

MINUTES OF DIRECTORS MEETING

LANE TRANSIT DISTRICT

REGULAR MEETING

Wednesday, September 20, 1995

Pursuant to notice given to *The Register-Guard* for publication on September 14, 1995, 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, September 20, 1995, at 7:30 p.m. in the LTD Board Room at 3500 East 17th Avenue, Eugene.

Present: Kirk Bailey, Vice President
Rob Bennett
Patricia Hocken, President, presiding
Dave Kleger, Treasurer
Thomas Montgomery, Secretary
Roger Saydack
Phyllis Loobey, General Manager
Jo Sullivan, Recording Secretary

Absent: (One vacancy, subdistrict #2)

CALL TO ORDER: The meeting was called to order at 7:40 p.m. by Board President Pat Hocken.

AUDIENCE PARTICIPATION: There was no one present who wished to address the Board on issues of a general nature.

EMPLOYEE OF THE MONTH: The August and September Employees of the Month were present to be introduced to the Board. Ms. Hocken first introduced the August Employee of the Month, bus operator Don Herbison. Mr. Herbison was hired in June 1983. In 1994, he earned awards for correct schedule operation and attendance. He was nominated by a customer and a co-worker, who both said that Mr. Herbison was always friendly and had always gone out of his way--beyond the call of duty--to help his customers and fellow workers. The customer had noted that, in the heat of the day, Mr. Herbison had gone out of his way to help a confused, elderly gentleman find his way to the right bus. When asked what made Mr. Herbison a good employee, transportation administrator Patricia Hansen said, "It seems that we are always saying 'thanks' to Don for something--whether it's for getting another operator's downed bus going again, or working double shifts during busy times, or taking the time to answer the question of a new operator. For many years, Don has donated his time, as well as food and materials, to the annual employee picnic. Don recently was appointed as an operator instructor, and I am sure that he will do an excellent job in his new role."

After receiving his award, Mr. Herbison thanked the Board and apologized for not being at the August Board meeting, explaining that he had been involved with animals at the Lane County Fair. He said that a couple of Board members had stopped by his booth there, and he had been able to thank them for the award at that time.

Ms. Hocken then introduced the September Employee of the Month, transportation supervisor Marylee Bohrer. She had been employed by the District since May 1975, and was previously selected Employee of the Month in August 1985. She was nominated by a co-worker, who stated that Ms. Bohrer did everything with an employee and customer focus: she was helpful to the extreme, going out of her way to contact customers in response to complaints, to make sure the customer was left with a good feeling about LTD, and was always pleasant and positive. When asked what made Ms. Bohrer a good employee, Ms. Hansen said that Ms. Bohrer had been in a supervisory position for 18 of her 20 years with the District, and that her exceptional interpersonal skills were her greatest asset. She was always willing to lend an ear or a hand to a customer or fellow employee in need. The District counted on her in many ways other than her specific job duties: she devoted many hours of her own time every year to coordinating the football service and to ensuring that the employee picnic was a success. She had a positive, "can-do" attitude, a strong personal work ethic, a commitment to teamwork, and the willingness to go that extra mile for a job well done.

After receiving her award, Ms. Bohrer thanked the Board.

EMPLOYEE BUS ROADEO: Ms. Hocken informed the Board that bus operator Ralph Dinnel had been selected to participate in the national bus roadeo sponsored by the American Public Transit Association (APTA). She said part of the goal of the selection process was to choose someone who would be a good ambassador for the District. In addition to their skills at the LTD roadeo, the candidates were evaluated in terms of their attendance record, their ability to be a team player, and customer complaints and commendations. Ms. Hocken congratulated him for winning the competition. Ms. Loobey added that he had been the June 1995 Employee of the Month, as well.

MOTION **CONSENT CALENDAR:** Mr. Kleger moved that the Consent Calendar for
 VOTE September 20, 1995, be approved as presented. Mr. Bennett seconded the motion, and
 the Consent Calendar was approved by unanimous vote. The Consent Calendar for that
 date consisted of the minutes of the July 24, 1995, special Board meeting/work session and
 the August 16, 1995, regular Board meeting.

