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**LANE TRANSIT DISTRICT
REGULAR BOARD MEETING**

**Wednesday, February 18, 2009
5:30 p.m.**

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

A G E N D A

Page No.

I. CALL TO ORDER

II. ROLL CALL

Eyster _____ Gaydos _____ Kortge _____ Necker _____
Towery _____ Dubick _____ Evans _____

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

III.	PRELIMINARY REMARKS BY BOARD PRESIDENT	
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VI.	WORK SESSION	
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	B. LTD Proposal to Use Surface Transportation Urban (STP-U) Funds (15 minutes)	09
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The following agenda items will begin at 6:30 p.m.

VII. EMPLOYEE OF THE MONTH – March 2009 (10 minutes) 13

VIII. AUDIENCE PARTICIPATION

◆ Public Comment Note: This part of the agenda is reserved for members of the public to address the Board on any issue. The person speaking is requested to sign-in on the Audience Participation form for submittal to the Clerk of the Board. When your name is called, please

step up to the podium and give your name and address for the audio record. If you are unable to utilize the podium, you may address the Board from your seat.

- ◆ *Citizens testifying are asked to limit testimony to three minutes.*

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- | | | |
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| | 2. Minutes of the November 10, 2008, Special Board Meeting/Public Hearing (Page 29) | |
| | 3. Minutes of the November 19, 2008, Regular Board Meeting (Page 36) | |
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| | 1. Staff Presentation | |
| | 2. Opening of Public Hearing by Board President | |
| | 3. Public Testimony | |
| | ▪ Each speaker is limited to three (3) minutes. | |
| | 4. Closing of Public Hearing | |
| | 5. Staff Comments | |
| C. | Call to Order as LTD Contract Review Board (10 minutes) | 50 |
| | 1. Construction Management/General Contractor Process – Fleet Maintenance Building Expansion/Remodel (10 minutes) | |
| | a. Staff Presentation | |
| | b. Opening of Public Hearing by Board President | |
| | c. Public Testimony | |
| | ▪ Each speaker is limited to three (3) minutes. | |
| | d. Closing of Public Hearing | |
| | e. Board Discussion and Decision | |
| | 2. Adjourn Contract Review Board/Return to LTD Board Meeting | |
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D.	Revised Capital Improvements Program Adoption (March)	
E.	Revised Long-Range Financial Plan Adoption (March)	
F.	Commuter Solutions Annual Report (March)	
G.	Pension Plan Update (March)	
H.	LTD Rebranding (March)	

- I. Legislative Bill Updates (future meetings)
- J. Annual Performance Report (Summer 2009)
- K. West Eugene EmX Extension Update (future meetings)
- L. Gateway Station Construction Updates (future meetings)
- M. LTD Sustainability Plan (future meeting)
- N. Park & Ride Program (future meeting)

XII. ADJOURNMENT

Alternative formats of printed material and or 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).

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Special Mobility Services: RideSource Activity and Productivity Information

January-09	Current Month	Prior Year's Month	% Change	Current YTD	Previous YTD	% Change	Current 12 Month	Prior 12 Month	% Change
RideSource Ridership	13,540	12,221	10.8%	94,449	86,676	9.0%	163,213	148,049	10.2%
RideSource(All Modes)	10,960	9,722	12.7%	75,778	68,468	10.7%	130,010	116,047	12.0%
Shopper	453	501	-9.6%	3,406	3,370	1.1%	5,997	6,067	-1.2%
Escort Volunteers-Metro	731	802	-8.9%	5,103	5,446	-6.3%	9,115	9,005	1.2%
Escort Volunteers-Rural	1,396	1,196	16.7%	10,162	9,392	8.2%	18,091	16,930	6.9%
RideSource Cost per Ride	\$ 21.93	\$ 24.14	-9.1%	\$ 22.55	\$ 20.87	8.1%	\$ 21.72	\$ 19.90	9.1%
RideSource(All Modes)	\$ 26.52	\$ 29.73	-10.8%	\$ 27.50	\$ 25.82	6.5%	\$ 26.66	\$ 24.74	7.7%
RideSource Shopper	\$ 12.55	\$ 11.15	12.6%	\$ 12.55	\$ 11.15	12.6%	\$ 12.55	\$ 11.15	12.6%
RideSource Escort	\$ 3.00	\$ 2.98	0.7%	\$ 3.03	\$ 2.78	8.9%	\$ 2.89	\$ 2.89	0.3%
Ride Reservations	11,662	11,245	3.7%	81,548	75,477	8.0%	140,311	127,679	9.9%
Cancelled Number	996	1,647	-39.5%	7,703	7,771	-0.9%	12,940	12,354	4.7%
Cancelled % of Total	8.54%	14.65%		9.45%	10.30%		9.22%	9.68%	
No-Show Number	96	126	-23.8%	829	877	-5.5%	1,523	1,403	8.6%
No-Show % of Total	0.82%	1.12%		1.02%	1.16%		1.09%	1.10%	
Ride Refusals Number	0	0	10.0%	2	3	-33.3%	5	16	-68.8%
Ride Refusals % of Total	0.00%	0.00%		0.00%	0.00%		0.00%	0.01%	
Service Hours	5,829	5,495	6.1%	40,468	36,692	10.3%	69,865	61,431	13.7%
Agency Staff	5,582	5,256	6.2%	38,565	35,075	10.0%	66,537	58,630	13.5%
Agency SMS Volunteer	247	239	3.3%	1,903	1,617	17.7%	3,328	2,801	18.8%
Avg. Trips/Service Hr.	1.96	1.86	5.4%	1.96	1.96	0.0%	1.95	1.99	-2.0%
RideSource System Miles	80,354	73,476	9.4%	557,943	511,861	9.0%	962,686	865,804	11.2%
Avg. Miles/Trip	7.04	7.19	-2.0%	7.05	7.13	-1.1%	7.08	7.09	-0.2%
Miles/Vehicle Hour	13.79	13.37	3.1%	13.79	13.95	-1.2%	13.78	14.09	-2.2%

Special Mobility Services: RideSource Activity and Productivity Information

January-09	Current Month	Prior Year's Month	% Change	Current YTD	Previous YTD	% Change	Current 12 Month	Prior 12 Month	% Change
On-Time Performance %	86.2%	87.9%	-2.0%	86.3%	90.5%	-4.7%	87.0%	91.5%	-4.9%
Sample	9,519	8,677		64,266	61,473		112,159	104,947	
On-Time	8,204	7,630		55,471	55,652		97,597	96,062	

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

- RideSource cost per Ride (All Modes) does not include volunteer mileage reimbursement.
- Shopper cost per ride is from the most recent quarterly cost model.
- Escort cost per ride is mileage reimbursement to all volunteers.

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

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

AGENDA ITEM SUMMARY

DATE OF MEETING: February 18, 2009

ITEM TITLE: JANUARY FINANCIAL STATEMENTS

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

ACTION REQUESTED: None

BACKGROUND: Financial results for the first seven months of FY 2008-09 are summarized in the attached reports.

Ridership as measured by boardings remains strong, but growth continued to slow in January. Boardings for the rolling twelve-month period that ended January 31 were 12.4 percent higher than for the same period last year, down from the 14 percent reported last month.

Passenger fares are up 8.4 percent over last year due to strong ridership and also due to a 20 percent increase in the cash fare and an 18 percent increase in the monthly pass rate, both implemented in September.

Payroll tax receipts remain below budget and 0.5 percent ahead of last year. The current-year budget assumed an 8 percent increase in receipts. Typically, receipts in January are not significant. The next evaluation period is February when quarterly receipts for October through December 2008 are disbursed. In a healthy economy, fourth quarter calendar tax receipts are usually the highest of the year due to seasonal hiring for the holidays. That is unlikely to be true for 2008 given the recession, the closure of Hynix and several small businesses, and the temporary shutdowns of recreational vehicle businesses. Through the first two weeks of February, payroll tax receipts are about 2 percent above those of the same period in the last fiscal year. While that is significantly below budget, it is actually better than was expected.

The majority of self-employment tax receipts are disbursed in May, so year-to-date results are not significant. State-in-lieu receipts are disbursed quarterly, so the next receipts will occur in early April for the quarter ending March 31.

Interest rates of return on investment continue to slide. By the end of January, available rates had fallen below 2 percent. Also, for most of the current fiscal year to date, there has been less money available for investment. Both the declining rate of return and available funds contributed to a 50.5 percent reduction in interest income for the first seven months of the current fiscal year versus last year.

Total personnel services year to date are below budget. As mentioned in previous reports, six bus operator positions remain unfilled in anticipation of

possible future service reductions. The Board will consider key revenue and expenditure projections and assumptions at a special work session on March 2.

A positive result is the continued stability of fuel prices. The per gallon price peaked on July 7, 2008, at \$4.20 per gallon. The fiscal year low price was \$1.31 per gallon on December 11. As of January 31, the year-to-date average price was \$2.60 per gallon, down from the \$2.74 per gallon reported through December. The current-year budget assumed an average per gallon price of \$3.75. In January, fuel prices began to rise, although not as steeply as was seen in January 2008. It is likely that there will be a positive budget variance for fuel by fiscal year end. If LTD is successful in its effort to buy and store fuel, thereby locking in the price for the next several months supply, the variance could be as much as \$1,000,000 by fiscal year end.

The Commuter Solutions Fund and Accessible Services Fund are generally as anticipated by the budget through January.

In the Capital Projects Fund, spending continues on the Gateway EmX Extension project, which includes the new station at Gateway Mall. Construction on the new station began in late summer of 2008. It was discontinued for the holiday season in order to provide mall parking, but resumed in January and will be completed in the spring of 2009.

Because of the need for the most up-to-date revenue information available, the first meeting of the Lane Transit District Budget Committee will be May 20, 2009. The citizen members of the Budget Committee will receive a special briefing on February 24 and have been invited to the special Board work session on March 2.

ATTACHMENTS:

Attached are the following financial reports for January for Board review:

1. Operating Financial Report - comparison to prior year
2. Comparative Balance Sheets
 - a. General Fund
 - b. Commuter Solutions Fund
 - c. Accessible Services Fund
 - d. Capital Projects Fund
3. Income Statements
 - a. General Fund
 - b. Commuter Solutions Fund
 - c. Accessible Services Fund
 - d. Capital Projects Fund

PROPOSED MOTION:

None

AGENDA ITEM SUMMARY

DATE OF MEETING: February 18, 2009

ITEM TITLE: JANUARY FINANCIAL STATEMENTS

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

ACTION REQUESTED: None.

BACKGROUND: Due to workload demands, it was not possible to close January transactions and prepare the January financial report in time for inclusion in the Board meeting packet. The January financial statements will be handed out at the beginning of the February 18 work session.

Payroll tax receipts through January are about the same as for the comparable period in the last fiscal year, which is below current year budget. Preliminary information about the receipts for the collection period that ended December 31, 2008, will be available by the February 18 meeting, although the specifics for the source of the receipts will not. The Oregon Department of Revenue provides that information on a monthly basis, but there is a time delay.

Personnel services expenditures continue to be managed carefully and are below budget year to date. Fuel prices are gradually rising but are still well below budget, and are likely to remain below budget through the end of the current fiscal year.

Additional information will be provided at the February 18 meeting.

ATTACHMENTS: None. *To be handout at Board meeting.*

PROPOSED MOTION: None

AGENDA ITEM SUMMARY

DATE OF MEETING: February 18, 2009

ITEM TITLE: 2009 PRICING PLAN RECOMMENDATION

PREPARED BY: Andy Vobora, Director of Service Planning, Accessibility, and Marketing

ACTION REQUESTED: Discussion and Direction

BACKGROUND: Lane Transit District fares are set by ordinance and are reviewed each year in preparation for the budget process. In 2008, significant changes were made to the pricing of fares and the types of fares available for use by LTD customers. Cash fares and monthly bus pass prices were increased 20 percent. Changes in cash fares also trigger increases in Day Pass prices and RideSource fares. Single-ride token sales to the general public were discontinued in recognition that use was low. Token sales to agencies were retained as part of the program. The age of qualification for the Honored Rider program was lowered from age 70 to age 65. The senior fare category was changed from age 62 to age 65, which resulted in a small percentage of riders moving to the full fare adult category.

From a fare revenue standpoint, the changes have resulted in increased fare revenues. Current data shows fare revenues have increased 14 percent year-to-date. Some might conclude that ridership was not negatively impacted by the 2008 fare changes, but this conclusion may be suspect. Increased revenues are coming from both the changes to fare pricing and fare categories that require some customers to pay higher fares. Changes to various aspects of the fare structure and prices at the same time make it difficult to draw concrete conclusions about the effects on ridership. Clearly ridership remains strong, but it is likely that some riders are not riding as frequently due to the changes in fare pricing.

Group pass prices were increased 8.8 percent on January 1, 2009. The formula for developing the annual group pass pricing recommendation has determined that the 2010 increase should be 5.6 percent. The fare policy states that the rate increase should not exceed this amount; however, the Board may choose to adopt a lower rate. Staff recommend adoption of a 5.6 percent increase in group pass prices for 2010.

Due to the sweeping changes in fare prices and fare structure in 2008, an analysis of LTD fares in comparison to its peer group fares, and the significant 2009 changes in bus service, LTD staff recommend no changes to cash or bus pass prices in 2009.

ATTACHMENTS: Peer Group Fare Information

RESULTS OF RECOMMENDED ACTION: Staff will prepare an updated fare ordinance to address changes to the 2010 group pass prices. A first reading of the updated fare ordinance will occur at the March 25, 2009, special Board meeting.

PROPOSED MOTION: None

AGENDA ITEM SUMMARY

DATE OF MEETING: February 18, 2009

ITEM TITLE: ANNOUNCEMENTS AND ADDITIONS TO AGENDA

PREPARED BY: Jeanne Schapper, 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: February 18, 2009

ITEM TITLE: BOARD MEMBER REPORTS

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

ACTION REQUESTED: None

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

MEETINGS HELD

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

1. **Board Service Committee:** The Board Service Committee members are Chair Greg Evans, Ed Necker, and Doris Towery. The committee met on January 29 to discuss priorities for possible service additions. The committee reviewed an analysis conducted by the LTD Service Advisory Committee (SAC). The SAC participated in a ranking process that would provide guidance to the District should operating funds become available. No future meetings have been set at this time.
2. **West Eugene EmX Extension Corridor Committee (WEECC):** This committee is a subcommittee of the EmX Steering Committee and is composed of Board members Greg Evans, Dean Kortge, and Gerry Gaydos, along with members of local government and community representatives. At the February 12 meeting, staff reviewed potential project impacts that could affect aspects of the built environment, including land use, property acquisitions, socioeconomic conditions, and visual and aesthetic resources.
3. **Metropolitan Policy Committee (MPC):** MPC meetings generally are held on the second Thursday of each month. Board members Mike Eyster and Greg Evans are LTD's MPC representatives, with

Mike Dubick serving as an alternate. At the February 12 meeting, staff provided an update on the West Eugene EmX Extension project.

NO MEETINGS HELD

1. **Board Finance Committee**: The Board Finance Committee is composed of Chair Dean Kortge, Mike Dubick, and Ed Necker. The committee last met on November 4. The next committee meeting is scheduled for February 18, at 4 p.m. to 5:30 p.m., preceding the regular Board meeting.
2. **Board HR Committee**: The Board HR Committee is composed of Chair Mike Dubick, Dean Kortge, and Gerry Gaydos. The next scheduled meeting is a joint meeting with the Board Finance Committee that is scheduled to be held on February 24, at 4:00 p.m. to 5:30 p.m..
3. **LCOG Board of Directors**: The LCOG Board meets every other month. LTD Board Member Mike Dubick represents LTD on the Lane Council of Governments (LCOG) Board of Directors as a non-voting member with Mike Eyster serving as the alternate. The Board last met on December 11. The next meeting of the Board is scheduled to be held on February 26.
4. **EmX Steering Committee**: Board members Gerry Gaydos (Chair), Doris Towery, and Greg Evans are members of LTD's EmX Steering Committee, along with members of local units of government and community representatives. The next meeting is scheduled to be held on March 3, 2009.
5. **Gateway EmX Extension Corridor Committee**: This committee (formerly Pioneer Parkway Corridor Committee) also is a subcommittee of the EmX Steering Committee. It is composed of Board members Doris Towery, Mike Dubick, and Mike Eyster, and local government and community representatives. The committee last met on January 17, 2008. The next meeting has not yet been scheduled.

AGENDA ITEM SUMMARY

- DATE OF MEETING:** February 18, 2009
- ITEM TITLE:** FLEET MAINTENANCE BUILDING EXPANSION/REMODEL
CONTRACTING METHOD
- PREPARED BY:** Jeanette Bailor, Purchasing Manager
- ACTION REQUESTED:**
- (1) Conduct a public hearing on the proposal to allow the District to initiate a competitive request for proposals (RFP) for a construction manager/general contractor (CM/GC) for the Fleet Maintenance Building Expansion/Remodel project.
 - (2) As the LTD Contract Review Board, approve the resolution allowing the District to initiate a competitive request for proposals (RFP) for a construction manager/general contractor (CM/GC) for the Fleet Maintenance Building Expansion/Remodel project.
 - (3) Delegate authority to the General Manager to sign a contract with the selected CM/GC contractor after the selection process has been concluded.
- BACKGROUND:** Historically, all construction for the District has been procured using a low-bid method of contracting, with two exceptions:
- (1) In 2002 LTD entered into a CM/GC contract with Wildish Building Company for the Franklin EmX Corridor. The use of the CM/GC contract allowed valuable contractor input during final design in the form of constructability review and second-party cost estimates. There were only three change orders on this contract, and the final contract amount was less than the original negotiated amount.
 - (2) The Gateway EmX Extension project is also utilizing the CM/GC contracting method and is starting construction this spring.
- In preparation for the expansion and remodel of the fleet maintenance building, staff has researched various contracting methods to determine the method most appropriate for use in this construction project. The purpose of this research was as follows:
- Determine the key criteria in the selection of a construction contracting method, including factors listed in the ORS 279C.330.
 - Evaluate those criteria against various contracting methods.

The fleet maintenance building expansion and renovation is intended to provide functional maintenance service areas for the expanding articulated bus fleet and other bus types. The project involves an expansion of the building footprint, as well as redesign of various areas within the existing building. The project includes the installation of additional bus hoists and other new equipment, and may involve changes to the bus wash building as well.

Staff believe that the construction manager/general contractor method of contracting is most appropriate for the Fleet Maintenance Building Expansion/Remodel contract. Draft findings supporting this conclusion are attached as Exhibit A.

The LTD Board, acting as the LTD Contract Review Board, can exempt certain contracts from low-bid selection if contractual requirements and evaluation criteria are clearly stated in the solicitation document. ORS 279C.335 authorizes such exemptions if certain findings are made, including the following:

- (1) It is unlikely that such exemption will encourage favoritism in the awarding of public contracts or substantially diminish competition for public contracts, and
- (2) Using the RFP approach will result in significant cost savings.
- (3) This project presents a new type of construction with technical complexities that are best addressed by a team approach.

