

MINUTES OF MEETING  
LANE TRANSIT DISTRICT BOARD OF DIRECTORS  
FINANCE COMMITTEE

Monday, April 10, 2017

Pursuant to notice given to *The Register-Guard* for publication on April 6, 2017, and distributed to persons on the mailing list of the District, the Board Finance Committee for the Lane Transit District held a meeting on Monday, April 10, 2017, beginning at 11:00 a.m., at the LTD Conference Room B, 3500 E. 17th Avenue, Eugene, Oregon.

LTD Board Finance Committee

Present: Gary Wildish  
Carl Yeh  
Ed Necker

LTD Staff: A.J. Jackson, General Manager (via telephone)  
Assistant General Manager Administrative Services Roland Hoskins  
Purchasing Manager Collina Washington  
Compliance Manager Debera Massahos

Others: Dwight Purdy, Legal Counsel  
Don Churnside, Attorney

**CALL TO ORDER/ROLL CALL:** Mr. Wildish called the meeting of the Board Finance Committee to order and called the roll.

**CONTRACT REVIEW:** Ms. Washington explained that this agenda item would introduce contracts that would come before the Board for approval. She said that she had anticipated the RideSource contract would be available, but the inquiry period had been extended and staff were now reviewing proposals for responsiveness. She said that there were three respondents to the request for proposals (RFP) and those applications included a significant amount of confidential and proprietary information. She said that she anticipated that the information would be presented to the Board at its May 2017 regular meeting, along with an award recommendation from Ms. Jackson and any other pertinent information. She explained that two intergovernmental agreements (IGA) also would go to the Board, one of which related to a fiber exchange with the City of Eugene that would allow the City to use a portion of the fiber that LTD was installing as part of the West Eugene EmX Extension (WEEE) project in exchange for a waiver of franchise fees that would normally be charged. She explained that the City was currently reviewing the IGA to assure that LTD's valuation of the fiber use was the equivalent of the waiver of fees.

In response to a question from Mr. Yeh, Ms. Washington explained that the franchise fee was charged by the City to organizations that used its fiber. LTD was installing fiber as part of the WEEE project and in exchange for connecting to the City's system would allow the City to use a portion of the fiber in lieu of paying a franchise fee for the connection. She said that the IGA would be for a period of time, at the end of which it was likely that new technology and infrastructure would make it obsolete.

Mr. Hoskins said that the franchise fee was to compensate the public for private commercial use of public infrastructure.

Mr. Wildish observed that if LTD owned the fiber it was also liable for maintenance, repair, and upgrades. He expressed concern that the District, because it owned the fiber, was getting into the communications business when its purpose was transit. Ms. Washington said that it was not unusual for a transit district to install fiber as part of a project as it was necessary for operations and communications along the corridor. She said that the IGA would include mutual indemnification. She said the partnership with the City would benefit both parties and any IGA would undergo a thorough review by legal counsel before it went before the Board for approval.

Ms. Jackson asked if the Board wanted a cost/benefit analysis on such projects in the future. Mr. Wildish said that would be helpful and that his concern was whether it would benefit the District to own the fiber and be responsible for maintenance and repair instead of paying for the use of infrastructure the City owned. Mr. Hoskins said that staff could research the issue as it had been addressed several years ago when the original City infrastructure was built.

Mr. Yeh stated that he understood Mr. Wildish's concern about LTD getting into business not pertaining to transit and also could see the benefits of LTD's strategy since the District was so dependent on fiber.

Mr. Hoskins said that staff and legal counsel would review the IGA to assure that the District was protected.

Mr. Wildish expressed that as a Board member he wanted to understand the implications and impact on LTD in such an arrangement.

**APPROVAL OF MEETING MINUTES:** Mr. Yeh, seconded by Mr. Necker, moved to approve the January 26, 2017, LTD Finance Committee minutes as submitted. The motion passed unanimously, 3:0.

**EXECUTIVE (NON-PUBLIC) SESSION PURSUANT TO ORS 192.660(2)(E), to conduct deliberations with persons designated by the governing body to negotiate real property transactions and ORS 192.660(2)(h), to consult with counsel concerning the legal rights and duties of a public body with regard to current litigation or litigation likely to be filed.**

Mr. Yeh, seconded by Mr. Necker, moved that the Board Finance Committee meet in Executive Session pursuant to ORS 192.660(2)(E), to conduct deliberations with persons designated by the governing body to negotiate real property transactions and ORS 192.660(2)(h), to consult with counsel concerning the legal rights and duties of a public body with regard to current litigation or litigation likely to be filed.

The committee entered executive session at 9:30 a.m.

**ADJOURN:** Mr. Wildish adjourned the meeting at 11:48 a.m.

*(Recorded by Lynn Taylor)*