

# MINUTES OF DIRECTORS MEETING

## LANE TRANSIT DISTRICT

### REGULAR BOARD MEETING

Wednesday, September 19, 2018

Pursuant to notice given to *The Register-Guard* for publication on September 12, 2018, and distributed to persons on the mailing list of the District, the Board of Directors of the Lane Transit District (LTD) held a regular board meeting on Wednesday, September 19, 2018, beginning at 5:30 p.m., at the LTD Board Room, 3500 E. 17th Avenue, Eugene, Oregon.

Present: Gary Wildish, President  
Carl Yeh, Vice President  
Kate Reid, Secretary  
Don Nordin, Treasurer  
Ed Necker  
Steven Yett  
A.J. Jackson, General Manager  
Dwight Purdy, General Counsel  
Camille Gandolfi, Clerk of the Board  
Dana Shinnars, Minutes Recorder

Absent:

**CALL TO ORDER/ROLL CALL** — Mr. Wildish convened the meeting and called the roll.

**PRELIMINARY REMARKS BY BOARD PRESIDENT** — Mr. Wildish shared that Bus Operator Carl Faddis passed away on Monday. He called for a moment of silence. He said that more information will come soon on the reception service.

**COMMENTS FROM THE GENERAL MANAGER** — Ms. Jackson notified the Board that there is a poll to confirm the dates for naming the RideSource center in honor of Mr. Ed Necker.

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

**BOARD CALENDARS** — Ms. Jackson shared that she is traveling from September 21 to October 1 for AFTA. She said she will still be responding to emails during that time. She explained that more information on MovingAhead open houses can be found on the Board SharePoint Calendar. The Budget Committee will meet on October 9 and into October 10 if needed to review the Community Investment Plan.

Mr. Necker said that he is not available for a tentative work session on October 17.

**EMPLOYEE OF THE MONTH – SEPTEMBER** — The Board recognized Journeyman Mechanic Jordan May as the September 2018 Employee of the Month. Mr. Wildish presented Mr. May with his award and thanked him for his outstanding service and dedication to LTD's mission. Mr. May shared that he started working at LTD when he was 19 and he thanked his team for the recognition.

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

**John Hunt**, Eugene, representing the Amalgamated Transit Union Division 757, expressed that he wanted to show appreciation for the employee of the month. He said that he also wanted to express gratitude for Carl Faddis for what he brought to the organization. He shared that he is working on being as gracious as Carl was in his interactions. He encouraged others to remember Carl in a positive way.

**Rob Zako**, Eugene, representing Better Eugene-Springfield Transportation, applauded LTD for their leadership on Transit Tomorrow. He said there was a design workshop last week that cultivated some innovative choices. He noted that Transit Tomorrow is being practical by looking at funds and infrastructure to think two to three years ahead. He also shared that he learned a lot last week and enjoyed the collaboration from the organizations in the room.

#### **ITEMS FOR ACTION AT THIS MEETING**

**MOTION** **Consent Calendar** — Mr. Necker moved that the Board approve the Consent Calendar for September 19, 2018, as presented. Mr. Yeh provided the second. The Consent Calendar consisted of the Minutes of the August 15, 2018, Regular Board Meeting; Minutes of the August 15, 2018, Special Board Meeting; Delegated Authority Report - August; Budget Committee Membership Appointment; Board Committee Assignments; and Contract 2018-14 Complete Coach Works.

**VOTE** The motion was approved as follows:  
AYES: Necker, Nordin, Reid, Wildish, Yeh, Yett (6)  
NAYS: None  
ABSTENTIONS: None  
EXCUSED: None

**Drug and Alcohol Policy Revision** — Human Resources Administrative Secretary, Mackenzie Cowan explained that the policy change will apply to “safety sensitive” positions which include bus operators, mechanics, and general service workers. She said that FTA added opioids to drug tests in January and the results for the test have recently been expanded to include “negative with a safety concern.” This means that the test is positive with a valid prescription, but the prescribing physician can add a safety concern.

