Hocken, and Hillary Wylie are participating on LTD's BRT Steering Committee with members of local units of government and community representatives. The three LTD Board members also meet separately as the Board BRT Committee. Ms. Hocken chairs both committees. The BRT Steering Committee last met on April 1, 2003, to discuss the BRT vehicle decision process. The committee members discussed the various options for the BRT vehicle and did not come to a consensus opinion. They will be discussing the

issue again at their next meeting. The next meeting is scheduled for May 6, 2003.

3. **Springfield Station Design Review Committee:** Board members Virginia Lauritsen, Dave Kleger, and Hillary Wylie have been participating as the Board's representatives on the Springfield Station Design Review Committee (SSDRC), and also make up the Board's three-member Springfield Station Committee. Ms. Wylie is chair of the Board Committee, and a community member was chair of the full SSDRC. The SSDRC last met on February 25, 2003. This was the final scheduled meeting of this committee. The Committee reviewed and approved the bike shelter location and station material colors.
4. **Coburg Road Stakeholder Committee:** Susan Ban is the Board's representative on the Coburg Road Stakeholder Committee. At its March 12, 2003, meeting, the Committee discussed priorities for the various corridor segments. At its April 9, 2003, meeting, the Committee discussed an alternative corridor (serving Autzen, Chase Village, and Garden Way), reviewed design options used for the Phase 1 and Pioneer Parkway BRT corridors, and discussed the compatibility of various BRT design options with the corridor objectives. The next meeting is scheduled for May 14, 2003.
5. **Board Finance Committee:** The Board Finance Committee (Pat Hocken, chair; Gerry Gaydos; and Virginia Lauritsen) last met on March 12. The agenda included a discussion of a potential reduction in State support of special transportation services in the last quarter of the current fiscal year, and in future years. The Long Range Financial Plan (LRFP) assumes that the reductions occur. The Committee also agreed to a recommendation to freeze certain group pass rates for next year. This recommendation will be folded into the pricing plan presentation to the full Board in March (although group pass rates are not covered by ordinance). After discussion of the proposed Capital Improvement Program (CIP) and LRFP, the Committee forwarded both plans to the full Board with a recommendation by consensus for the full Board to approve them. Finally, the Committee reviewed a revised debt financing calendar which moves the vehicle financing originally proposed for June 2003 to December 2003. The Board had already passed a resolution authorizing prepayment of vehicles with subsequent refunding of local capital by debt proceeds.
6. **Board Human Resources Committee:** The Board HR Committee (Gerry Gaydos, chair; Susan Ban, and David Gant) last met on March 10 and March 31. A committee recommendation is included for action at this meeting.
7. **Region 2050 Policy Advisory Committee:** Board member Susan Ban will be attending the Region 2050 Policy Advisory Committee meetings as an observer and will report back to the Board. The Policy

Board has not met since the last Board report. The next scheduled meeting of the Policy Board is April 29, 2003.

8. **Statewide Livability Forum**: Board member Virginia Lauritsen is participating on a statewide committee called the Livability Forum, as one of 12 participants from the Eugene/Springfield area. The committee has been meeting once every six months. There is no report this month.

**ATTACHMENT:** None

**PROPOSED MOTION:** None

## AGENDA ITEM SUMMARY

**DATE OF MEETING:** April 16, 2003

**ITEM TITLE:** CORRESPONDENCE

**PREPARED BY:** Ken Hamm, General Manager

**ACTION REQUESTED:** None

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

- ◆ March 31, 2003, letter from Richard Persons, CPA, Manager, Management Services Section of the Oregon Department of Transportation, regarding Schedule of Expenditures of Federal Awards and A-133 Audit
- ◆ April 4, 2003, letter from Bern Johnson, Executive Director, Environmental Law Alliance Worldwide, regarding protection of the Whilamut Natural Area of Alton Baker Park.

At the April 16, 2003, meeting, staff will respond to any questions the Board members may have about this correspondence.

**PROPOSED MOTION:** None



MINUTES OF DIRECTORS MEETING

LANE TRANSIT DISTRICT

REGULAR MEETING

Wednesday, February 19, 2003

Pursuant to notice given to *The Register-Guard* for publication on February 13, 2003, and distributed to persons on the mailing list of the District, the Board of Directors of the Lane Transit District held its regular monthly meeting on Wednesday, February 19, 2002, beginning at 5:30 p.m., in the LTD Board Room at 3500 E. 17<sup>th</sup> Avenue, Eugene.

Present: David Gant  
Gerry Gaydos, Vice President  
Patricia Hocken, Secretary  
Dave Kleger  
Virginia Lauritsen, Treasurer  
Hillary Wylie, President, presiding  
Ken Hamm, General Manager  
Jo Sullivan, Recording Secretary

Absent: Susan Ban

**CALL TO ORDER:** The meeting was called to order at 5:35 p.m. by Board President Hillary Wylie. Mr. Kleger was not yet present.

**WORK SESSION**

**Ordinance No. 36:** Director of Operations Mark Johnson handed out copies of a November 18, 2002, letter from C. Edward Gerdes, Jr., to the Board, submitted as public comments for the November 20, 2002, Board meeting. Mr. Gaydos had requested the copies. The Board had discussed revisions to Ordinance No. 36, Regulations Governing Conduct on District Property, at several previous meetings and had postponed making a decision on the final ordinance. Mr. Johnson called attention to the color map of the station that was specific to Ordinance 36 and defined the different areas. He said that the site map submitted with the Conditional Use Permit, which was referred to at another meeting during audience participation, had no designations of space use because it was only a site map. He explained that the District had designed a public area around the tree, and the rest of the station was designed to be for service and not as a public square. He added that he was working with District counsel on some wording changes suggested by Mr. Gant. Those would be ready for the next meeting.

Mr. Johnson said that as the ordinance read now, it created a restricted access area. Staff and the attorneys had looked at different ways to open the station, but there was no middle ground. They believed that if the entire station were opened, the station would go back to the way it was on 10<sup>th</sup> Avenue. Restricted access still was the staff choice because of the issues of the safety, convenience, and comfort of the District's guests. He stated that District Counsel Rohn Roberts was present to respond to Board questions and address some of the issues the Board had raised.

Mr. Gant said that he understood the intent of the ordinance, which he thought was good. The idea was not to get rid of signature gatherers, but he still questioned whether the ordinance would be constitutional. His concern was that although the revision probably was content neutral, it would be up to LTD to demonstrate that this was a reasonable restriction. He was not sure the District could make that case the safety issues where what LTD said they were. Mr. Gant said that staff and the Board needed to understand that it was not what LTD wanted, but what the courts would permit. He also said that it was important to listen to legal counsel, but he thought the attorneys would say that in cases like this, LTD also needed to take a very close look at what it was doing. When it came to affecting fundamental rights, he said, the District needed to own those decisions itself. He hoped that the Board would take the time to be educated about all of the constitutional issues that arose with that kind of a regulation, and then if the Board decided to approve this revision to Ordinance 36, the Board needed to have a good faith belief in the ordinance and should be able to respond to questions.

Mr. Roberts said that there were legal issues and policy issues. He was not there to advise the Board about the policy issues, and unfortunately could not tell the Board whether or not a particular ordinance would be upheld. What was in front of the Board was a Court of Appeals decision that said because the ordinance that had been stricken down targeted protected speech, they did not consider it to be content neutral. They then had to look to find an historical exception that would support LTD being able to support those protected targeted activities, and could not find such an exception. The court did not deal specifically with petition signature gathering and did not address the issue that the ACLU had raised, that public lawmaking or signature gathering was entitled to an elevated status and a greater degree of protection than other forms of expressive activity. He said that what had been re-proposed under the revision truly was content neutral. The question would be whether it was overbroad or sufficiently narrowly tailored to serve the legitimate public interest or the interest to be served by the ordinance. He did not think that LTD would have any difficulty selling the legitimacy of the interest that it was trying to protect. Unfortunately, whether it was overbroad was in the eye of the beholder.

Mr. Gaydos stated that part of what LTD told the business community was that the station would be different and safer than it had been on 10<sup>th</sup> Avenue, and that, conceptually, safety probably had been the biggest part of why LTD built an off-street station. From a policy standpoint, he said, the Board had been fairly strong in direction as to what was important from that standpoint. He said that they needed to blend the policy decision with what the Board members as lay people and directors felt was constitutional. The Board had heard input from people who thought that the ordinance was unconstitutional for a variety of reasons and had taken that input seriously. He said that the standard had to be that the Board had to do what was appropriate for the District, and sometimes that was different than what someone who was not as concerned about the District perceived to be not as important. The question to him was whether LTD could make sure it had a safe place. He said he felt driven to try to get a safe place, and that the Board was trying to work with counsel and the courts to try to make that safe place.

Mr. Kleger arrived at the meeting at 5:55 p.m.

Ms. Hocken said that this was a very complicated issue for a lay person. The issue for LTD was about space owned by a government, and there were examples of places owned by a public entity where it would not be appropriate to block people, such as in the stacks at the public library or between a person and the bus entry on the bus platform, even if it was a space owned by a government. She did not think that if the Board supported the ordinance it was deliberately setting

out to do something that was unconstitutional; she thought the issue of constitutionality was still an open question. Rather, it was the wish of the Board when the station moved off 10<sup>th</sup> Avenue, because safety was a big issue. She thought the District had succeeded to a great extent in creating a safer place because of public feedback since the station moved off-street.

Ms. Lauritsen thought the way it was worded seemed to be the safety issue, which is why the station moved off 10<sup>th</sup> Avenue. The Board did not worry about petition signature gatherers, but there were people who wanted to turn the station into a place to hang out, where there could be drug problems, alcohol problems, etc. She thought that people should be able to walk onto the bus in a safe area without being accosted. She said she was not worried about free speech, because this was not a free speech provision for her. She said she was in favor of the ordinance.

Mr. Gant said he thought the ordinance in itself was well drafted; he was just worried that the District had not set the factual evidentiary basis to make the case about the safety issue. He thought that would be the challenge in court. He said that there still would be people who walked through the wide-open facility, and LTD would have to explain how they were allowing that to happen.

Mr. Kleger said that he was a heavy user of the service before he was on the Board and before the station moved off 10<sup>th</sup> Avenue. When the station was on 10<sup>th</sup> Avenue, he said, he was pushing hard for a new station because of increasingly bad problems such as open drug dealing, panhandling, and petitioners blocking the sidewalks, so that it was difficult to get between buses in a limited time. He gave several recent examples of safety issues when guests stepped off the platforms in front of buses when trying to avoid obstructions caused by people on the platform. He said that these obstructions occurred naturally when people got off buses or stopped to visit, etc. He said there also were increased problems with panhandling on the platform as a result of recent budget and program cuts in the community, and there were more people going to the station for the express purpose of getting at LTD's customers and never intended to take a bus. He said that some people were involved in illegal commerce and setting up on the platform to sell things. There also were problems when people drove cars through the station; they did not go slowly, and some even made U-turns.

Mr. Kleger said that LTD had excellent drivers, but "accidents happen," and his agenda was to cut down as far as possible the number of possibilities of customers stepping off the platform into the path of a bus. There were surges of congestion at different times of the day and on different days, with no way to predict when it would happen. For example, most evenings there would be no noticeable congestion, but all of sudden it would happen. He said that he was more concerned than he could put into words. When people were afraid they were going to miss the bus, they did not look where they were going. He liked the language with an emphasis on no blockage or impedance, and thought that was the critical issue.

Mr. Roberts explained that the ACLU's position was that LTD already had a provision that talked about blockage and impedance, so nothing more was needed. He said that under the federal courts, including the United States Supreme Court's analysis, using what was called the public forum approach to analyzing these types of situations, this was not in counsel's view a public forum just because it was public property. It was not a city park and had never been held out to be a public forum in that respect, where people had been invited to conduct expressive activities. Under that analysis, he said, the court would look for a rational basis for what LTD had done. He said that he was fairly confident that LTD could make the argument that there was, but not so

confident that under the State Court's analysis, they would say that this was the least restrictive alternative available.

Mr. Johnson said that blockage was one type of safety issue, and protection from pedophiles, criminals, drug dealers, etc., were others. There were problems with people, sometimes criminals, hanging out, and trespassing law required LTD to tell them to leave every day before the police could be called. If the station were a restricted access area, the police could be called right away.

Ms. Hocken said that going with the blocking and impeding traffic might be one way to go, but she thought LTD would be subject of more criticism for more selective enforcement on that, because there might be situations where people would be accused of blocking and asked to leave and some when they would not. She thought that the revised ordinance was much clearer and that there was less judgment involved in determining whether someone was in violation or not.

Mr. Hamm said that the Board had talked about its concern for employees over time, and when he heard from employees and security people, they said that security was a growing problem and were asking the Board to do everything it could to help control the environment at the station. Employees heard about the rising problems from their guests, as well. He said it came down to a tough decision and thought there was a risk either way the Board decided, including being liable for a serious accident. Operationally, when people were just hanging out, it did cause people to step out into the roadway. He believed that the ordinance was a substantial improvement for LTD. There might be legal implications, but he believed that there also would be legal implications if the Board did not do anything, and that was the Board's challenge. After much discussion, this was what staff believed was appropriate and necessary, but it really came down to what the Board thought was the right place for the District, policy-wise and legal-wise.

Ms. Wylie did not think anyone disagreed that the safety of LTD's guests was the number one concern. She wondered, however, if the Board wanted to spend thousands of dollars fighting a constitutional challenge in the courts, or for lawsuits for injuries. She thought the Board should be extremely careful in how it went forward with the ordinance and fully explore whether this was the only option available.

Mr. Gaydos said he understood Mr. Gant's concerns and said the Board was trying to draw a very tight line. One thing he kept thinking about was the exclusion ordinance, which was a level below a limited access area. He said that when he heard Mr. Kleger's testimony as a witness, he heard that the real safety issues were in the operational components. Limited access had been made significantly broader than just the operational areas (the platform, etc.), and that troubled him a bit. He understood the customer service area and the concerns about employees, people's comfort, and those kinds of things, but while he believed Mr. Kleger, he did not have the evidence to support what Mr. Kleger had talked about. He said he heard about the pulse, the danger, and the operational components, which seemed like a far stronger case than when talking about customer service and administrative areas. This was somewhat troubling to him, and he thought this was the kind of place where the public was invited in a different way than on the bus platforms. He said he could see that the courts might make those kinds of distinctions. It would be easy to change the first part of the sentence to say that LTD was not just concerned about the safety of customers, but also about the safety of the employees, to broaden it. However, he said, he was still unsure about how that should be crafted.

Mr. Kleger clarified that the ordinance as drafted was not restricting activities in the plaza areas. He talked about experiencing congestion that was pushed toward the bus doors and into the central platform by people circulating petitions during more active times. He thought that someone actually could get more business by setting up a table in the plaza area, and attracting people who had the time, than by trying to get between two buses. He commented that many people left the station by the most direct route and would go around the station rather than fighting the crowd on the platform during a major pulse. He said this was how the station was supposed to work, and that as ridership increased over time, there would not be enough room for anything else. He said that the station was not near capacity, and that he did not want to design a plan and a policy that were incapable of coping with growth.

Ms. Hocken said she was very interested in what Mr. Gaydos had said about, if safety from motor vehicles was really one of the threats, and if there were other safety issues not related to motor vehicles, there might be a set of rules for the platform (restricted to passengers) and for the Guest Services Center (GSC) dealing with inappropriate behaviors rather than just being there if not a passenger. She said she could see that at the administrative facility they did not want people wandering around where the buses were being repaired, but that would be different than someone being inappropriate in the lobby. She wondered if it would become overly complicated if there were two different sets of rules. Mr. Johnson said LTD could look at that. However, the issue was that if the station were not a restricted area, people would hang out there, which could create another level of enforcement and security. Ms. Hocken thought that Mr. Kleger had given eloquent testimony on platform issues, and wondered if there were other non-platform safety issues that the Board had not discussed.

Mr. Johnson introduced Station Manager Rick Bailor, who said that one issue not discussed was a "quality of life" issue—whether LTD wanted guest services that served those who did not ride the bus. He said that staff had to wake up intoxicated transients on the benches every day, and that downtown youth knew they could use the restrooms and gather at the GSC to buy and sell drugs, fight, etc. To him, the station was a place for people to move from bus to bus, and he said he could not control that if LTD was going to invite the whole community to the platforms.

Mr. Gant said that the question was not whether there was a problem, but whether LTD could narrowly tailor an ordinance that achieved the safety goals and was drafted in a way that could win at the Court of Appeals. He was concerned mostly whether LTD had created a factual basis and was prepared enough to go to court and prove that it had made reasonable restrictions with a factual framework. He said that LTD could not just give opinions, but had to prove them. He said that if LTD had a problem, he wanted the Board to do everything it could to be successful, and successful in court. LTD should make sure the ordinance was narrowly tailored to achieve the goals and be prepared to win the case on the factual basis.

Mr. Gaydos said that there was a difference between a public space and a public square, and at some point LTD would have to get that line drawn and any public entity would take some risk in that. He wondered if there was a way to emphasize that point and get the factual basis. He was not saying that it had to be made differential, but the Board should think about if was a differential position, there should be a different factual basis in public policy direction with regard to different spaces. He did not know if that would be successful, but thought it was worth trying.

Ms. Hocken said that she had raised the issue of differential things, but maybe the same tool worked for both safety and security. By the next meeting, if there were no changes in the

recommendation, she would like the staff to provide some facts about incidents that had occurred on a daily basis, arrests, people asked to leave the station, etc. Mr. Roberts said that the ordinance would be brought to another meeting for a first reading. That would give an opportunity to establish some legislative history for that type of factual presentation.

Ms. Wylie thought that in some ways this was like the front of the airport, when people could not see friends and families off at the gate because of security. She said that if people were being knocked off the platform, arrested, etc., that was a security issue, and if there were people with histories of violence or criminal behavior who were intent on harming LTD's guests, that also was a security issue.

Mr. Gant said it would be helpful to him if staff and counsel could make a miniature version of the factual case LTD would make in the Circuit Court, as well as the legal arguments that would have to be made in front of the Court of Appeals. He thought that would be helpful to the Board in understanding what it would face in terms of a challenge to the ordinance.

Ms. Wylie called a ten-minute break, from 6:35 to 6:45 p.m.

**EMPLOYEE OF THE MONTH:** Mr. Johnson introduced Bus Operator Carol Kaminsky, who had been selected the March 2003 Employee of the Month. He said that she always had a smile and was always having fun; she knew her job and did it well every day. Ms. Wylie presented Ms. Kaminsky with her pin and awards and thanked her for her excellent service. Ms. Kaminsky thanked the Board and said that one thing she appreciated about being part of LTD was that it was a place where she could be herself and made it easy for her to do her job. She said that her co-workers had been tremendously supportive and there was a camaraderie she had not experienced at other places. She asked where else she could go to be able to go around in circles all day with a captive audience and get paid for it.

