

MINUTES OF DIRECTORS MEETING

LANE TRANSIT DISTRICT

REGULAR MEETING

Wednesday, January 20, 1993

Pursuant to notice given to *The Register-Guard* for publication on January 14, 1993, and distributed to persons on the mailing list of the District, the regular monthly meeting of the Board of Directors of the Lane Transit District was held on Wednesday, January 20, 1993, at 7:30 p.m. in the LTD Board Room at 3500 E. 17th Avenue, Eugene.

Present: Jack Billings  
Peter Brandt, Treasurer  
Janet Calvert  
Tammy Fitch, Vice President  
Patricia Hocken  
Keith Parks, President, presiding  
Phyllis Loobey, General Manager  
Jo Sullivan, Recording Secretary

Absent: Thomas Montgomery, Secretary

**CALL TO ORDER:** The meeting was called to order at 7:30 p.m.

**AUDIENCE PARTICIPATION:** Mr. Parks asked for testimony from the audience on topics which were not on the agenda. Margie Smith, President of the Olive Plaza board of directors said she was there as part of the continuing discussion with the LTD Board regarding the transit station site. She had just come from an Olive Plaza board meeting. She stated that she was pleased and delighted that LTD was considering a full-fledged Environmental Impact Statement (EIS), rather than an Environmental Assessment. She believed that the District would have to perform an EIS at some point in the process, because Olive Plaza would urge, through its lawyers and architect, that the District do so if the LTD Board decided against an EIS. She said that a transit station at the McDonald site would definitely be a benefit to some of Olive Plaza's residents, but also would have an extremely negative impact.

Ms. Smith said that the Olive Plaza had asked to be informed of any discussions regarding the transit station, but they had not received notice of this meeting from LTD. She asked that agendas and minutes be sent to the Olive Plaza, care of Ed Oxenreider, manager, as well as to the Olive Plaza's architect, Jim Robertson. Mr. Parks asked if there were several groups representing the Olive Plaza who might need copies. Ms. Smith replied that Mr. Oxenreider's copies would be accessible to the residents' committee and the board, and to anyone at Olive Plaza.

**EMPLOYEE OF THE MONTH:** Mr. Parks introduced Bus Operator Kay Christopher, the January Employee of the Month. Ms. Christopher was hired as a part-time bus operator in

December 1989 and promoted to full-time in May 1992. She had received an award for exceptional attendance. She was nominated by a customer, who said that Ms. Christopher was very friendly and helpful, and that when he was in a bad mood, her positive attitude helped get him out of it. When asked to describe what made Ms. Christopher a good employee, Transportation Administrator Bob Hunt said that Ms. Christopher had fine safety and attendance records, and had been commended for correct schedule operation. He added that she was focused on her customers' comfort and well-being while they were riding with her, and this caring attitude translated into excellent customer service.

Mr. Parks presented Ms. Christopher with a letter, certificate, and check. She thanked the Board for the award.

**NEW EMPLOYEE INTRODUCTION:** Ms. Loobey asked to interrupt the agenda to introduce two employees who were in the audience. The first was Tonja Bohrer, who had been the District's receptionist for almost three years and was leaving the District's employ and relocating to Portland. Ms. Loobey said that everyone at the District would miss Ms. Bohrer, and her bright sunshiny voice and smile. Ms. Loobey also introduced Jennifer Wait, who was hired to fill the receptionist position, and said that since the Board members would undoubtedly be speaking with Ms. Wait on the telephone, staff wanted them to know who she was. Ms. Loobey informed the Board that Ms. Bohrer had brought a cake to thank the Board for their service. On behalf of the Board, Mr. Parks thanked Ms. Bohrer for her excellent job as LTD's receptionist.

**SNOW SERVICE COMMENDATION:** Mr. Billings said that during the recent period of bad weather, he heard many very favorable comments about the progress of and adjustments to the routes. In talking with Ms. Loobey, he had realized it was a group effort, with everyone involved; drivers were doing the very best under difficult circumstances, as were all the support staff. He just wanted them all to know that he was hearing very good things about how LTD was operating during this bad weather. He added that he was very proud of the organization.

Ms. Loobey thanked Mr. Billings for his remarks. She said it was the District's first experience running all the pieces of service that were offered this time, and that the service would be analyzed and a plan of action developed for future snow and ice service.