The District desires to use an RFP process for the Fleet Maintenance Building Expansion/Remodel contract. Price will be an important factor in the selection. However, staff recommends the consideration of additional selection criteria for the following reasons:

- (1) Timely completion is critical to operation of the fleet maintenance building expansion/remodel. The RFP process allows the District to consider the contractor's prior schedule performance history as a factor in the selection.
- (2) The expansion and remodel of the fleet building will need to accommodate ongoing fleet maintenance operations. The contractor will need to carefully plan and stage work to allow bus fueling, washing, repair, and maintenance to continue.
- (3) Inclusion of a CM/GC in the design process will promote efficient design, minimize coordination problems, encourage value engineering, and help avoid costly changes. The RFP process allows the District to base selection in part on the contractor's skill and past success in design coordination and value engineering.

Findings have been developed to demonstrate the basis for selecting non-low-bid procurement methods for this contract. In summary, the findings state:

- (1) Through marketing efforts to notify all known potential respondents, and through the use of an unbiased evaluation committee, the RFP process will not encourage favoritism or diminish competition. Further, the District's openness to contractor-developed work plans and requirement for good faith efforts in outreach for subcontracting opportunities will encourage increased competition.
- (2) By selecting the most qualified contractor, the District minimizes the risk of delays and changes, resulting in a time and cost savings. Well-defined criteria, clearly stated in the RFP, will form the basis for determining the most qualified contractor.

RESULTS OF RECOMMENDED ACTION:

Approval of this resolution allows the District to initiate a competitive request for proposals for a construction manager/general contractor for the bus rapid transit project.

ATTACHMENT:

Draft Findings in Support of Low Bid Exemption

MOTION:

I move the following resolution:

LTD Resolution No. 2009-007: It is hereby resolved that the LTD Board of Directors, acting as the LTD Contract Review Board, approves the use of a competitive request for proposals process for a construction manager/general contractor for the Fleet Maintenance Building Expansion/Remodel project. We further move to delegate authority to the General Manager to sign a contract with the selected CM/GC contractor after the selection process has been concluded.

AGENDA ITEM SUMMARY

DATE OF MEETING: February 18, 2009

ITEM TITLE: CORRESPONDENCE

PREPARED BY: Mark Pangborn, General Manager

ACTION REQUESTED: None

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

PROPOSED MOTION: None

MINUTES OF DIRECTORS MEETING

LANE TRANSIT DISTRICT

REGULAR BOARD MEETING

Wednesday, October 15, 2008

Pursuant to notice given to *The Register-Guard* for publication on October 9, 2008, and distributed to persons on the mailing list of the District, the Board of Directors of the Lane Transit District held a regular Board meeting on Wednesday, October 15, 2008, beginning at 5:30 p.m., in the LTD Board Room, 3500 East 17th Avenue, Eugene, Oregon.

Present: Mike Eyster, President
Greg Evans, Vice President
Ed Necker
Michael Dubick
Dean Kortge
Doris Towery
Mark Pangborn, General Manager
Jeanne Schapper, Clerk of the Board

Absent: Gerry Gaydos

CALL TO ORDER/ROLL CALL – Mr. Eyster called the regular Board meeting of the Lane Transit District (LTD) Board of Directors to order and called the roll.

PRELIMINARY REMARKS BY BOARD PRESIDENT – Mr. Eyster related that he, Mr. Pangborn, Director of Human Resources and Risk Management Mary Adams, and another LTD employee had participated in the resigning of the Memorandum of Understanding (MOU) with the Diversity and Human Rights Consortium, consisting of 11 agencies in the community.

Mr. Eyster asked Mr. Evans to speak about the Rosa Parks statue project. Mr. Evans reported that they were close to the target amount of \$37,000 pledged for donations for this particular event. He noted that the committee had received a check from County Commissioner Bobby Green for \$2,500 and had commitments from other agencies and businesses. He stated that the City of Eugene planned to donate \$10,000, which will be the second largest contribution next to LTD's contribution. He explained that the statue would be located at 10th Avenue and Olive Street and was planned to be unveiled as part of the Martin Luther King, Jr. Celebration in January.

ANNOUNCEMENTS AND ADDITIONS TO THE AGENDA – Mr. Pangborn said Assistant General Manager Stefano Viggiano would speak about a study of the possible use of biogas for fueling buses. He also noted that under Items for Information, Mr. Simmons intended to speak about the repairs that were planned for the Franklin Boulevard EmX Corridor.

BOARD CALENDARS – Mr. Pangborn directed Board members to review the updated calendar. He announced that there would be another open house at the Eugene Faith Center between 3 and 7 p.m. on October 20 regarding the West Eugene EmX Corridor. Mr. Pangborn announced that the Springfield Justice Center would be dedicated at 10 a.m. on October 22. He said that he planned to attend and invited Board members to join the celebration. He added that the Springfield Chamber of Commerce planned its fall breakfast for October 23 and that Mr. Eyster planned to attend.

Mr. Pangborn reviewed the November events, which included a presentation to the Lane County Board of Commissioners by LTD staff on the service redesign, scheduled to be held on November 5. He said that there would be another special hearing at the Eugene Library on November 10, and on that same night, he and Mr. Eyster were scheduled to make a presentation to the Springfield City Council. He related that the Lane Metro Partnership Dinner and Awards ceremony was scheduled for November 12 at the Downtown Athletic Club. He added that the Board's Strategic Planning Session was scheduled for December 5. Mr. Eyster reminded the Board that they would be voting on the service redesign package at the November 19 Board meeting.

WORK SESSION

A. 2009 Annual Route Review Service Package Discussion

Director of Service Planning, Accessibility, and Marketing Andy Vobora said that if the Board moved ahead with the proposal as it stood, the changes in service were planned for Fall 2009. He stated that there were three routes that stood alone, route numbers 3X, 8X, and 7X, and could be changed in February 2009. He added that the proposal had been to cut all of the service for those routes, but staff had received a lot of comments regarding the 3X and 8X.

Service Planning Manager Will Mueller stated that staff had reviewed those trips and had some ideas in response to these requests from the public. He noted that staff felt that route 7X had good alternative service with the 12 running by International Way. In terms of 8X, he said that one alternative proposal would be to keep two of the four trips, which would save .125 percent – which is half the reduction in costs from the current proposal. He explained that, out of the 11 trips that the District currently provided on route 3X, if the Board proposed keeping a “packet of trips,” that would make sense in terms of productivity and timing, and it would decrease the savings by another .125 percent. He stated that the combined changes would reduce the savings from 14.4 percent to 14.1 percent. He said that staff did not support changing anything else in order to add services back. He suggested that the Board review the Tier 2 concepts included in their packets if they wanted to consider other alternatives- though staff was not very supportive of those changes.

Mr. Necker recalled that at the first public input session several people had suggested providing an express route from River Road to the new hospital. He assumed that this could not be done given the present financial conditions. Mr. Mueller confirmed that LTD could not provide that route in the current environment.

Mr. Vobora said that LTD would continue to discuss the potential route with the hospital, noting that there was a precedent for investment in these kinds of services.

Mr. Pangborn wondered if there was a way to share the responsibility for the route to Thurston High School and he asked what the cost was. Mr. Vobora responded that one percent of service equaled \$200,000. Mr. Pangborn surmised that it would cost approximately \$80,000 to continue the service. He noted that this could not be made up by doubling the fares.

Mr. Pangborn noted that Portland ran a commuter service from Vancouver, Washington into Portland, but it was a premium service for which people paid a premium fare. He thought LTD could present the Thurston route as a premium service. He suggested the possibility of reducing the service and, as an example, propose to the high school that if they could double the usage, LTD could reconsider keeping the service. He remarked that part of it was a productivity issue.

Mr. Vobora said that all of the seats were filled at least one morning per week.

Mr. Mueller stated that staff also looked at the net cost per trip on the express routes. He compared the cost of the two strongest trips of route 8X (which has a net cost of \$3.10 per trip) and route #11 (which costs \$1.03 per trip). He stated that if they kept the six most productive trips of the #3X, the cost per trip would be \$2.71, and the cost on route #51 was \$1.15. He emphasized that the trips were two and a half to three times more expensive to provide than complementary service. He said that they would have to generate another \$315 in revenue per day from ridership to make up for \$80,000 in costs.

Mr. Evans asked if this premium rate would have to be charged to just the express routes or would it be unique to one route. Mr. Vobora replied that he thought it would have to be uniform to all express routes.

Mr. Evans related that the bus system he had grown up with in Cleveland, Ohio, had featured zone pricing. He asked what zone pricing would look like for the LTD area. Mr. Vobora responded that zones were typically used by larger metropolitan areas. He said that the area had used zone pricing at one time, but it had been administratively difficult for a system this size.

Mr. Evans said he was thinking of a reverse zone concept, such as charging to go into the urban core.

Mr. Pangborn stated that LTD did have three zones at one time, but there had been an enforcement problem. He explained that employing zones required the driver to keep track of where people boarded the bus and where they departed. He added that staff also would have to create different fare instruments to account for it. He stated that less than five percent of riders came in from the rural routes, so charging more for those fares may actually be more expensive. He added that he did believe they would have to review the fares again.

Mr. Kortge thought it made sense to charge more for express services. He stated that LTD should do so as part of a bigger policy resulting from fare review rather than in response to a particular situation.

Mr. Dubick was concerned that they did not know how far the economy would fall. He was not comfortable proposing a change in reductions unless a specific source could be identified.

Mr. Kortge concurred. He asked Director of Finance and Information Technology Diane Hellekson to review the assumptions again. Ms. Hellekson replied that the assumptions were that the payroll tax would remain flat; but with the rate increase, the payroll tax would grow by 2.8 percent. She said that alternatively, there had been reductions in the amount of payroll tax collected, and this created a huge impact. She stated that staff had also assumed that diesel fuel would be more than \$5 per gallon, but currently it is costing less than \$3 per gallon. She explained that this would balance out the reduction in payroll taxes, but not entirely.

Mr. Evans expressed some concern about the political ramifications of the changes. He did not want to create a negative impression among LTD's riders. He contended that they needed to factor in the commitment to customer service, and customers overall, when making any decisions.

Mr. Dubick felt that the Tier 2 concepts impacted transit-dependent people the most. He did not feel comfortable taking services from the transit-dependent in order to provide what he considered a privilege for people who could choose whether or not to ride the bus.

Mr. Evans pointed out that some people would be transit dependent because they could no longer afford to drive their cars.

Mr. Vobora said that staff still believed those cuts needed to move forward. He agreed that the people who wanted to retain the express service did have an alternative to fall back on.

Mr. Necker assumed that they could add the morning/evening express routes back in if circumstances changed. He reiterated that the budget the Board had considered was based on the worst-case scenario. He added that if the District did take in more revenue than it was spending, the Board should consider rebuilding reserve funds first.

Mr. Eyster observed that when Board members attended the public input meetings, people often asked that their services not be taken away. He said that they had to remove 15 percent of service from someone and whoever lost their service would not like it. He said that they needed to consider taking service from people who were completely dependent on riding the bus or taking it from people who had other modes of transportation.

Mr. Necker pointed out that when wheelchair users rode the bus, they had to make concessions. He explained that he had to adjust his routine so that he arrived for the bus that picked up prior to his normal bus just in case there were no wheelchair spaces available. He felt that other people could learn to change their routine if need be. He declared that LTD could not provide what it could not afford to provide.

Mr. Vobora asked the Board whether they were comfortable with instituting the changes on routes 3X, 7X, and 8X in February 2009.

Mr. Kortge indicated his support for doing so.

Ms. Towery commented that it seemed like a choice between "bad or worse." She agreed that the people who supported the 8X route were passionate. She had been impressed by their willingness to pay more for the service, but she also agreed that they were making a decision between offering service to people who had a choice about riding the bus and those who did not. She said that staff needed to find a way to tell LTD's story to the community. Staff needed to communicate that this was the last thing LTD wanted to do and that this might be part of the sacrifice the community had to make for the moment.

Mr. Eyster ascertained that there were no objections on the part of the Board to instituting the first changes in February 2009.

Mr. Evans said that the quicker the service cuts were implemented, the less painful they would ultimately be. He said that service could always be added back.

Mr. Necker thought that making the cuts in a couple of installments was a wise choice.

Ms. Towery related that she had heard comments from elderly people and people in wheelchairs that sometimes people were not willing to move to allow them to board or that elderly people were not being given seats. She said that staff should focus on reviewing the policies, given that someone in that position could choose a more expensive alternative that LTD provided for these people.

Mr. Vobora said that Accessible Services (AS) Manager, Terry Parker indicated that AS staff had initiated a dialogue about this approximately one year ago.

Mr. Mueller agreed that staff had work to do. He felt that part of the issue was that the buses were full, and at times 15 or 20 people may have to get off the bus to allow a wheelchair on, and then there was the potential of someone not being able to get back on the bus. He noted that LTD buses had to pass by 15 to 20 people in wheelchairs per week due to capacity issues.

B. Biogas Proposal

Mr. Viggiano explained that there is a proposal by Sylvatex Biofuels to conduct a pilot study to determine the feasibility of using the excess methane gas produced by the Metropolitan Wastewater Management Commission (MWMC) wastewater treatment plant for bus fuel. He said there would be a cash match contribution requested from LTD for the funding, which would be provided by the Oregon Department of Energy. He noted that 85 percent of the methane produced by the facility was used to generate power and the rest was burned off. He stated that currently approximately 70,000 cubic feet of gas was burned off every day, and if this was cleaned and compressed, it could possibly fuel up to ten buses. Mr. Viggiano remarked that the issue had come up a number of times over the years. He added that staff

was concerned that if LTD embarked on using the gas, and the MWMC decided to use all of the methane output, LTD would have to find another source.

Mr. Evans related that Monterey, California was embarking on a mustard seed gas program that they believed would double the fuel returns over corn-based and other fuels. He wondered if this was something that LTD could pursue.

Mr. Viggiano stated that the fuel from mustard seeds would be a biofuel.

Will Klausmeier, a member of the group working as part of Sylvatex Biofuels, stated that the difference between the biofuel option that Monterey was pursuing and the potential use of the methane was that the product for the methane was already there and just needed to be cleaned up and compressed.

Mr. Eyster asked if staff were working with the team whose representatives were present. Mr. Viggiano confirmed that they were and that they were collaborating with the MWMC to talk with the Department of Energy. He explained that the deadline for the proposal was October 24 and the timeline was short. He said that a \$12,000 to \$16,000 match was a requisite for the grant, half of which could be provided as in-kind services and that the other half was required to be cash. He said a couple of the county commissioners had indicated support for the study but had not provided the money match.

Mr. Klausmeier related that they had a private contributor that was willing to submit part of the cash match.

Mr. Necker asked how long that amount of methane would run ten buses. He also wanted to know what kind of conversion was necessary for the buses to burn methane. Mr. Viggiano replied that 70,000 cubic feet of gas is released every day and would fuel the ten buses for the entire day. He also explained that LTD would have to buy buses that already ran on natural gas. He did not believe it was possible to convert the existing buses so that they would burn natural gas. He felt that if this was a direction LTD wanted to pursue, new buses would need to be purchased over a period of time.

Mr. Kortge understood that the money was only to conduct the study. He asked if they would look into the costs of operating the buses as well.

Mr. Klausmeier stated that part of the study would look at the cost of training the maintenance workers and the drivers.

Mr. Evans asked if there would be a way to partner with the City of Eugene. He felt that it was in alignment with the Sustainable Business Initiative. He thought that if the project went forward it could be a public/private partnership.

Mr. Viggiano observed that the cost of the study and match was relatively small.

Mr. Klausmeier related that another focus of the study would be on the financial implications. He believed that there were ways to make the use of the gas for fuel financially desirable.

He added that there were other sources for methane should the MWMC begin to use the 15 percent it produced that was currently being burned.

Mr. Evans indicated his support for the study.

Mr. Kortge expressed some skepticism. Even though LTD's contribution would only be \$6,000, he likened it to buying a "pig in a poke." He stated that if LTD were to pursue this, the District would have to form separate operations for the different buses, different fueling, and maintenance of the buses.

Mr. Dubick asked if staff were interested in running Compressed Natural Gas (CNG) fueled buses in the District. Mr. Viggiano replied that the District had previously looked into CNG buses and had decided not to go in that direction. He noted that Salem had run buses on CNG and was now moving away from that fuel.

Mr. Kortge asked why Salem was moving away from it. Mr. Viggiano responded that there was not really a cost advantage anymore, the buses had less power, and the infrastructure to fuel the buses was very expensive.

Mr. Pangborn added that they needed to find a way to manage fuel costs for the long term. He said that hybrid electric vehicles were one option, and at this point, it appeared that vehicles that ran on CNG could not be hybridized. He added that he supported the study because it would provide valuable information. He thought that running buses on two different systems would not be cost-effective, but it would be beneficial to determine what the cost comparison might be.

Peter Chabarak, co-presenter with Mr. Klausmeier, stated that the study would have two phases. LTD would be focused on the first phase, which sought to determine whether using the fuel that was available right now would be feasible. The second phase would look into the details of fueling the entire fleet. With regards to sharing the cost, he said that Sylvatex had a commitment from the County, but they had not had the time to hold a formal meeting to approve sharing the cost. He stated that they had not yet met with the cities of Eugene and Springfield.

Mr. Evans commented that LTD had always been a cutting edge agency. He felt that the District should keep "pushing the envelope" because the return could outweigh the initial investment. He said that if this system worked, they could have more opportunities to leverage more money.

Mr. Eyster felt that this was a staff decision more than a Board decision.

Mr. Viggiano indicated that staff support providing the cash match for the study.

C. West Eugene EmX Extension Project Update

This item was deferred to later in the meeting.

EMPLOYEE OF THE MONTH – November 2008 – Director of Transit Operations Mark Johnson introduced the Employee of the Month for November, Amanda Kearney. He commended her for her attitude and for her energy, noting that she had been nominated by a passenger for handling a potentially difficult situation on the bus very diplomatically.

Ms. Kearney thanked everyone for the award. She said she enjoyed her job very much and felt that she worked with a “great group of people.”

AUDIENCE PARTICIPATION

John H. Williams stated that he had been riding the system for six or seven years and had been reporting issues as he saw them. He provided the Board members with a packet of information regarding his concerns. He said he would like to communicate with the Board at a later date about the information. He noted that a lot of it was about fuel conservation.

Mr. Eyster remarked that staff would be happy to meet with Mr. Williams.

6(c). West Eugene EmX Extension Project Update

Director of Planning and Development Tom Schwetz provided an update on the West Eugene project. He reviewed the timeline and said that the project was entering the alternatives analysis phase. He stated that the locally-preferred alternative selection would occur in late 2009. He added that staff had completed the scoping process.