LTD DEFERRED COMPENSATION REPORT: Finance administrator Tamara Weaver introduced this agenda item by explaining that the Board of Directors had a deferred compensation program for the employees of LTD. Every few years, the Board examined the program and not only assessed the policy but also chose a deferred compensation carrier. The program allows employees to defer some of their wages for retirement, which encourages some personal savings for retirement. One of the technical aspects of the program was that the assets technically belonged to LTD, although morally they did not, so the Board had some fiduciary responsibility. The deferred compensation plan was researched with counsel in 1992, so this was a review of the carrier's performance

and the opportunity to make a slight modification to the Board policy that recently had been suggested by Mr. Saydack.

Ms. Weaver stated that in addition to selecting the carrier, the Board has responsibility for monitoring the carrier, to some degree, through staff. Attorney Craig Smith had said that state law prohibited actions against public officials for action or omissions within the scope of their employment, except in the case of malfeasance in office or wanton or willful neglect of duty. However, because of this particular policy, there remained some fiduciary responsibility, called the "prudent person" level of responsibility. Because of that, the Board developed a policy that staff would employ a rating service to monitor the deferred compensation carrier, and would report periodically to the Board on that carrier's fiscal performance. The policy until that date had been that the Board would be told whenever the rating changed, and regardless of any change, the Board would be informed once a year about the carrier's performance rating. The current carrier was Hartford Insurance Company, and it had carried a very high rating by all of the rating services.

The District had chosen Weiss rating service because it was a fairly strict rating service, and had subscribed to Weiss' "watchdog" service in order to receive reports of any changes. Weiss had recently dropped Hartford from an A- rating to a B, which they still considered to be very good, and which they still left on their recommended list. Ms. Weaver checked with other rating services, and found that they had not changed Hartford's rating. She also checked ratings for the largest carrier in the United States, Prudential, and found they had lower ratings. Therefore, staff were recommending that the District continue with Hartford as its deferred compensation carrier, taking no action other than continued monitoring of the carrier. The action requested of the Board was to approve a change in the policy to require quarterly rather than annual reporting, in order to increase the prudent person action. Staff would include a report to the Board in the agenda packet on a quarterly basis.

Mr. Bennett said he appreciated the presentation and thought that Mr. Saydack's suggestion had been a good one. He asked about the rate of investment return. Ms. Weaver explained that the actual investment was left to the individual investors. The carrier offered a variety of options, and the employees chose where and how they wanted to invest. Ms. Loobey added that since each employee chose from an array of investment choices, employees might have entirely different returns. Ms. Weaver stated that it was attorney Craig Smith's opinion that the Board did not have responsibility for the rate of return on the investments that the individual employees chose.

Mr. Bennett asked who handled these accounts for employees. Ms. Loobey replied that LTD subcontracted with Hartford, whose staff representative, Wally Smith, had an office in Portland. He met with employees individually twice a year to discuss their portfolios, and employees also could make changes anytime by telephone. Mr. Bennett offered his opinion that the investment business was very competitive, and there was reason to see if the District was getting competitive rates of return. He said it may not be the Board's business, but to the extent that the Board chose the carrier, he wouldn't mind knowing how it was doing in this regard.

Ms. Weaver stated that as a public body, LTD could only chose the major company, but could not in any way buy stocks, so had to use a major mutual fund carrier for the deferred compensation program. Those were companies such as Hartford, Prudential, and Aetna, which would actually manage the program for the District. She said that she had tried to ensure that the District kept out of the stock buying by having Mr. Smith work directly with the employees. One option to increase opportunities for competitive rates would be to offer more companies for employees to select from. Mr. Bennett stated that insurance companies may be very solid financially, but they were extremely conservative, and may not be aggressive in how they investigated the market.

Ms. Weaver asked Mr. Bennett if he would like to see the published five-year returns of the different choices. Mr. Bennett said that was not necessary, unless the Board was interested. However, he thought the Board might want to look at the choices sometime in the future. Mr. Saydack said he thought Mr. Bennett was raising an important point. The Board had fiduciary responsibility for a plan it did not participate in, and that was unusual. He thought that staff's proposal to keep track of the viability of the company was adequate and would discharge the Board's responsibility. However, he thought Mr. Bennett's suggestion was a good one. He agreed that it was a competitive market, and if LTD had not asked for bids for ten years, it might not be getting the best rate available. He thought maybe a deferred compensation committee should look at this issue.