**MOTION** **APPROVAL OF MINUTES:** Ms. Hocken noted that the word "presiding" was next to Ms. Fitch's name instead of Mr. Parks' for the last meeting. Ms. Calvert moved that the minutes of the December 16, 1993, Board meeting be approved, including the change to correct an error on page 8, which had been handed out as a replacement page prior to the meeting. Mr. Billings seconded the motion, and the minutes were approved by unanimous vote.

**VOTE**

**AMERICANS WITH DISABILITIES ACT PLAN UPDATE:**

**Staff Presentation:** Micki Kaplan of the LTD Planning staff stated that background information and copies of the draft "Americans with Disabilities Act (ADA) Paratransit Plan Update: 1992-93" were included with the December 1992 meeting agenda packets. An executive summary of the Plan was included in the agenda packet for the January 1993

meeting. The ADA mandates that LTD provide paratransit service that is comparable to fixed-route service. The District's initial ADA Paratransit Plan described the current program and set specific paratransit improvements to reach compliance with the Americans with Disabilities Act. The FY 92-93 Plan Update was a progress report that said that LTD was on track and had significantly expanded Dial-a-Ride services during the last two years.

Ms. Kaplan explained that expansion funding to comply with the ADA began in 1990-91. Ridership had increased significantly from the previous year, and had increased 32 percent since 1989-90. Further increases were expected in 1992-93. During the past year and a half, Dial-a-Ride service had been added on Saturdays and later on weekday evenings, and 2,000 Dial-a-Ride riders had been recertified under the new regulations. To reach full compliance, LTD would need to add Sunday service and additional later-evening service during the weekdays and weekends. Staff estimate that the District may need to allocate an additional \$80,000 to \$100,000 for paratransit service for Fiscal Year 1993-94. If the demand for Dial-a-Ride continued to progress in the same manner, staff hoped to reach full compliance by 1994-95. However, if the demand for Dial-a-Ride was higher than anticipated, the District would need to continue expanding services to reach compliance by 1996-97, when full compliance is required. Dial-a-Ride service expansion plans for the following fiscal year would be reviewed by the Board in February and March, during the Annual Route Review process.

Ms. Kaplan said that the Lane Council of Governments (L-COG) board of directors had reviewed and approved the draft ADA Paratransit Plan Update. Additionally, a presentation on the Plan had been made to the Metropolitan Policy Committee (MPC) the previous week. In December, LTD held a public hearing on the draft update. Although there was not a lot of testimony, it appeared that, in general, the public was very satisfied and looking forward to further expansion of the paratransit service.

Mr. Billings asked if regulations were in place to help the District understand when it actually reached full compliance. Ms. Kaplan said that there were regulations which broke down the necessary components to reach compliance, but ultimately, the Federal Transit Administration (FTA) would review the plan every year and let the District know if it was in compliance. Mr. Billings asked how LTD would know when it reached a significant rate of refusals. Ms. Kaplan said that the ADA was vague in this area, so the Citizen Advisory Committee was defining that locally, with input from users. The number of ride refusals was very large before LTD began contributing additional General Fund money to the paratransit program, and has since declined to only 1 percent. The local definition stated that ride refusals were to remain under 5 percent, so LTD was currently doing very well.

Ms. Calvert asked if the estimate of additional funding that would be required was more than the original estimate of costs. Ms Kaplan replied that the staff would prepare the final cost analysis for the Board's review during the Annual Route Review process. Finance Administrator Tamara Weaver added that the cost estimates were within those used in the Long-Range Financial Plan.

**Opening of Public Hearing by Board President:** Mr. Parks opened the public hearing on the District's draft ADA Paratransit Plan Update.

(1) Brian Knowles of Eugene spoke first. He introduced himself as the Vice Chair of the Special Transportation Fund Advisory Committee, and said he wanted to say thank you to the Board members for their support for the paratransit system. He said that it worked well, and that he looked forward to expansion of paratransit service hours into the late evening and Sundays, to increase the social life of those with disabilities and seniors. He invited the Board members to attend the Special Transportation Advisory Committee meetings, held the second Tuesday of each month at LTD.