Ms. Cowan said that the policy revision responds to the “negative with a safety concern” result. The policy states that employees who receive this result will be pulled from their safety sensitive functions and work with their prescribing physician. Employees that receive this result can be deemed medically unqualified and eligible for termination.

Mr. Necker asked if this applies to administrative staff. Ms. Cowan replied that it does not.

Mr. Necker asked what a physician and Medical Review Officer (MRO) would do to address this issue. Ms. Cowan responded that they might look for alternative drug that would not impact the employee. There could also be an agreement with the MRO that the employee would not take the drug when driving.

Mr. Nordin brought up that the FTA does not consider marijuana laws in Oregon. Ms. Cowan responded that safety sensitive employees cannot use marijuana. Mr. Nordin said that LTD should work with other agencies to determine how to approach this nuance.

Ms. Cowan said marijuana is illegal, according to the FTA.

Mr. Nordin suggested that LTD communicate with FTA and share that their policy is not consistent with Oregon law.

Mr. Purdy explained that the test for alcohol, reports the level of intoxication but there is not a similar test for marijuana.

Mr. Necker asked if there has been progress in developing a test.

Mr. Purdy replied that law enforcement is looking into it.

Drug and Alcohol Program Manager, David Lindelien shared that there is a developing technology using cryogenics to determine level of THC in breath. However, there is still the question of what different levels mean.

Ms. Reid shared that her experience has been that employees are aware of current regulations on marijuana use. She added that it may not benefit LTD to take a stance on this because of federal funding streams.

Mr. Nordin said that it seems unfair to deny people if they use marijuana safely.

MOTION Mr. Yeh moved Resolution No. 2018-09-19-34 as presented. Mr. Necker provided the second.

VOTE The Resolution was approved as follows:  
AYES: Necker, Nordin, Reid, Wildish, Yeh, Yett (6)  
NAYS: None  
ABSTENTIONS: None  
EXCUSED: None

**Lane Transit District Title VI Compliance** – Director of Planning and Development, Tom Schwetz said that the Title VI Compliance is evaluated every three years. He reported no discrimination was noted over that period. Mr. Schwetz said that the methodology to conduct this evaluation has been updated in order to increase accuracy. Mr. Schwetz acknowledged Service Planner Heather Lindsay and the work that she put into the memo.

MOTION Mr. Nordin moved Resolution No. 2018-09-19-35 as presented. Mr. Yeh provided the second.

VOTE The Resolution was approved as follows:  
AYES: Necker, Nordin, Reid, Wildish, Yeh, Yett (6)  
NAYS: None  
ABSTENTIONS: None  
EXCUSED: None

**General Manager Contract** - Mr. Yeh, Chair of HR Committee, thanked the committee for their objective work. He explained that the committee worked to consider a competitive salary, tie evaluation metrics to compensation, and update the evaluation period to match the fiscal year.

Mr. Yeh directed the Board to Section 103 and explained that the agreement contains an annual salary increase and the possibility of merit increase based on evaluation. He said they also

looked at retirement and benefits to match other senior staff at LTD. He asked the Board for questions or comments.

Mr. Wildish noted that Human Resources Director, David Collier did a great job getting answers to questions.

Mr. Yeh added that this is an important process to be able to attract future talent with a competitive salary and benefits.

Mr. Nordin and Mr. Wildish expressed gratitude to Ms. Jackson for her service and the experience she brings to the position.

**MOTION** Mr. Necker moved Resolution No. 2018-09-19-37 as presented. Ms. Reid provided the second.

**VOTE** The Resolution was approved as follows:  
AYES: Necker, Nordin, Reid, Wildish, Yeh, Yett (6)  
NAYS: None  
ABSTENTIONS: None  
EXCUSED: None

Mr. Wildish called a recess at 6:12pm. The meeting resumed at 6:21pm.