Mr. Schwetz said that staff had conducted work sessions with the public and based on the input received, a range of alternatives had been developed, and sketch-level plans had been drawn up for review at community design workshops. Staff also held a resource agency workshop which is an important part of the environmental process.

Mr. Schwetz stated that the remaining milestones included the October 20 open house, the drafting of the Environmental Impact Statement (EIS) and its public review process, the selection of the preferred alternative, and the design process. He noted that the 30 percent design process was slated to be completed by the time the EIS had been finalized.

Mr. Evans asked what would happen if LTD selected a preferred alternative and the City concurred and then, because of the Metropolitan Policy Committee (MPC) voting rules (which allow one jurisdiction veto power) the alternative was vetoed. Would the project planners then return to the drawing board. Mr. Schwetz confirmed that this was a possibility. He thought that if this happened, LTD would have to work through the rules within the MPC to try to reach a solution.

Mr. Pangborn said that LTD needed the agreement of the City of Eugene. He underscored the importance of getting both Eugene and the County in alignment with LTD on the plan.

Mr. Schwetz specified that staff had gone before the Eugene City Council on September 8. He said that the Council had tried to take some of the alternatives off the table, but the Eugene city attorney clarified for the councilors that to do so was not within their purview. He stated that the Corridor Committee would advise both the EmX Steering Committee and the

Board, and then the Board, the Eugene City Council, and the MPC would have to decide on the locally preferred alternative. The Federal Transportation Administration (FTA) and the Army Corps of Engineers would have to concur. He also said that the planners were focused on how to keep the public engaged throughout the process.

Mr. Necker ascertained from Mr. Schwetz that LTD's relationship with the FTA would affect the funding. He said there was a good chance the project would be eligible to go through the funding process. He added that part of the work was to strategically look at how to best position the project within the federal grant process.

Mr. Pangborn stated that whether or not the FTA would support the project would be based largely on a cost/benefit analysis. He stated that lower costs and larger customer usage would cause the FTA to look most favorably on the project.

In response to a question from Mr. Pangborn, Mr. Schwetz stated that the 60-day review process of the draft EIS would start at the beginning of September 2009.

ITEMS FOR ACTION

A. Second Reading and Adoption, LTD Ordinance No. 40, An Ordinance Regarding the Excise Tax on Employers and Self-Employed Persons; Amending Ordinance 39, Sections 2 and 3

Ms. Hellekson stated that the first reading of the ordinance had occurred at the previous month's meeting. She explained that a second reading and adoption would be needed at the present meeting for the ordinance to proceed. She noted that in the event of an affirmative vote, it would take effect in 30 days and the new rate structure would be implemented January 1, 2009.

MOTION Mr. Kortge moved that Ordinance No. 40 be read by title only. Mr. Dubick provided the second.

Mr. Pangborn read the title of Ordinance No. 40 into the record.

VOTE The motion was approved as follows:
 AYES: Towery, Eyster, Dubick, Kortge, Evans, Necker (6)
 NAYS: None
 ABSTENTIONS: None
 EXCUSED: Gaydos

MOTION Mr. Kortge moved adoption of Lane Transit District Resolution No. 2008-033: Resolved that the Lane Transit District Board of Directors adopt Ordinance No. 40, an Ordinance of the Lane Transit District Regarding the Excise Tax on Employers and Self-Employed Persons; Amending Ordinance 39, Sections 2 and 3. Mr. Dubick provided the second.

VOTE The motion was approved as follows:
AYES: Towery, Eyster, Dubick, Kortge, Evans, Necker (6)
NAYS: None
ABSTENTIONS: None
EXCUSED: Gaydos

B. Recommendations for the Reauthorization of the Federal Surface Transportation Bill

Mr. Viggiano explained that the Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users (SAFETEA-LU) was slated to expire in September 2009, and leading up to its reauthorization, a number of groups were providing comments to Congress on what should be included in the new bill. He noted that Mr. Evans had been part of the authorization committee that had provided such recommendations.

Mr. Evans reported that the group's work was done and the recommendations had been finalized.

Mr. Viggiano stated that before the Board were the recommendations from the local United Front group, of which there were three parts: policy recommendations, regional priorities, and project requests to be developed at a later date. He noted that LTD had conferred with Congressman DeFazio's staff and they had recommended that LTD take this action. He said that the document before the Board described the current challenges and a fairly significant shift in focus for the surface transportation bill. He provided a brief overview of the *draft report*. He highlighted Eugene's desire to focus on garnering more operational funding for transportation preservation and maintenance.

Mr. Evans said that he had spoken to Eugene City Manager Jon Ruiz. They had discussed the possibility of getting at the Americans with Disabilities Act (ADA) issues through the United Front by putting together a social service request that would include LTD in a pass-through function. They would then be able to receive funding based on LTD's social service profile for providing service for disabled and elderly customers. He thought that this could be a creative way of packaging this effort in order to receive funding.

Mr. Viggiano continued his review of the summary of the plan and requested the Board's support. He noted that the County Commissioners had approved the original version.

MOTION Mr. Evans, seconded by Mr. Necker, moved approval of Resolution No. 2008-034, approving the recommended policies and regional priorities as the United Front position for the 2009 reauthorization of the Federal Surface Transportation Bill.

Mr. Evans commented that he felt they had a reasonable request in the plan. He had been disappointed, however, in some transit partners in the east that were not as proactive in addressing the ADA/paratransit funding issues. He noted that the task force was asking for more than double the amount that had been provided through the SAFETEA-LU funding. He felt it was a bold and aggressive authorization: They were focusing on promoting new

technologies, public/private partnerships, and the expanded capacity of transit around the country.

VOTE The motion was approved as follows:
AYES: Eyster, Towery, Dubick, Evans, Kortge, Necker (6)
NAYS: None
ABSTENTIONS: None
EXCUSED: Gaydos

At Mr. Evans request, Mr. Pangborn reviewed the concerns regarding ADA funding for transit in the east. He explained that LTD was one of the few districts in the nation that had been proactive in addressing the needs of the community of people with disabilities. He stated that transit users in some of the larger cities in the east had a more fractious relationship with the transit authorities. He said that the ADA advocates were concerned that if the transit districts received federal money, the money would not be used toward improvement in the services for people with disabilities.

C. Selection of Pension Trustee-Elect

Ms. Adams said that with the impending departure of the current pension trustee, Mr. Gaydos, from the Board in January 2010, it would be prudent to prepare another Board member to take over the position. She explained that the Board is asked to approve the creation of the position of Pension Trustee Elect to serve as a trustee in training. The Board would then be asked to approve the appointment of Board member Dean Kortge to the nearly created position.

MOTION Mr. Dubick, seconded by Mr. Necker, moved approval of Lane Transit District Resolution No. 2008-035: The Lane Transit District Board of Directors hereby adopts the new position of Pension Trustee-elect for the LTD/ATU Pension Plan and the LTD Salaried Employees Retirement Plan, to serve as a trainee until such time as the current trustee resigns as trustee or is no longer a member of the Board of Directors.

Mr. Eyster thanked Mr. Kortge for being willing to serve as Pension Trustee.

VOTE The motion was approved as follows:
AYES: Eyster, Towery, Dubick, Evans, Kortge, Necker (6)
NAYS: None
ABSTENTIONS: None
EXCUSED: Gaydos

MOTION Ms. Towery, seconded by Mr. Dubick, moved approval of Resolution No. 2008-036: The Lane Transit District Board of Directors hereby approves the appointment of Board Member Dean Kortge to the position of Pension Trustee-elect as defined in this document and approved under LTD Resolution No. 2008-035.

VOTE The motion was approved as follows:
AYES: Eyster, Towery, Dubick, Evans, Necker (5)
NAYS: None
ABSTENTIONS: Kortge
EXCUSED: Gaydos

ITEMS FOR INFORMATION AT THIS MEETING

A. Board Member Reports

Mr. Eyster reported that he had attended the Eugene City Council meeting with Mr. Mueller and Mr. Pangborn, who provided a presentation on the service reduction plan. He noted that one councilor expressed her "extreme disappointment." He remarked that they shared this disappointment, adding that no one liked that LTD had to make service cuts. He underscored that there was no more money coming from the state and there were no other choices but to reduce service. He sensed that the Council and staff had a good understanding of the situation.

Mr. Kortge related that a councilor had indicated to him that he thought the presentation went very well.

Mr. Eyster noted that they would be providing the same presentation to the Springfield City Council and the Lane County Board of Commissioners.

1. Meetings Held or Attended

- a. **West Eugene EmX Extension Corridor Committee – September 29**
There was no further report.
- b. **Board HR Committee – October 14**
There was no further report.

2. No Meeting/No Report

- a. **APTA Authorization Committee**
- b. **Board Service Committee**
- c. **Metropolitan Policy Committee**
- d. **Board Finance Committee**
- e. **EmX Steering Committee**
- f. **LCOG Board of Directors**
- g. **Gateway EmX Extension Corridor Committee**

B. Monthly Financial Report – September 2008

Ms. Hellekson reported that ridership continued to be strong. She said that the continued robust ridership increase that the District was experiencing was unprecedented. She related that along with the increases came capacity issues as buses were overloaded. Ms. Hellekson stated that payroll tax receipts were the major concern as receipts from the quarter that ended in June were down.

Mr. Kortge asked if the effects of the Hynix closure were being felt at this point. Ms. Hellekson replied that LTD would continue to receive those taxes through the end of September.

Ms. Hellekson stated that fuel costs were down: the 3-month average is currently under \$3.75 per gallon. She stated that in the previous year fuel costs had increased by 57 percent between the months of January and May. She felt that it was good news that the fuel costs were at least below what had been budgeted.

Ms. Hellekson said the audit report would be provided to the Board in December.

Mr. Evans asked when the three big projects that were on the horizon for the metropolitan area (the University's arena, the southbound flyover for Interstate 5, and the new bridge on Interstate 5) would begin. Ms. Hellekson responded that she believed those projects would be initiated in 2010. She added that the work on the arena project would be expedited so that it could be built between athletic seasons, which meant that there could be a higher percentage of payroll tax receipts received from the project sooner.

Mr. Eyster noted that bond funding for projects was currently challenging due to the financial climate.

C. Monthly Department Reports

Mr. Pangborn reported that when LTD had been working on the EmX corridor on Franklin Boulevard, the engineers thought it would be unnecessary to lay concrete across the intersections. The city and LTD staff have now discovered that the EmX buses were stressing asphalt and concrete at the intersections and it was breaking. He noted that they had redesigned the Pioneer Parkway corridor as a result of this experience.

Mr. Simmons showed slides of the damage. He said that LTD would need to rebuild some of the intersections. LTD had been working with Eugene to prioritize the intersections to be fixed. The intention now was to rebuild the intersections in concrete. He said LTD planned to rebuild the two worst intersections in the next several weeks and the rest in Summer 2009.

Mr. Evans asked for an idea of the financial impact. He also wondered who would be footing the bill, given that the City owned the roads. Mr. Simmons responded that the damaged areas were on parts of the lanes that were dedicated to the EmX. He thought it would be a tough sell to get the City to participate in fixing it.

Mr. Evans asked if the money was in the contingency fund and how much would be needed. Mr. Simmons estimated the cost to be \$150,000.

In response to a follow-up question from Mr. Evans, Mr. Simmons said he thought the shelf-life of the repairs would be 20 to 40 years.

Mr. Necker asked how the repairs would affect the EmX route. Mr. Simmons replied that the bus lanes would be closed from East 11th Avenue to Agate Street; however, the bus stop was

located to the east side of Agate Street, so that service up to Dad's Gate would not be impacted. He thought they should be able to maintain current travel times.

D. Monthly Performance Reports

There were no questions about the report.

ITEMS FOR ACTION/INFORMATION AT A FUTURE MEETING

- A. Public Hearing: FY 2009-10 Service Recommendation (November)**
- B. Public Hearing: FTA Grant Applications (November)**
- C. Gateway EmX Extension Update (November)**
- D. General Manager Performance Evaluation (November or December)**
- E. Board Strategic Planning Work Session (December)**
- F. Legislative Agenda (December)**
- G. Independent Audit Report and Comprehensive Annual Financial Report (CAFR) (December)**
- H. Gateway Station Construction Update (future meetings)**
- I. LTD Sustainability Plan (future meeting)**
- J. Park & Ride Program (future meeting)**

ADJOURNMENT – The meeting adjourned at 7:40 p.m.

Board Secretary

MINUTES OF DIRECTORS MEETING
LANE TRANSIT DISTRICT
SPECIAL BOARD MEETING/PUBLIC HEARING
Monday, November 10, 2008

Pursuant to notice given to *The Register-Guard* for publication on November 6, 2008, and distributed to persons on the mailing list of the District, the Board of Directors of the Lane Transit District held a public hearing and special Board meeting on Monday, November 10, 2008, beginning at 5:30 p.m., in the Bascom/Tykeson Meeting Room in the Eugene Public Library, 100 West 10th Avenue, Eugene, Oregon.

Present: Greg Evans, Vice President, presiding
Dean Kortge
Ed Necker
Michael Dubick
Gerry Gaydos
Jeanne Schapper, Clerk of the Board
Stefano Viggiano

Absent: Michael Eyster
Doris Towery

CALL TO ORDER/ROLL CALL – Mr. Eyster called the special meeting of the Lane Transit District (LTD) Board of Directors to order and called the roll.

PRELIMINARY REMARKS BY BOARD PRESIDENT – Mr. Evans indicated that he would be presiding at the meeting in place of Board President Michael Eyster.

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

PUBLIC HEARING ON 2009 SERVICE RECOMMENDATIONS – Mr. Vobora acknowledged the strong increase in LTD ridership but also emphasized that fares represented only about 15 percent of operating costs, with payroll tax revenues picking up the remainder. He said that while fuel costs had gone down recently, payroll tax revenues were also going down because of the poor economy. Mr. Vobora said that LTD had to balance its budget, and many parts of the community would see service reductions, even on well-used routes. He acknowledged that such reductions would be painful.

Mr. Vobora discussed the community outreach effort that had occurred since August 2008 and said the Board had received all public comments submitted to date. He said that the Board would act on the service reduction package on November 19, 2008. At this time, he did not know if other service reductions would be necessary during this coming year.

Mr. Vobora reported that LTD would implement the majority of the proposed changes in September 2009, but it was possible that some routes could be eliminated earlier.

Mr. Vobora provided a brief overview of the recommendations and noted changes made since the last hearing.

Mr. Evans reviewed the rules of the public hearing.

Shelly Dunbar, 1333 Oak Patch Road, Eugene, asked the Board to retain the #30 bus and maintain the current level of service on Oak Patch Road. She said that many people depended on the #30 and added that some people would not be able to walk the distance necessary to reach the bus stop.

Karen McClain, 6975 Bluebell Way, Springfield, spoke in regard to the #8X bus, clarifying that it was the later rather than earlier bus that was her concern. She first criticized the public hearing process as meaningless. She then criticized the counting method as flawed. She suggested that LTD was discriminating against the larger community with its concern that cutting elsewhere would have a bigger impact on transit-dependent riders. Ms. McClain said that her commute time would be doubled if the change was made. She said that she would now have to drive to work, which was a financial hardship. She expressed disappointment in the process and said that she would not support any LTD funding proposal and had lost confidence in the management of LTD.

Linda Miller, 1631 Adkins Street, Eugene, asked the Board to retain the #3X bus and noted that her count indicated an average of 28 passengers in the morning and 13 passengers in the afternoon. She felt that overcrowding on the buses also should be considered when reductions were contemplated. She thought that the #3X was cost-effective in comparison to the alternatives. She said that buses to the University of Oregon (UO) were packed to capacity already. People using other routes could be stranded downtown if other routes to the University were not added, and the need to transfer would add more travel time for commuters. With the deletion of the Breeze, more options would be lost.

Tanya Truax, 401 East 32nd Avenue, Eugene, emphasized the importance of service to 1st and Jefferson streets on the #51 bus.

Chris Baird, 1600 Adkins Street, Eugene, said in an earlier e-mail to LTD staff that she had suggested limited service on the #3X bus during peak times and was asked by staff how she proposed LTD would pay for it. She pointed out that LTD received funding from the UO, and it made sense to her that the University's money should be spent to meet the needs of students and staff who used the #3X bus. Speaking to the question of supporting those who relied on the bus for their basic needs, she said that she needed the bus to get to work, and her employer supported LTD. If the bus was eliminated, she would have to ride 1-1/2 hours every day to travel three miles to work. She agreed with Ms. Miller about the limited options for #3X riders and full EmX buses traveling to UO and said that it would only get worse if the #3X were eliminated.

Lindsay Elliott, 425 South 39th Street, Springfield, stated that she was a rider of the #8X bus and strongly encouraged the Board to consider the needs of the riders of its express buses. She said the ridership of the later buses was higher than the earlier buses, and reductions to the earlier routes would inconvenience far fewer people. She was unwilling to lengthen her commute by 70 minutes each day, which was what would be required if the bus was eliminated. She encouraged LTD to maintain skeletal service for the express routes with the highest ridership. She suggested that the provision of mass transit was only one aspect of LTD's mission, and spoke of the environmental value of LTD's service. She said that LTD must attract car riders and suggested that express routes were a key element to serving that population. She thanked the Board for the service provided by the #8X bus to date and observed that she rode the bus 3,000 miles each year to and from work.

Marion Walter, 1846 Orchard Street, Eugene, asked the Board to pay special attention to wait times involved when making route changes. She said that people avoided using the bus if the wait times were too long. She asked when the Board was going to consider offering the voters a bond measure to underwrite improved service, suggesting that the cost was minimal and people would be happy to pay it. She asked what bus would be going up 13th Avenue. Mr. Vobora indicated that it would be the #28 bus.

Emily Tarletsky, 725 East 14th Avenue, Eugene, represented the UO Club Crew Team. She said that elimination of the #92 bus would likely mean the end of the crew program given the higher costs participants would have to pay for other forms of transportation. She recommended that the Board consider eliminating the route in the winter months to save money. She said people who worked at the UO and Northwest Christian University also rode the 7:55 a.m. #92 bus back to campus with the team. She hoped the crew team would be larger next year and could continue to take advantage of the bus.

Carol Seaton, 1150 West 15th Avenue, Eugene, offered the audience a true/false question based upon a situation involving an LTD bus and her grandchild and complained about an LTD rule she said the public did not know about. She submitted a proposal to each Board member and invited them to contact her.

Megan Walsh, 1537 Inchwood Avenue, Eugene, asked the Board to retain the #3X service as one of the few direct routes residents had to campus. She pointed out that student ridership on the route had skyrocketed over the past few years. It was a reliable route and served those students who were unable to afford housing near campus. She concurred with the remarks of those who spoke in favor of retaining the #3X and their suggestions for alternatives. She mentioned the student fees she paid to use the bus and said it did not make sense that one of the few direct routes to campus would be canceled. She added that she believed ridership numbers were higher than indicated by staff.