**AUDIENCE PARTICIPATION:** (1) One speaker who lived on City View in Eugene thanked the Board for his service and for not planning to cut it. (2) A second speaker said he appreciated the bus route that came across from his house, and thanked the Board very much.

MOTION

**CONSENT CALENDAR:** Mr. Kleger moved adoption of LTD Resolution No. 2003-004: "It is hereby resolved that the Consent Calendar for February 19, 2003, is approved as presented." Mr. Gaydos seconded. Ms. Hocken made one correction in the minutes of the January 15, 2003, Board meeting. The BRT Naming item referred to Ms. Hocken as an original member of the BRT Naming Committee, but she said that Mr. Gaydos was the original member, with Ms. Ban and

VOTE

Ms. Hocken added later. The Consent Calendar, including the corrected minutes, was then approved by unanimous vote, 6 to 0, with Gant, Gaydos, Hocken, Kleger, Lauritsen, and Wylie voting in favor and none opposed. The Consent Calendar consisted of the minutes of the January 15, 2003, Board meeting; nominations of P. Maureen Sicotte and Darrel Williams to the LTD Budget Committee; and the Fiscal Year 2002-03 Disadvantaged Business Enterprise (DBE) Policy and Program.

**SPRINGFIELD STATION PUBLIC ART:** Planning Technician Joe McCormack provided background on the request for proposals and artist selection process, which was similar to that done for BRT Phase I and presented to the Board in January 2003. The artists were asked to focus on three areas of the Springfield Station: the public plaza next to the commercial tenant area; the bioswale (now being called the platform garden); and the wall along the northwest corner of the site.

Six proposals were received: five for free-standing art objects, some with multiple objects around the station; and one proposal for mosaic tile. The art selection committee selected three finalists for presentation and interviews and selected Mary Beth Llorens' proposal. The Springfield Station Design Review Committee met in January and agreed with the committee and decided to forward this proposal to the Board.

Ms. Hocken asked if the committee discussed how durable the tiles would be if a lot of people picked at them. Mr. McCormack said that they did. If people gouged at the pieces that stuck out from the wall, those possibly could come out; however, Facilities Maintenance Manager Charlie Simmons had said that those would be easy to repair. Mr. Gant wondered about the effect of spray paint. Mr. McCormack explained that Mr. Simmons' crew would treat the tiles the same way they treated vertical surfaces at the Eugene Station. Ms. Wylie added that the tile would wash clean pretty easily and the grout could be replaced easily.

MOTION Ms. Hocken moved LTD Resolution No. 2003-006: "Resolved, that the LTD Board of Directors approves the artwork proposal presented by artist Mary Beth Llorens, as recommended by the Springfield Station Design Review Committee." Mr. Gaydos seconded, and the resolution passed by unanimous vote, 6 to 0, with Gant, Gaydos, Hocken, Kleger, Lauritsen, and Wylie voting in favor and none opposed.

**TRANSPORTATION MANAGEMENT AREA GRANT RECIPIENT DESIGNATION:** Director of Planning & Development Stefano Viggiano provided a brief background and noted copies of a letter to Governor Kulongoski from Federal Transit Administration Region X Administrator Richard Krochalis regarding the designation of the Eugene, Oregon, metropolitan area as a Transportation Management Area as a result of the most recent census. Ms. Wylie asked how much additional money LTD would receive as a result of this designation. Director of Finance Diane Hellekson said that it could be in the \$1 million to \$1.5 million range, but the amount was not yet known. The proposed resolution concurred with the designation of LTD as the direct grant recipient for FTA Urbanized Area Formula Program Funds, as required.

MOTION Ms. Hocken moved the following resolution: "It is hereby resolved that the LTD Board of Directors adopts LTD Resolution No. 2003-007 dated February 19, 2003." Mr. Kleger seconded, and the resolution carried by unanimous vote, 6 to 0, with Gant, Gaydos, Hocken, Kleger, Lauritsen, and Wylie voting in favor and none opposed.

**RIDESOURCE FACILITY SITE SELECTION:** Senior Strategic Planner Lisa Gardner provided background on the site selection process. More than 162 possible sites had been reviewed and a preferred site at Second Avenue and Garfield Street in West Eugene was being recommended to the Board. The site included eight acres and an existing building and was large enough to accommodate both the RideSource facility and a future satellite facility for LTD. The facility program and budget were explained in the agenda materials. The Finance Committee had discussed a staff recommendation. After that, staff had discussed leaving the existing building as a lease opportunity and building a new RideSource facility on the eight acres.

Ms. Hellekson said that the two options before the Board would give LTD the same RideSource facility. The question was whether the Board wanted to buy real estate that would gain in value over the years and would be in the right place on the west side of town for a satellite facility in the future. She explained that this would be an outright purchase, and LTD could borrow against

it if short-term cash were needed. In the future, the District could partition the land and sell the excess property if it needed to.

Ms. Hocken asked about multiple tenants, a long-term lease, and approximate rental income. Ms. Parker said that she did not know if there would be long-term leases, since the businesses there now were small businesses and not high-end leasers. There currently was not a lot of return on the existing building. Ms. Hocken asked if staff were looking at appreciation being a source of income. Ms. Hellekson said that was correct; this would be more than a landlord situation, but there was a 10,000 square foot building on the property that would not work well for RideSource, which LTD could use for other purposes.

Mr. Gaydos noted that the Finance Committee did not have this recommendation for discussion. He said that it was his belief that the local area was in a recession and property prices probably were lower than they would be for awhile, so it was a good time to purchase. The property probably would increase in value and give LTD more flexibility in the future. He did not believe there would be a good rental income, but he was supportive of this concept.

Mr. Kleger said that given the property market and interest rate, he did not see how LTD could get hurt. He thought that the likelihood of needing a satellite facility somewhere down the road was high. He thought that LTD should buy the entire parcel. Ms. Lauritsen said she was in favor of this, also.

Ms. Gardner said that staff did not need formal action, just direction from the Board. Land value information was available, but after the NEPA process, staff would return to the Board with a request to approve the purchase, and would have better property value information at that time, which would be in approximately six months. Mr. Gant asked what was on the property before. Ms. Gardner replied that it was a millpond, with relatively low risk for contamination.

Ms. Wylie asked if there was consensus that LTD should purchase the larger property. The Board members agreed that there was.

**HUMAN RESOURCES COMMITTEE RECOMMENDATION:** Mr. Gaydos stated that the committee had met on February 13. They were working with Mr. Hamm and District counsel to develop an employment contract to replace the letter of agreement signed when Mr. Hamm was hired. He said that as part of the evaluation process the year before, the committee wanted to set some goals and objectives for the general manager. Mr. Hamm had assisted the committee in developing those, and the recommended goals and objectives were included in the agenda materials for Board approval. Mr. Gaydos also noted that the previous year the Board had moved Mr. Hamm to a July-June evaluation cycle to coincide with the budget year. The committee wanted to hold a short evaluation now to get on that schedule, and then hold annual evaluations in the fall to go forward to the budget. Mr. Hamm had appreciated the input he received last year, and the committee thought it would be valuable to provide feedback again on some of the questions in the evaluation tool in the next month. They were suggesting the inclusion of some community members and the same staff who participated the previous year, in addition to Board member participation.

**MOTION**

Mr. Kleger moved approval of LTD Resolution No. 2003-008: "It is hereby resolved that the LTD Board of Directors accepts the proposal of the Board HR Committee for the recommended general manager evaluation and compensation process for the current fiscal year and adopts the



General Manager Goals and Objectives for 2003-04 as discussed at the February 19, 2003, Board meeting.” Ms. Hocken seconded the motion.

Mr. Hamm noted that there were some potential conflicts in the goals, and asked the Board to remember that the District was working in a fluid environment. He was thinking of some of the difficult decisions that had to be made during the last year and a half, as well as the many external influences. He stated that he was excited about having the goals and objectives as a tool for the following year.

VOTE There was no further discussion, and the resolution passed by unanimous vote, 6 to 0, with Gant, Gaydos, Hocken, Kleger, Lauritsen, and Wylie voting in favor and none opposed.

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

**Board Member Reports:** Mr. Gaydos added to the report in the agenda packet by noting that the Metropolitan Policy Committee subcommittee working on ACT was going well. There would be a public involvement process, and MPC would become the metropolitan planning organization (MPO), which would involve new job duties. The City of Coburg was at the table now as part of the MPO.

**2003-04 Annual Route Review/Service Presentation:** Service Planning and Marketing Manager Andy Vobora referred to materials beginning on page 46 of the agenda packet. He discussed the assumptions for the Annual Route Review, including that it would result in a net-zero budget, that it would improve efficiency, and that there would be limited changes. He explained in more detail some of the proposed changes listed on page 46-A.

Ms. Hocken asked about the timeline for articulated buses. Mr. Vobora explained that LTD was unable to tag onto another transit system's existing order so had to prepare its own request for proposals (RFP). Ms. Hellekson added that the RFP was “on the street,” but had to be amended to allow for an alternate propulsion system and doors on both sides. She expected that it would be 18 months before LTD would receive these buses.

Mr. Vobora said that typically the Board would hold a number of public hearings on proposed service changes. However, with this proposal for limited changes, only one public hearing was planned. Mr. Kleger relayed a suggestion from a rider on the #40 Echo Hollow regarding three stops in the area of 5<sup>th</sup> and Blair. The suggestion was to drop the stop at 5<sup>th</sup> and Blair inbound and still have one a block away at the Red Apple store, or possibly drop the one that was one block east of the Red Apple. However, he said, he knew the buses picked up a lot of people in that area.

**Fiscal Year 2003-04 Pricing Plan Proposal:** Mr. Vobora discussed the materials beginning on page 47 of the agenda packet. The recommendation was to leave fares mostly as they were for LTD and RideSource. Projected fare revenue resulting from this proposal was shown on page 56. He then discussed revised estimates and fare elasticity from price changes and the effect of service cuts. Overall, the fare increases had achieved more revenue for the system. A comparison study using LTD's peer agencies from previous University of North Carolina at Charlotte (UNCC) studies showed that LTD had been aggressive in setting fares and was at the top of its peer group. Mr. Vobora discussed a fare media discount structure and what happened when prices were raised incrementally. Discounts seemed more positive if cash fares were raised in different years than tokens and passes, so riders could move to different fare instruments to realize a discount.

A Breeze fare analysis showed that most people already had paid full fare before they boarded Breeze buses, so staff recommended leaving the Breeze fare at 25 cents to continue to promote the service. Staff also recommended offering a slightly-discounted youth pass for the summer.

Mr. Hamm commented that staff had a sense that with a number of the payment modes, LTD had reached a place where it would be a matter of losing revenue or participants. Others in the community were facing economic problems and had to make decisions about riding, and bus operators were expressing concern about raising the fares. Mr. Vobora added that taking a break next year would give LTD an opportunity to think about where it was going in the future with its fare system and technology.

Ms. Hocken asked if staff were still comfortable with a 3.65 percent increase for group passes. Mr. Vobora said he was sure that group pass participants would like no increase next year, after higher increases in past years. He thought LTD probably would not lose too many participants, but some of the larger groups were starting to waiver. Ms. Hocken suggested that LTD needed a promotion for people who worked at the library, especially if parking was difficult.

Ms. Wylie stated that Eugene/Springfield was a recessed area with a poor economy. Public agencies were losing funds and low-income individuals were affected even more, and LTD needed to be sensitive to that.

Mr. Kleger recalled that the District had made rather large increases, and one expectation was that the fares would be left alone for a couple of years. He said that LTD had two major missions: to provide service for those who did not have other transportation, and to encourage people to leave their cars at home, as well as to be fiscally responsible. He said he would not be worried if LTD had to back off a bit in the group pass price.

Mr. Vobora said he would provide additional information the following month. If all standard fares remained the same, the Board would not have to revise the ordinance. The group pass was not handled by ordinance. He said that staff had finished negotiating with the Associated Students of the University of Oregon (ASUO) regarding the group pass. Their contract would increase the next year, and staff would continue to work with them to move them toward the policy rate that others paid.

Ms. Hocken noted that there would be an increase of approximately \$33,000 if group pass rates were increased 3.65 percent. Ms. Hellekson said that more than half of that was from the ASUO group pass, so revenues would increase approximately \$15,000 if group pass prices were not increased for inflation. Mr. Vobora asked if the Board members were comfortable with not increasing the group pass rates, and there was agreement that they were.

**Financial Statements:** Ms. Hellekson provided a brief update on the process to appeal the payroll tax refund granted to a local taxpayer for taxes paid in the previous three years.

Mr. Gaydos commented about administrative costs being funded by capital funds. He wondered if that was good policy over time. Ms. Hellekson said she would be against it if the District did not have a capital agenda going over 20 years. She said that the District would have to review this in the future, especially with project-specific positions that had been added during the past couple of years.

Ms. Hocken said that at the next meeting she would like to see what line items had incurred legal expenses.

**Committee Structure:** Mr. Hamm referred the Board to pages 16 and 17 of the agenda packet. Staff were asking that the inactive Boundary Committee become a Service Committee. The Service Committee could discuss difficult decisions about allocating the resources of the District, review some of the alternatives, and make recommendations to the full Board, and also provide staff with policy and strategic guidance on service issues. Additionally, he said, there were ongoing labor relations issues and the District would be facing key issues in the near future and was less than a year out from beginning contract negotiations with the union. Originally staff were proposing an ad hoc committee to oversee labor relations for a short time, but it might be appropriate to have the Board Human Resources Committee assume this as part of its responsibilities. Ms. Wylie said that she and Mr. Hamm had discussed this earlier in the day. She changed the Boundary Committee (Pat Hocken, David Gant, and Dave Kleger) to a Board Service Committee, and appointed Mr. Kleger as chair. She also asked the Board HR Committee to assume the responsibilities of labor relations as part of its ongoing charge.

**General Manager's Report:** ♦Mr. Hamm stated that he, Assistant General Manager Mark Pangborn, and Director of Maintenance Ron Berkshire recently had looked at a hybrid articulated bus in Seattle. Seattle had been running the test bus fully loaded with water barrels, testing it on the road to see the stress points, and was very pleased with it. ♦He also noted that in a January-to-January comparison, LTD bus operator absenteeism had been reduced from 8 percent to 5 percent, and mark-offs for special assignments, events, proofreading schedules, etc., had been reduced from more than 1,000 hours to around 700 hours. He mentioned this to show that reducing costs was not just about cutting positions and materials and services, but also about staff reviewing everything they did. ♦He stated that Mr. Berkshire currently was in Hayward, California, inspecting the first of the Gillig low-floor buses coming off the line. Mr. Berkshire also expected that the lifts to make the AVS buses better comply with Americans with Disabilities Act (ADA) standards would arrive the first or second week in March. Mr. Kleger noted that the reliability of the AVS buses seemed to be improving. Mr. Hamm stated that AVS was making many improvements to the buses, almost always at its own cost.

Ms. Hocken wondered if the Board BRT Committee should meet about vehicle issues. Mr. Pangborn explained that BRT vehicles had been added as an agenda item for the February 26 work session, for discussion with the full Board.

**Government Relations:** Ms. Wylie asked Government Relations Manager Linda Lynch for an update. Ms. Lynch said that the final appropriations bill in the House included only \$2 million for LTD, which was a big disappointment. She and Mr. Hamm had reviewed the earmarks for the entire country and determined that LTD did about as well as most systems; 80 percent of them received less than \$2 million. She was hoping that LTD would be able to work out the problem of finding the balance of funding for the Springfield Station while in Washington, D.C., in early March. She noted that the Board had received the Federal Priorities book that would be used by all local government participants in the "united front" visit to the area's congressional delegation. Ms. Lauritsen asked about the cost of the book. Ms. Lynch explained that the cost of the book was divided among the five jurisdictions, and LTD staff put it together. The other jurisdictions delivered enough copies of their color pages to insert in all the books, so LTD was not paying for that expense.

**Performance Reports:** Ms. Hocken asked why there were so many accidents the previous summer. Director of Transit Operations Mark Johnson said that it was an anomaly, because summer usually had the lowest numbers and September was higher. He said that staff had been reviewing the types of accidents to try to see why June and July were the worst LTD had seen, and so far had not been able to determine the cause. Ms. Hocken also asked about the lack of places of buses to park on Olive Street. Mr. Vobora said that staff had not been aware of the final street design around the library until two weeks before the design was implemented, so did not have an opportunity to have a good discussion about the changes. Mr. Hamm said he had talked to Eugene Acting City Manager Jim Carlson and Director of Public Works Kurt Corey regarding LTD's lack of involvement early on in the process. Ms. Hocken stated that one of the reasons the City was given a group pass rate as a non-taxpayer was that the City was supposed to help LTD with street issues.

**ADJOURNMENT:** There was no further discussion, and the meeting was adjourned at 8:40 p.m.

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Board Secretary

MINUTES OF DIRECTORS MEETING

LANE TRANSIT DISTRICT

SPECIAL MEETING/WORK SESSION

Wednesday, February 26, 2003

Pursuant to notice given to *The Register-Guard* for publication on February 9, 2003, and distributed to persons on the mailing list of the District, the Board of Directors of the Lane Transit District held its regular monthly meeting on Wednesday, January 15, 2003, beginning at 5:30 p.m., in the LTD Board Room at 3500 E. 17<sup>th</sup> Avenue, Eugene.

Present: Susan Ban  
Gerry Gaydos, Vice President  
David Gant  
Dave Kleger  
Hillary Wylie, President, presiding  
Ken Hamm, General Manager  
Jo Sullivan, Recording Secretary

Absent: Patricia Hocken, Secretary  
Virginia Lauritsen, Treasurer

**CALL TO ORDER:** The meeting was called to order at 5:35 p.m. by Board President Hillary Wylie. Ms. Hocken, Mr. Kleger, Ms. Lauritsen, and Ms. Wylie were present. Ms. Ban arrived shortly after roll call. Mr. Gant arrived at 5:40 p.m. Mr. Gaydos was not yet present.

**BRT PHASE 1/SPRINGFIELD STATION UPDATE:** Mr. Hamm said that the District recently had received updated costs for the Phileas bus selected for bus rapid transit (BRT) service. The Phileas had been selected because it had everything the District wanted in a BRT bus, but it was turning out to be very expensive. The cost had risen dramatically largely because of the devaluation of the U.S. dollar against the Euro and because the costs for a number of the components required by LTD were much higher than originally estimated. Staff wanted to discuss a number of options for other buses with the Board.

Director of Maintenance Ron Berkshire reviewed the required and desired vehicle features. Staff believed that the most important feature, based on station designs to meet corridor restrictions, was to have doors on both sides of the bus. Other important aspects of purchasing a BRT bus were the manufacturing schedule, a "green" propulsion system, appearance/image, and automated guidance/docking. Mr. Berkshire then discussed a matrix showing the features available on several different types of buses. One bus manufacturer had suggested that LTD could ship standard articulated buses to another company to have left-side doors installed. One company in Denver was doing a lot of this type of work. Some risk was involved, including costs, timeline, and who would accept the liability if something went wrong with the bus afterward. It might be possible to receive standard articulated buses by the end of the calendar year, with a possible six-month delay for door installation. One manufacturer could not manufacture buses for LTD until 2006. An option to purchase buses with a CNG internal combustion engine would require that LTD install a pumping station. This infrastructure probably would cost around \$2 million.