Ms. Weaver explained that in 1992 a committee did review this question and the Board at that time decided not to change carriers. Mr. Montgomery said that his only interest was to make sure that Hartford offered a wide range of options, which seemed to be the only way to ensure that employees had the opportunity for competitive rates. Ms. Weaver said that the program currently offered about 25 choices.

Ms. Weaver stated that she managed the fiscal side of the deferred compensation program, but Human Resources Administrator Ed Rutledge managed the program itself.

MOTION
VOTE :

Mr. Saydack moved that the Board approve the Policies and Procedures for Deferred Compensation Program as amended. Mr. Montgomery seconded, and the motion passed by unanimous vote.

DRUG AND ALCOHOL POLICY: Human resources administrator Ed Rutledge provided a recap of some of the activity since the Drug and Alcohol Policy was presented as an information item at the August Board meeting. A copy of the draft policy had been sent to each employee's home with a comment form, which could be signed or turned in anonymously. Out of 260 comment forms mailed, Mr. Rutledge received only two back. Both said that the policy was a good thing for the customers' and the District's safety. The Human Resources staff then met six times with different shifts and employee groups, and made themselves available to answer questions. Attendance at those meetings indicated that the policy did not appear to be a hot topic of interest. However, the employee discussions did lead to some of the amendments. Also, the District received notice of some amendments to the federal regulations regarding testing of volunteers, so the draft was amended to comply with the federal regulations. The HR staff also reviewed the draft, and after making the changes, Mr. Rutledge conferred with District Counsel Joe Richards. His

main recommendation was to add a definition for "covered employees," so that was done. Two amendments were made since the policy was distributed, so revised pages were handed out. The changes included the addition of the maintenance administrator on the list of safety-sensitive positions.

Mr. Ruttledge said that he had received a demand to bargain from Local 757 of the Amalgamated Transit Union, with a detailed request for information about every difference from the federal regulations. He had not received an ATU proposal, however, and the 90-day clock for interim bargaining was running.

The changes from the first draft had been struck out (deleted) or underlined (added) on the copy in the agenda packet. Mr. Ruttledge discussed each change for the Board. He explained that "covered employee" meant any employee essentially covered by the policy. According to the federal definition, the District had no "volunteers."

Mr. Saydack said he understood the reason for using the definition of "covered employees," but he thought there were other aspects of the policy that applied more generally than just testing for drug and alcohol abuse. Mr. Ruttledge said that Mr. Richards had been concerned that this policy not reach out to people who were not covered by the federal regulations. He added that a policy for "covered employees" would not prohibit the District from taking that action with non-covered employees. Mr. Saydack suggested making that more clear in the policy. He thought the District needed to make sure that it was clear that this policy did not supersede but added to any other District policies. Mr. Bennett suggested adding such a statement at the beginning of the policy.

Mr. Ruttledge handed out a copy of a letter he had received by fax from District counsel, as a result of Mr. Richard's review of the policy. The letter stated that in Mr. Richard's opinion, the policy complied with the federal regulations.

Mr. Ruttledge said that additional amendments may be needed for the policy in the future, but he recommended that the Board finish this piece of work that evening. Although he had given notice to the ATU, the union might make argument that actual notice was not received until the policy was final. If the Board adopted the policy that evening, the District could finish the 90-day period in time to implement the policy to meet the federal deadline of January 1, 1996.

Mr. Bailey asked about employees who might refuse to submit to tests and the possible self-incrimination issue. Mr. Ruttledge said there was no answer from counsel on that yet. He thought, however, that this might be an issue LTD would want to be dealt with first by a larger transit system.