(2) Paul McGuire stated that he lived at the McNair House on Coburg road, with eight other people who used wheelchairs. He asked that the Board consider longer hours of service; transporting people from the LCC main campus by Dial-a-Ride after regular hours, so they could get home from work; more hours of service; Sunday service; and coordinated field trips with Eugene Parks and Recreation to areas outside the District's service area, such as to the Portland Zoo. He said that he rode the fixed-route as well as Dial-a-Ride, and would not want certification for "conditional eligibility" for Dial-a-Ride to end. Conditional eligibility meant that he could ride Dial-a-Ride when conditions made it unsafe for him to use the fixed-route system, such as crossing a busy street from the bus stop.

(3) Victor Person, who also lived at McNair House, stated that it was very difficult to use a wheelchair on snowy and icy sidewalks and streets, and he had to ride Dial-a-Ride rather than the fixed route. He said that usually he was unable to use Dial-a-Ride because he was too expert at driving his wheelchair, but the weather conditions the previous week made it difficult for him to get to work on the fixed-route system. He said that Dial-a-Ride was great for seniors, the elderly, and those with disabilities, and he appreciated what the District had done for those with wheelchairs and seniors. He hoped that in the future the Dial-a-Ride service would be comparable to fixed-route service, so those who used Dial-a-Ride could go shopping or out with a friend after work and still get home. He said it was good for him to do what he could for himself, such as riding the fixed-route, but when he was stuck in the snow, he relied on Dial-a-Ride.

(4) Joan Shimp introduced herself as the program manager for Dial-a-Ride. She said she was present to say thank you to the Board for the additional allocation of funds, which had made it easier to provide the rides for Dial-a-Ride riders.

**Closure of Public Hearing:** There was no further testimony from the audience, and Mr. Parks closed the public hearing.

**Board Discussion and Decision:** Ms. Calvert stated that during the MPC meeting the previous week, George Kloeppel, the L-COG administrator, had made very positive comments about how LTD sought to provide as good a service as possible to the handicapped community, even before it was required by the ADA. She said he was very supportive of the District and its efforts. Ms. Calvert added that the MPC members asked some questions and expressed some surprise about the costs to provide this kind of service.

**MOTION** Ms. Fitch moved that the Board approve the draft "Americans with Disabilities Act (ADA) Paratransit Plan Update: 1992-93," as presented. Mr. Brandt seconded the motion, and the

**VOTE** Plan Update was approved by unanimous vote.

**EUGENE STATION ENVIRONMENTAL WORK:** Stefano Viggiano, Planning Administrator, discussed four goals for environmental work, which were to: (1) clearly identify all potential environmental impacts; (2) meet all legal requirements for the use of federal funds; (3) minimize costs; and (4) minimize potential delays to the project. He also discussed three categories for environmental reviews: (1) categorical exclusions, for federally-funded projects when there clearly is no environmental impact; (2) environmental assessment (EA); and (3) environmental impact statement (EIS), for projects where it is expected that there could be a significant impact on the environment.

Mr. Viggiano explained that last fall staff believed that an environmental assessment made the most sense for the project to build a new transit station in downtown Eugene. The Federal Transit Administration (FTA) staff also believed an EA to be appropriate for this type of project. However, staff and the Board had known that there were circumstances which might mean that the District would have to perform an EIS instead of an EA. Mr. Viggiano said that staff believed that there were now good reasons to switch to an environmental impact statement. First, there was a perception by members of the community who had been involved in this project that there could be a significant impact and that the District should do an EIS. Second, staff believed that the project would not have a significant impact, but an environmental assessment had to prove that there was no significant impact. For instance, the way to mitigate the parking issue would be to replace the parking, and the District had allocated some money for that purpose. There was a difference between providing the money to replace the parking and actually replacing it, which could tie the proposed parking structure to the station, and LTD did not have control over the process to plan and construct a parking structure. That was the City of Eugene's jurisdiction, and LTD staff's preference had been to separate the projects. An environmental assessment could have the effect of tying the two projects together, while an environmental impact statement would require that LTD take all reasonable steps to mitigate the problem. The District's consultant believed that providing the money to the City to mitigate the parking problem was a reasonable step. Third, there was a possibility of litigation concerning the station. This would be discussed later in the meeting during an Executive Session.

Mr. Viggiano discussed cost estimates for an environmental assessment versus an environmental impact statement. The District currently had a contract for an EA, based on the scope of services developed last fall, at a cost of \$115,000. A "scoping meeting" identified some concerns that staff did not believe were adequately addressed by the original scope of services contract. Those issues were noise analysis, a vibration study, and the economic impact of parking replacement. If the Board decided to continue with an environmental assessment, the contract would need to be increased to \$140,500 in order to complete the additional work. This would not include a contingency amount. The proposed budget to perform an environmental impact statement was approximately \$172,000, which included some contingency for unanticipated costs, and for some increases in project management and scoping. The amount of technical work would be about the same as in the original contract. In an EIS, the public review and response process would be more protracted and in-depth than for an EA.

