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Public notice was given to *The Register-Guard* for publication on September 3, 2009.

**LANE TRANSIT DISTRICT  
BOARD OF DIRECTORS  
HUMAN RESOURCES COMMITTEE**

**September 8, 2009  
4:00 p.m.**

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

*Public testimony will not be heard at this meeting*

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**AGENDA**

Page No.

- |      |   |    |
|------|---|----|
| I.   | CALL TO ORDER   |    |
| II.  | ROLL CALL   |    |
| III. | Dubick (Chair) _____ Kortge _____ Gaydos _____  |    |
| IV.  | APPROVAL OF MINUTES   | 02 |
|      | • Minutes of the February 24, 2009, Meeting of the LTD Board Human Resources and Finance Committees |    |
| V.   | GENERAL MANAGER EVALUATION PROCESS AND TOOL   | 08 |
| VI.  | NEXT MEETING  |    |
|      | A. Executive Session to Review General Manager Performance Evaluation                               |    |
| VII. | ADJOURNMENT   |    |

MINUTES OF MEETING OF THE HUMAN RESOURCES AND  
FINANCE COMMITTEES  
LANE TRANSIT DISTRICT BOARD OF DIRECTORS

February 24, 2009

Pursuant to notice given to *The Register-Guard* for publication on February 19, 2009, and distributed to persons on the mailing list of the District, a meeting of the Lane Transit District Board of Directors Human Resources Committee and Finance Committee was held at 4 p.m. on Tuesday, February 24, 2009, in the District's conference room at 3500 E 17<sup>th</sup> Avenue, Eugene. The following Minutes relate to business conducted during the meeting by the Board Human Resources Committee.

Present: Michael Dubick, Chair  
Gerry Gaydos  
Ed Necker  
Dean Kortge  
Mary Adams, Director of Human Resources and Risk Management  
Diane Hellekson, Director of Finance and Information Technology  
Mark Pangborn, General Manager  
Jeanne Schapper, Clerk of the Board/Recording Secretary

**CALL TO ORDER:** Mr. Dubick called the meeting to order at 3:58 p.m. and called the role.

**LTD RETIREMENT PROPOSAL:** Ms. Adams said that the Deferred Compensation program has a five-member advisory committee set up within the plan that monitors the program and makes decisions about the program. About two years ago, discussions began concerning the fee structures of the investment options for the employees in the plans. Over time a couple of plan changes have been made. The proposal before the committees this evening is an additional proposal that would reduce fees for members and, hopefully, increase the investment earnings for members. The Board Committee members are being asked to decide at this meeting if they wish to forward this proposal to the full Board for its approval. Ms. Adams introduced David Hausam of AIG-Valic who created the Executive Summary.

Mr. Hausam, Certified Financial Planner, said that the discussion of the proposal would include the relationship with the District over the last decade and the relationship with parent company, AIG. AIG began its relationship with LTD with the deferred compensation plan, which is a voluntary plan that anyone at the District could use to set money aside on a pretax basis for retirement. A few years later, AIG began working with the 401A salary plan for Administrative employees, and AIG is the sole provider for investments in that plan. A few years later as assets grew, the fee structure was reduced; therefore, the amount that went to AIG was less and the amount remaining in employees' accounts was greater.

Mr. Hausam continued. The next proposal is to move from an annuity platform to a mutual fund platform, which comes with a reduction in Valic fees and an increase in return for clients that stay with the plan. On average, the fee structure in the new plan is about one half of a percent lower: a reduction on average of 1.7 percent to 1.2 percent. The proposed platform would have fewer fund options than the current plan. Studies have shown that a couple of dozen funds is preferred to facilitate ease in decision making.

The current plan has more than 60 funds; the proposed plan has about two dozen funds. Mr. Hausam stated that it seemed to make sense to move to a mutual fund platform with a less daunting array of options.