Mr. Bennett had not been at the August Board meeting, and asked if this Drug and Alcohol Policy was required. Mr. Ruttledge replied that it was; as a part of federal regulations, LTD was required to have a policy in place regarding testing for alcohol and drug use. The District already had a drug-free workplace policy, but the Drug and Alcohol Policy spoke to the testing aspects of the federal regulations. Mr. Bennett said he was used to seeing policies that covered all employees in one document, rather than in separate

documents. He asked if it was a requirement that this be a separate policy. Mr. Rutledge said that the federal regulations spoke in terms of safety-sensitive employees, and not everyone in a transit operation fell under that definition. Post-accident, random, and reasonable-suspicion testing were new requirements in the Omnibus Transit Testing Act and were not covered in prior policies. Mr. Saydack said that because LTD was a public agency, this type of testing was subject to regulation, and was an issue of constitutional rights for search and seizure versus the right to privacy.

MOTION Mr. Kleger moved that the proposed Drug and Alcohol Policy for the Lane Transit District as presented to the Board of Directors on September 20, 1995, be adopted for implementation no later than January 1, 1996, and further moved that the Board declare that this policy does not set aside previously established policies and practices as they apply and employees not covered by the federal law motivating this policy. Mr. Bailey seconded the motion.

Mr. Saydack said he had not had time to review the policy to the level he would need, so he would have to abstain from voting.

Mr. Bennett said he was not clear why the issues would not be combined into one overall policy with respect to drug and alcohol-related issues, with a note about covered employees under the federal regulations, or the language suggested by Mr. Saydack. He wanted to be careful that because this was being done chronologically, the District didn't have to worry about how the most recent policy affected prior policies. Mr. Rutledge said that the federal law said the District did have to have the policy, but it did not say it had to be separate. However, the law that drove the drug-free workplace policy was different than the new law. Other transit districts and school districts already had drug-free workplace policies on the books, and to Mr. Rutledge's knowledge, all of the drug and alcohol policies were separate. With the new laws came new policies.

Mr. Montgomery said it was clear that the Board needed to adopt something that evening. However, he asked if the Board could instruct staff to look into a combined policy. Ms. Hocken said that the revised employee handbooks would have both policies.

VOTE There was no further discussion. Mr. Kleger's motion passed on a vote of 5:0, with Mr. Saydack abstaining.

Mr. Bennett said that if Mr. Saydack looked at the language and had issues he felt strongly about, he thought that would be reason to raise the issue with staff, and even put the policy back on the agenda. Mr. Saydack said he would make the effort to review the policy in the next day or two and talk to Mr. Rutledge.

EUGENE STATION--APPROVAL OF SCHEMATIC DESIGN:

Audience Participation: Ms. Hocken called on Tom Lester of 1862 Lincoln Street, Eugene, who wished to speak about the location of the Eugene Station. Mr. Lester said he was present to urge the Board at this late stage in the decision-making process to return to the IHOP site and give it the same consideration the District had given the McDonald site.

He described what he called significant drawbacks with the McDonald site. First was the issue of parking displacement. He said that the parking spots being displaced by the District at the McDonald site had directly resulted in increasing the scale of the parking structures being planned for the property at the west end of the mall between Lincoln and Charnelton streets. He stated that the stretch of west Broadway had enormous potential as a dramatic entrance into the downtown, as well as a sensitive transition between the residential neighborhood to its west and the downtown mall to its east. However, he said, this potential entrance had the potential to be ruined if the parking structures were built with the number of parking spots necessitated by this displacement of parking. He asked if LTD wanted to share in the responsibility of degrading the west Broadway site with giant, ugly parking structures and ruining this unique entrance into the downtown area. The IHOP site would require about 50 fewer spaces of parking mitigation, which could be handled with parking structures on sites that would not have the serious consequences of the west Broadway area. The property across the street from the *Register-Guard* would be good for structured parking.

Second, he said, at the McDonald site there was no extra capacity for parking additional buses if new bus routes were created. Mr. Lester said that in order to avoid increasing the automobile capacity of the area's street system, which would be expensive and deleterious to the quality of life, the District would need to quadruple transit ridership in the next 20 to 30 years. Yet he thought that by building on the McDonald site, the District was proposing that no new routes would be created. He thought the IHOP site could easily handle layover buses and five extra spaces.