Ms. Hocken asked for an explanation of how parking displacement was an environmental impact. Mr. Viggiano said that staff had originally thought of parking displacement primarily

as a political issue, and had proceeded on that basis. It was only after beginning the environmental work that it was identified as an economic impact, which was defined as an environmental issue in the federal law.

Mr. Viggiano explained that the dollar figure in the contract could not be increased without increasing the scope of services. Mr. Brandt asked about the cost breakdown between one site and two sites. Mr. Viggiano said that this was not an option when doing an EIS. Rather, the District would be required to study more than one site. Attorney Allen Johnson, who had been hired by the District to provide counsel on land use issues for this project, stated the District would be required to consider all reasonable alternatives or the alternative of taking no action, whether performing an EA or an EIS.

Mr. Brandt stated that the cost for the EA had started at \$70,000 and was now up to \$170,000, which he thought was a pretty serious change. He said the Board would have to be convinced that it was necessary to change the scope of services, and wondered about the option of performing an EA and hoping the District would not later be required to perform an EIS. Mr. Viggiano said that the District might save \$30,000 to \$40,000 by doing an EA, but if unable to prove there was no environmental impact, LTD would be required to perform an EIS, which required a different scoping process than would have been done in the EA.

Mr. Viggiano said that the scope and cost of environmental work vary significantly, depending on the project. The only experience the District had in this area previously was the EA that was performed on the Glenwood property, and cost \$20,000. However, the EA or EIS process typically costs between 1.5 and 2 percent of the project cost. With no controversy, the cost can be lower, and with controversy, it can be very high. The District seemed to be in the middle range at that point.

Ms. Fitch asked if the EIS included the money already charged to the EA. Mr. Viggiano replied that it did, since all the technical work was the same. An additional \$4,300 had been added for additional scoping; however, it was possible that this could be as low as \$1,300.

Ms. Fitch then asked about the time line. Mr. Viggiano replied that the activities on the time line were related to the site selection process. If the Board chose to do an EIS, they could expect a preliminary draft of the EIS, for internal review by LTD and the FTA, by April 16. It would be available to the public by the end of June, and public comments would be accepted for six or seven weeks, with a public hearing in July. Mr. Viggiano thought that the District would be in a position to select its preferred site after the public hearing and FTA review. He suggested starting the local reviews and Conditional Use Permit process then, so the Board could make its final site selection in November 1993. He further explained that if the District changed its mind about a site based on the final results of the EIS, it would not be committed to a particular site by the Conditional Use Permit process. Staff also suggested hiring the architect for the project during the spring of 1993. During the summer, the architect could look at design issues which were not site-specific. This meant that switching to an EIS would mean starting the design work two months later than originally anticipated. However, since ample time had been allowed for design work and construction, reducing each by a month on the time line would mean the project could be completed by June 1996, as originally anticipated.

Mr. Brandt asked if the option to purchase the McDonald site was signed by the City. Mark Pangborn, Director of Administrative Services, said staff had received the option that day. It had been signed by the Acting City Manager in the City Manager's absence.

Mr. Viggiano said that staff expected to recommend to the Board in February or March that they form a Eugene Station Committee to oversee the project. The committee would participate in the hiring of the architect, in the design of the station, and in other ways throughout the project. Staff suggested that this committee include public members as well as Board members. For the Glenwood facility, staff had screened the architect proposals and the committee interviewed three candidates and made a recommendation to the Board.

Ms. Calvert said that it appeared to her that the District had no choice but to perform an environmental impact statement, since there would undoubtedly be challenges if only an EA were performed. She thought that the money for the EIS was a lot of money, but being delayed would also be expensive. She added that she found it difficult to be a steward of the public's money when the District was required to take this kind of action.

Ms. Calvert moved that staff be directed to conduct an environmental impact statement on the McDonald and I-HOP sites. Mr. Billings seconded the motion. However, since the Board had not yet held the scheduled Executive Session, Ms. Calvert and Mr. Billings withdrew the motion and second.

Mr. Parks called a five-minute break at 8:30 p.m., and informed that the Board would move into Executive Session upon their return.