Valic, a wholly owned subsidiary, has been in business since 1955. In 2001 Valic was acquired by AIG, who elected to maintain Valic and other companies it acquired as wholly owned subsidiaries. With regards to the recent unfavorable news concerning AIG, Valic has an independent balance sheet separate from AIG. AIG has no access to Valic's client's investments and does not have access to Valic's operating profits. Actions which may have affected AIG's credit rating would not affect Valic's. Valic's bond rating remains strong. Fixed investments, such as those maintained in LTD's plan, are highly regulated and significant reserves are set aside in addition to the funds invested by clients. It is known that as of the last four to five months, AIG has indicated that they are seeking a buyer for Valic. It is imagined that by the end of the year, Valic will not be part of AIG.

In response to a question from Mr. Necker, Mr. Hausam said that when a company offers a fixed investment (people put money in with a fixed rate of return), that type of investment is highly regulated. Additional monies are required to have in reserves in case there is a period of time that the investments do not perform up to that fixed-return level. The return on investments would be protected. Currently, for every \$1.00 in investments, \$.92 in reserves is set aside. In the current proposal, variable investments (mutual funds) perform gaining or losing with the market and don't have a back up of reserves. A true fixed account does.

Mr. Dubick asked if, in switching from variable annuities to mutual funds, would employees have to roll from one fund to another? Will they need to pick specific funds and then move funds from one account to another, doing paperwork from one company to another? Mr. Hausam responded that in the transition from the old to the new plan, Valic would declare that all funds of a certain type in the old plan would map over to a similar platform in the new plan. If an employee wishes to move funds to a different arrangement than the current one, he/she is free to do that. All of these activities would take place under a tax sheltered umbrella so that there would be no 1099 reporting or impacts of that nature.

Mr. Kortge stated that there are advantages to variable annuities and asked if Valic could simply reduce the costs. Mr. Hausam stated that the cost was reduced earlier during the relationship with LTD; however, the structure of the mutual fund platform has lower costs for Valic as well, which is passed on to the client. The lowest cost annuity platform would not be as low. Also, even though this is a mutual fund platform, as people retire, if they

want to annuitize their balance (which offers a lifetime stream of income), they would have that option. This is consistent with both the old and new plans.

Ms. Hellekson clarified that the 457 Deferred Compensation plan is the public sector version of a 401K and has an advisory committee that makes decisions within the rules of the plan, but the trustee for the plan is LTD. This means that plan changes and amendments have to be approved by the Board of Directors. This is not true for changes in the retirement plans.

Ms. Adams added that monies from both plans would be moved to the proposed model.

Mr. Dubick wished to confirm that because fees were lower in the new plan, that more money would be available for employees' investments. Mr. Pangborn confirmed Mr. Dubick's assessment and added that employees support the change.

Mr. Gaydos asked for clarification as to the risk to employees in each plan. Ms. Hellekson responded that the risk is about the same. She added that having fewer choices may be easier for most employees. In addition, 1.26 percent is a fee average. Actual fees will be disclosed in the cost structure to employees so that they may make informed decisions.

**MOTION** Mr. Gaydos moved that the proposal to modify LTD's 457(b) and 401(a) Retirement Plans, as described in the Executive Summary presented by AIG-Valic, be forwarded to the full LTD Board of Directors for discussion and approval. Mr. Dubick provided the second.

**VOTE** The motion was approved as follows:  
AYES: Dubick, Kortge, Gaydos (3)  
NAYS: None

**MOTION** **APPROVAL OF MINUTES:** Mr. Kortge moved to approve the minutes of the October 14, 2008, Board Human Resources Committee meeting as written; Mr. Gaydos provided the second.

**VOTE** The motion was approved as follows:  
AYES: Dubick, Kortge, Gaydos (3)  
NAYS: None

**LTD PENSION PLAN FUNDING:** Ms. Adams reiterated that the reason that members of both committees were asked to meet together was because the issue has implications to both Human Resources and Finance processes. Long-term funding of both the ATU and salaried plans will be discussed. A second item to be discussed involves adding formal language to both plans that describes circumstances in which COLAs could be provided to retirees.