Tammi Martin, 89 North Polk Street, a rider of the #7X bus, said that the express bus riders were concerned about losing their service. The proposed changes would add commute time to and from work, and she believed it would likely drive people back into their cars. She acknowledged there could be higher ridership on other routes but thought the Board needed to consider that fact and the potential that additional commuters could impact the roads and bus travel times. She did not believe that her co-workers at the RiverBend campus accepted the time delays that occurred on the #12 bus--particularly when school started--which caused delays in travel time.

Kathy Garland, 1356 Victorian Way, stated her support for the #3X service. She said that the parking on campus was reduced considerably and there were few other options for UO staff and students. She said that buses were late to make connections to the EMX, and sometimes 15 minutes could be critical. She said there were 22,000 students on campus and their needs should be considered.

Eve Siecinski, 3293 Spearmint, a #3X bus rider, said that many UO staff and students recently started using the bus because parking fees had increased on campus and many parking spaces were eliminated. She thought that elimination of the #3X would be problematic for her and others. She said that reliable bus service was important to students and staff who depended on the bus. Ms. Siecinski agreed with others offering testimony that reduction of the route would mean that people would miss their connections. She observed that the #3X bus was always full.

Bonnie Dominquez, 3959 E Street, Springfield, said that Lane Community College students asked the District to fix the connection between the #11 bus and #85 bus. She said that students sometimes missed the downtown bus connection by only a minute and then had to wait for the next bus. She asked if buses going on to LCC could be held at the station to accommodate students who were traveling on buses arriving late for transfers.

Ken Rivernider, 140 Hamilton Street, Eugene, clarified the details of the new #57 bus route with Mr. Vobora. Mr. Rivernider believed that more buses were needed on the River Road corridor. Mr. Necker pointed out that the frequency of service meant that there would be no service reduction in the corridor--even with the elimination of the #52 bus.

Janelle Halesworth, 29851 Willow Creek Road, Eugene, representing Molecular Probes, asked the Board to retain the #36 bus route extension to Pitchford. She described her company and anticipated that it would expand and increase both production and its workforce. She reported that 66 percent of the company's workforce, when surveyed by Commuter Solutions, indicated that they would be very or somewhat likely to use LTD bus service. The company was looking into group pass options. She suggested that the Board consider removing two of the four #36 route extensions, which are the 5:20 p.m. and 6:20 p.m. pick-up times at Pitchford, due to low use. She suggested that one year was not enough time to gauge the success of the other extensions.

Mark Unno, 262 East 38th Avenue, Eugene, spoke of the elimination of the #25 and #73 buses and the proposal to combine services on the #28 bus. He said that the #73 bus was the only route between south Eugene and the UO and that the bus was packed in peak periods while being virtually empty the remainder of the time. He asked if there were ways to increase efficiencies--other than through the elimination of routes. He noted that many special needs people lived in south Eugene for whom changing a bus would be a hardship. He asked if the decision makers had actually ridden the routes to test their theories in regard to the proposed changes, and asked if the testimony of those who were actual riders would be given consideration.

Mr. Evans emphasized that the Board was taking all the testimony it was hearing into careful consideration. Mr. Necker added he was a bus rider and was familiar with many of the routes in question.

Tony Attilis, 4115 West 8th Avenue, #29, Eugene, said he was visually impaired and could only get around by bus. He said the #30 bus was proposed for deletion and that was his route to work. He asked that the route not be deleted as it was his only way to get around town. Regarding the proposal to delete routes #64 and #67, he said he also used those routes to reach various locations.

Julia Green, 275 West 38th Avenue, Eugene, spoke on behalf of the #7X, which she used to reach work. Ridership on the route had grown over the seven years she had used the bus. She noted that two outbound and inbound routes were eliminated earlier in the year. She acknowledged the low ridership and indicated that the cuts increased ridership on other departure and arrival times. Many people had begun to use the bus because of increased gas prices, and now that prices were going down, it would be good to retain those individuals as bus users. She said the #12 was very busy and elimination of the #7 would increase crowding on that bus and make the ride a less pleasurable experience. She concurred with the remarks of those who spoke to the negative impact of increased automobiles on the road. She was unable to drive and

the elimination of the route would have a strong impact on her. She believed that it would be a good idea to retain the #7 bus to serve the commuters who worked in that area of Springfield.

Stephanie Baker, 1340 Washington Alley, Eugene, a UO student, said service reductions would make using the bus a less viable option for her. She asked for more evening hours on the #52 route in order to maintain adequate service to the UO.

Matt Kauhuer, 1554 Larkspur Loop, Eugene, a rider of the #60, said he was jealous of express riders because at least they had an alternative. He asked the Board to retain one morning and one afternoon run on the #60 bus. He said the elimination would leave a hole in that section of Eugene and the closest bus service was more than a mile away. If that was not an option, he asked if it would be possible for LTD to reroute the #66 or #67 buses in order to pick up part of that service.

Sue Ann Parker, 136 Lea Lane, Eugene, spoke in favor of retaining the #3X bus. She worked at the UO and that route was the best for her to get from home to work and back again. She said that the bus was very full for all the runs it made. Removing the route would make the commute very long for riders because of the need to make a connection at the downtown station. If the route were to be eliminated, she would likely have to drive to work because of the long days she worked. Ms. Parker said there was insufficient parking on campus to rely on a space each day and the price of a parking sticker or metered parking was cost-prohibitive. She said that she would probably have to seek employment in another city with good bus service. She noted the fact that the 6:11 p.m. departure time was eliminated and said that she would no longer have transportation after late classes in winter quarter, and three other people in her department would also be affected by that change.

Josephine Co, 3065 West 15h Avenue, Eugene, identified herself as a UO employee and long-time bus rider. She rode both the #30 and #78 buses and said that lately the #78 bus was very crowded. She suggested that articulated buses be employed on the route in peak hours. She said that elimination of the #30 bus would make the situation worse. She suggested that the route be retained at peak times. She said that one of her neighbors also used the #30 bus but had to leave the hearing early. Ms. Co also noted that the #30 route was a major factor in her home purchase. She said that children and physically challenged persons lived on her street and also needed service, at least part of the day.

Jon Hines, 830 5th Street, Springfield, spoke in support of retaining the #66 bus. He said the bus was full with two wheelchairs on it during inbound journeys, and he believed that the reduction of the #64 bus would mean an even fuller bus. The bus was usually two to four minutes late now, and he feared it would get worse. He also was concerned about the elimination of the #3X bus and the impact that would have on the ridership of the #51 and #66 buses. Mr. Hines also expressed concern about the elimination of the #13 bus going downtown as it was very heavily used. He suggested that some of those riders would choose RideSource, and did not think that service to the hospital should be reduced as it was very difficult for some people in wheelchairs to access McKenzie-Willamette Hospital. He suggested that operation once an hour might be an option that could maintain service and save money.

Misha Seymour, 1313 Lincoln Street, #307, opposed the elimination of the bus routes. He called for reductions in administrative salaries if money was the problem. He said the #30 had been in place for years.

Rose M. Reynolds, 541 Helen Street, Eugene, spoke in support of retaining the #3X service. She did not have a car and could not afford to buy one. If she had one, she could not afford parking. She was the main breadwinner in her family and worked Sunday through Friday and saw her children at limited times during those days. If she took regular service and had to transfer, it would add 30 minutes to one hour to her trip and take time from her children. She said that if the service was cut, she would have to find a place closer to the UO; but it was difficult to find a place that fit her family and was within her budget. She said it was not just a financial issue.

Mel Barnes, 1473 B Street, Springfield, thanked the Board for sending the bus to the senior center. He mentioned that he did rider training for a senior facility in Springfield.

Shepard Dale, 895 West 12th Avenue, Eugene, felt it was a misstep to add the EmX Extension to Gateway before expanding to West 11th Avenue.

There being no further comments from the public, Mr. Evans closed the public hearing and called on staff for comments.

Mr. Vobora clarified that the #67 bus was not being deleted, but in fact, service was being increased during peak travel times. He believed that there would be adequate capacity to accommodate mobility devices along the Coburg corridor.

Speaking to service in Eugene, Mr. Vobora said that staff examined many options involving a number of combinations, all of which added cost to the District. He said LTD was trying to meet cross-town demand. He acknowledged that asking people to transfer at the Amazon Station was not an ideal situation, but staff had not been able to find another option without adding additional cost.

Mr. Vobora indicated that he would follow up with Mr. Hines to clarify his testimony regarding service to McKenzie-Willamette Hospital, noting that there was still service to the hospital on G Street via the #18 bus.

Mr. Vobora noted the Board's direction for a 14.5 percent reduction. He indicated that staff would review the comments and anticipated there could be some tradeoffs involved to satisfy some of the changes sought by those offering testimony.

Mr. Evans suggested that there was a potential for new state and federal funding, but those funds would not be available in time to stop implementation of the service cuts. He asked about the potential of delaying the service cuts pending resolution of that issue. Mr. Vobora indicated that it might be possible to delay the reductions planned for February 2009. He suggested that the Board could consider that question at its December 5 meeting during review of the Long-Range Financial Plan.

Mr. Kortge stated his belief that the Board was essentially playing a guessing game in regard to what reductions would be needed, and in the end, it would come down to a pure "gut" decision. Mr. Evans advocated for a plastic bag fee that could be used to generate revenue for transit. Mr. Viggiano believed that there were opportunities for additional revenue from the state legislature. The revenue would not come in time for the fiscal year under discussion. In addition, payroll tax revenues may come in below projections. He stated that the Board would discuss this further at its upcoming strategic planning work session.

Mr. Evans congratulated Mr. Kortge and Mr. Eyster for their reappointment to the Board.

ADJOURNMENT – The meeting adjourned at 7:05 p.m.

Board Secretary

AGENDA ITEM SUMMARY

DATE OF MEETING: February 18, 2009

ITEM TITLE: BOARD CALENDARS

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

ACTION REQUESTED: Discussion of Board member participation at LTD, and community events and activities

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

Please contact Jeanne Schapper with any changes in your availability for LTD-related meetings and events, or to provide your winter and spring vacation dates.

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

PROPOSED MOTION: None

AGENDA ITEM SUMMARY

- DATE OF MEETING:** February 18, 2009
- ITEM TITLE:** CONSENT CALENDAR
- PREPARED BY:** Jeanne Schapper, 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 February 18, 2009:
1. Approval of the Minutes of the October 15, 2008, Regular Board Meeting
 2. Approval of the Minutes of the November 10, 2008, Special Board Meeting/Public Hearing
 3. Approval of the Minutes of the November 19, 2008, Regular Board Meeting
- ATTACHMENT:**
1. Minutes of the October 15, 2008, Regular Board Meeting
 2. Minutes of the November 10, 2008, Special Board Meeting/Public Hearing
 3. Minutes of the November 19, 2008, Regular Board Meeting
- PROPOSED MOTION:** I move that the Board adopt the following resolution:
- LTD Resolution No. 2009-005: It is hereby resolved that the Consent Calendar for February 18, 2009, is approved as presented.

EXHIBIT A

DRAFT FINDINGS IN SUPPORT OF LOW BID EXEMPTION

Fleet Maintenance Building Expansion/Remodel February 18, 2009

A. Competitive Bid Exemption Under Oregon Statute

Oregon law requires all public improvement projects to be procured by competitive bid, unless an exemption is granted by the State or the public contracts review board of a public agency other than the State. ORS 279C.300 requires that public agencies shall make every effort to construct public improvements at the least cost to the public agency. ORS 279C.335(2) requires the public agency to develop findings that the alternative procurement process is unlikely to encourage favoritism or substantially diminish competition, and that the project will result in benefits to the public agency.

For public improvement projects, agency findings must address certain additional factors, defined by ORS 279.330. These include, but are not limited to, the following:

1. Operational, budget, and financial data
2. Public benefits
3. Value engineering
4. Specialized expertise required
5. Public safety
6. Market conditions
7. Technical complexity
8. Funding sources

B. Process

LTD has developed a checklist that identifies key criteria in the selection of a design and construction contracting method. It includes the factors listed in the Oregon statute. The checklist creates an analytical framework within which criteria are evaluated as to relative importance for a particular project element. The completed checklist assists LTD in the determination as to whether there is justification for exploring a contracting method other than the traditional competitive low bid.

The checklist is applied as follows:

- Each criterion is assumed to be important for a traditional low-bid project.
- For a particular project or major project element, the listed criteria are evaluated.
- Criteria should be evaluated as “Very Important” or “Extremely Important,” in lieu of “Important,” when judged to require a greater level of attention or certainty of performance than that obtained in a typical low-bid project.
- The completed checklist may weigh in favor of a contracting method other than traditional low bid.

C. Summary Description of Fleet Maintenance Building Expansion/Remodel

The Maintenance Building expansion and renovation is intended to provide functional maintenance service areas for the expanding articulated bus fleet and other bus types. The project involves an expansion of the building footprint, as well as redesign of various areas within the existing building. The project includes the installation of additional bus hoists and other new equipment, and may involve changes to the bus wash building as well.

D. Critical Factors

The expansion and remodel of LTD's maintenance building will need to accommodate ongoing LTD operations. Thus, the contractor will need to work around bus repair, fueling, and washing activity. This may require staging the work in such a way that only small portions of the building are under construction at any one time. It may also require limitations on the time of day that the construction work can occur and special precautions to ensure the safety of maintenance employees working near the construction area.

The project will also need to be started and completed quickly in order to accommodate the planned delivery of additional articulated coaches in late 2009. This may require that some construction activities are started and underway while the final design on other portions of the project is still in progress.

E. Findings

The attached checklist identifies the relative importance of key criteria for this segment. The findings are summarized below:

1. Operational, Budget, and Financial Data

The fleet maintenance building expansion/remodel construction budget is fixed and has limited contingency. A low initial bid is not the final construction price of a project. Historically, low-bid projects result in numerous change orders and often in substantial claims. LTD must minimize risks of design changes, construction delays, and claims in order to control the project budget and complete the project on time. When the construction manager/general contractor (CM/GC) participates in the design process, fewer change orders occur during construction that affect the Guaranteed Maximum Price (GMP) because there is a better understanding of the owner's needs and the engineer's design intent. Involving the construction contractor during design is a proven approach for containing costs through more constructable designs and helps to reduce the technical complexity risks. Early selection of the CM/GC creates more-informed and better-quality decisions by the construction team. Cost options for materials, construction sequences, and bid timing can be viewed with greater certainty and knowledge. This allows the owner to obtain real-time market pricing that assists in decision making. For this segment, all of these factors are important. Additionally, LTD operational costs are related to the quality and timely performance of the fleet maintenance building expansion/remodel construction work. Delays in the performance of this work could lead to increased operational costs.

Finding. A negotiated procurement that involves the construction contractor during the design phase will allow LTD to better control costs because of timely, real-market pricing

and input from the contractor who will build the project. Low bid does not provide this opportunity. For this segment, CM/GC is the best choice.

2. Public Benefits

A realistic, cost-effective construction approach that meets the critical need to accommodate the continuance of vehicle repair during construction is necessary. Contractor input during design facilitates the development of realistic construction options in terms of schedule, cost, and safety considerations. Disruptions to vehicle repair must be minimized. Access to vehicle maintenance areas must be maintained during construction. The contractor will be challenged further to minimize noise and vibration impacts, and utility disruptions. The operating schedule and repair schedule will benefit by selection of a construction contractor who is familiar with this design and has the capacity to focus on this work and get it done quickly and safely.

Finding. The CM/GC negotiated procurement is the best method to identify a contractor who can work with LTD and maximize public benefits.

3. Value Engineering

LTD's experience is that value engineering is best achieved during the design phase when the construction contractor's experience is considered along with the designer's concepts. Although low bid allows for value engineering during construction, it often is more difficult to implement because of the construction schedule pressures or the additional design effort.

Finding. Construction contractor input during final design enhances the value engineering process that begins during preliminary design. Individual components can be reviewed to assure that the project incorporates the best lifecycle options, resulting in long-term savings. Initial savings also can be realized by comments of the CM/GC during his review that can be considered while the design is being finalized and without issuance of a change order during construction. The CM/GC procurement method allows the construction contractor to work with the design team and to incorporate value engineering ideas in the timeliest manner to maximize savings.

4. Specialized Expertise Required

The Maintenance Building expansion and renovation is intended to provide functional maintenance service areas for the expanding articulated bus fleet and other bus types. Sustainability and energy efficiency in a vehicle repair facility will require special expertise.

Finding. CM/GC is the best method for LTD to identify a contractor with the required special expertise and the most-qualified firm. Low bid does not ensure that the needed most-qualified firm that provides the special expertise will be procured.

5. Public Safety

This project requires the utmost attention to safety. The construction work will be in an area with ongoing fleet maintenance. Mechanics, general service workers, bus

cleaners, and others will be working in the immediate vicinity of the construction. It is critical that the contractor organize the project to minimize the chance for injury.

Finding. The contractor's actual safety performance on similar projects is very important and should be evaluated as part of the procurement. CM/GC affords LTD the best opportunity to do this.

6. Market Conditions

Current market conditions are volatile. Construction prices are currently low, but the expectation of federal stimulus money coming into the area is expected to create a less favorable bidding situation. Construction activity in the community is also ramping up again with some major projects, such as the University of Oregon basketball arena, a new facility for the Eugene Water and Electric Board, and the Interstate 5 bridge replacement.

Finding. CM/GC is the best method to reduce risk in escalating market conditions that may limit the number of subcontractors bidding with the CM/GC. It also allows the CM/GC to request a change based on market conditions instead of bidding for unknown risk in a hard bid.

7. Technical Complexity

Construction on a fleet maintenance building is complex and specialized. It requires attention to detail and an understanding of the many systems that must be maintained during construction. The technical complexity must be understood in order to properly plan and execute work of this nature.

From past experience it has been very beneficial to have the CM/GC and their mechanical and electrical contractors under contract during final design. The CM/GC provides existing systems information to designers for accurate final design documents and constructability. This pre-construction information from the contractor also helps in maintaining the approved project schedule and reduces the number of change orders during construction.

Finding. The technical complexity involved in this work requires a contractor who is familiar with maintenance facility projects and who has a record of construction to rigorous tolerances. A low-bid procurement does not evaluate a bidder's technical qualifications. Failure to perform the work in accordance with industry standards would result in cost impacts to LTD. The negotiated procurement allows LTD to evaluate a contractor's technical experience in similar work.

8. Funding Sources

Financing for this project is limited. It is imperative that the project be constructed at the lowest cost.

Finding. A negotiated procurement is a better method than low bid for LTD to achieve the necessary cost control and meet the individual requirements of the project.