Mr. Hamm said that staff believed that the price of technology would come down, and that there was a significant benefit in getting the infrastructure completed now and improving the bus technology later.

Purchasing Manager Jeanette Bailor said that technical proposals were due on April 4, and prices for those would be known by the end of April. If LTD were to purchase a NABI CNG bus with right-side doors, NABI probably could work five for LTD into Los Angeles' large order. If LTD wanted those buses modified, the District could not expect to receive them until 2006.

Assistant General Manager Mark Pangborn discussed a second matrix, BRT Vehicle Impacts, including cost, schedule, and travel time impact. BRT service, with exclusive rights-of-way, two-sided boarding, etc., was expected to reduce travel time in 20 years over conventional vehicles. If some of those features were lost, travel time would be affected. Ms. Ban said that appearance would not affect travel time, but could have a substantial effect on ridership gains if people were not willing to ride those buses.

Mr. Pangborn said that staff had put a hold on all design work until after the bus issue was resolved. He discussed problems that would be caused at certain stations, such as at 10<sup>th</sup> and High in Eugene, if the buses had only right-side doors. Mr. Kleger said he was frustrated by the possible need to give up having doors on both sides of the bus, because that was one of the major operational efficiencies. Mr. Gaydos said that if the corridor were designed for only right-side doors, he would not want the corridor to stay like that if different buses were purchased in the future.

Mr. Pangborn said that the Phileas bus, with automatic docking, would have the ability to pull within two inches of the station, for at-grade boarding. The Americans with Disabilities Act (ADA) maximum was 2.5 inches. Articulated buses would not be as precise in pulling up to the station, so some kind of flip-down ramp would be needed to cover the gap. This would not be a lift and would be deployed quickly and automatically. Staff were assuming that the system still would be designed for at-grade boarding because it was so important in gaining efficiency.

Mr. Pangborn stated that beyond the cost and delivery time issues, there were public relations issues in not using the Phileas bus, because that was what the community was expecting. Some of the buses under consideration were closer to the sleek, "train-like" appearance than others. He then discussed prices for different bus purchases, including doors on both sides, construction and design issues, and the cost of delay per year. Until April, staff would not know who was bidding on this bus purchase. After a bus was selected, the design team could resume work. However, it was likely that a construction season would be lost. Another consideration was that the heavier the bus, the greater the effect on fuel mileage would be. CNG buses would be more expensive to maintain, and there would be costs for maintaining the pumping station, as well. Hybrid-electric propulsion systems were the cleanest, and CNG and clean diesel were being used in many areas. Eugene/Springfield still was in an attainment area, with no restrictions on emissions, as long as it continued to meet national standards.

Mr. Berkshire said that LTD staff had convinced the rest of the nation's transit systems that appearance and image were very important for BRT, which was the reason the new NABI bus looked like it did. Mr. Kleger said he had no question in his mind that new customers preferred the new AVS buses used for the Breeze service over the standard transit buses.

After additional discussion of the desired elements for BRT buses, Mr. Gant commented that the New Flyer buses would fail in four of them, succeeding only in the schedule category. Mr. Viggiano said that staff did not believe that the New Flyer was the right BRT vehicle, but it might be the only option available at that time. If so, staff would want to present the issues honestly to the community, letting people know that the preferred bus was not feasibly available and other buses would be purchased for the interim and then could be used on regular fixed-route service.

Mr. Gant said that LTD had to be open to the possibility that the community might reject a standard bus for this service. Mr. Hamm noted that there were different groups to present these issues to, such as current riders, stakeholders along the corridor, community partners, and the general community. Staff had discussed which would be more difficult to present to the community, a cost of \$1.6 million per bus, or issues of appearance, etc. The District might need to ask the community that question.

Ms. Hocken asked if the Phileas was a lot "greener" than the New Flyer Option D. Mr. Berkshire said that there were no facts to compare, but from what he knew of the two vehicles, he would say that the Phileas would be a little cleaner, but that they actually would be very close. Ms. Hocken asked if it would be fair to say that both were significantly cleaner than the buses LTD currently was operating. Mr. Berkshire said that it would.

Ms. Hocken said that although these buses would be noisier, if they were not running in residential neighborhoods, maybe that was not as important. If the issues with the doors, bikes, and ADA requirements could be resolved, then what LTD would be giving up would be the sleeker appearance. She said she was trying to separate the substance from the image, even though the image was important in the community.

Mr. Gant asked about the chances that LTD could raise the extra money for the vehicles. Director of Finance and Information Technology Diane Hellekson said that all vehicles would be debt financed and LTD was well under the ceiling, so the issue was whether the community would accept the idea of \$1.6 million buses. Mr. Gaydos said that the \$1.6 million number was not yet a real number, and then the costs for additional delays would have to be added in.

Ms. Wylie asked what staff recommended. Mr. Hamm replied that staff thought the smartest approach was to go with an articulated, clean diesel bus with doors on both sides. With a bidder on the current RFP for articulated buses, the order could be expanded to obtain five for BRT. Those could be shipped to a factory to add doors on the left side. That would add six months, and then LTD would be on schedule with completion and construction of the corridor.

Mr. Pangborn said he thought he heard the Board saying that there were two courses to follow from that point: (1) to craft a way to sample public opinion that had the highest opportunity for acceptance regarding the trade-off of meeting community expectations; and (2) to get where LTD needed to be as quickly as possible, explore standard articulated buses with doors on both sides, and do the same with hybrid-electric buses, considering cost, scheduling, and availability issues. He thought that staff should begin exploring these issues while sampling the community.

Ms. Lauritsen did not agree. She thought the District should sell the concept rather than ask. She thought it was an internal decision, not a decision to scatter all over the community.

Ms. Ban thought there was a way to frame the issue without asking. The District should let the community know that these were the hard decisions that LTD had to make. Everyone was making second-choice decisions because of the economy, and she thought the community would understand.

Ms. Wylie thought the community would let LTD know if the District couldn't afford this system. They had said that BRT would hurt the regular system, and the District had said this would be a system that would help. She thought this was a decision the Board would have to look at in light of the current economy.

Mr. Kleger agreed with taking a businesslike approach in making the decision, and said that the effectiveness of doors on both sides was important. He thought it would be easier to adjust the height of the platform to a different vehicle in the future than to adjust the roadways, etc.

Ms. Lauritsen left the meeting at 7:40 p.m.

Mr. Hamm said that the buses mentioned that evening were samples of what was in the marketplace. The important issue at that point was that LTD was looking at articulated buses with certain elements as compared with products in the foreign market.

Ms. Hocken suggested discussing this issue with the BRT Steering Committee at its next meeting, because it was made up of a cross section of stakeholders. Ms. Wylie thought that input regarding the balancing of the schedule versus "green" propulsion systems would be important.

Mr. Berkshire said that doors on both sides remained the number one priority on the list and asked if the Board had a preference for "green" versus schedule. Mr. Gaydos thought the schedule would be delayed no matter what. He said he would be concerned if LTD went through another construction season. He did not think the District would meet the coming construction season because of the door issue, so he agreed with Ms. Hocken to move "green" up on the list.

Mr. Pangborn said that the design was close to 100 percent in the Eugene section, unless it had to be redesigned because of the doors, and was close to 80 percent to 90 percent in the Springfield section, with a couple of exceptions. He reviewed the Phase 1 budget in terms of design, development, and construction. The first phase was still within the realm of the budget, but there also still was the potential to go farther. Missing a construction season might cost in terms of inflation, but also would give LTD the opportunity to review and cut costs.

**SPRINGFIELD STATION:** Facilities Maintenance Manager Charlie Simmons told the Board that the design for the Springfield Station had moved along as scheduled and the budget had been kept on a tight line. However, about two weeks previously staff had learned that LTD would receive only \$2 million of its request for funding to complete the station. The bill had been marked up in the Senate at \$6 million and in the House at \$2 million. Generally those bills would go to conference committee and be funded somewhere in the middle. That did not happen, and now this project was not fully funded. A total of \$5.8 million was available for the station, and Mr. Simmons said that LTD could not build anything vertical for that amount. If the joint development were removed, the project would have to be redesigned.

Ms. Wylie stated that the Springfield Station Steering Committee had worked for three years to learn about the process, settle on a site, and work on the design. She said that it was important



to find a way to build this station. The project was about three-fourths of the way through design, at a cost of about \$1.1 million.

Ms. Ban said she felt more comfortable asking for \$2 million for this facility than for buses, when a lower-cost bus could be found. This station was a long-term commitment to the community, and a crucial piece of BRT and for the city of Springfield and the larger community. Mr. Simmons added that it was important for fixed-route service, as well.

Ms. Hocken said that the Board needed to look at the overall picture of capital projects to see if they wanted this project more than something else on the list. She knew they had done that before, but said she could not make this decision without doing it again.

Mr. Hamm said that Springfield had said it wanted to do a redevelopment plan for Glenwood, so LTD had planned no major improvements associated with BRT until then. Now Springfield was demanding that LTD put in new sidewalks, bikeways, vegetation, etc., at station locations, which was never agreed to or included in cost estimates. LTD had asked for the City to be partners in the joint development piece at the Springfield Station. Now staff were wondering what the message to the City of Springfield should be. Mr. Hamm said that staff would be talking to Springfield representatives about these issues.

**ADJOURNMENT:** Ms. Wylie thanked staff for bringing the Board up to date on these issues. Since the time was getting late, she suggested postponing the discussion on the strategic plan to a work session in March. The meeting was adjourned at 8:05 p.m.

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Board Secretary

MINUTES OF DIRECTORS MEETING

LANE TRANSIT DISTRICT

REGULAR MEETING

Wednesday, March 19, 2003

The regular meeting of the Board of Directors of the Lane Transit District scheduled for Wednesday, March 19, 2003, at 5:30 p.m., was canceled for lack of a quorum. The agenda items were postponed to April 2003.

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Board Secretary

## AGENDA ITEM SUMMARY

**DATE OF MEETING:** April 21, 2004

**ITEM TITLE:** SECTION 5307 FEDERAL GRANT APPLICATION

**PREPARED BY:** Todd Lipkin, General Ledger/Grant Accountant

**ACTION REQUESTED:**

- (1) Hold a public hearing on the grant applications
- (2) Approve grant application

**BACKGROUND:** **FY 2004 SECTION 5307 FEDERAL GRANT APPLICATION**

LTD funds its Capital Improvements Program (CIP) through a combination of federal, state and local funds. LTD receives federal funds appropriated on an annual basis through the 5307 formula program and awarded through the Federal Transit Administration. Section 5307 projects are funded at 80 percent, with a 20 percent match provided by LTD. LTD also receives Surface Transportation Program (STP) Flexible funds, which are allocated to LTD on a formula basis through the State-wide Transportation Improvement Program (STIP), as well as through a discretionary program. **STP projects are also funded at 80 percent.**

This grant request is for \$7,068,709, which includes \$753,500 in 2004 urban STP funds (STP-U) and \$6,315,209 in combined 2002, 2003 and 2004 5307 funds. The request funds the purchase of the 18 40' Gillig low floor buses and the 5 New Flyer articulated buses. The request also includes funds for spare parts for bus maintenance, BRT Pioneer Parkway engineering/design, passenger boarding improvements, miscellaneous equipment, and the Transportation Demand Management (TDM) program.

**ATTACHMENT:** Program of Projects and Budgets for Section 5307 Grant

**PROPOSED MOTION:** I move approval of the following resolution:

LTD Resolution No. \_\_\_\_\_: It is hereby resolved that the LTD Board of Directors approves the proposed Section 5307 federal grant application for \$7,068,709 in federal funds and authorizes the General Manager to submit this application to the Federal Transit Administration for approval.

## AGENDA ITEM SUMMARY

**DATE OF MEETING:** April 16, 2003

**ITEM TITLE:** BRT UPDATE

**PREPARED BY:** Graham Carey, BRT Project Engineer, Development Services

**ACTION REQUESTED:** None. Information and discussion only.

**BACKGROUND:** **Phase 1 Corridor Design:** Portions of the Phase 1 design process have been delayed temporarily pending staff evaluation of the BRT vehicle options.

Staff are continuing to meet with staff from the Cities of Springfield and Eugene and the Oregon Department of Transportation (ODOT) and key property owners along the corridor to resolve outstanding issues.

**Construction Budget/ Schedule:** Staff are working with the Construction Manager/General Contractor (CMGC) to develop a comprehensive construction estimate. The CMGC has recommended that certain road widenings be undertaken in the 2003 construction season, in order to provide sufficient space for construction of the BRT facility in the following construction season.

**Phase 1 Vehicles:** Staff are continuing to negotiate with APTS for the purchase of the Phileas vehicle; however, there currently is a considerable difference between the cost of the vehicle and LTD's budgeted amount. Staff are exploring alternative vehicles that meet the BRT system's operational needs, as well as additional funding to purchase the Phileas.

**Springfield Corridor:** The planning for the third and final segment of the Pioneer Parkway corridor is proceeding as planned. The first meeting of the stakeholder group was held on February 5, 2003, at Symantec. The stakeholder group, consisting of 19 people representing business and residential property owners along the proposed corridor, discussed the existing corridor characteristics. A second stakeholder meeting was held on March 18, at which stakeholders discussed the general BRT alignment as well as various BRT design options for International Way and Game Farm Road East. A third and final stakeholder meeting is planned for April 29.

**Eugene Corridor:** Stakeholder committee members initiated a process to develop corridor priorities for each segment of the corridor. These priorities were debated and refined at their March 12<sup>th</sup> meeting. In the interim, staff evaluated the various BRT designs against the priority assigned by the stakeholder committee to determine their compatibility. The stakeholder group, at their April 9 meeting, will debate the appropriateness of the staff assignments.

**ATTACHMENTS:** None

**PROPOSED MOTION:** None

## AGENDA ITEM SUMMARY

**DATE OF MEETING:** May 21, 2003

**ITEM TITLE:** CONSENT CALENDAR

**PREPARED BY:** Jo Sullivan, Administrative Services 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 May 21, 2003:

1. Approval of minutes: March 31, 2003, special Board meeting
2. Approval of minutes: April 7, 2003, special Board meeting
3. Approval of minutes: April 16, 2003, regular Board meeting

**ATTACHMENTS**

1. Minutes of the March 31, 2003, special Board meeting
2. Minutes of the April 7, 2003, special Board meeting
3. Minutes of the April 16, 2003, regular Board meeting

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

LTD Resolution No. 2003-0\_\_: It is hereby resolved that the Consent Calendar for May 21, 2003, is approved as presented.

## AGENDA ITEM SUMMARY

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**DATE OF MEETING:** April 16, 2003

**ITEM TITLE:** CAPITAL IMPROVEMENTS PROGRAM

**PREPARED BY:** Diane Hellekson, Director of Finance & Information Technology

**ACTION REQUESTED:** None

**BACKGROUND:** The Capital Improvements Program (CIP) undergoes constant analysis, and is brought to the Board of Directors annually for review and approval of revisions. This update and approval usually occur before the Budget Committee meetings begin in April. Often the revision is completed and presented in January or February of each year.

The Finance Committee of the Board regularly meets to review the update process and to recommend a revised plan for full Board approval. The Finance Committee reviewed and forwarded a plan that was scheduled for Board consideration on March 19, 2003, a meeting that ultimately was cancelled.

Since the special work session on bus rapid transit vehicle issues on February 26, and another held on March 31, it has been clear to staff that the CIP update cannot be completed without a vehicle decision. This decision is scheduled for the May 21 Board meeting. There is no legal requirement for the CIP update to be completed or approved by any date. Therefore, the CIP discussion will be deferred until the vehicle decision has been made. The budget notebooks will contain the plan draft that was reviewed by the Finance Committee. It will be marked prominently as a draft.

The alternative to this approach would have been to request approval of a plan update that would require another major revision once the vehicle decision was made. In the interests of using the Board members' time efficiently, staff concluded that one update was preferable to two. The revised CIP will be reviewed by the Finance Committee and forwarded to the full Board as soon as possible following the vehicle decision.

**ATTACHMENT:** None

**PROPOSED MOTION:** None



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## MONTHLY DEPARTMENT REPORTS

April 16, 2003

### GOVERNMENT RELATIONS

*Linda Lynch, Government Relations Manager*

#### STATE

It is a gloomy time at the State Legislature (but people seem to be getting used to it). A bill has passed the Senate to raid the balance of the cigarette tax fund, taking the balance of the current fiscal year's payments to counties, cities, and transit districts. Two cents of the cigarette tax are (theoretically) dedicated to the provision of transportation services for the elderly and people with disabilities. Advocates for these services scheduled a "Senior and Disabled Transportation Day" March 26, but it is a sign of the times that this legislative measure was in a Senate Committee on March 3, and had passed the Senate, was sent to committee, then to the full House and was signed by the Governor by March 4. There is a slight chance that the provisions will not take effect, as it is contingent on the May revenue forecast.

The Public Transit Division of ODOT, which administers the special transportation funds that come from the state, will attempt to keep providers whole this fiscal year by borrowing from unexpended capital funds. That really is "robbing Peter to pay Paul," but there is a chance that funds have been allocated to some projects that are not going to proceed.

On a brighter note, Senate Bill 549, authorizing TriMet and Lane Transit District to raise the payroll tax rate one-tenth of one percent over ten years, has passed the Senate and is in the House, where it faces a more difficult future. LTD Board member Pat Hocken testified in support of the measure at a hearing of the Senate Revenue Committee.

Another bright note is that it is likely that there will be some sort of transportation infrastructure financing package. Even though transit districts do not benefit directly from any such package, if other problems are solved, the state Transportation Commission would be more amendable to flexing those "flexible" federal funds to transit. The Board of the Oregon Transit Association discussed this possibility with ODOT Director Bruce Warner at its last meeting.

Most state agency budgets, including the Oregon Department of Transportation budget, have had hearings and debate, but it is unlikely that final action will occur before the May revenue forecast.



**FEDERAL**

It was snowing in Washington, D.C., when government relations staff arrived, and the wind chill factor was 5° by the time the general manager arrived. However, the weather warmed and so did the welcome accorded local officials. Board member Gerry Gaydos represented Lane Transit District issues and led the meeting with the Federal Transit Administration (FTA). Among the three LTD people attending, appointments occurred with staff to all members of the Oregon congressional delegation: Congressmen DeFazio, Blumenauer and Wu; Congresswoman Hooley; Senators Wyden and Smith; staff to both majority and minority Senate and House appropriations; and both majority and minority authorizing committee staff. At the FTA, we met with Barbara Sisson, the new Associate Administrator for Research, Demonstration and Innovation, as well as Walt Kulyk and Bert Arrillaga, both of whom work on bus rapid transit.