Each plan has a separate board of trustees. January 2008 was the last time an actuarial assessment was performed. At that time, the funding level for the ATU plan was 55.7 percent. The actuary estimates that the level will be lower (46 percent) in the 2010

assessment, based on the reduced earnings incurred in the down market during the last several months.

The Board made a policy decision about three years ago to increase the District's contribution over a 20-year period in order to fully fund both pension plans at 100 percent. It is certain that when the 2010 assessment is received, it will be determined that LTD will need to make a larger contribution than is currently being contributed. In response to a comment from Mr. Kortge regarding changing the policy, Ms. Adams said that there are pension plans that have less than a 100 percent funding goal.

LTD contributes \$3.69 for every hour worked towards the cost of this plan for representative employees, which amounts to approximately \$2 million of the current budget. Ms. Hellekson added that the benefit is specified by contract; the contribution is specified by actuary.

Ms. Adams added that this amounts to a \$420,000 to \$700,000 increase in 2010 to make up for recent investment losses of approximately 31 percent. In response to a request from Mr. Dubick, Ms. Adams said that she would get the dollar figure that corresponds to the recent investment losses. Ms. Adams added that investment cycles are cyclical; there are turnarounds. The District had a very strong investment cycle over the last twenty years and is expecting the same in the next twenty years. Investments should be thought of in the long term.

The salaried plan is managed by a different set of trustees. The funding level is higher and is estimated to be higher than the ATU funding level--mostly because of increases in the ATU retirement plan in the last several years that has not occurred with the salaried plan. The ATU plan also has a bigger pool of money, so perhaps more investment losses have occurred. The plan funding level estimated for 2009 is 61 percent, which is more favorable, perhaps due to the smaller pool of money involved.

The contribution for the salaried plan differs from the ATU plan in that it is a percentage of wages as opposed to cents per hour. The percentage is 16.2 percent or approximately \$1 million in the current budget. The increase that is projected for this plan is approximately \$176,000, bringing the annual contribution up to more than \$1 million.

Mr. Pangborn added a thought: The actuarial loss on the market value of assets (ATU plan) for the 2008 calendar year was about \$5.7 million. Ms. Hellekson added that estimates are on a two-year actuarial cycle. Typically the contribution rate is changed every two years after the analysis is done. Staff propose that the District deal with the problem now, rather than wait a year and a half, or July 1, 2010.

Ms. Adams continued. Retirees are dealing with the same economic issues that most active employers and plans are dealing with, and they are asking about potential COLAs (Cost of Living Adjustment). The District has not implemented a COLA for retirees in the salaried plan since 1999. ATU retirees received the last COLA adjustment two years ago and have had more years with adjustments than not, but still not every year. In the last two years, neither set of trustees approved a COLA. The ATU plan is the only plan that

contains COLA language, which states that trustees are required to consider a COLA once each year. The salaried plan contains no COLA language.

Mr. Gaydos inquired about a tiered approach and switching to defined contribution plans. Ms. Adams answered that this is a possibility. Plan design changes are certainly something that the trustees could review. Alternatives, such as joining PERS, have been discussed in the past.

Mr. Gaydos suggested a cap on the liability, with new employees added to a new plan. He stated his support of the plan in the short term; however, in the long term he questioned the financial feasibility of the current plan.

Mr. Kortge added that with a defined contribution in a private plan, retirees may get an increase or a significant decrease in benefits. The positive aspect of a defined benefit is that there is a guaranteed income. It seems that the tradeoff should be a fixed benefit for no COLA. If COLA language is added, it should be tough language.

Mr. Pangborn referred to the PERS model, which kept a defined benefit plan, but reduced the benefit, e.g. Tier 1, Tier 2, and Tier 3. Tier 3 will earn less than Tier 2 or Tier 1 because the plans are too costly. Another option is to migrate from a defined benefit plan to a hybrid, which is half defined benefit and half defined contribution.