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

**Moss Adams Presentation** — Finance Director, Christina Shew introduced Mr. Kevin Mullerleile from Moss Adams. Mr. Mullerleile shared that this is the second year Moss Adams is working with LTD. He reviewed audit requirements and timeline. He said that LTD received the Certificate of Excellence from FYOA last year. Mr. Mullerleile reviewed the deliverables of the audit process and highlighted the three steps to examine internal controls, analytical process, and substantive procedures. He said Moss Adams will examine 40 percent of federal programs, which will include the Federal Transit Cluster and Alternatives Analysis Cluster.

The audit will be completed on January 16, 2019. He said that Moss Adams will be available to meet with Board members in late October.

Mr. Mullerleile also outlined several new standards in accounting practices.

Mr. Yeh thanked Mr. Mullerleile asked for more information on validating internal controls. Mr. Mullerleile responded that Moss Adams already audited LTD's day-to-day transactions but will be returning to look at end of the year practices.

**Community Investment Plan (CIP) – Bus replacement plan** — Development Planner, Kelly Hoell provided information on LTD plans to purchase diesel buses in 2019. She shared she is transitioning from transit development planning to work as the Sustainability Program Manager after returning from maternity leave. This role will include developing a long-term fleet plan.

She explained that LTD will continue to buy diesel and diesel-hybrid vehicles in addition to electric. The diesel vehicles will support current level of service and supplement the aging fleet. She said that she will be working with the Board to set sustainability goals.

Ms. Reid referenced the Master List, which states that Fleet 5 includes 40-ft busses in 2019 with no definition of type. Ms. Hoell replied that these are the first all-electric busses. She explained that LTD committed to this before winning the Low-No Grant.

Mr. Yeh asked how many hybrid busses are joining the fleet. Ms. Kelly said that there will be five diesel and one hybrid. Mr. Turner explained that cost consideration was the most important factor in this decision. Mr. Yeh asked if going all diesel is an option. Mr. Turner replied that they are locked into diesel-hybrid and electric from the grant, but future purchases will probably be all diesel.

Mr. Nordin asked about the experimental CNG bus. Ms. Jackson explained that LTD is working with Northwest Natural to explore a CNG bus. Mr. Turner provided an update on this project and said the site visit has been delayed.

Ms. Jackson noted that Ms. Hoell will be looking at environmental, performance, and cost metrics that will feed into the analysis.

Mr. Yeh applauded the exploration of different kinds of fuels. He voiced his support for diesel only vehicles.

Mr. Nordin asked if the CIP was rebranded from Capital Improvement Program to Community Improvement Plan. Ms. Jackson confirmed this and said that Ms. Shew will explain more in her presentation.

Mr. Nordin also asked for a report on electric busses. Mr. Wildish replied that this will be discussed in an upcoming executive session.

Mr. Wildish mentioned smaller busses (Rideshare size) with no lift that he saw in Atlanta. These busses are manufactured in Boring, Oregon. Ms. Hoell said that she will follow up on this opportunity.

Ms. Reid welcomed Ms. Hoell back and congratulated her on her new position. She shared that feedback from Transit Tomorrow was around environmental sustainability.

**Board Member Reports** — Ms. Reid reported that Strategic Planning Committee (SPC) met earlier in September to discuss a timeline for the State Transit Improvement Funds and membership for SPC. She explained that the committee has had very low attendance lately.

Ms. Reid said that the State Transit Improvement Fund Advisory Committee is in the process of forming. LCOG sent a Request for Application to the rural community. She reported that the first meeting was introductory, and the committee went over definitions. The first round of applications for committee to review will be in February. She invited the board to attend any meeting.

Mr. Yeh reported that the ad hoc committee is meeting on Saturday. He shared that City Council also has ideas around this.

Ms. Reid shared that MPC approved all addendums and plan updates listed in the packet. The main meeting topic was the 2018 ACT survey from LCOG.

Mr. Nordin said that he attended the Lane Area Commission on Transportation in Florence this week. He described a potential project to create trips between Florence and Eugene.