Needless to say, reauthorization of TEA 21 was high on everyone's priority list, both with Eugene-Springfield local governments and with the Congress. At this time everyone is optimistic that the reauthorization bill can be finished by the time TEA 21 expires, September 30, 2003. It may be a bad sign, however, that at least one presenter at a national legislative conference had a chart with the delays associated with the passage of every surface transportation bill since 1982. The failure of the last Congress to enact a budget in any sort of timeframe appropriate to the fiscal year has lowered the bar on all issues for timeliness.

Senators and Representatives have had to submit their priorities for reauthorization to the respective committees, and hopefully, all questions have been answered!

**DEVELOPMENT SERVICES**

*Stefano Viggiano, Director of Development Services*

**ACCESSIBLE SERVICES**

*Terry Parker, Accessible Services Manager*

Marcia Maffei from Commuter Solutions and Planner Will Mueller spent Saturday, March 8, in Oakridge hosting a Transportation Fair. With the help of Oakridge residents and Special Mobility Services staff, schedules for the new service, how to connect with LTD, and trip planning information were provided to more than 250 people—an impressive turnout! The newly named *Diamond Express* began service on Monday, March 17. Twenty-five people rode the *Diamond Express* during its first week in operation.

**SERVICE PLANNING AND MARKETING**

*Andy Vobora, Service Planning and Marketing Manager*

**UO Basketball Shuttle Summary**

The operations department completed another busy year of pre-season and PAC-10 games by providing shuttle services to 38 games. A few more shuttles were operated when the first round of the women's NCAA tournament was held the weekend of March 15. The statistics for this year remained consistent with past years. The following totals were recorded:

Total rides:	26,974
Total attendance:	217,670
Modal split:	6.2%
Average rides per game:	710
Schedule hours:	1007
Rides per hour:	25
Fully allocated cost:	\$87,916

**Career Fair Service**

LTD participated in the area's largest career fair for high school students on March 13. The event is held annually at the Lane County Fairgrounds and attracts nearly 2,000 students. LTD encouraged classes to use the bus to get to and from the event. Some classes planned the bus trip as a group, while some students traveled individually. LTD operated a shuttle between the Station and the Fairgrounds, which provided added capacity and more direct service than the regular routes that drop off guests along West 11<sup>th</sup> Avenue. Students riding individually were allowed to ride free by showing their student body cards.

**Employee Appreciation Month**

As part of the March 2003 national employee appreciation month LTD established a number of in-house activities to recognize employees. Additionally, LTD developed and implemented an image campaign to run in the *Register-Guard*. The series of ads highlighted the valuable people working at LTD and emphasized the volunteer role these employees play in our community. Employees from several departments were chosen to represent the rest of the LTD employees in this campaign. The campaign also provided an opportunity to highlight our Employee of the Year, Arline Link. Copies of the ads are attached.

**TRANSIT OPERATIONS**

*Mark Johnson, Director of Transit Operations*

### **New Bus Operators**

The process has begun to hire replacement bus operators. HR has conducted several video test sessions, and interview teams from Transit Operations and HR have begun the interview process. We intend to hire at least four new operators to be ready by the June bid. We will also have to replace some retirees for the September bid. We will conduct approximately sixty interviews to come up with an active pool of thirty candidates. So far, the candidates have been good and we believe that we will be able to get some excellent operators.

### **Bus Operator Tests BRT Corridor**

Bus Operator Bob Prine wowed the observers with his driving skills while testing the New Flyer articulated bus on a course set up to replicate part of the BRT corridor. The lane was only nine-and-a-half feet wide, but Bob expertly negotiated through the cones at increased speeds with each pass. Bob said that it was the most fun that he has had recently while driving a bus and added that the lane was pretty tight for real service. Bob also said that he is available any time if we need additional testing.

## **MAINTENANCE**

*Ron Berkshire, Director of Maintenance*

There is no Maintenance report this month.

## **FINANCE AND INFORMATION TECHNOLOGY**

*Diane Hellekson, Director of Finance and Information Technology*

The monthly Finance and Information Technology reports are included elsewhere in the agenda packet.

## **HUMAN RESOURCES**

*Ken Hamm, Interim Director of Human Resources*

There is no Human Resources report this month.

Q:\Reference\Board Packet\2003\04\Regular Mtg\dept report April 2003.doc

## AGENDA ITEM SUMMARY

- DATE OF MEETING:** March 19, 2003
- ITEM TITLE:** APRIL AND MAY 2003 EMPLOYEES OF THE MONTH
- PREPARED BY:** Jo Sullivan, Administrative Services Manager/Clerk of the Board
- BACKGROUND:** **April 2003 Employee of the Month:** Fleet Services Supervisor Don Swearingen has been selected as the April 2003 Employee of the Month. Don was hired by the District on July 29, 1991, as a journeyman mechanic. He was promoted to his current position on March 12, 1999. Don was selected by the committee based on input from employees regarding his teamwork ability (bus operator and mechanic interface). He listens to issues and tries to find win-win solutions. Don gives time to the organization in other ways. He currently serves as a member of the Accident and Route Review Committee.
- When asked to comment on Don's selection as Employee of the Month, General Manager Ken Hamm said:
- Don is an effective supervisor who is proactive with his employees and peers. Don's evening work crew all seem to be enjoying themselves whenever I visit. He has a natural ability to bring the best out of his team.
- Don Swearingen is a nice person who always has a good word and a smile for everyone. He greets every situation as an opportunity. Don gets high marks from other departments, including Operations, because he's willing to respond to others needs without hesitation.
- Another Fleet Services Supervisor, George Trauger, added:
- Don is always willing to help out when needed. This includes assigning his shift to finish up jobs started by other shifts in order to meet service needs. Whenever I'm on overload, Don helps out where he can. For example, he took over the problems with the bus washer operation and the maintenance of the bus fueling system. Don has a great sense of humor. This is an asset when supervising a majority of maintenance employees during the ever-busy nighttime operation. Don is friendly and easy to talk to. We consider him a vital link on our team.
- Our congratulations to Don on his selection as the April 2003 Employee of the Month!
- AWARD:** Don will attend the March 19, 2003, meeting to be introduced to the Board and receive his award.

**BACKGROUND:**

**May 2003 Employee of the Month:** Bus Operator Gary Bennett has been selected as the May 2003 Employee of the Month. Gary was hired by the District on June 18, 1998. He has earned Safe Driving Awards during each of the four years he has been eligible. He currently is adding his expertise as a member of both the Bus Procurement ("Better Bus") and Service Advisory Committees. Gary previously was recognized by the Eugene Police Department and the LTD Board in December 2001 for his vital involvement in the identification and apprehension of a homicide suspect. Gary was nominated Employee of the Month by fellow operator, Gerry Morsello, for "maintaining such high enthusiasm and a positive attitude." Mr. Morsello further stated that he often is asked by LTD guests whether or not Gary is "working today." He added that "Gary has a lot of fun and passengers really enjoy riding his bus, and they (passengers) feel good afterwards." An LTD guest also forwarded a nomination stating that "This operator (Gary) is very congenial and has a big smile and 'hi' for everyone. He is a happy individual and seems to genuinely enjoy his job...his demeanor is contagious to everyone onboard! He gives positive vibes and deserves recognition."

Gary's evaluating supervisor, Shawn Mercer, added:

I have the opportunity to spend "quality time" with Gary on a regular basis. I truly enjoy being able to sit down and spend time with him. He is always upbeat and willing to take direction. It is my pleasure to have the opportunity to share a few facts and some of my observations.

In addition to all the accomplishments and accolades mentioned above, Gary's positive outlook goes beyond LTD. This past winter, Gary solicited technical advice regarding a computer purchase. It seems that Gary knows a family with seven children who live on a very limited, fixed budget. Gary thought it important that those children be given the opportunity to join the 21<sup>st</sup> century and become acquainted with a computer. He spend many hours acquiring parts and software to present this family with a "new" rebuilt computer for Christmas.

Our congratulations to Gary on his selection as the May 2003 Employee of the Month!

**AWARD:**

Gary will attend the March 19, 2003, meeting to be introduced to the Board and receive his award.

## AGENDA ITEM SUMMARY

**DATE OF MEETING:** April 16, 2003

**ITEM TITLE:** EMPLOYEE OF THE YEAR 2002

**PREPARED BY:** Steve Rayack

**ACTION REQUESTED:** None

**BACKGROUND:** **YEAR 2002 EMPLOYEE OF THE YEAR:** The selection of Bus Operator Arline Link as LTD's 2002 Employee of the Year was announced at the March 20 Employee Appreciation Potluck. Arline was selected for this award because of, as thirty-two of Arline's fellow operators expressed, "her kindness and the wonderful things she does, big and small, for all of us.

Arline has enriched the lives of everyone she has touched during her more than twenty-nine years of service as an operator. Her file is bursting with expressions of gratitude written by people of all ages and types. Every one of them thanks Arline for her great warmth, caring heart, friendship, and sweet smile. Every one of them congratulates LTD for being so fortunate to have Arline as an employee.

Arline has been selected as the Employee of the Month three times during her tenure at the District – 1985, 1995, 2002. Arline also is the first LTD employee to be named Employee of the Year twice. The first time was in 1985.

Arline was hired by LTD on January 3, 1974, and has been very involved with serving and improving the District ever since. Arline has earned an impressive 25 Year Safe Driving Award. She has been both a Dial-A-Ride operator and an Operator Instructor. She has worked on LTD picnics, banquets, and United Way campaigns. The 1976 United Way campaign set a goal of \$505.00. As a team captain, Arline helped to raise \$2,227.00! Arline is not one to gather moss. She gives tirelessly to the community as well. She has been involved with the P.T.A., Girl Scouts, Brownies, S.M.A.R.T. Reader Program, toxic waste safety, church and student exchange programs.

When asked what makes Arline exceptional, Transportation Supervisor Dave Thulstrup replied, "Arline is such a cheerleader, Godmother, and

good friend to everyone she meets. Her caring about her co-workers and their families knows no bounds.”

Arline’s co-workers gracefully declare, “We are glad that she works with us, because of all of the joy that she brings to us.”

**AWARD:**

Arline received a monetary reward, clock, and flowers at the March 20 LTD Employee Appreciation Potluck. She will be present at the April 16, 2003, Board meeting to be introduced to the Board.



## AGENDA ITEM SUMMARY

**DATE OF MEETING:** April 16, 2003

**ITEM TITLE:** EXECUTIVE SESSION PURSUANT TO ORS 192.660(1)(i)

**PREPARED BY:** Gerry Gaydos, Board HR Committee Chair

**ACTION REQUESTED:** That the Board move into Executive (non-public) Session pursuant to ORS 192.660(1)(i), to review and evaluate, pursuant to standards, criteria, and policy directives adopted by the governing body, the employment-related performance of the chief executive officer (general manager) of LTD

**ATTACHMENT:** None (Combined performance evaluation ratings will be distributed to Board members under separate cover.)

**PROPOSED MOTION:** I move that the Board meet in Executive Session pursuant to ORS 192.660(1)(i), to review and evaluate, pursuant to standards, criteria, and policy directives adopted by the governing body, the employment-related performance of the LTD general manager.

## AGENDA ITEM SUMMARY

**DATE OF MEETING:** April 16, 2003

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

**PREPARED BY:** Jo Sullivan, Administrative Services Manager/Clerk of the Board

**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. **LTD Ordinance No. 36:** The second reading and adoption of this revised ordinance will be placed on the agenda for the May 21, 2003, Board meeting.
- B. **Budget Committee Meetings:** Budget Committee meetings have been scheduled for Wednesday, April 23; Thursday, April 24; and Wednesday, April 30, 2003. Budget materials will be delivered to Board members on Friday, April 18. Staff will work with the non-Board members of the Budget Committee to schedule an informational meeting sometime in early April.
- C. **Springfield Station Design and Budget:** The Board approved a conceptual site plan for the new Springfield Station at its March 20, 2002, Board meeting. A final project design and budget will be brought to the Board for approval on May 21, 2003.
- D. **Adoption of FY 2003-04 Budget:** Following approval of the proposed LTD budget by the Budget Committee, the Fiscal Year 2003-04 budget will be on the agenda for adoption at the June 18, 2003, regular Board meeting. Budget law requires that the District's budget be adopted before the end of the current fiscal year on June 30, 2003.
- E. **Resolution Reaffirming District Boundaries:** State law requires that the District annually determine the territory in the District within which the transit system will operate. If boundary changes were to be made, that would be done by ordinance. Since no changes are planned, a resolution reaffirming the current boundaries will be scheduled for approval at the June 18, 2003, Board meeting.

- F. **Board Work Sessions:** As discussed at the Board's December strategic planning retreat, work sessions on various topics will be scheduled for May 19 and June 16, and in future months, as well.
- G. **BRT and Springfield Station Updates:** Various action and information items will be placed on Board meeting agendas during the design and implementation phases of the bus rapid transit and Springfield Station projects.

## GENERAL MANAGER EMPLOYMENT AGREEMENT

**BETWEEN:** Kenneth P. Hamm (“Mr. Hamm”)  
**AND:** Lane Transit District (the “District”)  
**EFFECTIVE DATE:** March 28, 2003

### RECITALS:

- A.** The Board of Directors of the District (the “Board”) is authorized pursuant to ORS 267.200(5) to enter into contracts on behalf of Lane Transit District and to appoint and fix the salary of the General Manager.
- B.** Mr. Hamm has been employed as General Manager of the District pursuant to a letter agreement dated January 24, 2000 (“Letter Agreement”).
- C.** The parties wish to amend and restate the terms of Mr. Hamm’s employment pursuant to the terms of this agreement.

### AGREEMENT:

Therefore, in consideration of the foregoing recitals and terms and conditions of this agreement, the parties agree as follows:

#### Section 1: Duties and Responsibilities.

(a) The District agrees to continue Mr. Hamm’s employment as General Manager, and Mr. Hamm hereby accepts such employment upon the terms and conditions set forth in this agreement.

(b) Mr. Hamm shall have, and agrees to perform in good faith, the duties and responsibilities of General Manager. As such, Mr. Hamm shall maintain his office at the headquarters of the District, and shall:

- 1) Have full charge of the acquisition, construction, main tenancy, and operation of the transit system of the District.

- 2) Have full charge of the administration of the business affairs of the District.
- 3) Enforce all ordinances adopted by the Board.
- 4) Administer the personnel system adopted by the Board, and, except for officers appointed by the Board, appoint, discipline, or remove all officers and employees, subject to ORS 267.010 to 267.390 and the rules of the Board.
- 5) Prepare and submit to the Board within 90 days after the end of each fiscal year a complete report of the finances and administrative activities of the District for that preceding fiscal year.
- 6) Keep the Board advised as to the needs of the District.
- 7) Prepare all plans and specifications for acquisition of equipment or construction of improvements or facilities for the District.
- 8) Cause to be installed and maintained a system of auditing and accounting which shows completely and at all times the financial condition of the District.
- 9) Devote his entire working time to the business of the District. Mr. Hamm ' s participation in civic and charitable affairs is deemed to be business of the District within the meaning of this provision and he shall keep the Board informed as to such activities.
- 10) Perform such other duties as the Board requires by resolution.
- 11) Attend the meetings of the Board and may participate in its deliberations, but has no vote.

## Section 2: Term of Employment.

Mr. Hamm is an "at will" employee. His employment shall continue only so long as is mutually agreed by both parties. Mr. Hamm may be removed by the Board only by an affirmative vote of a majority of its members.

## Section 3: Termination/Suspension.

(a) Before Mr. Hamm ' s employment is terminated, he shall upon demand be given a written statement of the reasons for his termination. If requested, he shall be given an open hearing at a meeting of the Board before the final vote for his termination; however, the Board may by resolution suspend him from office pending a hearing. The action of the Board in suspending or

terminating Mr. Hamm, if approved by a majority of the members of the Board, may be reconsidered by the Board, but is otherwise final and not subject to appeal.

(b) The parties agree to give each other written notice of termination. Notice of termination given by Mr. Hamm to the District shall be effective at the date specified therein, which date shall be not less than 60 days after the date of service of the notice. Notice of termination given by the District to Mr. Hamm shall be made effective at the date specified therein, which date shall be not less than 60 days after the date of service of the notice; provided, however, that notice of termination may be effective immediately if the Board terminates Mr. Hamm for cause. As used in this agreement, "cause" includes, but is not limited to, fraud, dishonesty, misappropriation of funds, embezzlement, or other acts of misconduct in the rendering of services to or on behalf of the District, or Mr. Hamm's willful and continual failure or refusal to comply with the policies, standards and regulations of the District as they are established periodically.

#### Section 4: Compensation and Evaluation.

(a) As compensation for the services rendered to the District during the fiscal year 2003-04, Mr. Hamm shall be paid a salary of \$121,090.05, and a monthly automobile allowance of \$300, in accordance with the District's regular payroll procedures. Such compensation shall be subject to modification from year to year by Board action following its annual evaluation of Mr. Hamm's performance as General Manager. Any modification shall be inclusive of such market adjustment, if any, as the Board determines is appropriate for Mr. Hamm and such other factors as the Board and may deem pertinent including, but not limited to, industry peer analyses, employee performance evaluations, and changes in the Consumer Price Index. In addition, Mr. Hamm shall be entitled to the fringe benefits which are generally available to other administrative employees of the District, including, without limitation: hospital; surgical, medical, dental, or other group health insurance; life insurance and disability benefits; holidays; sick leave; vacation; travel insurance; severance pay plan; and participation in the Lane Transit District pension or retirement program.

(b) Mr. Hamm shall be entitled to full compensation and benefits during periods of suspension.

(c) Compensation and benefits received by Mr. Hamm from other parties after notice of termination or suspension, for services performed for other parties during the period of 90 days after notice of termination or during periods of suspension, shall reduce the compensation and benefits to which Mr. Hamm shall be entitled under this agreement.

(d) The Board shall, in consultation with Mr. Hamm, set annual performance goals and objectives. The Board shall review and evaluate Mr. Hamm's performance at least annually, including his attainment of such performance goals and objectives, and share such evaluation with him.

#### Section 5: Severance Benefit.

In the event the Board terminates Mr. Hamm ' s employment without cause, he shall receive a six-month severance payment of salary and benefits, which severance payment shall not include retirement and leave accrual benefits. Such severance payment shall be due and payable at the District ' s standard pay periods during the six-month period following the date of termination and shall be in lieu of all other payments. If Mr. Hamm is terminated for cause, or resigns his employment, he shall not be entitled to receive any severance benefit and shall be paid only that salary and benefits accrued through the date of such termination.

#### Section 6: Expenses.

The District shall reimburse Mr. Hamm for reasonable and necessary business expenses incurred by him in the performance of the duties and responsibilities set out in this agreement, upon presentation, in accordance with the District's normal practice, of reasonably detailed statements of expense for which reimbursement is claimed. In addition, Mr. Hamm shall receive a total monthly automobile expense allowance of \$300.