Mr. Dubick said that there should be a minimum actuarial level in the account in order to have any hope of maintaining the system. Perhaps the language should state something to the effect that the funds need to exceed the minimum amount, and then a COLA could be considered. If that level is not achieved, the COLA should not be an option.

At the request of Mr. Kortge, ATU representative Brian Pasquali offered the union's perspective. He said that it had been two years since retirees had enjoyed a COLA adjustment. Ms. Adams confirmed that the pension plan requires that the trustees consider a COLA once each year. Ms. Hellekson clarified that the union contract, however, does not contain any such language.

Mr. Dubick asked if employees had considered paying some of the retirement money. LTD can afford to contribute only so much and stay viable. At the same time, that viable amount may not come anywhere near the amount needed to pay future retirees.

Mr. Pangborn reiterated that District representatives would be back in negotiations with the union in about one year. A number of issues will be on the table, and retirement will be one of the issues. Salem Transit does not have a defined benefit plan; it is a defined contribution, which means that the employer puts up something and the employee puts up something.

In response to a question from Mr. Kortge, Ms. Adams said that staff are working on COLA language for the plans. Many plans contain COLA language—usually in the range between two percentages, but it is not unusual for plans to contain language around plan funding levels. One thing the District needs to be cognizant of is being clear to retirees about what they can expect.

**ADJOURNMENT:** There was no further discussion, and the meeting adjourned at 5:03 p.m.

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Recording Secretary

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## **BOARD HUMAN RESOURCES COMMITTEE AGENDA ITEM SUMMARY**

**DATE OF MEETING:** September 8, 2009

**ITEM TITLE:** GENERAL MANAGER EVALUATION PROCESS

**PREPARED BY:** Mary Adams, Director of Human Resources and Risk Management

**ACTION REQUESTED:** Approval of Evaluation Process and Tools

**BACKGROUND:** The Board's Human Resources Committee is responsible for approving and administering the annual evaluation of the general manager. Each fall, the Committee approves a process to be used for that year's evaluation. Once approved, staff will proceed with distributing the evaluation tools.

Attached for Committee approval is the evaluation tool used for the 2008 general manager evaluation. This tool was updated in 2006 to reduce duplication and make the tool easier for the respondent to read. The survey would include a cover sheet explaining how to fill out the evaluation. Staff are recommending using the same tool. This will provide consistency and allow for trends to be established.

In addition, staff will ask Committee members to consider a shift in the focus of this evaluation. Since the Board will be preparing to hire a new general manager in about two years, this could be an opportunity for Board members to gather important information about what the community expects from the general manager of LTD. Staff will propose a combination of the traditional survey tool to gauge past performance, and an interview process for community leaders that will provide a more forward-thinking evaluation of leadership's expected performance.

**RESULTS OF RECOMMENDED ACTION:** A dual approach of community leader interviews and a structured survey tool will give the Board a perspective on current and past performance as well as a perspective of what the community wants to see from LTD leadership in the future. Upon approval by the Committee, staff will distribute the evaluation tool as directed. Individual responses will be combined for discussion with the general manager during an executive session to be held later in the fall.

**ATTACHMENTS:** Evaluation Tool Titled "Assessment of the General Manager"

Draft Evaluation Timeline

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# ASSESSMENT OF THE GENERAL MANAGER

**September 2009**

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## How to Complete the Questionnaire

This questionnaire is designed to help the LTD Board of Directors, your colleagues, and the general manager assess the general manager’s performance. It should take 30 to 60 minutes to complete. *To encourage candor, the questionnaire does not ask for your name.* Your confidential responses, along with the responses of your colleagues, will be summarized and shared with the general manager at a meeting with a small committee of the Board. Each section begins with a brief description of an important area of responsibility. Please read it and then answer the questions that follow. The questions measure your level of satisfaction with how well the general manager is carrying out various aspects of each responsibility. Check off the number representing the degree to which you are satisfied or not satisfied with the general manager’s performance in each responsibility mentioned. The answer you mark can range on a scale of 1 to 4, with 1 representing “Very Dissatisfied” and 4 representing “Very Satisfied.”