**EXECUTIVE SESSION PURSUANT TO ORS 192.660(1)(h)**: Mr. Parks stated that the Board was moving into Executive Session pursuant to ORS 192.660(1)(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. Johnson was present for the Executive Session.

**RETURN TO REGULAR SESSION**: The Board returned to regular session at 9:00 p.m. MOTION and the audience was invited back in the room. Ms. Calvert moved that staff be directed to conduct an environmental impact statement for the McDonald and I-HOP sites. Mr. Billings seconded the motion.

Mr. Brandt asked how far staff had negotiated to get the price of the EIS down. Ms. Loobey said that the price had come in higher, but staff informed CH2M Hill that the higher price was not possible. About \$13,000 of the current cost was optional, and staff did not yet know if those things would have to be done. In any case, there would be a "not to exceed" figure in the contract.

VOTE There was no further discussion, and the motion to conduct an environmental impact statement on the McDonald and I-HOP sites carried by unanimous vote.

MOTION **ORDINANCE NO. 36**: Ms. Fitch moved that Ordinance No. 36 be read by title only. VOTE Mr. Brandt seconded, and the motion carried by unanimous vote. Ms. Loobey said that copies of the ordinance were available for anyone in the audience who wished one. She read the

title: "Lane Transit District Ordinance No. 36, An Ordinance Establishing Regulations for Use of District Facilities, and Providing Remedies for Violations Thereof."

Ms. Loobey said that Board members had been handed a copy of a communication from Ed Spinney, an attorney with the American Civil Liberties Union, who was present at the meeting. Mr. Spinney said that he had been given copies of the ordinance late last week, and had written the letter to express some of his and the ACLU's concerns regarding some of the provisions of the ordinance, particularly in the area of free speech, the right to collect and petition, and the right to peaceably assemble under the Oregon and United States constitutions. He said he was not suggesting that he had time to provide answers to the questions he had raised. Rather, he was suggesting that they merited further study before the ordinance was enacted. He thought that some of the provisions in the ordinance had potential constitutional problems regarding vagueness or the subjectivity of any enforcement action that would be taken.

Mr. Billings said it was a long time since he had studied constitutional law, and asked, in looking at *State vs. Spencer*, if he was correct in remembering that there was a difference between constitutional standards for finding someone guilty of a crime as opposed to what this ordinance would do, which was to define the occasional right to deny service. Mr. Spinney said that there were some instances when the fact that you were talking about a crime would be different, such as in the area of search and seizure. However, in a flat prohibition, such as the area of free speech, there was no distinction between criminal action and restricting expression. Mr. Billings said he was trying to determine if the position Mr. Spinney was taking on these issues might be that it was unconstitutional or just a bad idea for the Board to adopt the ordinance. Mr. Spinney said he was not suggesting that it was unconstitutional for the Board to take action on the ordinance, but it was possible that at a later date someone who was, for instance, restricted from bus service, could attack that as a nonconstitutional deprivation of their right to use a government service. Mr. Billings said he was not sure whether he agreed or did not agree with Mr. Spinney. Mr. Spinney said he was not taking a position that these were unconstitutional; however, it was his opinion that prohibiting obscene speech and fighting words was unconstitutional. He thought the ordinance could be rewritten or rephrased so that they were constitutional and addressed the concerns of staff.

Ms. Calvert said that, on one hand, the description of fighting words was vague, but she wondered where protection from harassment fit in this situation. Mr. Spinney said that the harassment statute was 166.065, and that the ordinance defined fighting words differently than the constitution. If the ordinance were rephrased to be the same as the harassment statute, it would be okay. Mr. Parks asked if Mr. Spinney could suggest how to correct the problems he had raised. Mr. Spinney said that some of this would be a difference of opinion and subject to debate no matter what the District did, and some of it was fairly clear. Mr. Parks said that the Board was attempting to fulfill its obligation to provide a safe environment for its riders. He realized that "safe" was a broad term, but involved safe conduct for safe service for LTD's customers. Mr. Spinney thought that goal could be reached and still stay within the boundaries of the constitution.



**MOTION** Mr. Brandt moved that the Board pass Mr. Spinney's letter on to District Counsel for further legal work on the ordinance, and have the ordinance brought before the Board at the next meeting. Mr. Billings seconded the motion.