#### Section 7: Consolidated Annual Leave (CAL) and Extended Illness Bank (EIB).

Mr. Hamm is currently entitled to 27 days of consolidated annual leave. Mr. Hamm will accrue CAL and EIB according to the policies of the District for administrative employees. In the event of termination, CAL and EIB shall be paid according to then current District policy.

#### Section 8: Deferred Compensation.

Mr. Hamm shall be eligible to participate in the District ' s Section 457 deferred compensation plan in accordance with its terms.

#### Section 9: Indemnification.

To the maximum extent permitted by law, the District shall defend, indemnify and hold Mr. Hamm harmless from and against any and all claims, demands, suits, actions, or proceedings of any kind or nature arising out of his good faith performance of his duties and responsibilities as General Manager, provided that his performance is not contrary to established statutes or ordinances, or the resolutions, policies and reasonable standards of conduct adopted by the Board.

#### Section 10: Assignment.

This agreement is personal to Mr. Hamm and cannot be assigned by him to any other person.

Section 11: Entire Agreement.

This agreement represents the entire agreement between the parties and supersedes any prior agreements or understandings, whether oral or written between the parties including, without limitation, the Letter Agreement.

Section 12: Amendments.

This agreement cannot be changed or terminated orally and may be modified only by a written agreement executed by both parties that specifically refers to this agreement.

Section 13: Notices.

Any notice to the District under this agreement shall be given to the President of the Board of Directors at the President's latest address as shown by the records of the Clerk of the Board of the District. Any notice to Mr. Hamm under this agreement shall be given to him at his latest address as shown on the records of the Clerk of the Board of the District. Notices shall be deemed given when delivered in person or within two business days after being mailed by certified mail at the United States Post Office in Eugene or Springfield, Oregon, with postage fully prepaid and addressed as hereinabove specified.

**IN WITNESS WHEREOF**, the undersigned have executed this agreement in duplicate on this 16<sup>th</sup> day of April, 2003.

**LANE TRANSIT DISTRICT**

/s/ Kenneth P. Hamm  
Kenneth P. Hamm

By: /s/ Hillary Wylie  
President, Board of Directors





# LTD General Manager's Report

April 16, 2003

Prepared by Ken Hamm, General Manager

## **Future Dates to Remember**

April 18, 2003	Budget Document Deliveries
April 23, 2003	First Budget Committee Meeting
April 24, 2003	Second Budget Committee Meeting
April 30, 2003	Third Budget Committee Meeting (if necessary)
May 19, 2003	Board Work Session (tentative)
May 21, 2003	Regular Board Meeting
June 16, 2003	Board Work Session (tentative)
June 18, 2003	Regular Board Meeting (budget adoption)

## **Internal Activities**

February 26 & 27

### **TEAM LTD Meetings**

Four meetings were held, two in Operations and two in Maintenance, at different times of the day. This quarter the focus was on employee issues, concerns, suggestions, and such. The general manager fielded whatever input employees had. There were thoughts shared about BRT vehicles, employee morale, facilities and supplies, and much more.

March 3, 2003

### **Employee Appreciation Breakfast**

March was Employee Appreciation Month. Mark Johnson, Joyce Ziemplak, and others provided breakfast in the Operators' Lounge beginning at 4:30 a.m. It was one of many activities planned to thank employees for the great job they do day-in and day-out.

March 20, 2003

### **Team BBQ and Employee of the Year**

A potluck and barbeque was held to promote teamwork and morale. The GM bought hamburgers and hotdogs for everyone. Arlene Link was presented with the Employee of the Year award.

## **External Activities**

February 20, 2003

### **Video Conference with APTS**

LTD staff negotiated with APTS via the UO's conferencing facility. Discussions centered on delivery bonds, supplier costs, power system options, and the bottom line. Negotiations are continuing.

February 21, 2003

### **ATU Discussions**

Jackie Damm and I went to Portland to meet with the ATU to try to find a settlement to the pending arbitration. LTD offered potential

- February 24, 2003 solutions, but the ATU indicated no interest in any solution offered.  
**FTA Administrator Visit**  
Federal Transit Administrator Jenna Dorn visited LTD to be briefed on bus rapid transit. Reauthorization of the transportation bill also was discussed. Thank you to Linda Lynch for her efforts to get Ms. Dorn here.
- March 2-5, 2003 **United Front**  
Gerry Gaydos, Linda Lynch, and I traveled to Washington, D.C., with the United Front. Smith Dawson Andrews, the contract lobbying team, did a great job of getting area representatives appointments with the correct people on the Hill. Again, Linda Lynch did a yeomen's job of gathering the priorities list, coordinating the packet production, orchestrating the moves of the team with the calendared appointments, and more. For LTD, we saw the right people, gave them a clear understanding of our needs, and provided follow-up materials as required. We built the foundation from which we continue to make our case for the current appropriations request and for reauthorization.
- March 9-12, 2003 Gerry Gaydos, Tammy Fitch, and Peter Sorenson attended a meeting with Linda Lynch and me with the FTA staff and Deputy Administrator Barbara Sisson.  
**APTA Legislative Conference**  
I attended the APTA Legislative Conference in D.C., which followed the day after the last United Front appointments. As an APTA Board Member, I attended two task force meetings, the APTA Board Meeting, and the Legislative Committee Meeting before flying home. LTD's messages during our visits the previous week were in concert with APTA's legislative positions.
- April 2, 2003 **FTA Demonstration Project**  
A request was made by LTD to FTA for financial participation in the Procurement of BRT vehicles and the deployment of advanced vehicle technologies. April 2<sup>nd</sup>, staff had a second discussion with members of the research and technology group at FTA and there is a definite desire to participate. LTD has been asked to submit a formal demonstration project proposal. Staff is working diligently on that.

## AGENDA ITEM SUMMARY

**DATE OF MEETING:** April 16, 2003

**ITEM TITLE:** BOARD HR COMMITTEE RECOMMENDATION

**PREPARED BY:** Gerry Gaydos, Committee Chair

**ACTION REQUESTED:** Approval of General Manager Salary Recommendation and Employment Contract and HR Committee Charge

**BACKGROUND:** The Board HR Committee (Chair Gerry Gaydos, Susan Ban, and David Gant) met on March 10 and March 31, 2003, and are forwarding several recommendations to the full Board for approval.

**Proposed General Manager Employment Agreement:** Since the fall of 2002, Committee Chair Gerry Gaydos has worked with District counsel and the general manager in preparing an employment contract to replace the current letter of agreement, which has been in place since Mr. Hamm was hired in 2000. The proposed Employment Agreement is attached for the Board's review. The Board is asked to approve the contract so that it can be signed as soon as the general manager's compensation for FY 2003-04 has been approved. At the meeting, the Committee members can highlight the sections of the employment contract and answer any questions the Board members may have. After the Board's evaluation of the general manager's performance and a salary recommendation, the employment agreement will be signed by the Board president and the general manager.

**HR Committee Charge:** The HR Committee has developed a "committee charge" outlining the recommended responsibilities and areas of involvement for the committee. This charge is attached for the full Boards approval. Committee members can answer any questions the Board may have about these areas of responsibility.

**Proposed General Manager Salary Increase:** Following discussion of the general manager's performance during the past year, the HR Committee will recommend a percentage increase in the general manager's base pay for Fiscal Year 2003-04. The Board is asked to discuss this recommendation and approve a percentage increase for inclusion in the budget for FY 2003-04. At the meeting, Committee members will discuss their rationale for the recommended increase.

**ATTACHMENTS:** General Manager Employment Agreement  
Human Resources Committee Responsibilities

**PROPOSED MOTION:** I move the following resolution:  
LTD Resolution No. 2003-015: It is hereby resolved that the LTD Board of Directors approves the recommended General Manager Employment Agreement as proposed by the Board HR Committee and discussed at the March 19, 2003, Board meeting. It is further resolved that the Board of Directors approves an increase of two (2) percent in the General Manager's base salary for Fiscal Year 2003-04, and, further, that the Board approves the General Manager Employment Agreement as proposed by the Board HR Committee and discussed at the April 16, 2003, Board meeting.

**LEGAL EXPENSES INCURRED 7/1/02 THROUGH :**

Vendor	Invoice #	Invoice Date	PO #	BRT	Labor Relations	Risk Management	TransPlan Appeal	Payroll Tax/ Revenue Issues	Bond Counsel	Admin. Employment/ Discipline Issues
C&C Court Reporting	15690C	11/11/2002	A-01336		1,411.45					
Hershner, Hunter	79615	1/22/2003	A-01561							
Hershner, Hunter	78933	12/18/2002	A-01498							
Hershner, Hunter	77742	10/23/2002	A-01253							
Hershner, Hunter	77066	9/26/2002	A-01156							
Loomis & Holland	10503	2/5/2003	A-01599			1,337.50				
Loomis & Holland	10303	1/3/2003	A-01531			1,771.70				
Loomis & Holland	120602	12/6/2002	A-01400			1,410.15				
Loomis & Holland	110702	11/7/2002	A-01387			1,062.50				
Loomis & Holland	110402	10/4/2002	A-01257			2,658.00				
Loomis & Holland	90402	9/4/2002	A-01092			575.00				
Loomis & Holland	80202	8/2/2002	A-00939			312.50				
Luvaas, Cobb, et al.	112102	11/21/2002	A-01316					4,981.50		
Luvaas, Cobb, et al.	121802	12/18/2002	A-01316					2,576.67		
Luvaas, Cobb, et al.	12503	1/25/2003	A-01316					861.00		
Stoel Rives	2940403	9/19/2002	A-00778						357.50	
Stoel Rives	2949299	11/12/2002	A-00778						487.50	
Stoel Rives	2956802	12/16/2002	A-00778						1,982.50	
Bullard, Smith, et al.	10203	1/23/2003	A-00803		13,256.41					
Bullard, Smith, et al.	113002	11/30/2002	A-01423							
Bullard, Smith, et al.	113002-1	11/30/2002	A-00803		6,231.51					
Bullard, Smith, et al.	103102	10/31/2002	A-00803		16,789.23					
Bullard, Smith, et al.	093002-1	9/30/2002	A-00803		6,585.53					
Bullard, Smith, et al.	83102	8/31/2002	A-00803		5,980.41					
Bullard, Smith, et al.	70102	7/1/2002	A-00803		1,837.75					
Bullard, Smith, et al.	80102	8/1/2002	A-00803		4,981.79					
Arnold, Gallagher, et al.	072002-1	7/25/2002	A-00684	946.00						
Arnold, Gallagher, et al.	072002-2	7/20/2002	A-00685							
Arnold, Gallagher, et al.	072002-2	7/20/2002	A-00685							
Arnold, Gallagher, et al.	072002-2	7/20/2002	A-00685							
Arnold, Gallagher, et al.	072002-3	7/20/2002	A-00685							
Arnold, Gallagher, et al.	072002-4	7/20/2002	A-00685							
Arnold, Gallagher, et al.	072002-5	7/20/2002	A-00685							
Arnold, Gallagher, et al.	072002-6	7/20/2002	A-00685							
Arnold, Gallagher, et al.	072002-7	7/20/2002	A-00685				168.00			
Arnold, Gallagher, et al.	082002-1	8/20/2002	A-00684	1,693.00						

Vendor	Invoice #	Invoice Date	PO #	BRT	Labor Relations	Risk Management	TransPlan Appeal	Payroll Tax/ Revenue Issues	Bond Counsel	Admin. Employment/ Discipline Issues
Arnold, Gallagher, et al.	082002-2	8/20/2002	A-00685							
Arnold, Gallagher, et al.	082002-3	8/20/2002	A-00685							
Arnold, Gallagher, et al.	092002-1 & 092002-10	9/20/2002	A-00684 & A-00685	4,394.50						
Arnold, Gallagher, et al.	092002-2	9/20/2002	A-00684	1,736.00						
Arnold, Gallagher, et al.	092002-3	9/20/2002	A-00684	294.00			1,442.00			
Arnold, Gallagher, et al.	092002-4	9/20/2002	A-00685							
Arnold, Gallagher, et al.	092002-5	9/20/2002	A-00685							
Arnold, Gallagher, et al.	092002-6	9/20/2002	A-00685							1,342.00
Arnold, Gallagher, et al.	092002-7	9/20/2002	A-00685	220.00			44.00			330.00
Arnold, Gallagher, et al.	092002-8	9/20/2002	A-00685							
Arnold, Gallagher, et al.	092002-9	9/20/2002	A-00685							994.00
Arnold, Gallagher, et al.	092002-11	9/20/2002	A-00685				280.00			
Arnold, Gallagher, et al.	102002-1	10/20/2002	A-00684	2,082.00						
Arnold, Gallagher, et al.	102002-2	10/20/2002	A-00685				56.00			
Arnold, Gallagher, et al.	102002-3	10/20/2002	A-00685							154.00
Arnold, Gallagher, et al.	102002-4	10/20/2002	A-00685							
Arnold, Gallagher, et al.	102002-5	10/20/2002	A-00685							5,381.00
Arnold, Gallagher, et al.	102002-6	10/20/2002	A-00685							
Arnold, Gallagher, et al.	102002-7	10/20/2002	A-00685							
Arnold, Gallagher, et al.	102002-8	10/20/2002	A-00685	196.00						308.00
Arnold, Gallagher, et al.	112002-1	11/20/2002	A-00684	5,389.10						
Arnold, Gallagher, et al.	112002-2	11/20/2002	A-00685							
Arnold, Gallagher, et al.	112002-3	11/20/2002	A-00685							
Arnold, Gallagher, et al.	112002-4	11/20/2002	A-00685				616.00			
Arnold, Gallagher, et al.	112002-5	11/20/2002	A-00685							2,596.00
Arnold, Gallagher, et al.	112002-6	11/20/2002	A-00685							
Arnold, Gallagher, et al.	121702	12/17/2002	A-00685							
Arnold, Gallagher, et al.	122002-1	12/20/2002	A-00685							1,144.00
Arnold, Gallagher, et al.	122002-2	12/20/2002	A-00685							
Arnold, Gallagher, et al.	122002-3	12/20/2002	A-00685							
Arnold, Gallagher, et al.	122002-4	12/20/2002	A-00685				1,050.00			
Arnold, Gallagher, et al.	122002	12/20/2002	A-00685							2,420.00
Arnold, Gallagher, et al.	122002-6	12/20/2002	A-00685							
Arnold, Gallagher, et al.	122002-7	12/20/2002	A-00685							1,062.00
Arnold, Gallagher, et al.	122002-8	12/20/2002	A-00684	7156.03						
Arnold, Gallagher, et al.	12202-1	1/20/2003	A-01419							
Arnold, Gallagher, et al.	012003-1	1/20/2003	A-01419							
Arnold, Gallagher, et al.	012003-2	1/20/2003	A-00685							1,110.00
Arnold, Gallagher, et al.	012003-3	1/20/2003	A-00685							198.00

Vendor	Invoice #	Invoice Date	PO #	BRT	Labor Relations	Risk Management	TransPlan Appeal	Payroll Tax/ Revenue Issues	Bond Counsel	Admin. Employment/ Discipline Issues
Arnold, Gallagher, et al.	012003-4	1/20/2003	A-00685							
Arnold, Gallagher, et al.	012003-5	1/20/2003	A-00685				84.00			
Arnold, Gallagher, et al.	012003-6	1/20/2003	A-00685							
Arnold, Gallagher, et al.	012003-7	1/20/2003	A-00685							572.00
Arnold, Gallagher, et al.	012003-8	1/20/2003	A-00685							
Arnold, Gallagher, et al.	012003-9	1/20/2003	A-00685							
Arnold, Gallagher, et al.	012003-10	1/20/200	A-00684	\$3,796.50						
Arnold, Gallagher, et al.	00019-003	2/20/2003	A-00685							368.00
Arnold, Gallagher, et al.	00016-012	2/20/2003	A-00685							1,692.00
Arnold, Gallagher, et al.	00007-023	2/20/2003	A-00685							
Arnold, Gallagher, et al.	00005-013	2/20/2003	A-00685							265.00
Arnold, Gallagher, et al.	00003-017	2/20/2003	A-00685							
Arnold, Gallagher, et al.	00001-062	2/20/2003	A-00685							
Arnold, Gallagher, et al.	00017-010	2/20/2003	A-00685							
Arnold, Gallagher, et al.	00020-002	2/20/2003	A-00685							
Arnold, Gallagher, et al.	00002-057	2/20/2003	A-00684	\$1,549.00						
Arnold, Gallagher, et al.	00018-001	11/20/2002	A-01419							
Davis Wright Tremaine	5262671	2/19/2003	A-01719							

\$29,452.13    \$57,074.08    \$9,127.35    \$3,740.00    \$8,419.17    2,827.50    \$19,936.00





Ordinance 36	Board Issues & Agenda Packets	Government Standards & Practices Complaint	Legislative	Springfield Station	Other
					2,078.00
66.00					
					251.94
					10.00
682.00	1,342.00				101.00
890.00					
	490.00				28.15
		2,424.00			
2,074.50					
1,686.00					70.00
286.00					
220.00	616.00				
		2,596.00			
		4,854.04			
396.00	216.00				396.00
286.00					
	176.00				
		2,816.00			
				2,484.00	
				1,302.00	
176.00	286.00				44.00

Ordinance 36	Board Issues & Agenda Packets	Government Standards & Practices Complaint	Legislative	Springfield Station	Other
	242.00				
			44.00		
		110.00			
	264.00				
920.00	621.00				405.43
2,019.00	161.00				
			70.00		
					115.00
		184.00			
			138.00		
				1,474.00	
				630.00	
		2,305.59			

\$11,403.50      \$4,736.00      \$15,685.15      \$252.00      \$5,890.00      \$7,869.52      \$176,412.40