1. Very Dissatisfied
2. Dissatisfied
3. Satisfied
4. Very Satisfied

You also have the option of answering “Not Sure” if you are not certain about a specific answer. If you think a particular question does not apply to LTD, please mark “Not App.” (Not Applicable).

At the end of each section and at the conclusion of the assessment are a number of open-ended questions. Please take the time to answer these questions, since your responses will be especially helpful when the Board and general manager look for ways to strengthen the manager’s performance and that of the transit system as a whole.

After the Board and the general manager have completed the assessments, a meeting will be scheduled to review the results of this assessment. During this meeting, the assessment results will be used to identify areas for personal growth and draft action plans for the general manager’s professional development. This meeting will also be a good opportunity to discuss ways in which the Board can better support or complement the general manager’s work and to discuss mutual hopes for the future of the transit system.

## Sample Question

		Not Satisfied		Satisfied		Not Sure	Not App.
How satisfied are you that the general manager		1	2	3	4	NS	NA
2-1	has worked with the Board to develop a clear vision for the transit system and understands his or her own leadership role?						

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## Section I. Vision, Mission, and Strategies

The general manager's role has both strategic and operational components. Working with the Board, the general manager must develop a shared vision for the future of the transit system, build understanding around the current mission, and develop appropriate goals and strategies to advance that mission.

		Not Satisfied		Satisfied		Not Sure	Not App.
How satisfied are you that the general manager		1	2	3	4	NS	NA
1-1	has worked with the Board to develop a clear vision for LTD and understands his or her own leadership role?						
1-2	has worked with the Board to translate LTD's mission into realistic goals and objectives?						
1-3	has worked with the Board and staff to create an effective process for long-range or strategic planning at LTD?						

What are the major strengths of the general manager in this area?

How can the general manager do better in this area?

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## Section II. The General Manager/Board Partnership

The general manager and the Board must work together as partners. Each arm of leadership draws upon its own unique strengths and abilities. The general manager and the Board have joint responsibility for developing and maintaining a strong working relationship and a system for sharing information. The Board is responsible for creating a written job description for the general manager that is clear and agreed to by all parties.

		Not Satisfied		Satisfied		Not Sure	Not App.
How satisfied are you that the general manager		1	2	3	4	NS	NA
2-1	is clear about the differences between his or her role and that of the Board?						
2-2	is an effective partner with the Board in leading LTD?						
2-3	raises issues and questions and provides adequate information to inform Board discussions?						

What are the major strengths of the general manager in this area?

How can the general manager do better in this area?

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### Section III. The Board/Staff Relationship

Because many transit system issues require a partnership of Board and staff to be addressed effectively, it is important that the Board, general manager, and staff members assigned to assist the Board in carrying out its work have a good and strong working relationship.

		Not Satisfied		Satisfied		Not Sure	Not App.
How satisfied are you that the general manager		1	2	3	4	NS	NA
3-1	has established appropriate systems for dialogue and communication between the Board and staff to ensure that the Board maintains a good knowledge of LTD?						
3-2	appropriate staff members have built effective working relationships with the members of the Board who are responsible for specific aspects of transit system governance?						
3-3	has a collegial working relationship with the staff and the Board?						

What are the major strengths of the general manager in this area?

How can the general manager do better in this area?

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## Section IV. External Liaison and Public Image

The general manager and Board members are key players in establishing and maintaining positive relationships with the many groups that support the work of the transit system.