District Counsel Randall Bryson was also present at the meeting. He stated that the language Mr. Spinney objected to might not satisfy the Supreme Court, and it was up to the Board whether to pass the ordinance and fine tune it to see if any changes needed to be made to some of the definitions in an amended ordinance, or to delay passing the ordinance. As far as the rights of the District to prohibit canvassing, he thought that LTD probably had a right to do so on the buses, and could at least limit the time and place in its own transfer station. However, it would be a gamble to try to limit canvassing at the current station, because it used public rights of way. He did not think that shopping mall cases were applicable to the buses. He said he did not think it would be a bad thing to pass the ordinance and amend it later.

Ms. Loobey said that administrative rules for implementing the ordinance had yet to be written. If the ordinance were adopted that evening, staff could begin doing that work, and could amend the ordinance and the administrative rules later if necessary. Mr. Brandt asked if there was a reason to rush the adoption of the ordinance. Ms. Loobey replied that it was not an emergency situation. Mr. Bryson said that if there were substantial revisions to be made, the Board would have to hold another first and second reading of the ordinance. Mr. Parks said he wanted to pass along to the Board the fact that the Union strongly requested help in dealing with certain situations which were covered in the ordinance. Mr. Billings said that this issue would not be dropped.

**VOTE** There was no further discussion. The motion to pass Mr. Spinney's letter on to legal counsel for further review and discussion at the next Board meeting carried by unanimous vote.

**TRANSPORTATION DEMAND MANAGEMENT (TDM) UPDATE:** Mr. Pangborn said that staff were asking the Board to allow the General Manager to submit an application for a demonstration grant for a Transportation Demand Management (TDM) project with nine area employers. He reviewed some of the discussions held during the Board's strategic planning retreat, about new concepts imposed by law in some larger cities and the need to change people's travel patterns. He stated that the District's most successful technique for increasing ridership recently had been the group pass program, especially when combined with increased parking fees and intensive education. TDM included other techniques, such as car pooling, van pooling, and incentive or disincentive programs.

Mr. Pangborn explained that the District had the opportunity to receive \$48,000 to work with nine major employers to try to change people's travel patterns. He said that TDM, a requirement in some larger cities, would have a large role in Oregon, and staff would like to become involved early to see if it would be effective in this community and to determine what role LTD should play.

Mr. Brandt asked about the funding. Mr. Pangborn said that the Oregon State Transportation Commission would contribute a large portion of the funding, with a smaller amount contributed by the Oregon Department of Energy. These funds were available in

project-specific grants and could not be used for capital. In addition to staff time, \$1,000 of the Marketing budget would be used for promotional purposes. One staff member, Transit Planner Paul Zvonkovic, and one intern were working on this project.

**MOTION** Mr. Billings moved that the General Manager be authorized to sign contracts with the State of Oregon to implement the proposed demonstration Transportation Demand Management "Curb Your Car" project. Ms. Calvert seconded the motion.

Mr. Brandt asked about participant selection. Mr. Zvonkovic explained that an advisory committee had been formed. Membership included LTD, Lane County, the Cities of Eugene and Springfield, the Lane Regional Air Pollution Authority (LRAPA), and the Lane Council of Governments (L-COG). The committee reviewed a list of employers with a significant number of employees in the county, and selected interested ones. The companies' interest was important, because the employers' support was needed for the promotional activities to be successful.

Mr. Brandt commented that Aster Publishing was not a very big company, and finding a couple of riders in that company would result in a large percentage. Mr. Pangborn explained that the District was looking at a number of different kinds of criteria. Aster was a downtown employer, where LTD provided a significant level of service. Additionally, he was a private employer who expressed an interest in the project. Mr. Zvonkovic stressed that participation by the company was very important, and said that Aster was really behind the program. Other participants were the Eugene Clinic, the Eugene Water and Electric Board (EWEB), and other larger downtown employers.

Ms. Calvert asked if current group pass participants were not included. Mr. Pangborn said that was correct.

**VOTE** Ms. Fitch called for the question. The motion to authorize the General Manager to sign contracts with the State of Oregon to implement the proposed demonstration TDM "Curb Your Car" project passed by unanimous vote.