**LEGAL EXPENSES INCURRED 7/1/02 THROUGH :**

Vendor	Invoice #	Invoice Date	PO #	BRT	Labor Relations	Risk Management	TransPlan Appeal	Payroll Tax/ Revenue Issues	Bond Counsel	Admin. Employment/ Discipline Issues
C&C Court Reporting	15690C	11/11/2002	A-01336		1,411.45					
Hershner, Hunter	79615	1/22/2003	A-01561							
Hershner, Hunter	78933	12/18/2002	A-01498							
Hershner, Hunter	77742	10/23/2002	A-01253							
Hershner, Hunter	77066	9/26/2002	A-01156							
Loomis & Holland	10503	2/5/2003	A-01599			1,337.50				
Loomis & Holland	10303	1/3/2003	A-01531			1,771.70				
Loomis & Holland	120602	12/6/2002	A-01400			1,410.15				
Loomis & Holland	110702	11/7/2002	A-01387			1,062.50				
Loomis & Holland	110402	10/4/2002	A-01257			2,658.00				
Loomis & Holland	90402	9/4/2002	A-01092			575.00				
Loomis & Holland	80202	8/2/2002	A-00939			312.50				
Luvaas, Cobb, et al.	112102	11/21/2002	A-01316					4,981.50		
Luvaas, Cobb, et al.	121802	12/18/2002	A-01316					2,576.67		
Luvaas, Cobb, et al.	12503	1/25/2003	A-01316					861.00		
Stoel Rives	2940403	9/19/2002	A-00778						357.50	
Stoel Rives	2949299	11/12/2002	A-00778						487.50	
Stoel Rives	2956802	12/16/2002	A-00778						1,982.50	
Bullard, Smith, et al.	10203	1/23/2003	A-00803		13,256.41					
Bullard, Smith, et al.	113002	11/30/2002	A-01423							
Bullard, Smith, et al.	113002-1	11/30/2002	A-00803		6,231.51					
Bullard, Smith, et al.	103102	10/31/2002	A-00803		16,789.23					
Bullard, Smith, et al.	093002-1	9/30/2002	A-00803		6,585.53					
Bullard, Smith, et al.	83102	8/31/2002	A-00803		5,980.41					
Bullard, Smith, et al.	70102	7/1/2002	A-00803		1,837.75					
Bullard, Smith, et al.	80102	8/1/2002	A-00803		4,981.79					
Arnold, Gallagher, et al.	072002-1	7/25/2002	A-00684	946.00						
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Arnold, Gallagher, et al.	072002-2	7/20/2002	A-00685							
Arnold, Gallagher, et al.	072002-2	7/20/2002	A-00685							
Arnold, Gallagher, et al.	072002-3	7/20/2002	A-00685							
Arnold, Gallagher, et al.	072002-4	7/20/2002	A-00685							
Arnold, Gallagher, et al.	072002-5	7/20/2002	A-00685							
Arnold, Gallagher, et al.	072002-6	7/20/2002	A-00685							
Arnold, Gallagher, et al.	072002-7	7/20/2002	A-00685				168.00			
Arnold, Gallagher, et al.	082002-1	8/20/2002	A-00684	1,693.00						

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Arnold, Gallagher, et al.	082002-3	8/20/2002	A-00685							
Arnold, Gallagher, et al.	092002-1 & 092002-10	9/20/2002	A-00684 & A-00685	4,394.50						
Arnold, Gallagher, et al.	092002-2	9/20/2002	A-00684	1,736.00						
Arnold, Gallagher, et al.	092002-3	9/20/2002	A-00684	294.00			1,442.00			
Arnold, Gallagher, et al.	092002-4	9/20/2002	A-00685							
Arnold, Gallagher, et al.	092002-5	9/20/2002	A-00685							
Arnold, Gallagher, et al.	092002-6	9/20/2002	A-00685							1,342.00
Arnold, Gallagher, et al.	092002-7	9/20/2002	A-00685	220.00			44.00			330.00
Arnold, Gallagher, et al.	092002-8	9/20/2002	A-00685							
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Arnold, Gallagher, et al.	112002-4	11/20/2002	A-00685				616.00			
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Arnold, Gallagher, et al.	112002-6	11/20/2002	A-00685							
Arnold, Gallagher, et al.	121702	12/17/2002	A-00685							
Arnold, Gallagher, et al.	122002-1	12/20/2002	A-00685							1,144.00
Arnold, Gallagher, et al.	122002-2	12/20/2002	A-00685							
Arnold, Gallagher, et al.	122002-3	12/20/2002	A-00685							
Arnold, Gallagher, et al.	122002-4	12/20/2002	A-00685				1,050.00			
Arnold, Gallagher, et al.	122002	12/20/2002	A-00685							2,420.00
Arnold, Gallagher, et al.	122002-6	12/20/2002	A-00685							
Arnold, Gallagher, et al.	122002-7	12/20/2002	A-00685							1,062.00
Arnold, Gallagher, et al.	122002-8	12/20/2002	A-00684	7156.03						
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Arnold, Gallagher, et al.	012003-1	1/20/2003	A-01419							
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Arnold, Gallagher, et al.	012003-5	1/20/2003	A-00685				84.00			
Arnold, Gallagher, et al.	012003-6	1/20/2003	A-00685							
Arnold, Gallagher, et al.	012003-7	1/20/2003	A-00685							572.00
Arnold, Gallagher, et al.	012003-8	1/20/2003	A-00685							
Arnold, Gallagher, et al.	012003-9	1/20/2003	A-00685							
Arnold, Gallagher, et al.	012003-10	1/20/200	A-00684	\$3,796.50						
Arnold, Gallagher, et al.	00019-003	2/20/2003	A-00685							368.00
Arnold, Gallagher, et al.	00016-012	2/20/2003	A-00685							1,692.00
Arnold, Gallagher, et al.	00007-023	2/20/2003	A-00685							
Arnold, Gallagher, et al.	00005-013	2/20/2003	A-00685							265.00
Arnold, Gallagher, et al.	00003-017	2/20/2003	A-00685							
Arnold, Gallagher, et al.	00001-062	2/20/2003	A-00685							
Arnold, Gallagher, et al.	00017-010	2/20/2003	A-00685							
Arnold, Gallagher, et al.	00020-002	2/20/2003	A-00685							
Arnold, Gallagher, et al.	00002-057	2/20/2003	A-00684	\$1,549.00						
Arnold, Gallagher, et al.	00018-001	11/20/2002	A-01419							
Davis Wright Tremaine	5262671	2/19/2003	A-01719							

\$29,452.13    \$57,074.08    \$9,127.35    \$3,740.00    \$8,419.17    2,827.50    \$19,936.00



Ordinance 36	Board Issues & Agenda Packets	Government Standards & Practices Complaint	Legislative	Springfield Station	Other
					2,078.00
66.00					
					251.94
					10.00
682.00	1,342.00				101.00
890.00					
	490.00				28.15
		2,424.00			
2,074.50					
1,686.00					
					70.00
286.00					
220.00	616.00				
		2,596.00			
		4,854.04			
396.00	216.00				396.00
286.00					
	176.00				
		2,816.00			
				2,484.00	
				1,302.00	
176.00	286.00				44.00

Ordinance 36	Board Issues & Agenda Packets	Government Standards & Practices Complaint	Legislative	Springfield Station	Other
	242.00				
			44.00		
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	264.00				
920.00	621.00				405.43
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			70.00		
					115.00
		184.00			
			138.00		
				1,474.00	
				630.00	
		2,305.59			

\$11,403.50      \$4,736.00      \$15,685.15      \$252.00      \$5,890.00      \$7,869.52      \$176,412.40



## AGENDA ITEM SUMMARY

2

**DATE OF MEETING:** April 16, 2003

**ITEM TITLE:** LONG-RANGE FINANCIAL PLAN

**PREPARED BY:** Diane Hellekson, Director of Finance & Information Technology

**ACTION REQUESTED:** None

**BACKGROUND:** The Long-Range Financial Plan (LRFP) is closely tied to the Capital Improvements Program (CIP), and typically is presented and approved at the same Board meeting. Because the CIP revision has been deferred until the bus rapid transit vehicle decision has been finalized, the LRFP also must be deferred. The revised LRFP will be presented to and reviewed by the Finance Committee, and then forwarded to the full Board as soon as possible following the vehicle decision.

**ATTACHMENT:** None

**PROPOSED MOTION:** None

## AGENDA ITEM SUMMARY

**DATE OF MEETING:** April 16, 2003

**ITEM TITLE:** YEAR-TO-DATE LEGAL EXPENSES FOR LTD

**PREPARED BY:** Mark Pangborn, Assistant General Manager

**ACTION REQUESTED:** None. Information Only.

**BACKGROUND:** At the February 19, 2003, Board meeting, Pat Hocken asked for information on the legal costs expended "year-to-date" by LTD. Attached is a spreadsheet with that information, broken down by category. Staff are prepared to address the categories in greater detail if the Board is interested.

**ATTACHMENT:** Spread sheet of LTD-incurred legal expenses, July 1, 2002, through February 20, 2003

## AGENDA ITEM SUMMARY

**DATE OF MEETING:** April 16, 2003

**ITEM TITLE:** MAINTENANCE BUILDING EXPANSION

**PREPARED BY:** Stefano Viggiano, Director of Development Services

**ACTION REQUESTED:** None. Information and discussion only.

**BACKGROUND:** The District currently has five older articulated buses that are used for special events and is in the process of purchasing ten or eleven new articulated buses. Five of these buses would be used in conventional service, while the other five or six vehicles would be used for bus rapid transit (BRT) service. Once the purchases are complete, the District will have 15 or 16 articulated buses.

The maintenance building was not designed to accommodate the 60-foot, articulated vehicles. The bus repair bays, tire bay, and other vehicle spaces are designed for the standard 40-foot bus. In addition, the maintenance building, which was built with a 10-year planning horizon (which was the maximum planning range that the Federal Transit Administration allowed), is now 13 years old.

The District's Capital Improvements Plan includes \$1.2 million for expansion of the maintenance building. This expansion is designed to accommodate the articulated coaches as well as general space needs for the facility. Approximately \$100,000 is being spent for expansion of the parts area. The remainder of the budgeted funds is available for other building improvements.

A design team headed by Robertson/Sherwood Architects has been developing a master plan for expansion of the maintenance building, and soon will be working on detailed construction documents for the facility improvements that have been deemed the highest priority. It is expected that the work will occur during the summer and fall of this year.

Staff will be available at the meeting to respond to questions about the project.

**PROPOSED MOTION:** None

# Memorandum

**Date:** May 6, 2020  
**To:** LTD Board  
**From:** Mark Johnson, Director of Transit Operations  
**RE:** Ordinance 36 Revisions

LTD's mission is to provide safe courteous and reliable transit services to the citizens of Lane County. It is important for LTD to have the necessary tools to accomplish that mission. Ordinance 36 is one of those tools that helps LTD staff control unsafe and unwelcome activity on its buses and within its facilities.

Ordinance 36 has been under much scrutiny and discussion over the past year. The main issue is whether LTD has a legitimate safety purpose to restrict access to the station and its facilities. Staff has revised the ordinance to create a content neutral ordinance that allows us to provide the best services possible to our guests. We have done this by recommending that our stations and facilities be areas that are restricted to passengers, employees and people conducting business with the District.

Ordinance 36 is intended to be a long term solution. Ridership is on the rise, with that comes more activity at LTD stations. Ensuring that we can accommodate increased activity is of paramount importance and critical for us to accomplish our mission. To allow people to gather, who do not have a legitimate transit related purpose, would create safety problems and interfere with the smooth operation of the facility.

LTD has a narrowly focused purpose, as a publicly funded entity we are obligated to provide high quality transit services. Restricting access to LTD facilities is a critical avenue to ensure that we can maintain the quality that our guests deserve and the community expects. Allowing unfettered access would create safety and security problems that will only get worse as service and ridership increase. The staff time necessary to maintain a safe environment would be prohibitive and it would create an environment that is inconsistent with the image that LTD needs to maintain to be successful.



## **Lane Transit District**

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Eugene, Oregon 97401-0470*

*3500 East 17<sup>th</sup> Avenue  
Eugene, Oregon 97403*

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E-mail: [ltd@ltd.lane.or.us](mailto:ltd@ltd.lane.or.us)  
Internet: [www.ltd.org](http://www.ltd.org)*

## AGENDA ITEM SUMMARY

**DATE OF MEETING:** April 16, 2003

**ITEM TITLE:** ORDINANCE 36 REVISION

**PREPARED BY:** Mark Johnson, Director of Transit Operations

**ACTION REQUESTED:** Hold first reading of LTD Ordinance 36, 2002 revision.

**BACKGROUND:** Under Oregon law, LTD can pass, by ordinance, legally-binding restrictions that govern behavior on buses and at bus stations, bus stops, and shelters. Ordinance 36 is the ordinance that governs behavior on the LTD system. This ordinance includes restrictions on activities that can take place at the Eugene Station. In part as a result of the recent Court of Appeals decision striking down portions of the existing ordinance, staff, together with legal counsel, have reviewed Ordinance 36 in an effort to ensure the protection and promotion of the safety and convenience of District patrons.

Staff recommended limiting access to certain District property to District patrons, employees, and those transacting District-related business. Our goal is to avoid a repetition of the public safety problems experienced by the District at its prior downtown Eugene station.

The Board may vote to read the ordinance by title only. Extra copies of the entire ordinance will be available at the meeting for anyone who wishes a copy.

**ATTACHMENTS:** Lane Transit District Ordinance 36, 2002 Revision, written testimony concerning safety and security at the Eugene station.

**RESULTS OF RECOMMENDED ACTION:** The revised ordinance will be placed on the May 21, 2003, Board meeting agenda for the second reading and adoption of the ordinance. The ordinance would then take effect 30 days after adoption.

**PROPOSED MOTION:** I move that Ordinance 36, 2002 Revision, be read by title only.

Following an affirmative vote, the title should be read:

**“Lane Transit District Ordinance 36, 2002 Revision,  
Regulations Governing Conduct on District Property”**

# Memorandum

**Date:** May 6, 2020  
**To:** LTD Board  
**From:** Mark Johnson, Director of Transit Operations  
**RE:** Eugene Station Police Calls

Attached is a record of police calls to the Eugene station for the past four years. There are roughly 1200 police calls per year to the Eugene station for various reasons. The most remarkable thing about the report is the breadth of issues that the police, LTD supervision and LTD security officers have to deal with on a daily basis to maintain an orderly environment for our guests.

Broken down, that is 3.3 police calls per day on the average. That does not seem like a lot of calls until you consider that those are only the issues that LTD staff or security could not handle on our own. LTD responds to issues on more than ten to one ratio compared to when police are called.

Controlling who has access to the station is a valuable tool that LTD can use to minimize problems that interfere with providing safe and secure transportation services. LTD's focus must be on taking steps to prevent crimes and unsafe situations.



## **Lane Transit District**

*P.O. Box 7070  
Eugene, Oregon 97401-0470*

*3500 East 17<sup>th</sup> Avenue  
Eugene, Oregon 97403*

*Phone: 541-682-6100  
Fax: 682-6111  
TTY: 800-735-2900  
E-mail: [ltd@ltd.lane.or.us](mailto:ltd@ltd.lane.or.us)  
Internet: [www.ltd.org](http://www.ltd.org)*

LANE TRANSIT DISTRICT

Ordinance 36  
2003 Revision

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CONTENTS

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2000 Revision

- 1.10 Definitions
- 1.15 Regulations
- 1.20 Exclusion
- 1.25 Violations
- 1.30 Jurisdiction
- 1.35 Severability
- 2.0 Effective Date

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LANE TRANSIT DISTRICT

ORDINANCE 36

2003 REVISION

Regulations Governing Conduct on District Property

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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.

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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.

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(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.

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(4) The "Boarding Platform Areas" of the Eugene Station are designated on the attached Map. Boarding Platform Areas at bus stops within public rights-of-way are limited to eight feet from bus doors while buses are loading/unloading. Boarding Platform Areas at other locations owned/controlled by Lane Transit District shall be eight feet from the curb where buses load/unload Passengers.

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(5) A "shelter" is the area within the drip line of any structure located at a District stop or station that is designed or used to protect customers from adverse weather conditions.

(6) "District Vehicle" includes a bus, van or other vehicle used to transport Passengers and owned or operated by or on behalf of the District.

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(7) "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.

(8) "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.

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- (9) "Operator" means a District employee responsible for operating any District Vehicle.
- (10) "Passenger" means a person who holds a valid fare and is en route 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.
- (11) "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.
- (12) "Supervisor" means any District employee responsible for the supervision of any District transit operation.
- (13) "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.

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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 or within the boundaries of any District station; except smoking may be permitted at a District station within any posted area designated as a 'SMOKING AREA.'" The General Manager or her/his designee may designate appropriate areas where smoking is permitted.
- (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;
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- (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.
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- (10) **Safety.**
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  - (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.

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(e) No person shall interfere, in any manner, with the safe operation or movement of any District Vehicle.

(f) No person shall impede or block the free movement of Passengers, or otherwise disrupt the functions of the District in any District Station, Boarding Platform Area, or in 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.

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(b) **Limited Access Areas.** To ensure the safety, comfort, and convenience of District Passengers and the safe and efficient operation of the Transit System, only Passengers, District personnel, and those transacting District business shall be permitted within any District administrative facility, customer service center, shelter, District Vehicle, and on any District Boarding Platform area.

(c) **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.

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(d) **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.

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(e) **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.

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(f) **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.

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(g) **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.

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(h) **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.

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- (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 earphones 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.

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(22) **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 transferable 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.

**Deleted:** (22) **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, picket, collect money, solicit sales, or sell or distribute anything of commercial or non-commercial value, on any District Vehicle, within a shelter, on any District Boarding Platform Area, or within eight feet of any District Station doorway or ticket counter, 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.¶

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(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.

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(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.

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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 that 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.

2.0 **Effective Date.** ~~These amendments to Ordinance 36 shall become effective thirty (30) days after their adoption.~~

Adopted: \_\_\_\_\_, 200~~3~~

\_\_\_\_\_  
Board President

Attest:

\_\_\_\_\_  
Recording Secretary

Effective Date:

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LANE TRANSIT DISTRICT

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LANE TRANSIT DISTRICT

ORDINANCE 36

2003 REVISION

Regulations Governing Conduct on District Property

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(b) **Limited Access Areas.** To ensure the safety, comfort, and convenience of District Passengers and the safe and efficient operation of the Transit System, only Passengers, District personnel, and those transacting District business shall be permitted within any District administrative facility, customer service center, shelter, District Vehicle, and on any District Boarding Platform area.

(c) **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.

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(d) **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.

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(e) **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.

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(f) **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.

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(g) **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.

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(h) **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.

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- (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 earphones 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.

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(22) **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 transferable 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.

**Deleted:** (22) **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, picket, collect money, solicit sales, or sell or distribute anything of commercial or non-commercial value, on any District Vehicle, within a shelter, on any District Boarding Platform Area, or within eight feet of any District Station doorway or ticket counter, 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.¶

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(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.

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(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.

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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 that 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.

2.0 **Effective Date.** ~~These amendments to Ordinance 36 shall become effective thirty (30) days after their adoption.~~

Adopted: \_\_\_\_\_, 200~~3~~

\_\_\_\_\_  
Board President

Attest:

\_\_\_\_\_  
Recording Secretary

Effective Date:

<Q:\Reference\Board Packet\2003\04\Regular Mtg\Ordinance 36 - 2003.doc>

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## AGENDA ITEM SUMMARY

**DATE OF MEETING:** April 16, 2003

**ITEM TITLE:** MONTHLY PERFORMANCE REPORTS

**PREPARED BY:** Ken Hamm, 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. The March 2003 performance reports are included in the agenda packet.

Staff will be available at the meeting to respond to any questions the Board may have.