		Not Satisfied		Satisfied		Not Sure	Not App.
How satisfied are you that the general manager		1	2	3	4	NS	NA
4-1	maintains a positive, professional reputation in the local community and is an articulate and knowledgeable spokesperson and ambassador for LTD?						
4-2	cultivates effective relationships with						
	a. community and business leaders?						
	b. bus riders?						
	c. public officials?						
	d. relevant professional organizations?						
	e. members of the press?						
4-3	is knowledgeable about the public policy dimension of LTD's work?						
4-4	is well regarded by his or her professional peers in the public transportation field?						

What are the major strengths of the general manager in this area?

How can the general manager do better in this area?

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## Section V. Effectiveness in Resource Development

The general manager, in partnership with the Board and appropriate staff, is responsible for developing and implementing appropriate financial development strategies. The general manager and Board use their combined strengths, knowledge, and relationships to help the transit system achieve its objectives.

		Not Satisfied		Satisfied		Not Sure	Not App.
How satisfied are you that the general manager		1	2	3	4	NS	NA
5-1	has a clear understanding of the current and future financial resources needed to realize LTD's mission?						
5-2	is innovative in the creation of partnerships with local government or other institutions that contribute to LTD's resources?						

What are the major strengths of the general manager in this area?

How can the general manager do better in this area?

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## Section VI. Fiscal Management

Ensuring that income is managed wisely is especially important for a public transit system. It is the role of the general manager to see that solid planning and budgeting systems are in place and that the transit system's goals and strategic plan serve as the basis for sound financial planning. In addition, it is the general manager's responsibility to ensure that qualified staff are hired to accurately monitor, assess, and manage the financial health of the transit system.

		Not Satisfied		Satisfied		Not Sure	Not App.
How satisfied are you that the general manager		1	2	3	4	NS	NA
6-1	is knowledgeable regarding financial planning, budgeting and management of LTD's finances, and understands the place of each in the system's overall financial picture?						
6-2	has established a system linking strategic and operational planning with LTD's budgeting process?						

What are the major strengths of the general manager in this area?

How can the general manager do better in this area?

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## Section VII. Operations Management

The general manager is responsible for day-to-day management. The general manager works with staff to develop, maintain, and use the systems and resources that facilitate the effective operation of the transit system.

		Not Satisfied		Satisfied		Not Sure	Not App.
How satisfied are you that the general manager		1	2	3	4	NS	NA
7-1	holds District staff accountable for effective management of LTD's resources as measured against the mission and strategic plan?						
7-2	acts as a role model and mentor for the professional development of LTD's leaders?						
7-3	ensures District compliance with all legal and regulatory requirements?						

What are the major strengths of the general manager in this area?

How can the general manager do better in this area?

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## Open-Ended Questions

1. What are the three major strengths of the general manager?
2. What are some limitations in the general manager's performance?
3. What have been the most significant achievements of the general manager during the past year?
4. What external factors have influenced the general manager's performance?
5. In the past year, what difficult issues have faced the transit system, and how did the general manager bring them to resolution?

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6. Have any legal or ethical issues arisen with regard to the operations of the transit system? How were these brought to successful resolution?
  
  7. What are areas in which the Board could provide better support to the general manager?
  
  8. What should be the organizational goals for the general manager for the coming year?
  
  9. What should be the personal development goals for the general manager for the coming year?
  
  10. Additional comments:

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## **2009 General Manager Evaluation Draft Timeline**

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|--------------------|---|
| August 25, 2009    | Board Human Resources Committee reviews and approves evaluation process.                  |
| August 28, 2009    | Communicate process to rest of LTD Board<br>Begin conducting telephone interviews         |
| September 7, 2009  | Distribute survey materials to LC and Board.  |
| September 21, 2009 | Return all surveys<br>Report back all interview results                                   |
| September 28, 2009 | Consolidate all data<br>Prepare report for Board Human Resources Committee                |
| October 7, 2009    | Cumulative responses mailed to Board, along with GM self-evaluation                       |
| October 13, 2009   | Present survey results to Board Human Resources Committee for action.                     |
| November 18, 2009  | Board of Directors holds executive session to conduct general manager performance review. |

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