**BUDGET COMMITTEE NOMINATIONS:** The Board postponed this action item until the February meeting.

**ITEMS FOR INFORMATION AT THIS MEETING:**

**Board Member Reports: Metropolitan Policy Committee (MPC)**--Ms. Calvert reported that the MPC discussed the TransPlan update and the potential for more public involvement in that process. She and Mr. Billings had encouraged MPC and L-COG to be more creative and vigorous in involving the public, and urged them to consider different methods than they had used in the past. Ms. Calvert said she thought this document and process would affect many people, and she was not sure those people understood that yet.

**Central Area Transportation Study (CATS):** Ms. Fitch said that the last CATS meeting had been held on one of the snowy and icy days, and she had not attended. Mr. Viggiano said that it would take at least one more meeting to review the draft CATS plan before

releasing it to the public. Ms. Hocken asked if the LTD Board would comment on the draft plan. Mr. Viggiano said that it would.

**Fully-Allocated Cost Plan:** Mr. Brandt said that he and Ms. Hocken had met with Finance Administrator Tamara Weaver to discuss the fully-allocated cost plan, and had satisfied themselves that costs were being shown correctly. Ms. Hocken agreed that the cost plan looked fine. Ms. Loobey asked them if there would be any value in using this cost plan with the Budget Committee, since it was very significant to the District's Long-Range Financial Plan. Mr. Brandt thought that it was a little detailed, but the numbers might fit into the budget process somewhere. Ms. Calvert thought that maybe the fact that the cost plan existed and was used to prepare the budget would be sufficient, especially since a subcommittee of the Board had reviewed it and felt that it was a valid process. Mr. Parks said he was satisfied with Mr. Brandt's and Ms. Hocken's review.

**Downtown Eugene Train Proposal:** Ms. Loobey said there had been an article about Ray Robinson's proposal for a train in downtown Eugene in *The Register-Guard* recently, and Mr. Robinson was present to describe the project for the Board. First, Neil Hyatt introduced himself as being involved with the Emerald Empire Railroad group. The members of the board were Ray Robinson, President; Bill Morrisette, Vice President; Kathy Robinson, Secretary; and two Directors, Mary McCauley Burrows and Izzy Whetstone.

Mr. Hyatt stated that traffic was not just a 15-minute rush hour in the morning and evening, and that a train might be a better solution than highway construction and expansion. Mr. Hyatt had written "A Vision for Eugene/Springfield," a proposal that the community reinvestigate the possibility of a light rail system to funnel people in from the far reaches of the county. He met Mr. Robinson because of his interest in Mr. Robinson's recreational railroad proposal. A Eugene City Council member had suggested street cars. Mr. Hyatt and Mr. Robinson believed that all those ideas fit into a logical package, and wanted to see who else was interested. Mr. Hyatt stated that Springfield's Mayor, Bill Morrisette, was interested, and the concept had the unanimous endorsement of the Springfield, Junction City, Veneta, and Creswell city councils and the Springfield Planning Commission, as well as a vote of endorsement from the Lane County Commissioners. He had also received positive letters from Lane Community College, the University of Oregon, Sacred Heart Hospital, and Congressman DeFazio. The proposal was to be presented to the Eugene City Council on January 27.

Mr. Hyatt said that if engineering studies showed that a railroad in downtown Eugene was a cost-effective way to provide mass transit, it would be the appropriate way to go. He said that Eugene had a self-supporting street car system years ago, and he was now talking about a metropolitan area with over 200,000 people, and satellite cities and a combined service area. Mr. Hyatt told the Board that in the 1940s the state of California had mandated that Los Angeles build a freeway within four miles of every residence, which caused the end of the trolley cars. Now Los Angeles would be spending \$183 billion to put in a light rail system, which would amount to about \$18,000 per person, and would require a public subsidy from the federal government. He wanted to avoid those kinds of problems locally.

Mr. Hyatt explained that they were proposing a 3/4-scale train because it fit within the cities and would have less conflict with other uses. He thought the system could be subsidized

by an enormous tourist draw by using modern technology with an old-fashioned look. There was an interest in steam engines in outlying areas because there was a tremendous tourist draw to any kind of old-fashioned train. He thought the tourism would increase ridership enough to subsidize the commuters throughout the year.

Mr. Robinson explained that the Emerald Empire proposal was to run 3/4-scale rail lines to the outlying cities using steam engines, and that the interior areas would be served by 3/4-size street cars. Mr. Hyatt said they had not asked anyone for money, because extensive study and planning would first be necessary. A major part of the information they would need about downtown Eugene would be provided in the Ferry Street Bridge study. He said that they had rough cost estimates, and were just asking the city to take a serious look at their proposal as a viable option.