**ATTACHMENTS:** March 2003 Performance Reports

**PROPOSED MOTION:** None

**Subject: Police Report Service Calls.xls**

<b>CRIME-BRIEF</b>	<b>1999</b>	<b>2000</b>	<b>2001</b>	<b>2002</b>	<b>TOTAL</b>
Abandoned Bicycle	0	0	0	2	2
Abandoned vehicle	2	0	0	0	2
Abdominal pain	2	4	1	0	7
Accident, Bicycle	1	1	0	0	2
Accident, Injury	0	0	1	0	1
Accident, Non-I	0	1	1	0	2
Accident, Poss	1	1	0	0	2
Accident, Unkno	0	1	0	0	1
Accident, Vehic	15	15	9	12	51
Alarm	1	0	1	0	2
Alarm, Audible	3	2	2	8	15
Alarm, Fire	1	1	0	0	2
Alarm, Intrusion	1	0	0	0	1
Alarm Panic	0	1	0	1	2
Alarm, Silent	7	2	16	12	37
Alarm, Test	2	0	2	0	4
Allergic Reaction	0	2	0	0	2
Animal Abuse 2	0	1	0	0	1
Animal Cruelty	0	0	0	2	2
Armed Subjects	5	3	2	6	16
Arrest	1	0	2	5	8
Arson	0	0	1	0	1
Assault	22	16	8	18	64
Assault 2	1	0	0	1	2
Assault 3	0	1	2	2	5
Assault 4	8	2	6	2	18
Assist Fire dept	6	8	1	5	20
Assist Outside	4	4	7	2	17
Assist Police	5	10	12	8	35
Assist Public	23	21	22	19	85
Atl Drunk Drive	5	8	3	3	19
Attempt to Locate	0	2	2	0	4
Bleeding	3	0	0	1	4
Blocked Alley	0	0	2	0	2
Boot Removal	5	4	6	1	16
Burglary	2	0	1	1	4
Burglary 1	0	0	0	2	2
Burning Information	0	0	0	1	1
Cerebrovascular	1	0	0	1	2
Check, patient	1	6	2	1	10
Check, Welfare	11	9	11	2	33
Chest Pain	2	0	2	5	9
Child Abuse	0	0	0	1	1
Child Neglect	0	1	0	0	1
Citation, Minor	1	0	0	0	1
Citation, Misde	1	0	0	5	6
Citizen Contact	3	3	0	2	8
Conditions Detr	0	0	1	2	3
Confiscate Prop	0	0	1	0	1
Controlled Subs	6	5	9	4	24
Crime Information	0	1	0	0	1

Criminal Mischief	17	17	18	15	67
Criminal Trespass	71	54	60	46	231
Curfew Violation	1	0	0	0	1
Damaged City Pr	0	3	1	1	5
Deceased Subject	0	1	1	0	2
Detoxification	9	3	10	5	27
Diabetic Disorder	1	3	2	4	10
Disabled Vehicle	3	1	2	5	11
Disorderly Juve	2	1	4	4	11
Disorderly Part	0	1	0	0	1
Disorderly Subj	32	36	40	26	134
Disoriented Sub	6	3	6	3	18
Dispute	28	23	28	15	94
Dispute, Family	0	2	0	0	2
Dog (s) at large	0	3	0	0	3
Drinking Unlice	15	14	6	7	42
Driving While S	4	4	4	5	17
Drug Information	9	4	1	4	18
DUII	1	1	0	3	5
Eluding	0	1	0	0	1
Emerg Med Non-S	8	3	5	2	18
Explosion	0	1	0	0	1
Exposure Heat/C	0	0	0	1	1
Fainting	2	0	1	2	5
Fall Injury	8	3	11	9	31
alse Info to P	0	0	2	1	3
False Report	0	0	1	0	1
Fight	14	10	13	8	45
Fire	0	1	2	0	3
Fire, Bark Dust	2	0	0	1	3
Fire, Trash Bin	0	1	1	0	2
Fire, Vehicle	1	1	1	1	4
Follow-Up, Crim	10	15	9	11	45
Follow-Up, Non-	0	0	1	0	1
Foot Patrol	6	31	9	12	58
Forgery 1	2	2	1	0	5
Forgery 2	0	0	0	2	2
Found Bicycle (s)	1	2	4	4	11
Found Contraban	1	1	0	2	4
Found Property	8	12	12	8	40
Found Syringes	0	1	0	0	1
Fraud	0	0	1	3	4
Furnish Liquor	0	1	0	0	1
General Medical	3	3	1	4	11
Graffiti Calls	2	0	3	37	42
Harassment	11	16	10	9	46
Harassment Pho	0	0	1	0	1
Harassment , Phy	0	1	0	4	5
Hazard, Safety	2	2	0	0	4
Head Injury	0	0	0	1	1
Heart Problem	2	0	1	2	5
Hit & Run	3	14	7	8	32
Ill Subject (s)	0	1	0	0	1
Illegal Fireworks	1	0	0	0	1
Illegal Parking	0	1	1	0	2
In Poss Narcotic	18	17	12	6	53
Incomplete Call	8	2	9	10	29

Indecent Exposure	1	4	0	0	5
Information	24	11	14	11	60
Injured Subject	0	1	0	0	1
Interfering Wit	0	0	0	1	1
Intimidation	2	0	0	2	4
Intoxicated Sub	16	29	19	23	87
Juvenile Problem	1	0	0	0	1
Kidnap	1	0	0	0	1
Leaking Hydrant	1	0	0	0	1
Littering	1	1	1	9	12
Littering, Offe	0	1	0	0	1
Locate Missing	0	1	0	0	1
Location Runaway	1	7	14	13	35
Location Stolen	0	2	2	4	8
Location Wanted	4	16	12	15	47
Lost Property	4	1	1	5	11
Loud Music	3	1	0	1	5
Loud Noise	0	0	0	2	2
Loud arty	0	1	0	1	2
Loud Subject(s)	1	3	0	1	5
Man Down	6	9	8	6	29
Menacing	7	2	6	3	18
Mental Subject(s)	1	0	4	3	8
Mental Transport	1	1	2	1	5
Minor Possess To	4	12	37	49	102
Minor(s) In Pos	9	11	22	16	58
Missing Child	1	0	0	0	1
Missing Juvenile	1	0	0	0	1
Missing Person(s)	1	0	0	2	3
Nude Subject(s)	0	1	0	1	2
Obstetric Distr	0	2	0	1	3
Odor Investigat	2	0	0	0	2
Officer Safety	0	0	0	2	2
Open Container	4	5	7	7	23
Open Door	0	6	1	0	7
Open Gate	0	0	0	1	1
Overdose	0	2	1	2	5
Parking Violation	0	1	0	0	1
Parking Warning	0	0	0	1	1
Patrol Check	0	9	4	5	18
Person Stop	221	237	199	209	866
Poisoning	0	0	0	1	1
Probation Violation	0	0	1	4	5
Prostitution	1	0	0	0	1
Public Indecence	0	1	0	1	2
Rape	1	0	0	0	1
rape 1	0	0	0	1	1
Reckless Burning	0	1	1	0	2
Reckless Driving	6	5	6	8	25
reckless Endang	1	3	1	1	6
Recov Stolen Pr	0	0	1	0	1
Recov Stolen Ve	3	1	0	0	4
Request Assista	0	1	0	0	1
Resist Arrest	0	0	0	1	1
Respiratory Dis	2	3	7	3	15
restraining Ord	0	0	1	0	1
Robbery	1	0	2	0	3

Robbery 1	1	0	0	1	2
Robbery 2	3	1	2	2	8
Robbery 3	0	2	3	1	6
Runaway(s)	0	0	1	0	1
Runaway(s) Juve	2	2	7	0	11
Runaway(s), Cle	3	0	6	4	13
Seized Contrba	0	0	0	1	1
Seized Property	1	0	1	0	2
Seizure Disorder	9	13	7	14	43
Sexual Abuse	4	3	0	1	8
Sexual Abuse 1	0	0	0	1	1
Shoplifter(s)	15	4	5	7	31
Shot(s) Fired	2	1	0	0	3
Smoke	0	1	1	1	3
Sodomy 1	0	1	0	0	1
Sodomy 3	0	0	0	1	1
Speeding Vehicle	2	0	0	0	2
Stalking Compl	1	1	1	0	3
Stop Sign Down	0	0	0	1	1
Street Problem	0	1	0	0	1
Subject(s) Down	0	0	1	0	1
Subpoena Service	0	0	2	1	3
Suicidal Subject	2	5	1	3	11
Suicide	1	0	0	0	1
Suspicious Cond	10	11	22	13	56
Suspicious Subj	17	12	13	17	59
Suspicious Vehi	1	1	2	1	5
Theft	16	8	23	23	70
Theft by Decept	1	0	0	0	1
Theft from Vehi	3	5	5	2	15
Theft of service	1	0	0	0	1
Theft 1	3	2	0	3	8
Theft 2	6	9	9	11	35
Theft 3	6	3	8	7	24
Theft, Bicycle(s)	7	10	12	21	50
Theft Vehicle(s)	0	1	0	0	1
Threats	0	1	2	1	4
Towed Vehicles	1	1	1	2	5
Traffic Control	2	0	0	0	2
traffic Hazard	11	7	5	7	30
Traffic Signal	0	0	4	1	5
Traffic Stop	191	192	174	73	630
Transport	24	30	19	22	95
Unattended Chil	0	1	0	0	1
Unauthorized US	0	2	3	1	6
Unconscious Pat	1	3	2	0	6
Unknown Problem	4	3	3	1	11
Unlawful Vehicle	0	1	0	1	2
Violation City	9	6	12	13	40
Violation Restr	0	5	1	4	10
Voided Record	0	1	0	1	2
Walkaway	0	0	0	1	1
Walkaway Juv De	0	0	1	0	1
Warrant Service	34	38	38	46	156
Weapon Offense	2	1	2	3	8
Weapon, Carryin	0	0	0	1	1
Woman Down	0	2	1	1	4

TOTAL	1193	1236	1212	1161	4802
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## AGENDA ITEM SUMMARY

**DATE OF MEETING:** April 16, 2003

**ITEM TITLE:** FISCAL YEAR 2003-2004 PRICING PLAN PROPOSAL

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**PREPARED BY:** Andy Vobora, Service Planning and Marketing Manager

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**ACTION REQUESTED:** (1) Hold a public hearing on the proposed pricing plan  
(2) Approve FY 04 Pricing Plan

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**BACKGROUND:** On February 19, 2003, the LTD Board discussed the following proposed pricing plan changes proposed by staff:

- No changes to LTD cash, token, day pass, monthly pass, or three-month pass fares
- No changes to LTD RideSource fares
- Maintaining the Lane Community College term pass price
- Increasing the group pass contract prices by 3.65 percent for 2004
- Maintaining the Breeze cash fare of 25 cents
- Offering a summer youth pass (July – September) for \$34.95

The Board supported the proposal and asked staff to provide additional data relating to the amount of revenue to be gained by a 3.65 percent increase in group pass prices. Staff calculated these revenues to be approximately \$8,930.00. This was discussed with the Board Finance Committee on March 12, 2003. The Finance Committee supported eliminating the proposed group pass price increase for 2004.

Following a public hearing, staff will ask the Board to approve the 2003-04 pricing plan proposal. This action will be handled through resolution rather than the ordinance process due to fact that none of the proposed changes result in a 25 percent increase over current rates.

**ATTACHMENT:** Fiscal Year 2003-2004 Pricing Plan Proposal

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¶

**PROPOSED MOTION:** I move the following resolution:

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¶

LTD Resolution No. 2003-010: Resolved, that the LTD Board of Directors approves the 2003-04 pricing plan as presented, and as recommended by the LTD Finance Committee.

Comparison of Fare Media Prices  
UNCC Peer Group  
Sorted by Cash Fare

	Adult Cash Fare	Token or Single Ride Fare	Daily Pass	Adult Monthly Pass	Adult Multi-Month Pass
Reno, Nevada	\$1.50	\$1.50	\$4.00	\$60.00	n/a
Tacoma, Washington	\$1.25	\$1.14	n/a	\$45.00	n/a
<b>Lane Transit District</b>	<b>\$1.25</b>	<b>\$1.00</b>	<b>\$2.50</b>	<b>\$35.00</b>	<b>\$85 (3 month)</b>
Vancouver, Washington	\$1.00	n/a	\$3.50	\$28.00	\$308 (annual)
Spokane, Washington	\$1.00	\$1.00	n/a	\$33.00	n/a
Santa Cruz, California	\$1.00	n/a	\$3.00	\$40.00	n/a
Santa Barbara, California	\$1.00	\$1.00	n/a	n/a	n/a
Lansing, Michigan	\$1.00	\$0.85	n/a	\$30.00	n/a
Fresno, California	\$1.00	\$0.85	n/a	\$35.00	n/a
Charelston, South Carolina	\$1.00	\$0.80	\$3.00	\$22.00	\$28 (40 rides)
Ann Arbor, Michigan	\$1.00	\$1.00	n/a	\$37.50	n/a
<b>Average</b>	<b>\$0.96</b>	<b>\$0.91</b>	<b>\$2.75</b>	<b>\$32.03</b>	
South Bend, Indiana	\$0.75	n/a	n/a	\$30.00	n/a
Salem, Oregon	\$0.75	\$0.68	n/a	\$20.00	n/a
Olympia, Washington	\$0.75	n/a	\$1.50	\$25.00	n/a
Boise, Idaho	\$0.75	\$0.70	n/a	\$27.00	n/a
Bakersfield, California	\$0.75	\$0.75	\$1.75	\$25.00	n/a
Corpus Christi, Texas	\$0.50	\$0.50	n/a	\$20.00	n/a

Data collected through transit district Web site information.



Year-to-Date Revenue Projections Based on 2002/2003 Fare Changes

	Annual Sales	Current Price	Revenue	Projected Sales		Proposed Price	Projected Revenue	Difference
Adult Monthly	32515	\$28	\$910,420	26662	-18%	\$35	\$933,181	\$22,761
Youth Monthly	18092	\$14	\$253,288	16283	-10%	\$17.50	\$284,949	\$31,661
Reduced Fare Monthly	5984	\$14	\$83,776	5745	-4%	\$17.50	\$100,531	\$16,755
Senior Monthly	2113	\$14	\$29,582	1859	-12%	\$17.50	\$32,540	\$2,958
Adult 3 Month	1287	\$65	\$83,655	1236	-4%	\$85	\$105,019	\$21,364
Youth 3 Month	2392	\$32.50	\$77,740	1794	-25%	\$42.50	\$76,245	-\$1,495
Reduced Fare 3 Month	1153	\$32.50	\$37,473	1176	+2%	\$42.50	\$49,983	\$12,510
Senior 3 Month	628	\$32.50	\$20,410	534	-15%	\$42.50	\$22,687	\$2,277
Adult Tokens	157435	\$0.85	\$133,820	181050	+15%	\$1	\$181,050	\$47,231
Reduced Tokens	71418	\$0.42	\$29,996	78560	+10%	\$0.50	\$39,280	\$9,284
LCC Term Pass	7754	\$43	\$333,422	7521	-7%	\$54	\$406,155	\$72,733
Group Pass Revenue			\$375,000				\$457,000	\$82,000
			\$2,368,581				\$2,688,619	
Estimated Additional Revenue								\$320,038

**LANE TRANSIT DISTRICT**

**Pricing Proposal Summary  
2003-2004**

**TYPE OF FARE:**

**Cash Fare**

	<b>Current:</b>	<b>Proposed:</b>
<b>Adult</b>	\$1.25	\$1.25
<b>Youth</b>	\$0.60	\$0.60
<b>Child</b>	\$0.60	\$0.60
<b>Reduced</b>	\$0.60	\$0.60
<b>Senior</b>	\$0.60	\$0.60

**Passes**

<b>Adult</b>		
1-Month:	\$35.00	\$35.00
3-Month:	\$85.00	\$85.00

**Youth, Senior, Reduced**

1-Month:	\$17.50	\$17.50
3-Month:	\$42.50	\$42.50

**Day Pass**

<b>Adult</b>	\$2.50	\$2.50
<b>Youth, Senior, Reduced</b>	\$1.25	\$1.25

**Tokens**

Adult	\$1.00	\$1.00
Other	\$0.50	\$0.50

**RideSource** (Staff Proposal)

	<b>Current:</b>	<b>Proposed:</b>
<b>Regular</b>	\$2.50	\$2.50
<b>Escort</b>	\$2.50	\$2.50
<b>Shopper</b>	\$2.00	\$2.00 *
<i>10 Tickets</i>	\$20.00	\$20.00

**RideSource** (STAC Proposal)

<b>Regular</b>	\$2.50	\$2.50
<b>Escort</b>	\$2.50	\$2.50
<b>Shopper</b>	\$2.00	\$2.00 *
<i>10 Tickets</i>	\$20.00	\$20.00

\*Round-trip fare

**Sales Outlet Discount**

	<b>Current:</b>	<b>Proposed:</b>
<b>Passes</b>		
0-500+	5.0%	5.0%
<b>Tokens</b>		
0-500+	5.0%	5.0%

**Special Programs - not covered by ordinance**

<b>Breeze Fare</b>	25 cents	25 cents
<b>Group Pass</b>	6%	0.00%
<b>LCC Term Pass</b>	\$54.00	\$54.00
<b>Summer Youth Pass - July/Aug/Sept</b>		\$35.00

Projected Revenues Based on 2002/2003 Fare Changes

	Annual Sales	Current Price	Revenue	Projected Sales	Proposed Price	Projected Revenue	Difference
Adult Monthly	32515	\$28	\$910,420	29264	\$35	\$1,024,223	\$113,803
Youth Monthly	18092	\$14	\$253,288	16283	\$17.50	\$284,949	\$31,661
Reduced Fare Monthly	5984	\$14	\$83,776	5386	\$17.50	\$94,248	\$10,472
Senior/Child Monthly	2113	\$14	\$29,582	1902	\$17.50	\$33,280	\$3,698
Adult 3 Month	1287	\$65	\$83,655	1158	\$85	\$98,456	\$14,801
Youth 3 Month	2392	\$32.50	\$77,740	2153	\$42.50	\$91,494	\$13,754
Reduced Fare 3 Month	1153	\$32.50	\$37,473	1038	\$42.50	\$44,102	\$6,630
Senior/Child 3 Month	628	\$32.50	\$20,410	565	\$42.50	\$24,021	\$3,611
Adult Tokens	157435	\$0.85	\$133,820	147989	\$1	\$147,989	\$14,169
Reduced Tokens	70418	\$0.42	\$29,576	66193	\$0.50	\$33,096	\$3,521
LCC Term Pass	7754	\$43	\$333,422	6513	\$54	\$351,721	\$18,299
Group Pass Revenue			\$375,000			\$535,800	\$160,800
Estimated Additional Revenue							\$395,218

Comparison of Fare Media Prices  
UNCC Peer Group  
Sorted by Pass Fare

	Adult Cash Fare	Token or Single Ride Fare	Daily Pass	Adult Monthly Pass	Adult Multi-Month Pass
Reno, Nevada	\$1.50	\$1.50	\$4.00	\$60.00	n/a
Tacoma, Washington	\$1.25	\$1.14	n/a	\$45.00	n/a
Santa Cruz, California	\$1.00	n/a	\$3.00	\$40.00	n/a
Ann Arbor, Michigan	\$1.00	\$1.00	n/a	\$37.50	n/a
<b>Lane Transit District</b>	<b>\$1.25</b>	<b>\$1.00</b>	<b>\$2.50</b>	<b>\$35.00</b>	<b>\$85 (3 month)</b>
Fresno, California	\$1.00	\$0.85	n/a	\$35.00	n/a
Spokane, Washington	\$1.00	\$1.00	n/a	\$33.00	n/a
<b>Average</b>	<b>\$0.96</b>	<b>\$0.91</b>	<b>\$2.75</b>	<b>\$32.03</b>	
Lansing, Michigan	\$1.00	\$0.85	n/a	\$30.00	n/a
South Bend, Indiana	\$0.75	n/a	n/a	\$30.00	n/a
Vancouver, Washington	\$1.00	n/a	\$3.50	\$28.00	\$308 (annual)
Boise, Idaho	\$0.75	\$0.70	n/a	\$27.00	n/a
Bakersfield, California	\$0.75	\$0.75	\$1.75	\$25.00	n/a
Olympia, Washington	\$0.75	n/a	\$1.50	\$25.00	n/a
Charelston, South Carolina	\$1.00	\$0.80	\$3.00	\$22.00	\$28 (40 rides)
Salem, Oregon	\$0.75	\$0.68	n/a	\$20.00	n/a
Corpus Christi, Texas	\$0.50	\$0.50	n/a	\$20.00	n/a
Santa Barbara, California	\$1.00	\$1.00	n/a	\$0.00	n/a

Data collected through transit district Web site information.