9. Unlikely to Encourage Favoritism or Diminish Competition

The steps taken to ensure maximum competition and fair opportunity for this project will include advertisement in *The Daily Journal of Commerce* and *The Register-Guard*, and on the LTD website. Further steps include scheduling a pre-bid conference and site visit, and appointment of an unbiased evaluation committee.

LTD will require a good faith effort in the outreach of subcontracting opportunities to minority, women-owned, and disadvantaged businesses.

Finding. By marketing this opportunity and attempting to notify all known potential respondents, LTD will implement a process that does not encourage favoritism nor diminish competition in this market.

By allowing contractors to discuss their proposed work plan and to submit value engineering proposals, the negotiated procurement process will encourage more contractors to compete for this project than may otherwise occur in a low-bid process.

A negotiated procurement also will allow LTD to identify a prime contractor prior to award of any construction subcontracts so that LTD is able to work with the contractor to maximize opportunities for participation by minority and women-owned businesses. Competition among subcontractors will be increased.

10. Cost Savings

LTD must minimize risks of design changes, construction delays, and claims in order to control the project budget. When the CM/GC participates in the design process, fewer change orders occur during construction that affect the Guaranteed Maximum Price (GMP) because there is a better understanding of the owner's needs and the engineer's design intent. Involving the construction contractor during design is a proven approach for containing costs through more constructable designs and helps to reduce the technical complexity risks. Early selection of the CM/GC creates more informed and better-quality decisions by the construction team, and prevents costly redesign during construction. Cost options for materials, construction sequences, and bid timing can be viewed with greater certainty and knowledge.

Finding. LTD's experience is that low-bid contracting for work of this nature is likely to result in numerous change orders and increased costs through claims. The negotiated procurement process will allow LTD to select a contractor based upon performance competition as well as price competition. It allows selection of a contractor whose proven experience matches the nature of the required work. By selecting the most qualified contractor, LTD minimizes the risk of serious and costly disruption of public transportation and commerce within the city and on impacts to daily traffic.

Finally, by involving the contractor during design, LTD has the capacity to obtain real-time market pricing information. This pricing will facilitate more accurate assessment of design options and maximize opportunities for value engineering.

F. Conclusion: Preferred Contracting Method - CM/GC

CM/GC is the option that best allows for consideration of the critical factors during design and construction. With a general contractor as part of the owner and design team, the likelihood of successful construction implementation is enhanced.

**CRITERIA FOR SELECTION OF CONSTRUCTION CONTRACTING METHOD
BUS RAPID TRANSIT**

KEY CRITERIA	Extremely Important	Very Important	Important	Legal Finding Required
• COST SAVINGS/CONTROL	x			YES
Lowest Bid			x	
Technical Complexity Risks	x			YES
Funding Source Impact on Cost		x		YES
Scope Certainty/Scope Clearly Defined			x	
Must Meet Tight Budget	x			
No Follow-on Delay/Impacts		x		
Shortest Duration to Avoid Market Increases			x	YES
Maximum VE Savings	x			YES
• SPECIAL EXPERTISE REQUIRED	x			YES
Hazardous Materials/Environmental Impacts			x	
Utility Conflicts/Relocation		x		
Permit/Jurisdictional Relationships/Req'ts	x			
Access/Site/ROW Constraints	x			
Engineering/Technology Knowledge			x	
• QUALITY ASSURANCE	x			
Third-Party/Public Approval	x			
Minimal Defective Work	x			
Effective Contractor QC/Minimal Owner QA			x	
Owner Final Design Control	x			
Need for Checks and Balances			x	
Existing System Compatibility	x			
• SCHEDULE				
Contractor Proven Performance	x			
Contractor Work Plan Vital	x			
Duration/Milestone Certainty/Meet Critical Path	x			
Shortest Design-Construct Duration			x	
• SAFETY	x			
Top Notch Program	x			
Attention to Public Safety	x			YES
• COMMUNITY/PUBLIC BENEFITS	x			YES
Utilize DBE			x	
Minimal Disruption to Businesses/Residences	x			
Maintain Access to Properties	x			
Minimal Traffic Flow Impact	x			
Minimal Noise/Vibration	x			
Minimal Utility Disruption	x			
Early Completion			x	

AGENDA ITEM SUMMARY

DATE OF MEETING: February 18, 2009

ITEM TITLE: CONTESTED CASE HEARING PROCEDURE

PREPARED BY: Mark Johnson, Director of Transit Operations

ACTION REQUESTED: Approve Contested Case Hearing Procedure

BACKGROUND: Ordinance 36 mentions a contested case hearing that addresses customers who have been denied transportation on the LTD system. There has never been a process developed that specifically outlines in writing the options for those who are denied ridership privileges and the steps necessary to reinstate those privileges. Staff have developed a process that has worked, but recent issues brought to light a gap in the process. This led staff to take a look at the language in the Ordinance and consult with legal counsel in order to develop a written procedure that can be accessed by those who are denied. The procedure is outlined in the attachment.

ATTACHMENT: Contested Case Hearing Procedure

RESULTS OF RECOMMENDED ACTION: Approval of the resolution adopting the contested case hearing process.

PROPOSED MOTION: I move approval of LTD Resolution No. _____, adopting the Contested Case Hearing Procedure, which provides procedures for reviewing and/or appealing a Notice of Exclusion issued pursuant to LTD Ordinance 36, as outlined in the Resolution.

**LANE TRANSIT DISTRICT
RESOLUTION No. 2009-008**

CONTESTED CASE HEARING PROCEDURE

WHEREAS, the Lane Transit District (LTD) Board of Directors by this resolution desires to provide procedures for reviewing and/or appealing a Notice of Exclusion issued pursuant to LTD Ordinance 36. This Contested Case Hearing Procedure shall only apply to administrative reviews of exclusions and appeals of exclusions issued pursuant to LTD Ordinance 36. Any capitalized term not defined in this resolution shall have the meaning set forth in LTD Ordinance 36.

SECTION I. ADMINISTRATIVE REVIEW OF EXCLUSION.

1) Request for Administrative Review. Any person receiving a Notice of Exclusion may request an administrative review of the exclusion by contacting the Exclusion Review Officer at any time within 10 days of the issuance of the Notice of Exclusion. A person who received a Notice of Exclusion and made timely request for an administrative review of that Notice of Exclusion shall be entitled to an administrative review as set forth herein.

2) Scheduling of Administrative Review. The administrative review will be conducted in person as soon as reasonably practicable to accommodate the schedules of the excluded person and the Exclusion Review Officer. At the election of the Exclusion Review Officer, the administrative review may be conducted by phone. In all cases where an administrative review has been timely requested, the review shall be conducted prior to the appeal hearing, if any.

3) Appointment of Exclusion Review Officer. All administrative reviews shall be conducted by the Exclusion Review Officer. The Exclusion Review Officer shall be the District's Security Manager or such other person as is designated by the General Manager in writing.

4) Purpose of Administrative Review. The purpose of the administrative review is to offer the excluded person an opportunity to have the Notice of Exclusion reviewed in an expeditious and informal process and to determine under what conditions the excluded person would be allowed to resume using the District Transit System. An administrative review is optional and is not a prerequisite to an appeal of a Notice of Exclusion. The validity of an exclusion may only be challenged through an appeal of the Notice of Exclusion and not through an administrative review.

5) Conduct of the Administrative Review.

(a) The excluded person shall appear at the review in person. The excluded person shall represent himself or herself at the review, unless the excluded person is a minor or is otherwise incapable of representing himself or herself due to physical or mental disability or impairment in which case the excluded person may be represented by the excluded person's parent or legally appointed guardian. Any person representing the excluded person shall present reasonable proof of such person's qualification to represent the excluded person to the Exclusion Review Officer.

(b) Upon conclusion of the review, the Exclusion Review Officer shall in his/her discretion either i) uphold the exclusion in accordance with the terms of the Notice of Exclusion; ii) modify the exclusion, or iii) terminate the exclusion.

(c) During the administrative review process, the exclusion shall remain in effect in accordance with the terms of the Notice of Exclusion except as otherwise modified by a variance.

6) Effect of a Failure to Request Administrative Review. If an excluded person fails to request an administrative review as set forth herein, the exclusion shall remain in effect in accordance with the terms of the Notice of Exclusion except as otherwise modified by a variance or appeal.

7) Effect of Failure to Attend an Administrative Review. If an excluded person fails to appear at an administrative review, the review proceeding shall be dismissed and the exclusion shall remain in effect in accordance with the terms of the Notice of Exclusion except as otherwise modified by a variance or appeal.

8) Effect of an Administrative Review on an Appeal. An administrative review shall have no effect on the excluded person's right to appeal the exclusion; provided, however that a decision by the Exclusion Review Officer to terminate an exclusion will result in the automatic dismissal of any appeal. An administrative review does not toll the ten (10) day period to appeal an exclusion as set forth in Section II, Subsection 1 below.

SECTION II. APPEAL OF EXCLUSION.

1) Request for Hearing. Any person receiving a Notice of Exclusion may appeal the exclusion in writing to the District's General Manager or General Manager's designee. Such appeal must be delivered to the District General Manager or General Manager's designee within ten (10) days of receipt of the Notice of Exclusion. A person who received a Notice of Exclusion and made timely written appeal of that Notice of Exclusion to the District General Manager or General Manager's designee shall be entitled to a hearing as set forth herein.

2) Scheduling of Hearing. Upon receipt of a valid appeal, LTD shall schedule a hearing. The hearing shall be scheduled no sooner than five (5) business days and no later than fifteen (15) business days after the receipt of the appeal unless a hearing within the timeframe set forth above is not practicable, in which case a hearing shall be scheduled for as soon as reasonably practicable. Written notice of the hearing shall be given to the excluded person (the "appellant"). The notice shall give the time and location of the hearing and a copy of this resolution.

3) Appointment of the Hearing's Officer. All appeals shall be heard by the Hearing's Officer. The Hearing's Officer shall be the Assistant General Manager of the District or such other person as is designated by the General Manager in writing.

4) Purpose of Hearing. The purpose of the hearing shall be to determine whether or not the exclusion issued pursuant to the Notice of Exclusion is valid. The exclusion shall be found to be valid if:

(a) The conduct which is the basis for issuance of the Notice of Exclusion was conduct for which a person may be excluded pursuant to LTD Ordinance 36, Section 1.20;

(b) It is more probable than not that the excluded individual engaged in the conduct justifying an exclusion under LTD Ordinance 36, Section 1.20;

(c) The Notice of Exclusion was not otherwise prohibited by applicable law.

5) Conduct of the Hearing.

(a) The appellant shall appear at the hearing in person. The appellant may, but is not required to, have legal counsel. If the appellant does not have legal counsel, the appellant shall represent himself or herself at the hearing, unless the appellant is a minor or is otherwise incapable of representing himself or herself due to physical or mental disability or impairment in which case the appellant may be represented by the appellant's parent or legally appointed guardian. Any person representing the appellant shall present reasonable proof of such person's qualification to represent the appellant to the Hearing's Officer.

(b) The appellant shall have the burden of proving that the exclusion is invalid.

(c) Evidence shall be limited to that which goes to prove or disprove the validity of the exclusion. The Hearing's Officer may rely upon any relevant evidence that a reasonable person would rely upon in making an important decision or conducting personal business.

(d) Upon conclusion of the hearing, the Hearing's Officer shall either i) deny the appeal and uphold the exclusion as valid with such modifications, if any, that the Hearing's Officer deems appropriate, or ii) grant the appeal and vacate the exclusion as invalid.

(e) During the appeal process, the exclusion shall remain in effect in accordance with the terms of the Notice of Exclusion except as otherwise modified by a variance or administrative review.

6) Effect of a Failure to Appeal. If an excluded person fails to appeal a Notice of Exclusion as set forth herein, the exclusion shall remain in effect in accordance with the terms of the Notice of Exclusion except as otherwise modified by a variance or administrative review.

7) Effect of Failure to Attend a Hearing. If an excluded person fails to appear at a scheduled hearing, the appeal proceeding shall be dismissed and the Notice of Exclusion shall remain in effect in accordance with the terms of the Notice of Exclusion except as otherwise modified by a variance or administrative review.

8) Affect on Appeal Requested Prior to Adoption of Resolution. If a person has been issued a Notice of Exclusion prior to the adoption of this resolution and has requested an appeal but has not yet had a hearing, that person shall be entitled to a hearing as set forth herein upon adoption of this resolution. For purposes of scheduling a hearing, the appeal shall be deemed received upon adoption of this resolution.

SECTION III. MISCELLANEOUS

1) Request for Variance of Exclusion. 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 pursuant to LTD Ordinance 36, Section 1.20(3).

2) Prorated Refund for Paid Pass. Any person who purchased a pass directly from the District and received a Notice of Exclusion shall be entitled to a prorated refund of the purchase price for the unused portion of the pass by presenting the Notice of Exclusion and surrendering the pass to

the District's customer service office within 10 days of receiving the Notice of Exclusion. No refunds shall be given for tokens, free passes or group passes.

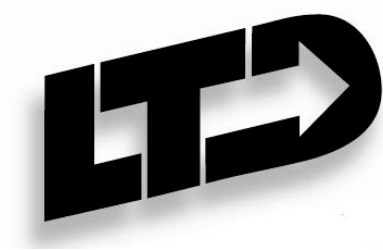
3) Construction. Nothing herein is intended to compromise or waive the right to enforce concurrently, or in the alternative, other remedies available pursuant to LTD Ordinance 36 or the Oregon Criminal Codes.

Effective Date: This resolution shall be effective immediately upon adoption.

Adopted: _____, 2009

Michael Eyster, Board President

Q:\Reference\Board Packet\2009\02\Reg Mtg 02-18-09\Contested Case Procedures (Exclusion Review) clean 020409.doc



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

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MONTHLY DEPARTMENT REPORTS

February 18, 2009

PLANNING AND DEVELOPMENT

Tom Schwetz, Director of Planning and Development

PROJECT DEVELOPMENT

West Eugene EmX Extension (WEEE):

LTD staff are continuously working to refine the designs for each West Eugene EmX Extension alternative based on feedback from local jurisdictions, affected property owners, and the public. After hosting five community design workshops in July and August of 2008 and one workshop held most recently on January 27, LTD is coming closer to achieving a definition of the Range of Alternatives for the Draft Environmental Impact Statement (DEIS). The designs must be “frozen” in order to conduct comparative analyses of the benefits and costs for each alternative. The DEIS will include the full range of alternatives, both proposed and eliminated, and the comments received to date.

In preparing the Alternatives Analysis and Draft Environmental Impact Statement (AA/DEIS), LTD staff are working to inform and respond to questions from the WEEE Corridor Committee members about each of the environmental disciplines addressed in the environmental review process. This will broaden the Committee members’ understanding of the alternatives analysis as they prepare to review and comment on the analysis completed for each alternative in the DEIS. LTD is also preparing a “white paper” to anticipate questions and assist in the Locally Preferred Alternative (LPA) decision-making process.

It will be at least five to eight months before the analysis of alternatives is complete and a DEIS is ready for public review. Following public review of the DEIS; the City Council, the LTD Board of Directors, and the Metropolitan Policy Committee will begin the process of selecting an LPA. Final selection of the LPA is anticipated to occur in late 2009 or early 2010.

Other:

Planning and Development staff met with representatives from Lane County, Oregon Department of Transportation, and the cities of Eugene and Springfield on WEEE-related matters (i.e., West Eugene Collaborative) and future EmX corridor candidates (Main Street, Springfield and River Road, Eugene). Also of interest are efforts to work on Transportation System Plans (TSPs) with the jurisdictions.

COMMUTER SOLUTIONS

Connie B. Williams, Program Manager

Group Pass/ETC Programs:

Staff held a quarterly Employee Transportation Coordinator luncheon at Lane Transit District on January 21. There were 15 employers and 3 partner agencies represented, and three guests also attended.

Carpool/Vanpool/Emergency Ride Home Program (ERH):

Four commuters were added to the Rideshare database in January. A total of 666 commuters are registered in the database.

Park & Ride:

The Park & Ride lease with the Lane County Fairgrounds has been discontinued. Usage of this location has been significantly reduced since the majority of PeaceHealth employees relocated to RiverBend. A new Park & Ride location has been established in the east parking lot at the Eugene Faith Center just west of the Fairgrounds. There are 16 parking spaces available at this location and Park & Ride signs have been installed. The Park & Ride signs at the Fairgrounds have been removed, and windshield flyers will be placed on the vehicles to let users know of the new Park & Ride location at the Faith Center.

Smart Ways to School and Student Transit Pass Program:

In order to gauge the effectiveness of the SchoolPool carpool match service, a survey is being conducted of parents who have used the free service. Results should be available next month.

Lisa VanWinkle chaired the Oregon Safe Routes to School Advisory Committee to help guide the grant application process for the remaining infrastructure and non-infrastructure funds, which totals approximately \$2.9 million. The application deadline is planned for late May 2009.

Lisa attended the Facility Policy Summit organized by the Innovation Partnership in Oregon. Several school administrators in attendance commented that decisions regarding school location are essential to supporting safe routes to school and the capacity for more students to walk or bike to school. Nonetheless, the cost of land procurement and the administrative overhead of neighborhood schools can lead school districts to develop larger schools on the outskirts of their communities.

Education and Outreach:

Commuter Solutions staffed a booth at Lane County's Good Earth Home, Garden, and Living Show on January 23-25 and had a booth at EWEB's Annual Benefit Fair on January 29.

CAPITAL PROJECTS

Charlie Simmons, Facilities Services Manager

Gateway EmX Extension:

Bids closed on January 30 for the International Way segment of Gateway EmX. The low bid submitted by Wildish Construction Company is \$1,410,039, which is below the construction cost estimate.

The City of Springfield has provided final comments on construction drawings, and the design team is working to incorporate those revisions and submit plans for a public improvement permit. Staff are working with Wildish Building Company and are very close to signing a contract for \$19,300,000 (guaranteed maximum price).

Gateway Station:

The covered walkway from the station platform to the mall entrance is nearly complete. The steel structure, platform area concrete, and remaining traffic signal work will be the focus of

Brown Construction Company for the next several weeks. The facility should be operating by late May 2009.

SERVICE PLANNING, ACCESSIBILITY, AND MARKETING

Andy Vobora, Director of Service Planning, Accessibility, and Marketing

Service:

Meetings were conducted with both the Service Advisory Committee and the Board Service Committee. The discussions focused on how service additions would be prioritized. The groups agreed on the items that would be of the highest priority should the District be in a position to add service hours back into the service redesign package. All decisions concerning adding back service must be made by the end of March in order for staff to complete their work on schedule for fall bid.

Staff continue to develop the materials needed to create the redesigned service package. This includes determining bus stop and facilities changes, creating route names and numbers, and developing timetable headway sheets that ultimately become the public timetables.

Marketing staff are developing an information and education plan for the launch of the EmX fare machines this summer. The implementation process will culminate with fare enforcement, which will begin with the implementation of the fall bid on September 6, 2009.