Mr. Robinson used photographs, diagrams, and charts to show the proposed route, which would connect the Lane County Fairgrounds with Autzen Stadium parking, which was Alternative B in the Transportation Plan. He explained that the Emerald Empire Railroad was a non-profit corporation that combined two goals: transportation and recreation. They had received permission from the City of Creswell to run trains in some areas, which would be the beginning of the recreational lines, and were working with Emerald Valley Resort. The street car lines in the downtown areas would be the hub of the system, and he thought they would pay for themselves. Mr. Robinson said that the Emerald Empire Railroad did not want to provide a transportation system; rather, they wanted to provide the recreational aspects of the system, but wanted to integrate that with a street car and bus system. He thought this could help get people out of their cars, and said the Emerald Empire Railroad would help set up the streetcar system. They would like to be instrumental in getting such a transportation system going, and then turn it over to LTD. It would be set up so that the Emerald Empire Railroad would run the service, or work with LTD to operate the recreational lines.

Mr. Robinson expressed his disappointment that the members of the Board had not received copies of the proposal. He said he would like to ask the Board to endorse the project after they read the proposal.

Mr. Parks asked how they would acquire the right of way for the trains. Mr. Robinson said that 80 percent or more of the rail would be on publicly-owned land. Also, 3/4 scale is lighter and narrower than regular train lines. The rail would be installed in the center of the streets or the downtown mall, and follow the right-hand lane in traffic, as the San Francisco cable cars do. There would be seating and standing room for roughly 70 people. He thought it would cost less than \$500,000 per mile to install the rail in the city of Eugene.

Mr. Hyatt said that there were other 3/4-scale railroads in the country, but no one made them anymore, so the Emerald Empire Railroad had planned to make them locally. He thought that starting an industry would result in a very viable and clean industry for the community, because of the high level of interest in other parts of the country. He thought that other communities too small for heavy, full-scale railroads would be interested. He also said that this kind of railroad could be built for 1/20 to 1/10 on the dollar for light rail, depending on the tunnels and bridges. He thought it could be done for under \$8 million. He said that ITEL

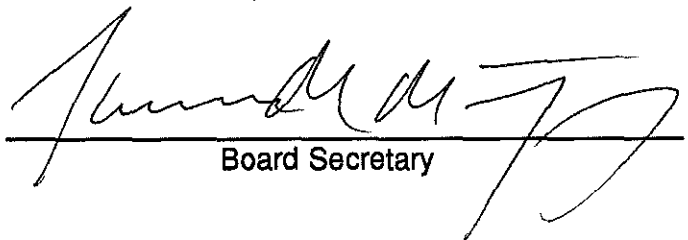
railroad cars would cost about \$650,000 each, but he believed they could be built for under \$400,000 each done locally, and the industry could be kept in the community.

Mr. Hyatt said the Emerald Empire Railroad planned to build a demonstration line in Pioneer Parkway in Springfield, and branch out to other areas--first, to the Dorris Ranch, then to Mt. Pisgah, and then to Creswell and through Lane Community College, back to the downtown loop. The Railroad group believed that this kind of system would augment a very fine bus system. He said that street cars are fun and popular everywhere in the world. He reiterated that the Emerald Empire Railroad was not trying to compete with anyone, and asked that the Board keep their ideas in mind. He said that he and Mr. Robinson could come back at a later date to ask for the Board's endorsement, after the Board had a chance to read the proposal. He believed that 4.25 miles, including a three-mile loop in the downtown area, would be sustaining.

Mr. Brandt asked if staff had reviewed the Emerald Empire Railroad's proposals. Ms. Loobey said that staff had looked at the proposal for the recreational lines, but had not had an opportunity to analyze how the LTD system would fit in with this proposal. Mr. Brandt said he would like to talk about that sometime, to see what would be involved.

**Visit to Federal Congressional Delegation:** Ms. Fitch suggested that Ms. Hocken travel to Washington, D.C., with Ms. Loobey for the local area governments' united trip to meet with the Oregon Congressional Delegation in February, since Ms. Hocken had expressed an interest and Mr. Billings was unable to participate.

**ADJOURNMENT:** Ms. Calvert moved that the meeting be adjourned. Mr. Brandt seconded, and the meeting was unanimously adjourned at 10:00 p.m.

  
Board Secretary