## Fare Media Relationships

03/04	Media Type	Adult Price	Cost per Trip*	Monthly Cost*	Percent Discount
	Cash	\$1.25	\$1.25	\$50.00	0%
	Tokens	\$1.00	\$1.00	\$40.00	20%
	Monthly Pass	\$35.00	\$0.88	\$35.00	30%
	3-Month Pass	\$85.00	\$0.71	\$28.33	43%

04/05	Media Type	Adult Price	Cost per Trip*	Monthly Cost*	Percent Discount
	Cash	\$1.35	\$1.35	\$54.00	0%
	Tokens	\$1.00	\$1.00	\$40.00	26%
	Monthly Pass	\$35.00	\$0.88	\$35.00	35%
	3-Month Pass	\$85.00	\$0.71	\$28.33	48%

05/06	Media Type	Adult Price	Cost per Trip*	Monthly Cost*	Percent Discount
	Cash	\$1.35	\$1.35	\$54.00	0%
	Tokens	\$1.10	\$1.10	\$44.00	19%
	Monthly Pass	\$35.00	\$0.88	\$35.00	35%
	3-Month Pass	\$85.00	\$0.71	\$28.33	48%

06/07	Media Type	Adult Price	Cost per Trip*	Monthly Cost*	Percent Discount
	Cash	\$1.35	\$1.35	\$54.00	0%
	Tokens	\$1.10	\$1.10	\$44.00	19%
	Monthly Pass	\$38.00	\$0.88	\$38.00	30%
	3-Month Pass	\$90.00	\$0.71	\$30.00	44%

\* Based on 40 trips per month

## LTD Pricing History

Year	Consumer Price Index		Adult Cash Price		Adult Token Price		Adult Pass Price	
	Yearly Increase	Cumulative Increase	Actual Price	Percent Change	Actual Price	Percent Change	Actual Price	Percent Change
1981-82	0.00	0.00	\$0.50	0.00	\$0.40	0.00	\$18.00	0.00
1982-83	-0.62%	-0.62%	\$0.55	10.00%	\$0.45	12.50%	\$20.00	11.11%
1983-84	2.97%	2.34%	\$0.55	0.00%	\$0.50	11.11%	\$20.00	0.00%
1984-85	3.59%	5.93%	\$0.55	0.00%	\$0.50	0.00%	\$20.00	0.00%
1985-86	3.53%	9.47%	\$0.60	9.09%	\$0.50	0.00%	\$20.00	0.00%
1986-87	0.32%	9.78%	\$0.60	0.00%	\$0.50	0.00%	\$20.00	0.00%
1987-88	2.52%	12.30%	\$0.65	8.33%	\$0.50	0.00%	\$20.00	0.00%
1988-89	3.69%	15.99%	\$0.65	0.00%	\$0.55	10.00%	\$20.00	0.00%
1989-90	3.61%	19.60%	\$0.65	0.00%	\$0.55	0.00%	\$21.00	5.00%
1990-91	4.58%	24.18%	\$0.65	0.00%	\$0.55	0.00%	\$21.00	0.00%
1991-92	6.26%	30.44%	\$0.75	15.38%	\$0.55	0.00%	\$21.00	0.00%
1992-93	4.58%	35.02%	\$0.75	0.00%	\$0.65	18.18%	\$22.00	4.76%
1993-94	3.42%	38.44%	\$0.75	0.00%	\$0.65	0.00%	\$23.00	4.55%
1994-95	2.88%	41.32%	\$0.80	6.67%	\$0.65	0.00%	\$23.00	0.00%
1995-96	3.24%	44.56%	\$0.80	0.00%	\$0.65	0.00%	\$24.00	4.35%
1996-97	3.09%	47.65%	\$0.80	0.00%	\$0.65	0.00%	\$26.00	8.33%
1997-98	1.72%	49.37%	\$1.00	25.00%	\$0.65	0.00%	\$26.00	0.00%
1998-99	1.89%	51.26%	\$1.00	0.00%	\$0.75	15.38%	\$26.00	0.00%
1999-2000	2.40%	53.66%	\$1.00	0.00%	\$0.75	0.00%	\$28.00	7.69%
2000-01	3.50%	57.16%	\$1.00	0.00%	\$0.85	13.33%	\$28.00	0.00%
2001-02	2.60%	59.76%	\$1.25	25.00%	\$0.85	0.00%	\$28.00	0.00%
2002-03	3.65%	63.41%	\$1.25	0.00%	\$1.00	17.65%	\$35.00	25.00%
<b>Total % Change</b>								
<b>Since 1981-82 ---&gt;</b>		<b>63.4%</b>	<b>99.5%</b>		<b>98.2%</b>		<b>70.8%</b>	
2003-04	3.00%	66.41%	\$1.25	0.00%	\$1.00	0.00%	\$35.00	0.00%
2004-05	3.00%	69.41%	\$1.35	8.00%	\$1.00	0.00%	\$35.00	0.00%
2005-06	3.00%	72.41%	\$1.35	0.00%	\$1.10	10.00%	\$35.00	0.00%
2006-07	3.00%	75.41%	\$1.35	0.00%	\$1.10	0.00%	\$40.00	14.29%
2007-08	3.00%	78.41%	\$1.50	11.11%	\$1.10	0.00%	\$40.00	0.00%
<b>Projected % Change ---&gt;</b>		<b>78.41%</b>	<b>118.6%</b>		<b>108.16%</b>		<b>85.08%</b>	

**Lane Transit District**

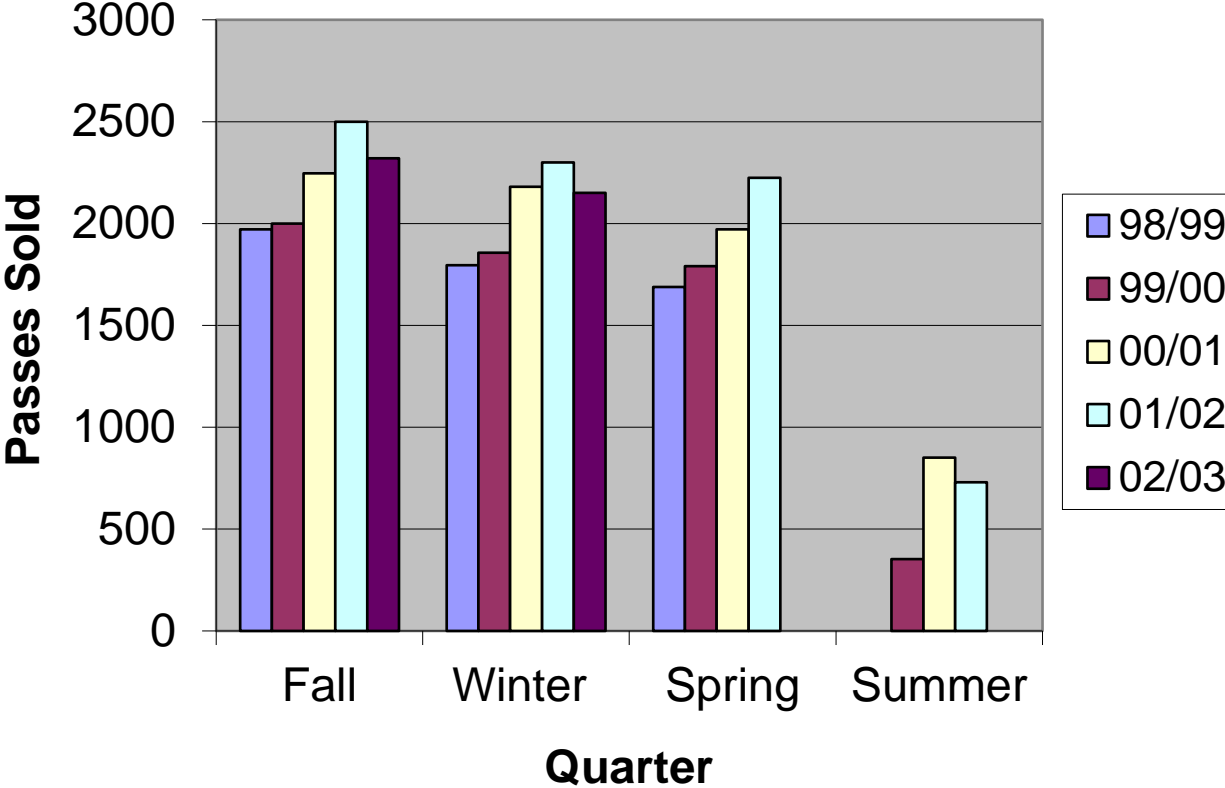
**Direct Service Cost per Service Hour by Fiscal Year**

For use as inflationary increase for group pass contracts.

Prepared from the Fully Allocated Cost Plan based on audited expenses for the fiscal year ending June 30, 2002

Direct Variable Costs						
Fiscal Year	Operator Cost per Service Hour	Percent Increase	Maintenace Cost per Service Hour	Percent Increase	Total Direct Service Cost	Percent Increase
FY 1994 - 1995	23.00		9.87		32.87	
FY 1995 - 1996	23.97	4.2%	10.10	2.3%	34.07	3.7%
FY 1996 - 1997	24.08	0.5%	10.89	7.8%	34.97	2.6%
FY 1997 - 1998	25.64	6.5%	10.09	-7.3%	35.73	2.2%
FY 1998 - 1999	26.63	3.9%	10.77	6.7%	37.40	4.7%
FY 1999 - 2000	27.58	3.6%	11.84	9.9%	39.42	5.4%
FY 2000 - 2001	30.84	11.8%	13.65	15.3%	44.49	12.9%
FY 2001 - 2002	31.97	3.7%	11.02	-19.2%	42.99	-3.4%
Three-Year Average FY 1997-1998, 1998-1999, 1999-2000						4.1%
Three-Year Average FY 1998-1999, 1999-2000, 2000-2001						7.6%
Three-Year Average FY 1999-2000, 2000-2001, 2001-2002						5.0%

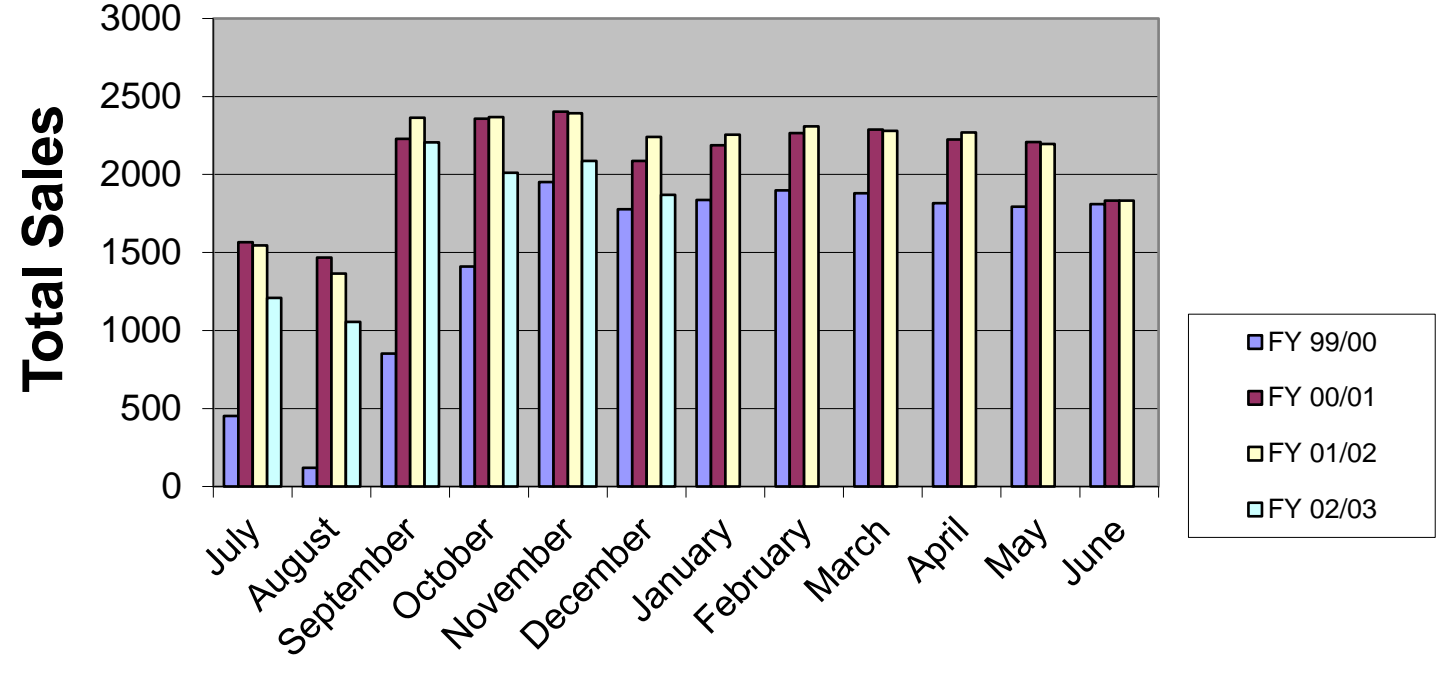
# LCC Term Bus Pass Sales







# LTD Youth Pass Sales



## Breeze Fare Analysis

*Fall 2002*

Date	CASH	TOKEN	Display DAY PASS	Purchase DAY PASS	UO PASS	GROUP PASS	LTD Monthly 3-Month Pass	OTHER	Total
10/22/2002	13	1	16	5	101	10	39	14	<b>199</b>
10/23/2002	13	0	19	1	62	11	20	1	<b>127</b>
10/24/2002	15	0	18	7	79	24	41	0	<b>184</b>
10/25/2002	13	0	16	0	60	9	14	0	<b>112</b>
<b>Totals</b>	54	1	69	13	302	54	114	15	<b>622</b>
<b>Percentage</b>	<b>8.7%</b>	<b>0.2%</b>	<b>11.1%</b>	<b>2.1%</b>	<b>48.6%</b>	<b>8.7%</b>	<b>18.3%</b>	<b>2.4%</b>	
	CASH	TOKEN	Display DAY PASS	Purchase DAY PASS	UO PASS	GROUP PASS	LTD Monthly 3-Month Pass	OTHER	



Lane Transit District  
P. O. Box 7070  
Eugene, Oregon 97401

(541) 682-6100  
Fax: (541) 682-6111

PLACED BY FAX

April 1, 2003

TO: CAROL JOHNSON, LEGAL PUBLICATIONS,  
THE REGISTER-GUARD; FAX NO. 683-7622

One Page

FROM: JO SULLIVAN, ADMINISTRATIVE SERVICES MANAGER,  
LANE TRANSIT DISTRICT (telephone 682-6103)

LTD PO# A-00736

**PLEASE PUBLISH THE FOLLOWING LEGAL PUBLICATION  
ON THURSDAY, APRIL 10, 2003:**

04/08/03 - AMENDED NOTICE – ADDITION HIGHLIGHTED IN BOLD & UNDERLINING

#### **NOTICE OF BOARD MEETING**

The regular monthly meeting of the Board of Directors of the Lane Transit District will be held at 5:30 p.m. on Wednesday, April 16, 2003, in the LTD Board Room at 3500 E. 17th Avenue, Eugene (in Glenwood). In a work session from 5:30 to 6:30 p.m., the Board will meet in Executive (Non-public) Session Pursuant to ORS 192.660(1)(i) to review and evaluate the employment-related performance of the general manager of LTD. Also, during the work session, the Board will hear staff presentations on the Capital Improvements Program and Long-Range Financial Plan. No public testimony will be heard during this time. The regular monthly business portion of the meeting will begin at 6:30 p.m., and will include an opportunity for public testimony; a public hearing and approval of a federal Section 5307 grant application **and federal section 5309 grant amendment**; a public hearing and approval of a proposed pricing plan for 2003-04; a public hearing and approval of proposed service changes for 2003-04; a first reading of amended LTD Ordinance No. 36; and approval of a salary recommendation and new contract for the general manager, the Capital Improvements Program, and the Long-Range Financial Plan. 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, call 682-6100 (voice) or 1-800-735-2900 (TTY, through Oregon Relay, for persons with hearing impairments).

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Springfield Station DRC Committee Charge  
August 2001  
Page 2

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## AGENDA ITEM SUMMARY

**DATE OF MEETING:** April 16, 2003

**ITEM TITLE:** WORK SESSION - ORDINANCE 36 REVISION

**PREPARED BY:** Mark Johnson, Director of Transit Operations

**ACTION REQUESTED:** None.

**BACKGROUND:** Please refer to page 30 of the Items for Action, Ordinance 36 Revision, First Reading, for background information.

Ordinance 36 is the legal method in which LTD regulates activity on LTD property. The work session is intended as a final discussion of the proposed Ordinance 36 revision prior to the first reading at the regular Board meeting.

The issue for the Board is whether or not the case for safety and convenience of LTD guests is strong enough to approve the limited access proposal. The staff recommendation is that we need to maintain a safe convenient environment at the station limiting access to passengers, employees, and people conducting business with LTD.

LTD attorney, Rohn Roberts, Officer Curry, the police officer assigned to downtown and appropriate staff will be available to answer questions.