The development of purchased service continues with the Associated Students of the University of Oregon. It appears that the University may purchase up to \$600,000 of service for the 2009-10 school year. Finalizing this agreement rests with the University's ability to gain approval for its new fee structure. The State Board of Higher Education should be making a decision in the near future.

Media:

This past month's media articles included coverage of the naming of the Rosa Parks Plaza and the unveiling of the Rosa Parks statue, a piece on fare evasion, coverage of a RideSource vehicle accident, the award of a pilot vehicle guidance demonstration grant, a misreported Wi-Fi on the bus project, coverage of a West Eugene EmX open house, and a story highlighting the Gallery on the Bus project. LTD also was noted in a couple of *Statesman Journal* articles regarding the cuts in service at Salem-Keizer Transit (Cherriots).

Work is underway to highlight the selection of LTD's co-employees of the year. Plans include bus ads that will feature a photo of the two recipients, information on the LTD webpage and Facebook, and internal communication pieces recognizing their outstanding work.

Outreach:

A great deal of public outreach was done during this past month. Mark Pangborn and Andy Vobora met with the mayor and city manager of Veneta to discuss transportation projects, and specifically, the Veneta Park & Ride project. Andy met with both the Fern Ridge and Creswell Chamber of Commerce Boards to review the governor's budget proposal. Mark and Board President Mike Eyster met with the Airport Rotary Club. Mike and Andy presented to the League of Women Voters. Mark, and Andy, along with Board Members Doris Towery and Greg Evans, met with *Springfield Times* Editor Craig Murphy. Mark attended the Eugene Chamber of Commerce LGAC meeting to discuss LTD's budget situation.

An advocacy piece was finalized in the form of a pamphlet for discussion with state legislators. The piece features local leaders providing statements in support of public transportation. The piece will be distributed by Chris Shultz of the Ulum Group during his work in Salem. If Board members would like copies of the pamphlet, extra copies are available.

LTD added a Facebook presence to broaden the communication channels currently in use. LTD currently has 155 “fans” and hopes to add more as the page becomes better known. In the near future, an “Ask LTD” section will be added to present information on topics of interest provided by LTD’s fans. The Marketing Department also is actively using the online e-newsletters it has developed this past year. The general service e-newsletter currently has over 600 stakeholders and other interested persons in its database.

District staff greeted the public at the Good Earth Home, Garden, and Living Show on January 23–25. Staff had many opportunities to answer questions about District activities and the coming service changes. The booth featured both LTD and Commuter Solutions services.

Advertising Revenues:

LTD was excited to receive a revenue-sharing payment from Lamar Advertising, and staff are pursuing additional advertising opportunities in order to offset costs and potentially generate new revenue. Discussions include advertising in the *Rider’s Digest*, on fare media, and in station display cases. Staff believe that these opportunities may appeal to current bus advertisers and potentially new advertisers who previously haven’t considered transit. Implementation will occur throughout 2009.

ACCESSIBLE SERVICES

Terry Parker, Accessible Services Manager

Accessible Services staff continue to focus primarily on the ODOT Discretionary Grant process. The Grant Review Committee is meeting weekly to rank project proposals and allocate funding. Recommendations for funding will be forwarded to the Accessible Transportation Advisory Committee and the LTD Board in February. On January 16 an ADA paratransit eligibility workshop was held at LTD with the senior connections staff from Senior and Disabled Services and staff from Alternative Work Concepts as part of the Mobility Management Program. All transportation eligibility assessment responsibility is being transferred to Senior and Disabled Services, and Alternative Work Concepts will assist as needed.

TRANSIT OPERATIONS

Mark Johnson, Director of Transit Operations

Late Night 79X Bus Service:

The late night 79X began service last month and has been unofficially dubbed “the party bus” by the UO students that use it. The service is purchased by the Associated Students of the University of Oregon (ASUO) and has seen steady ridership. The service runs until 2:00 a.m. and serves the main campus and the University Commons. LTD security staff have been in contact with UO Public Safety to ensure that they meet the bus each trip. LTD will evaluate the need to add additional security staff if behaviors get out of hand.

Customer Service Center Hours Change:

Effective February 9 the hours changed at the Customer Service Center (CSC). The CSC is now open from 7:00 a.m. until 8:00 p.m., Monday through Friday. There are no sales or counter service on Saturday or Sunday; however, the lobby will be open from 9:00 a.m. until 5:00 p.m. for access to the restrooms.

MAINTENANCE

George Trauger, Director of Maintenance

New Flyer Pre-Production Meeting:

New Flyer and LTD representatives met on February 10-11 to review and resolve some of the outstanding issues of the upcoming SR1283 BRT bus purchase. Projected arrival of the pilot bus is expected sometime in June, while the remaining four buses will arrive later in the year. All of this will be confirmed after the pre-production meeting.

Training:

Two maintenance supervisors will attend a one-day employee management training on February 26.

The long-awaited training on the axel and joint components for the 60-ft. buses will take place on April 13-16. Maintenance staffs' goal is to put as many mechanics as possible through the extensive four-day training. On New Flyer's recommendation, LTD purchased and received all tooling needed for this training.

Two journeyman mechanics will attend a four-day electrical training at Lane Community College on March 9-12.

For the second year in a row, LTD's lead instructor participated in the local Youth Fair on February 10.

Lift Safety Override Prototype:

Maintenance is in the process of developing a prototype lift lockout switch that would enhance the safety functions on the lifts of all high-floor buses (100s, 900s). Only a supervisor or mechanic will be able to operate the override mechanism. Once the mechanism is developed and in place, it will help eliminate accidentally leaving the override switch on and should diminish passenger injuries resulting from the override switch being left on.

**FINANCE AND INFORMATION
TECHNOLOGY**

Diane Hellekson, Director of Finance and Information Technology

FINANCE

Todd Lipkin, Financial Services Manager

Budget Preparation:

Budget documents were created within the Finance system for department managers to input Materials and Services expense estimates for the current year and department requests for next year. Reductions in Materials and Services identified at the Leadership Council Strategic Work Session will be reflected in these numbers.

Payroll Processing:

Three hundred fifty-four (354) W-2 forms were printed and distributed to employees.

Ninety-two (92) payroll checks and 911 payroll direct deposits totaling \$1,216,417 were made in January (three pay dates).

Accounts Payable:

Forty-four (44) Vendor 1099-Misc forms were created and mailed to vendors.

Two hundred seventy-one (271) vendor paper and electronic checks totaling \$2,481,447 were processed during the month of January.

Accounts Receivable:

Fourteen (14) cash fare deposits totaling \$174,568 were processed in January.

Zach Fish, a former Customer Service Center representative, was hired to replace Rebecca Hay as the Accounts Receivable Accounting Technician. Rebecca took over the purchasing assistant functions vacated by Tracy Davis's departure.

ACCOUNTING/INTERNAL AUDIT

Carol James, Chief Accountant/Internal Auditor

Accounting:

December Board Reports were completed. Several staff discussions were held relating to accounting treatments for receivables from the RideSource Call Center. Progress is being made.

Internal Audit:

Staff continued review of information from the State Department of Revenue (DOR) relating to payroll taxes. Several different methodologies for reviewing the information were previewed. Staff settled on review of businesses that made payments in 2007 but not 2008. Approximately 50 such businesses were reviewed. A February meeting with DOR representatives was established for responding to questions raised from these reviews.

PURCHASING

Jeanette Bailor, Purchasing Manager

The construction bids for International Way were received on January 30. There were 11 bidders (all from Oregon), and Wildish Construction Company was the lowest responsive bidder. The contract documents are being completed in collaboration with Lane County staff and are expected to be signed soon.

Staff are recommending using the construction manager/general contractor method of project delivery for the fleet maintenance building expansion/remodel project and have prepared an item in this packet for Board review.

A request for proposals is being prepared for art for the Gateway EmX Extension project; requests for bids for the printing of monthly passes will be going out soon; and proposals were received, and a contract is being prepared, for a cost allocation model consultant.

HUMAN RESOURCES AND RISK MANAGEMENT

Mary Adams, Director of Human Resources and Risk Management

Selection and Hiring:

Customer Service Representative Zach Fish was selected to replace Accounting Technician Rebecca Hay, who laterally transferred into an Accounting Technician position vacated when Tracy Davis resigned. The Customer Service Representative position will not be filled at this time.

Health Care:

The Health for Life Committee met on February 13 to plan its 2009 work agenda. The committee chose heart-related diseases as a primary focus for 2009, and will offer programs that will help employees and dependents stop smoking, reduce their blood pressure, and reduce their cholesterol.

Safety:

The Employee Safety Committee will attend the Governor's Occupational Safety and Health Conference on March 9-12 at the Oregon Convention Center in Portland. This state-wide educational event offers dozens of sessions on a wide range of safety topics, as well as day-long certification programs. The committee recommended, and the Leadership Council approved, a comprehensive program for creating an improved safety culture through behavioral trainings offered by Dale Knight, SAIF's loss control expert. Mr. Knight's trainings and consulting services are offered free to SAIF clients. Other SAIF clients who have adopted this approach to safety have reduced their incident rates by 54 percent.

Other:

LTD's annual Employee Celebration event was held at Springfield High School on January 18. More than 120 employees and guests enjoyed an evening of camaraderie, desserts, and recognition. Bus Operator Dirk Beaulieu and Lead Instructor Perry Crawford were selected as co-Employees of the Year for 2008. Both were honored in a formal presentation, as were all of the 2008 Employees of the Months.

AGENDA ITEM SUMMARY

DATE OF MEETING: February 18, 2009

ITEM TITLE: PUBLIC TRANSIT DIVISION DISCRETIONARY GRANT
APPLICATIONS FOR 2009 – 2011 BIENNIUM

PREPARED BY: Terry Parker, Accessible Services Manager

ACTION REQUESTED: (1) Hold a public hearing on grant applications
(2) Approve grant applications

BACKGROUND: The Oregon Department of Transportation (ODOT) Public Transit Division administers a grant program that combines several sources of federal and state funds. There is approximately \$15 million for distribution statewide, with nearly \$1.3 million designated for Lane County for transportation projects that benefit older adults and people with disabilities.

LTD, as the STF (Special Transportation Fund) Agency for Lane County, is required to review, rank, and agree to accept funding for local projects that potentially will be funded with money from this program. LTD serves as the coordinator for all discretionary project applications within Lane County. LTD will be submitting a consolidated application that reflects priorities established in the Lane Public Transit-Human Services Coordinated Plan (Lane Coordinated Plan) and program requirements.

The Lane Coordinated Plan 2009 Update, approved by the Board in January 2008, outlines these funding priorities for Lane County projects, which were used to rank project proposals.

First Priority: Maintain existing service levels of viable operations – Ensure transportation services and connections remain at their current level for people who depend on public transportation services in Lane County.

This supports existing transportation providers' projects that:

- Have shown to be effective in meeting community transportation needs
- Require on-going capital and operating assistance to maintain current level of service
- Continue to demonstrate effective transportation operations within Lane County's coordinated network

Second Priority: Respond to growth within existing services – Allow for measured increases where demand points to an unmet need within the current limits of the service.

This supports existing providers' projects that:

- Require capital and operating assistance to meet growing demand for service within present boundaries
- Are able to improve efficiency and functionality by building on existing infrastructure

This supports potential new providers or services by:

- Allowing for growth but not automatically extending new service without a careful evaluation of transportation needs in different locations or by other providers

Third Priority: Respond to emerging community needs – Take action on opportunities to coordinate and expand service by developing new partnerships and reacting to newly identified transportation needs and gaps.

This supports projects that:

- Are under development and bring new resources
- Address identified transportation needs and gaps and/or focus on an underserved group of individuals
- Improve efficiency and effectiveness of the overall system
- Provide an added benefit to the transportation services network and riders
- Are innovative in their approach in reaching out to new riders or geographic areas

A Notice of Fund Availability was placed in the legal section of the Eugene *Register-Guard* on November 11, 2008, a public workshop was held on November 12, 2008, project proposal application forms for Lane County projects were widely distributed, and completed applications were accepted at LTD until Friday, January 9, 2009. A local Grant Review Committee, made up of members of the Accessible Transportation Advisory Committee and staff from Lane Council of Governments (the local Metropolitan Planning Organization) reviewed and ranked 13 project proposals that were submitted under the Older Adults and People with Disabilities section of the grant program. In addition, the committee reviewed two projects, one each under the Job Access Reverse Commute (JARC) and New Freedom programs.

The attached list outlines the proposed ranking and funding allocations that the Grant Review Committee is submitting for consideration to the Accessible Transportation Advisory Committee (ATC).

Please note that the ATC will be reviewing this same recommendation on Tuesday, February 17, 2009, just one day before the LTD Board meeting. If there are any modifications to the grant proposal, LTD staff will provide a written and verbal update at the Board meeting.

ATTACHMENT: Proposed Lane County Public Transit Division Discretionary Grant projects for 2009-2011 Biennium

PROPOSED MOTION: I move approval of the following resolution:

LTD Resolution No. 2009-006: It is hereby resolved that the LTD Board of Directors approves the LTD Public Transit Discretionary Consolidated Grant Application for Fiscal Year 2009 through Fiscal Year 2011 and authorizes the general manager to submit applications to the Oregon Department of Transportation Public Transit Division.

AGENDA ITEM SUMMARY

DATE OF MEETING: February 18, 2009

ITEM TITLE: MARCH 2009 EMPLOYEE OF THE MONTH

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

BACKGROUND: **March 2009 Employee of the Month:** Bus Operator Richard Tinkey was selected as the March 2009 Employee of the Month. Richard was hired as a bus operator in October 2004, received the General Manager's Award in 2006, and received his third Safe Driving Award in January 2009. Richard was nominated for this award by a regular rider who expressed appreciation for Richard's consistent service, calling the bus operator a "credit to the organization" for keeping the bus on schedule.

When asked to comment on Richard's selection as Employee of the Month, Transit Operations Supervisor Dave Thulstrup said:

Since joining LTD in 2004, Richard has been very close to receiving the Employee of the Month award many times. He was recently recognized by his peers with a Monthly Value Award for his professional appearance and image.

Richard has always had LTD's customers' best interests at heart. His ability to maintain friendly relations with his passengers while providing quality service in dealing with stressful situations is his trademark. He is one of those people who goes above and beyond every day to ensure customer satisfaction. Riders are often heard commenting about his professional attitude and willingness to help.

Richard has earned the respect of his peers and is an excellent choice for Lane Transit District's March Employee of the Month.

Congratulations to Richard on being selected as the March 2009 Employee of the Month!

AWARD: Richard will attend the February 18, 2009, meeting to be introduced to the Board and receive his award.

Peer Group Fare Comparison

	Adult Cash Fare	Token or Multi-Ride Card/Tickets		Daily Pass	Adult Monthly Pass	Adult Multi-Month Pass
Reno, Nevada	\$2.00	\$1.70	(10 ride book)	\$5.00	\$70.00	n/a
Bellingham, Washington	\$1.50	\$1.50		n/a	\$54.00	\$594 - annual
Colorado Springs, Colorado	\$1.50	\$1.36		n/a	\$54.00	n/a
Livermore, California	\$1.75	\$1.40		n/a	\$53.00	n/a
Santa Cruz, California	\$1.50	\$1.47		\$4.50	\$50.00	n/a
Vancouver, Washington	\$1.30	\$1.30		\$3.00	\$45.00	n/a
Lane Transit District	\$1.50	\$1.10		\$3.00	\$45.00	\$122 - 3-month
Ann Arbor, Michigan	\$1.00	\$1.00		n/a	\$37.50	n/a
Salem, Oregon	\$1.25	\$1.14	(20 ride book)	\$2.50	\$35.00	\$420 - annual
Bakersfield, California	\$0.90	\$0.90		\$2.25	\$30.00	n/a
Fort Collins, Colorado	\$1.25	\$0.90		n/a	\$25.00	n/a
Olympia, Washington	\$0.75	---		---	\$25.00	n/a
Median	\$1.40	---		---	\$45.00	
Average	\$1.35	---		---	\$43.63	
Tri-Met	\$2.00*	\$2.00		\$4.75	\$86.00	\$825 - annual

Data collected through transit district Web site information. Updated 1/09.

* Zone system

Averages do not include Tri-Met

AGENDA ITEM SUMMARY

- DATE OF MEETING:** February 18, 2009
- ITEM TITLE:** ITEMS FOR ACTION/INFORMATION AT A FUTURE MEETING
- PREPARED BY:** Jeanne Schapper, Administrative Services Manager/Clerk of the Board
- ACTION REQUESTED:** None
- BACKGROUND:** The action or information items listed below will be included on the agenda for future Board meetings:
- A. **Budget Discussion:** The March 2 special meeting/work session will be a discussion of the latest revenue and expense information in order for the Board to provide direction for development of the Fiscal Year 2009-10 budget.
 - B. **RideSource Call Center Brokerage:** – Accessible Services staff will present an update to the Board of the first eight months of Call Center operations at the March 25 special Board meeting.
 - C. **First Reading Amended Fare Ordinance:** The first reading of Seventeenth Amended Ordinance No. 35 is scheduled for March 25.
 - D. **Revised Capital Improvements Program Adoption:** Approval of the FY 2008-09 Capital Improvements Program will be on the agenda for the March 25 special Board meeting.
 - E. **Revised Long-Range Financial Plan Adoption:** Approval of the FY 2008-09 Long-Range Financial Plan will be requested at the March 25 special Board meeting.
 - F. **Commuter Solutions Annual Report:** The annual Commuter Solutions report to the Board will be on the March 25 special Board meeting agenda.
 - G. **Pension Plan Update:** Plan updates will be provided during the work session at the March 25 special Board meeting.
 - H. **LTD Rebranding:** LTD began a rebranding process five years ago and has worked to implement the brand plan over this time period. Staff will review current activities and next steps during the March 25 work session.
 - I. **Legislative Bill Updates:** The Board will be provided regular updates during the 2009 legislative session.
 - J. **Annual Performance Report:** Staff will prepare a performance report for FY 2008-09 for presentation to the Board in Summer 2009.

- K. **West Eugene EmX Extension (WEEE) Update:** Periodic updates on the progress of the design and construction of the WEEE project will be provided to the Board throughout the project.
- L. **Gateway EmX Extension Construction Updates:** Periodic updates on the progress of the design and construction of the Gateway EmX Extension will be provided to the Board throughout the project.
- M. **LTD Sustainability Plan:** The LTD Board has adopted a sustainability policy. The Board will review a plan outlining LTD's role in advancing the social, economic, and environmental sustainability of the Eugene-Springfield metropolitan area at a future meeting.
- N. **Park & Ride Program:** Issues regarding LTD's Park & Ride facilities will be discussed with the Board's Service Committee and then brought to the full Board for discussion at a future meeting.