Ms. Reid reflected that the Transit Tomorrow workshop was a great collaborative process and that it will be interesting to see how the community responds. She said the workshop identified key issues, including coverage verses ridership, tradeoffs between weekend and evening services, and fair subsidization.

Ms. Yeh commented that he appreciated how the workshop presented a big-picture question for people to answer.

Mr. Nordin said that the report from Jarrett Walker and Associates looked finite, but the report from MovingAhead shows a variety of opportunities.

Mr. Necker left at 7:04p.m.

**Preliminary September 2018 Financial Report** — Ms. Shew explained that she expanded the Financial Report to add transparency. The report now includes the Resource and Expenditures budgets as approved compared to actuals with descriptions. The first two pages still contain a high-level summary

Ms. Shew reviewed the reports.

The Board commented that they appreciate these changes. Ms. Reid also noted that this will be very useful for new board members.

**Monthly Cash Disbursements - September** — Ms. Reid asked if \$70,000 per month was correct for cleaning. Ms. Shew confirmed this. Mr. Wildish commended that this is a lower number than another quote and they are doing well.

**Monthly Grants Report - September** — Ms. Shew explained that the grants report has been restructured based on projects. She asked for feedback on the draft format. Ms. Shew noted that only active projects appear in the report.

Ms. Jackson added that this report was presented at the Work Session in February. This version of the report will be used starting in December.

Mr. Wildish asked how project phases differ within aspects of the project (i.e., analysis verses construction).

Ms. Shew asked what phases the Board wants to know about.

Mr. Wildish replied that he provided Ms. Jackson information on what he would like to know on phasing construction projects.

Mr. Wildish said that he was confused on Small Starts Pioneer Parkway. Ms. Jackson replied that grants may contain several projects and each project may be in a different phase. The past report is confusing and not transparent to the public. The Project Description report will be much clearer.

Ms. Reid commended that the report looks great and on-brand.

Ms. Shew said she will work with Ms. Jackson on phases to reflect the Board needs.

**Monthly Performance Reports** — Ms. Reid commented that boarding's are up and fares are down.

**Monthly Department Reports** — There were no comments from the board.

**ITEMS FOR ACTION/INFORMATION AT A FUTURE MEETING - REQUESTED BY THE BOARD** — Mr. Wildish brought up Mr. Nordin's point about health care. Mr. Wildish explained that the Board doesn't understand how this process really works. Mr. Nordin and Mr. Yeh said that they agreed it would be useful to have a report on this.

Mr. Yeh asked about the update on public safety. Ms. Jackson replied that the report is complete and on the calendar for next month. It could also be done in a work session.

Ms. Reid asked for a wrap-up of the One-Pass - as it will be important in conversations about the Youth Pass.

Mr. Nordin asked about compensation for Board meetings. Mr. Purdy made a note to look into this.

**EXECUTIVE (NON-PUBLIC) SESSION PURSUANT TO ORS 192.660(2)(f): to consider information and records that are exempted by law from public inspection.**— Mr. Yeh moved that the Board meet in Executive (Non-Public) session pursuant to ORS 192.660(2)(f) to consider information and records that are exempted by law from public inspection. Mr. Nordin provided the second.

VOTE

The motion was approved as follows:

AYES: Nordin, Reid, Wildish, Yeh, Yett (5)

NAYS: None

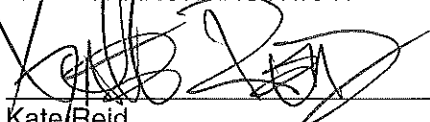
ABSTENTIONS: None

EXCUSED: Necker

The Board entered executive session at 7:34 p.m.

**ADJOURNMENT** — Mr. Wildish adjourned the meeting at 7:40 p.m.

LANE TRANSIT DISTRICT:

  
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Kate Reid  
Board Secretary

ATTEST:

  
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Camille Gandoff  
Clerk of the Board

Date Approved: 10/17/18