AGENDA ITEM SUMMARY

DATE OF MEETING: February 18, 2009

ITEM TITLE: LEGISLATIVE UPDATE

PREPARED BY: Stefano Viggiano, Assistant General Manager

ACTION REQUESTED: None. Information only.

BACKGROUND: The 2009 Oregon State Legislative Session began January 12, 2009. As noted in the briefing to the Board last month, LTD has three high priority revenue items before the Legislature:

- **Elderly and Disabled Transportation Funding:** At this point, there are three bills that include additional tobacco tax to fund E&D transportation. The Governor's Tobacco Tax (HB 2122); a House Revenue option (HB 2075); and Representative Beyer's bill (HB 2379). We are tracking all three bills, and supporting most strongly Representative Beyer's bill, which proposes an increase of 7 cents per pack. There have been no hearings on these bills to date.
- **West Eugene EmX Funding:** HB 2396 was originally sponsored by Representatives Holvey and Edwards, but they have now been joined by the other members of the local delegation. There has been no hearing on this bill to date.
- **Payroll Tax Acceleration/Increase:** The Governor's Jobs and Transportation Act (HB 2120) proposes that the payroll tax increase to .007 that is currently phased in over a period of years be allowed to jump to the .007 limit (this element referred to the payroll tax "acceleration"). The bill also includes a potential increase in the payroll tax to .008, with that increase being phased in over a 10-year period. There have been no hearings on this bill to date.

ATTACHMENT: None

PROPOSED MOTION: None

MINUTES OF DIRECTORS MEETING

LANE TRANSIT DISTRICT

REGULAR BOARD MEETING

Wednesday, November 19, 2008

Pursuant to notice given to *The Register-Guard* for publication on November 13, 2008, and distributed to persons on the mailing list of the District, the Board of Directors of the Lane Transit District held a regular Board meeting on Wednesday, November 19, 2008, beginning at 5:30 p.m., in the LTD Board Room, 3500 East 17th Avenue, Eugene, Oregon.

Present: Mike Eyster, President
Greg Evans, Vice President
Michael Dubick
Dean Kortge
Ed Necker
Doris Towery
Mark Pangborn, General Manager
Jeanne Schapper, Clerk of the Board

Absent: Gerry Gaydos

CALL TO ORDER/ROLL CALL – Mr. Eyster called the meeting to order at 5:32 p.m. and called the roll.

PRELIMINARY REMARKS BY BOARD PRESIDENT – Mr. Eyster thanked the Board and staff for their recent work on the proposed service reductions. He recognized that the nature of the service reductions was unfortunate and felt that the Board and staff had done a remarkable job in making the cuts as painless as possible.

ANNOUNCEMENTS AND ADDITIONS TO AGENDA – Mr. Eyster noted no announcements or additions to the Board meeting agenda.

BOARD CALENDARS – Mr. Pangborn noted an upcoming LTD strategic planning session on December 5, 2008, at 8:00 a.m. at PacificSource headquarters and also noted that LTD administrative offices would be closed on December 26 and January 2.

WORK SESSION

A. West Eugene EmX Extension Project Update

Planning and Development Director Tom Schwetz gave an update on the West Eugene EmX Extension (WEEE) project, noting the recent successful completion of an October 20, 2008, open house regarding the project.

Mr. Schwetz commented on the recent collaborations between LTD and the Federal Transit Administration (FTA) in the review of analyses related to the WEEE. He directed the Board to a

list of Environmental Disciplines listed in the agenda item summary describing elements related to the collaborations.

Mr. Schwetz noted that the WEEE Corridor Committee would be meeting to discuss the LTD/FTA analyses in greater detail and subsequently draft an environmental impact statement for the Board by June 2009.

Mr. Schwetz directed the Board to the Public Involvement and Agency Coordination Strategy – Alternatives Analysis//Draft Environmental Impact Statement (AA/DEIS) phase statement from the AIS and explained the elements therein for the benefit of the LTD Board.

Board member Doris Towery arrived at 5:40 p.m.

Responding to a question from Mr. Necker, Mr. Schwetz explained the functions of the Project Management Group (PMG) related to the WEEE, noting that the PMG was made up of representatives of the City of Eugene, the Lane Council of Governments (LCOG), and LTD.

B. Accessible Services Fall Training

Accessible Services Manager Terry Parker reported on the recent LTD Fall Training efforts for the benefit of the Board. Ms. Parker added that the training efforts had been received very favorably by the participants involved.

Ms. Parker displayed video presentations from the Fall Training sessions titled “What It Takes” and “Just Like You,” which highlighted recent LTD accessibility efforts.

Mr. Pangborn commented that the video materials had been displayed at a recent conference for the Oregon Transit Association and had received extremely positive feedback.

C. 2009 Service Reduction Package

Service Planning, Accessibility, and Marketing Director Andy Vobora reported on the various elements of the LTD 2009 Service Reduction Package.

Mr. Vobora proceeded to brief the Board on the service reduction options for LTD express routes, which he noted had been determined after the conclusion of LTD public hearings conducted in October and earlier in November. He noted that the options before the Board included the elimination of express routes, a reduced express route package, and a reduced route package that made use of premium fares.

Mr. Vobora noted that premium fares for express service were not unusual in larger public transit systems and that such an initiative might work well for LTD as a pilot program that could generate as much as \$61,000 annually.

Mr. Vobora, responding to a question from Mr. Kortge, commented that the service reduction options being discussed as part of his presentation pertained only to express routes.

Mr. Kortge commented that implementation of an express route premium fare would cost approximately \$14,000 per year according to current ridership figures.

Mr. Evans asked if a premium fare express route option could make use of additional stickers, as opposed to an additional cash fare for LTD pass holders, in order to make use of express routes. Mr. Vobora answered that such an option would be feasible.

Mr. Pangborn commented that he had only heard from a fraction of express route riders that they would be willing to pay a premium fare for the service. He noted that it would be better to test out a premium fare for express routes as a pilot program rather than as a fully adopted policy.

Mr. Necker felt that an express fare sticker would not generate as much revenue as a cash fare for premium fare express routes.

Mr. Vobora and Service Planning Manager Will Mueller noted that a recent survey of group pass organizations had indicated that more riders used the express routes to go to work early in the day than they did to go home in the evening.

Mr. Mueller commented that it might be worthwhile to conduct a pilot program for premium fares for about two months and then return to the Board with the results of the pilot program at its April Board meeting to determine if the program should be expanded or revised.

Mr. Necker added that implementing a premium fare pilot program for express routes in February would provide ample time to determine if premium fares were indeed a good idea. Mr. Mueller agreed with Mr. Necker's comment.

Ms. Towery asked if the second public hearing session had indicated strong support for premium fare express routes. Mr. Evans believed that it had and expressed his support for a premium fare pilot program.

Mr. Kortge said that LTD should be cautious with any premium fare pilot program they chose to implement. Mr. Kortge said that he was nervous that the 14.5 percent service reduction target might not be sufficient to address LTD's budgetary concerns and was worried that they might have to make more cuts in the near future. Mr. Vobora responded that implementing service reduction options in February of 2009 would give the District time to determine whether or not the service reductions were sufficient. Mr. Evans concurred with Mr. Vobora's assessment.

Mr. Pangborn noted that the original premise in cutting or curtailing express route service was that there would still be alternative transit routes for people living in the express route areas.

Mr. Kortge noted that he had heard comments from express route users that indicated they might not have alternative route options should their usual express routes be cut.

Mr. Dubick offered that the reason express routes were being considered for service reductions was that their productivity had been statistically low in relation to the costs necessary to provide them. He noted that instituting a premium fare for express routes could make the routes more cost-effective should a pilot program prove successful.

Mr. Vobora stated that instituting a premium fare for express routes might encourage LTD riders to use other regular bus routes rather than the express buses.

Mr. Evans inquired about a premium fare pilot program. Mr. Vobora responded that should a premium fare pilot program prove successful for only certain express routes, then most likely the other express routes that did not succeed with a premium fare might be eliminated.

Mr. Kortge asked how they would determine if a premium fare express route pilot program had been successful. Mr. Necker added that one measure of a pilot program's success would be how much ridership versus automobile usage had increased.

In response to a comment from Mr. Necker, Mr. Vobora noted that LTD would be re-aligning the No. 12 bus route to help cover areas of Springfield that might be affected by the Gateway EmX Extension.

Mr. Vobora added that the proposed service revisions to the No. 43 bus route in the Highway 99 sector were dependent upon the City of Eugene constructing a sidewalk along the roadway at the intersection of Roosevelt and Danebo. He also noted that revisions to the No. 43 route had been suggested by community members in order to provide greater coverage in the area.

Mr. Evans added that the routes and connections within the Highway 99 sector were critical to the community. He noted that Eugene City Council member Jennifer Solomon had been particularly interested in LTD's plans for that area.

Mr. Vobora, in response to a question from Mr. Dubick, noted that the No. 44 connector bus route would not be used if the public's suggestions for the sector were implemented.

Mr. Pangborn added that the revisions to the Highway 99 sector were such that they would allow LTD to make further cuts in other sectors if they become necessary.

Mr. Evans asked for further information on premium fares. Mr. Vobora answered that it might be prohibitively difficult to offer premium fares for regular bus routes in the manner that was being suggested for express bus routes. Mr. Mueller added that any premium fares offered on regular bus routes would need to be substantially higher than those offered on express routes in order to make them cost-effective.

Mr. Pangborn commented that it would be exceedingly complicated to make premium fares available for regular routes in the same manner as was being proposed for express routes.

EMPLOYEE OF THE MONTH

IT Manager Steve Parrott introduced Gabe McGinnis as the LTD December 2008 Employee of the Month and noted his exemplary efforts and achievements on behalf of LTD since he came to the District in August 2007. Mr. Parrott commented that Mr. McGinnis had been hired in an effort to provide a more personal touch with regard to the information technology concerns of LTD. Mr. Parrott expressed the Mr. McGinnis served as a positive example of what LTD could look for in its next generation of employees.

Mr. McGinnis accepted the award and thanked the Board members for their comments and support.

AUDIENCE PARTICIPATION

Jozef Siekiel-Zdzienicki, 1025 Taylor Street, Eugene, distributed documents to the Board from an October 1, 2008, West Eugene Collaborative (WEC) outreach workshop that reflected plans for the areas of West Eugene along 11th and 7th avenues. He noted that he had asked at the workshop why there was no BRT bus planned for the area, and asked Mr. Gaydos and Mr. Schwetz for an explanation.

Mr. Eyster responded that no final decisions had been made with respect to the WEC.

Mr. Schwetz noted that the WEC had been focusing its efforts on a multi-way boulevard concept along West 11th Avenue from Garfield to Bailey Hill Road that would incorporate a bus rapid transit system.

Mr. Siekiel-Zdzienicki stated his opinion that the WEC had been fairly disorganized and not particularly forthcoming regarding its planning process. Mr. Schwetz noted that the WEC was an autonomous group that did not necessarily have the resources to conduct any type of quantitative analysis that might provide for greater disclosure.

Mr. Siekiel-Zdzienicki, in response to a request for clarification from Mr. Kortge, noted that it was neither Mr. Gaydos nor Mr. Schwetz who had indicated any LTD plans for West 11th Avenue.

ITEMS FOR ACTION

- A. Consent Calendar** – The Consent Calendar consisted of minutes of the September 17, 2008, regular Board meeting.

MOTION Mr. Kortge moved adoption of LTD Resolution 2008-037: It is hereby resolved that the Consent Calendar for November 19, 2008, is approved as presented. Mr. Dubick provided the second.

VOTE The Consent Calendar was approved as follows:
 AYES: Towery, Dubick, Kortge, Evans, Necker, Eyster (6)
 NAYS: None
 ABSTENTIONS: None
 EXCUSED: None

B. 2009 Service Reduction Package

Mr. Vobora presented a slide demonstrating the Title VI Analysis of the proposed service reduction package, noting that the analysis had been performed with the assistance of LCOG and which examined the potential impacts of LTD service reduction on minority, low income, and senior citizen populations in the area.

Mr. Vobora commented that the analysis indicated current LTD overall community coverage at between 72 percent and 78 percent.

Mr. Necker asked if 72 percent was an acceptable coverage figure. Mr. Vobora responded that LTD had no current coverage standards with which to measure the analysis results against.

Mr. Vobora directed the Board to the 2008 LTD Service Redesign Outreach Plan summary provided in the Board packet materials.

Mr. Eyster asked if the proposed motion as listed in the agenda item summary included the express route service reductions previously discussed. Mr. Vobora answered that staff would be looking to the Board for specific direction if that were to be the case.

Mr. Eyster thanked Mr. Vobora for his efforts with regard to the proposed service reductions.

Mr. Necker believed that providing premium fares for certain express routes was a good idea, particularly if such a plan was enacted through a carefully overseen pilot program.

Ms. Towery was concerned that it was still uncertain as to whether or not the 14.5 percent targeted service reductions would be sufficient to address LTD's budgetary concerns, particularly in light of rising unemployment rates in the area.

Mr. Dubick agreed with Ms. Towery's concerns and further noted that both the LTD Board and staff had been attempting to address the public's concerns about the service reductions as much as possible.

Mr. Evans noted that it would be important for LTD to communicate effectively and honestly with the community as part of its public outreach efforts surrounding the service reductions in order to maintain the integrity of the LTD system itself.

Mr. Kortge said that he had read the report from Finance & Information Technology Director Diane Hellekson and felt that it falsely assumed a growth in payroll tax revenue for LTD. He indicated that he would be voting against the motion. He shared Ms. Towery and Mr. Dubick's concerns that the targeted service reductions might not be sufficient.

Ms. Towery expressed that the public outreach efforts surrounding the service reductions had been very favorable and felt that the public's concerns had been addressed as best as possible. She questioned if it would be advisable to delay the service reduction process for much longer in light of a potentially worsening economic climate.

Mr. Eyster asked Ms. Hellekson to give a brief overview of her report regarding the financial outlook for LTD. Ms. Hellekson replied that she was quite concerned about the ongoing economic recession and how it would adversely affect unemployment rates and pension benefits portfolios. She further noted that the \$2.5 million savings provided by the proposed service reductions would not be enough to offset a payroll tax revenue shortfall that potentially could be as much as \$4 million. She added that the budget crisis currently faced by LTD was much worse than a similar crisis the District faced in 2001/2002.

Mr. Eyster asked the Board members to indicate their respective opinions as to the option of making a premium fare available on certain express routes. Mr. Evans, Mr. Dubick, and Mr. Necker indicated their support of the option, while Mr. Kortge, Ms. Towery and Mr. Eyster indicated their opposition.

Mr. Vobora and Mr. Eyster noted that the previously mentioned adjustments to the No. 43 bus route would need to be amended into the motion before the Board made its decision regarding the service reduction package.

MOTION Mr. Kortge moved adoption of LTD Resolution 2008-038: Be it resolved that the LTD Board of Directors hereby adopts the 2009 Service Reduction Package, including the revision of Route No. 43 as presented. Ms. Towery provided the second.

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

C. Public Hearing, Federal Transit Administration Grant Applications

Ms. Hellekson provided an overview of the Federal Transit Administration (FTA) grant application and subsequent public hearing process.

Mr. Dubick asked if the funds awarded through the 5307 FTA formula program provided for articulated buses. Ms. Hellekson said that they did not.

MOTION Mr. Evans moved adoption of LTD Resolution 2008-039: It is hereby resolved that the LTD Board of Directors approves the proposed grant application, which totals \$15,990,174 in federal funds and authorizes the General Manager to submit the Federal Transit Administration Grant Application, November 2008 to the Federal Transit Administration for approval. Mr. Necker provided the second.

Mr. Eyster opened the public hearing. No members of the public were present to speak regarding the motion. Mr. Eyster subsequently closed the public hearing.

Ms. Hellekson, responding to a question from Mr. Eyster, confirmed that the 5309 Small Starts Funding related to the FTA grant application applied only to the Gateway EmX Extension project.

VOTE The motion was approved as follows:
AYES: Dubick, Kortge, Towery, Eyster, Evans, Necker (6)
NAYS: None
ABSTENTIONS: None
EXCUSED: None

D. Special Service Policy

Mr. Vobora briefed the Board on the proposed Special Service Policy Revision, noting that the proposed action would revise the pricing for special LTD charter services to use the fully allocated rate for all occurrences in light of new charter regulations mandated by the FTA and the District's current economic situation.

Mr. Vobora expressed that the revised Special Service Policy would simplify the process for contract services by charging the fully allocated rate, and would also ensure that all LTD costs regarding special charter services would be fully recouped.

Mr. Vobora commented that LTD had contacted numerous event organizers to inform them of the proposed policy revisions.

Mr. Necker noted that the Oregon Country Fair Association (OCF) had requested to make a presentation regarding the Special Service Policy at the LTD Board's meeting in January.

Mr. Pangborn suggested that the Board decide on a course of action regarding the pricing structure within the Special Service Policy before allowing the OCF or any other organization to come in and request an exception to a revised special service policy.

Mr. Vobora, in response to a question from Mr. Evans regarding other transit agencies' special event service policies, commented that some agencies such as Tri-Met in Portland did not provide any such event services, while other agencies occasionally offer free special event services. He added that many transit agencies were choosing to go to the fully allocated rate for special event services in response to deteriorating economic conditions.

Mr. Pangborn did not recommend making exceptions for special event services in the future, such as the Olympic Trials. He maintained that allowing exceptions to a fully allocated rate policy would be problematic for LTD.

Mr. Vobora commented that it was very likely that private transit providers would be organizing themselves and submitting competitive bids for special transit service contracts for the next time the Olympic Trials came to Eugene.

Mr. Kortge commented that the regular services provided by LTD should maintain priority over any special services that might be offered, and that as such he would not support any special service policy that might jeopardize or inhibit LTD's regular service efforts.

MOTION Mr. Dubick moved adoption of LTD Resolution 2008-040: Be it resolved that the LTD Board of Directors hereby adopts the revised Special Service Policy as the new Charter Service Policy. Mr. Evans provided the second.

VOTE The motion was approved as follows:
 AYES: Dubick, Kortge, Towery, Eyster, Evans, Necker (6)
 NAYS: None
 ABSTENTIONS: None
 EXCUSED: None

ITEMS FOR INFORMATION AT THIS MEETING

A. Board Member Reports

Board Finance Committee: Mr. Kortge reported that during the November 4 Board Finance Committee meeting the Special Service Policy had been discussed as well as the topics described in the Board packet and the overall LTD financial projections.

Mr. Kortge commented that the worsening economic climate meant that the LTD Board would need to undertake a serious review of LTD's pension benefit policies.

Mr. Kortge reminded the Board that it was the duty of the LTD trustees to approve cost of living raises for LTD retiree pension benefits.

Metropolitan Policy Committee (MPC): Mr. Evans noted that there was not much to brief the Board on regarding the November 13 MPC meeting beyond what was reported in the Board packet. He added that two new representatives from Springfield, John Woodrow and Christine Lundberg, would soon be joining the MPC.

Lane County Commissioners & Springfield City Council: Mr. Eyster reported that he, Mr. Mueller, and Mr. Pangborn had recently met with the Lane County Board of Commissioners, the Springfield City Council, and the Eugene City Council to brief them on the proposed service reductions.

Mr. Eyster noted that he and Mr. Evans, and Mr. Vobora had recently given an interview for *The Eugene Weekly* in an effort to make the public more aware of the difficulties currently faced by the District.

Mr. Eyster commented that the transit system in Salem was cutting its Saturday service due to economic difficulties similar to those currently faced by LTD.

Mr. Evans commented that it was critical for LTD to maintain a healthy dialogue with the print media outlets in Lane County as part of its public outreach efforts.

B. Board Strategic Planning Session Draft Agenda

Assistant General Manager Stefano Viggiano briefed the Board on the draft agenda for the strategic planning session scheduled to be held on December 5.

Mr. Kortge asked that the agenda be revised to include a discussion of LTD pension benefit issues. Mr. Pangborn responded that issues regarding LTD pension plans would be discussed during the Assumptions for Key Budget Elements portion of the strategic planning session.

Mr. Kortge asked why the Long-Range Financial Plan scenarios agenda item had not been scheduled for earlier in the strategic planning session. Mr. Viggiano answered that it might not be prudent to undertake a discussion of the Long-Range Financial scenarios without a discussion of the budget element assumptions beforehand.

Mr. Evans asked if there would be a discussion of the next contract and collective bargaining agreement under the personnel topic from the Assumptions for Key Budget Elements portion of the strategic planning session. Mr. Pangborn and Mr. Viggiano confirmed that those topics would indeed be discussed.

Mr. Eyster, commenting on feedback he had received from his discussions with Lane County and the cities of Springfield and Eugene, noted that it would be important to have at least some discussion about the process for potential restoration of some service.

C. Monthly Financial Report

Ms. Hellekson briefed the Board on the October LTD financial information as listed in the Board packet. She noted that the recent fuel price decreases would result in an average fuel cost for the year of approximately \$2.80 per gallon, which would translate to a savings for the year of approximately \$900,000.

D. Federal Surface Transportation Bill Recommendations

Mr. Viggiano noted that there was no specific action required from the LTD Board regarding the current Federal Surface Transportation Bill recommendations, but that there might be some recommendations that would need to be acted upon in December.

ADJOURNMENT – The meeting adjourned at 7:49 p.m.

Board Secretary

February 18, 2009

PLANNING AND DEVELOPMENT

Tom Schwetz, Director of Planning and Development

PROJECT DEVELOPMENT

West Eugene EmX Extension (WEEE):

LTD staff are continuously working to refine the designs for each West Eugene EmX Extension alternative based on feedback from local jurisdictions, affected property owners, and the public. After hosting five community design workshops in July and August of 2008 and one workshop held most recently on January 27, LTD is coming closer to achieving a definition of the Range of Alternatives for the Draft Environmental Impact Statement (DEIS). The designs must be "frozen" in order to conduct comparative analyses of the benefits and costs for each alternative. The DEIS will include the full range of alternatives, both proposed and eliminated, and the comments received to date.

In preparing the Alternatives Analysis and Draft Environmental Impact Statement (AA/DEIS), LTD staff are working to inform and respond to questions from the WEEE Corridor Committee members about each of the environmental disciplines addressed in the environmental review process. This will broaden the Committee members' understanding of the analysis of the alternatives as they prepare to review and comment on the analysis completed for each alternative in the DEIS. LTD is also preparing a "white paper" to anticipate questions and assist in the Locally Preferred Alternative (LPA) decision-making process.

It will be at least five to eight months before the analysis of alternatives is complete and a DEIS is ready for public review. Following public review of the DEIS; the City Council, the LTD Board of Directors, and the Metropolitan Policy Committee will begin the process of selecting a LPA; final selection of the LPA is anticipated in late 2009 or early 2010.

Other:

Planning and Development staff met with representatives from Lane County, Oregon Department of Transportation, and the cities of Eugene and Springfield on WEEE-related matters (i.e., West Eugene Collaborative) and future EmX corridor candidates (Main Street, River Road). Also of interest are efforts to work on Transportation System Plans (TSPs) with the jurisdictions.

Commented [JS1]: Understanding of what?

Commented [JS2]: What is anticipated—the beginning of the process or the final selection?

Deleted: .

Commented [JS3]: The WEC is a project?

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Commented [JS4]: What is this?

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AGENDA ITEM SUMMARY

DATE OF MEETING: February 18, 2009

ITEM TITLE: MONTHLY PERFORMANCE REPORTS

PREPARED BY: Mark Pangborn, General Manager

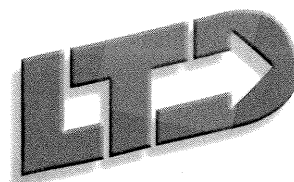
ACTION REQUESTED: None

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.

ATTACHMENT: January 2009 Performance Reports - *To be handout at Board meeting*
January 2009 RideSource Activity and Productivity Report – *To be handout at Board meeting*

PROPOSED MOTION: None

Proposal to Allocate a Portion of STP-U Funds for Transit February 2, 2009



Lane Transit District

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Proposal

Allocate \$1 million in Surface Transportation Program Urban (STP-U) funds for each of FY 2010 and FY 2011 to LTD, with the agreement that LTD would not seek other STP-U funding for FY 2012 through 2014 (a total of a five-year allocation period). The second year allocation (for FY 2011) could be reconsidered depending on changes in funding and revenue outlooks for both transit and other transportation modes.

The STP-U funding for transit would be used to supplant other capital funds that could be reprogrammed to support operations. The \$2 million from STP-U would fund approximately 6 percent of service for two years. The extent of the final service reduction, if any, will depend not only on this allocation of STP-U funds, but also on other potential funding and, most importantly, on the payroll tax receipts that provide the majority of LTD's funding. Payroll taxes are directly impacted by local employment, and predicting the depth and duration of the worsening economic downturn is very difficult.

Background

STP-U funds are allocated annually by the Federal Highway Administration to Transportation Management Areas (TMAs). Our area has, in recent years, received approximately \$2.5 to \$3 million per year. Current indications are that our area can expect to receive approximately \$2.475 million per year over the next two years. The funds are to be used for surface transportation planning and capital expenditures, with no modal restrictions. Our community has a long history (going back at least 30 years when the funds were then called Federal Aid Urban) of using the funds in a multi-modal manner. Over the seven years from FY 2003 through FY 2009, LTD received about 11 percent of the available STP-U funding, totaling \$2,022,709.

It is not unusual that the STP-U funds are focused on a particular need or project, or within a specific year. Recently, \$1.7 million of STP-U funds were programmed in one year (FY 2009) for Springfield for Gateway/Beltline right-of-way acquisition and construction. Similarly, nearly \$1 million was programmed in FY 2008 for two Lane County preservation projects, and approximately \$1.4 million was programmed over two years (FY 2007-FY 2008) for a City of Eugene preservation project. From FY 2003 through FY 2009, distributions to LTD have varied from \$25,000 to \$673,500 in a single year, averaging about \$290,000 per year. Over time, priorities vary and experience has shown that there is a reasonable jurisdictional distribution of funds.

Justification

Despite ridership increases of 15 percent in 2008 and 37 percent over three years, LTD is faced with a budget shortfall that requires a service reduction. The uncertainty of the depth of the economic downturn makes estimates of the needed service reduction tentative. The Board has approved a 14.5 percent service cut, which could be greater if payroll tax receipts are worse than expected. The STP-U funds are equivalent to about 5 to 6 percent of service, and would be used to make sure that the most critical service that would otherwise be eliminated is preserved.

It is understood that there are important competing needs for the STP-U funding. This proposal does not discount those needs, but recognizes that at this time transit use is very high while vehicle miles travelled are down, suggesting that funding transit to reduce service reductions is a priority. Two years from now, the transit funding picture is expected to be considerably brighter, with options for increased funding at both the state and federal level and an expectation that the local economy will rebound. At that time the needs of other modes can take priority for the STP-U funding.

Possible Service Impact

The service level that can be provided for the next fiscal year will be affected by payroll tax receipts as well as the allocation of other potential funding, such as STP-U. Current plans are to reduce service by 14.5 percent in September 2009. STP-U funding would allow LTD to restore the following service which is currently slated for elimination:

- Restore service frequencies and connections on the #41/43 routes that form a loop of West 11th, Danebo, Terry, Barger, and Highway 99.
- Restore partial service on the #3X (River Road to the University of Oregon) and #8x (Thurston area to the University of Oregon).
- Restore the full #18/19 routes, which would reinstitute service to Q Street between 5th and 19th.
- Restore evening service on the #79X, which links the University with the Duck Village area along Martin Luther King, Jr. Boulevard.
- Restore partial service on the Breeze route that serves the University of Oregon, downtown Eugene, and Valley River Center.

Other Factors

- LTD would normally be pursuing STP-U funds, and it would not be unreasonable, if this proposal is not accepted, to expect that a total close to \$2 million could be allocated to LTD over the next seven years. As noted earlier, LTD was allocated approximately \$2 million in STP-U funds during the previous seven years.
- The Federal Stimulus Package will provide additional funding for road projects during the next one or two years. This funding can offset a temporary reduction in STP-U funding allocated for roads and, in essence, create a more even flow of funds.
- The Governor's Jobs and Transportation Act (JTA) provides funding for various transportation modes, including transit. However, the JTA funding is slanted toward roads, due in large part to a constitutional restriction on using state vehicle-related taxes on anything except roads.
- LTD will be pursuing the possible allocation of Lane County Road Funds for urban area projects, which can offset the temporary reduction in STP-U funding for roads.
- STP funding is determined by the Federal Surface Transportation Bill, which expires in September 2009. While it is quite likely that the next bill will include STP funding, that is not 100 percent certain. There is also a possibility that, in recognition of the historical underinvestment in transportation infrastructure, STP funding could be increased.

ATTACHMENT
 ODOT Public Transit Division
 Discretionary Grant – Recommended Ranking and Funding Allocations

LTD Grant Review Committee

L.M. Reese, Chair
 Hugh Massengill
 Bob Proctor

Susan Payne, LCOG MPO
 Mark Phinney

Sherrin Coleman, ODOT Public Transit District (Ex-Officio)

Older Adults and People with Disabilities Program

RANK	Agency	Project Description	Amount Requested	Amount Funded
1	Special Mobility Services, Inc.	Vehicle Preventive Maintenance	\$181,334	\$181,334
2	Special Mobility Services, Inc.	ADA Paratransit Operations and 1 Replacement Vehicle ¹	\$721,429	\$721,429
3	LCOG Senior & Disabled Services	Non-Medical Transportation for Medicaid Recipients (matching grant)	\$51,942	\$51,942
4	LCOG Senior & Disabled Services	Volunteer Escort	\$126,612	\$126,612
5	White Bird Clinic	Mental Health and Homeless Transportation Services	\$75,000	\$72,845
6	Pearl Buck Center, Inc.	Pre-School Transportation Services	\$95,266	\$92,528
7	South Lane Wheels	South Lane - Public Transportation Operations	\$12,226	\$12,226
8	St. Vincent De Paul Society	Replacement Vehicle	\$31,406	\$31,406
9	Willamalane Senior Center	Replacement Vehicle	\$46,982	\$0
10	South Lane Wheels	Route-Around-Town – New Vehicle	\$179,460	\$0
11	South Lane Wheels	Route-Around-Town Operations Expansion	\$10,206	\$0
12	South Lane Wheels	Mobility Management Project	\$38,660	\$0
13	South Lane Wheels	Route-Around-Town Bus Stop Signs	\$4,486	\$0

Metro - Job Access Reverse Commute Program

RANK	Agency	PROJECT DESCRIPTION	Amount Requested	Amount Funded
N/A*	Lane Transit District	Work transportation with Lane Developmentally Disabilities Services	\$160,000	\$160,000

*One application received

New Freedom Program

RANK	Agency	PROJECT DESCRIPTION	Amount Requested	Amount Funded
N/A*	Lane Transit District	Integrated Eligibility Assessments with Senior & Disabled Services	\$140,000	\$140,000

*One application received

¹ RideSource ADA Operations in lieu of 11 RideSource replacement vehicles at \$661,310. Grant amount includes one Rhody Express replacement vehicle at \$60,119.

AGENDA ITEM SUMMARY

DATE OF MEETING: February 18, 2009

ITEM TITLE: UPDATE ON AMERICAN RECOVERY AND REINVESTMENT ACT

PREPARED BY: Stefano Viggiano, Assistant General Manager

ACTION REQUESTED: None. Information only.

BACKGROUND: The American Recovery and Reinvestment Act (also known as economic stimulus funding) is working its way through Congress. At the time this document was prepared, it appeared that LTD should receive at least \$6 million in funding. Staff believe that the spending requirements will dictate that half of the money be allocated for traditional infrastructure (construction) projects and be obligated within a short period of time, and the other half could be spent on other capital projects or fleet maintenance. Staff are working on a recommendation that half of the funds be spent on an expansion/remodel of the maintenance building that will lead to more efficient operations and will allow LTD to purchase and maintain more articulated buses. Articulated buses are a very cost-effective option on high ridership routes. Staff believe that the other half of the stimulus funding (\$3 million) should be used for fleet maintenance, which would reduce our operating shortfall.

The allocation of this funding should be made in the context of other budget and revenue information and as part of a multi-year budgeting strategy. For that reason, staff are suggesting that the decision on allocation of the funds be considered at the March 2 work session as part of a broader budget discussion.

The bill is scheduled to be approved and signed by the President prior to the Board meeting on February 18, 2009. At the Board meeting, staff should be able to provide more definitive information on the amount of funding LTD will receive and on spending restrictions and requirements.

ATTACHMENT: None

PROPOSED MOTION: None

AGENDA ITEM SUMMARY

DATE OF MEETING: February 18, 2009

ITEM TITLE: LTD PROPOSAL TO USE SURFACE TRANSPORTATION URBAN (STP-U) FUNDS

PREPARED BY: Stefano Viggiano, Assistant General Manager

ACTION REQUESTED: None. Information only.

BACKGROUND: At the Metropolitan Policy Committee (MPC) meeting on January 14, 2009, the Committee directed staff to develop options for the use of STP-U funds for transit, with the expectation that the funding would positively impact the planned service reduction. Attached is a proposal for the allocation of \$2 million in STP-U funds for transit. This proposal was discussed by the Metropolitan Policy Committee (MPC) on February 12, 2009, with a decision expected at the MPC meeting on March 12, 2009.

This issue is to be discussed by the Eugene City Council on February 23, 2009, and by the Springfield City Council on March 2, 2009. The Board of County Commissioners will also be discussing this, but the date for that discussion has not yet been set.

ATTACHMENT: Proposal to Use STP-U Funds for Transit

PROPOSED MOTION: None.

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AGENDA ITEM SUMMARY

DATE OF MEETING: February 18, 2009

ITEM TITLE: WEST EUGENE EmX EXTENSION (WEEE) PROJECT UPDATE

PREPARED BY: Tom Schwetz, Planning and Development Director

ACTION REQUESTED: None

BACKGROUND: LTD staff and consultants have been coordinating on a regular basis with the Federal Transit Administration (FTA), the intergovernmental Project Management Group (PMG), and partner agencies on the WEEE project process and the coordination material. The major focus of the past few months has been to finalize the Analysis of Methods and Data Reports (AMDRs), refine the designs for each proposed alternative, contribute to the West Eugene Collaborative (WEC) process, and develop the conceptual engineering baseline conditions for the writing of the Alternatives Analysis and Draft Environmental Impact Statement (AA/DEIS).

In December 2008 LTD distributed the AMDRs to more than 15 resource agencies (which include agencies such as the City of Eugene, the Army Corps of Engineers, the Oregon Department of Transportation, the Environmental Protection Agency, and the Confederated Tribes of Grand Ronde). The agencies will review and comment on the reports which prescribe the methods used to analyze the designs for the alternatives studied in the AA/DEIS phase. LTD recently received final comments from the resource agencies and staff plan to incorporate revisions to the AMDRs before writing the Draft EIS.

LTD staff are continuously working to refine the designs for each alternative based on feedback from local jurisdictions, affected property owners, and the public. After hosting five community design workshops in July and August of 2008 and one workshop held most recently on January 27, LTD is coming closer to achieving a definition of the Range of Alternatives for the DEIS. The designs must be "frozen" in order to conduct comparative analysis of the benefit and costs for each alternative. The DEIS will include the full range of alternatives proposed and eliminated and the comments received to date.

As part of the preparation for the DEIS, LTD staff are also working to inform and respond to questions from the WEEE Corridor Committee members about each of the 18 environmental disciplines addressed in the environmental review process. The environmental disciplines cover the key elements of the environmental analysis, which includes topics of concern such as Land Use, Property Acquisition, Noise, Air Quality, Energy and Sustainability, and other considerations addressed in environmental documents. These briefings will help the members of the WEEE Corridor Committee prepare to review and effectively comment on the analysis completed for each alternative in the DEIS.

On January 29 LTD staff participated in the final meeting of the West Eugene Collaborative (WEC). The Collaborative is expected to produce a recommendation that addresses transportation, land use, economic, and environmental considerations for the West Eugene corridor area. The outcome of the WEC report will provide insight for LTD staff in the development of the Draft Environmental Impact Statement (DEIS). However, it is unclear how LTD staff will be able to integrate the WEC proposals while also working within the framework of the National Environmental Policy Act (NEPA), the federal guidance that is mandated for federally funded projects. Of utmost concern is the need to match the WEC proposals to the WEEE Range of Alternatives, which is already in the advanced stages of preparation for the writing of the DEIS.

During the next few months, LTD staff will be preparing the conceptual engineering alternative designs and conducting the environmental analysis. It is anticipated that preliminary impact analysis findings will be ready for review and that discussion on potential mitigation of options can begin in May 2009. A complete analysis of impacts is expected in August 2009, which will lead to the beginning of the public comment period for the Draft EIS.

As part of the preparation for the AA/DEIS, LTD staff will work to inform and respond to questions from the WEEE Corridor Committee members about each of the environmental disciplines addressed in the environmental review process. These opportunities for the WEEE Corridor Committee members will broaden their understanding of the alternatives analysis as they prepare to review and comment on the analysis completed for each alternative in the DEIS. LTD is also preparing a “white paper” to anticipate questions and assist in the Locally Preferred Alternative (LPA) decision-making process.

In summary, the WEEE project process will require at least five to eight months before the analysis of alternatives is complete and a DEIS is ready for public review. Following public review of the DEIS; the City Council, the LTD Board of Directors, and the Metropolitan Policy Committee will begin the process of selecting a Locally Preferred Alternative (LPA), anticipated in late 2009 or early 2010.

ATTACHMENTS: None

PROPOSED MOTION: None