Mr. Lester stated that the greatest fault of the McDonald site as a transit station was its long-term negative impact on Eugene's downtown. He said that that the number one urban design problem facing Eugene was how to diversify the downtown's monotonous urban grid. The transit station provided a rare opportunity to effect and diversify the organizational layout of the urban area. The McDonald site only reinforced one urban design idea, which was that of Willamette Street as main street. In comparison, the IHOP site could herald the entrance to downtown. Because of the Ferry Street Bridge corridor planning process, the planners originally suggested putting the transit station anywhere but at the IHOP site. Now the Ferry Street Bridge plan did not conflict with the transit station site, so there was no longer a relevant argument against the IHOP site. He thought the architects could do a good job with the IHOP site, and that it couldn't hurt to look at alternatives.

Staff Presentation: Ms. Hocken stated that Mr. Montgomery, Mr. Bailey, and she were the only current members who were on the Board when the decision was made to select the McDonald site, and Mr. Kleger was involved as a member of a citizen advisory committee, so a majority of the Board was cognizant of the decision to go with the McDonald site. Planning administrator Stefano Viggiano asked for questions regarding Mr. Lester's comments. Mr. Kleger asked to make a comment for the record. He stated that a change at that point would mean that the station would not be built. The time line for the federal waiver to remove the historical building on the site would take longer than the money would be available, and under the current political climate, the money definitely would go away. Secondly, he said, it was a political reality that the largest church in

downtown was opposed to LTD being at the IHOP site, and that church was not a political weakling. The members had promised that they would fight LTD at that site, and had the ability and resources to drag it out longer than the funding time line. Mr. Kleger stated that he was a proponent of the IHOP site, but realities forced LTD to change location. He said that the District could choose to cope with the circumstances, and he chose to cope.

Mr. Viggiano stated that the Board had endorsed the site plan the previous month, and the design process had continued. Two meetings were held with the Board Eugene Station Committee to review the design. The Committee did not have a chance to consider the entire design report, so there was not an overall recommendation. However, the committee was making two important recommendations regarding the budget and the distribution of activities on the site. He explained that the construction cost estimate in the packet was the first of three budgets the Board would be asked to approve.

Mr. Viggiano discussed the three budget options. Staff and the Eugene Station Committee were recommending that the Board approve a budget with a 5 percent contingency. In addition to the 5 percent contingency, there also was a percentage set aside for construction change orders.

MOTION

Mr. Kleger moved that the budget proposal outlined in column B of the handout, with a 5 percent contingency, be approved for this stage of the design process. Mr. Bailey seconded the motion.

Mr. Kleger explained that the Committee had a lot of discussion about ways to control costs, but it was difficult to know all the details this early in the design process. The Committee identified ways to reduce some of the construction work that was originally envisioned in order to free some money for contingency. He thought the recommendation was a reasonable way to go, and the Board probably would have to look at more cuts as the process progressed. That evening the Committee had reviewed a considerable list for adjusting costs. He said they were still at the beginning of that process and were still exploring the outcomes of different decisions. In two weeks, the value engineers would begin their first review.

Ms. Hocken said that the architects did make some assumptions regarding the quality of materials, and were considering life-cycle costs rather than just initial costs. Mr. Bennett said that most projects that had some difficulty standing the test of time were those where serious cost decisions were not made at the beginning, in terms of the structure and things that did not show. He said it would be a huge mistake to skimp on the quality of materials that would stand the test of time and allow the District to present a reasonable image. He stated that the cost decision had to do with all of the construction segments of the project, from the framing to ceiling heights, all of which should be carefully considered without just looking for ways to cut the budget. He did not want the Board to get caught up in saving money by cutting on the quality of the finish.

Mr. Kleger said he was not willing to sacrifice long-term structural serviceability or give up the overall quality of the structure. He also said that the station would not work if it looked bad.

Mr. Bennett said he was not talking about structural integrity. Rather, he was talking about how many square feet were allocated for a particular use, etc. He said that sometimes he started with the finish materials in the context of the presentation he would like to make, and went backward from there. He said he would lobby strongly for the quality image for a facility that would be there for a long time. He said he was not talking about building a grand monument, but there were certain kinds of materials that, in his view, made sense in terms of a quality presentation of what LTD would like to accomplish and how it would like to present itself, and how it would like to gain a larger share of the market. All that, to him, had to do with how the District was going to present this facility that was going to be there for a long time.

Mr. Viggiano stated that the estimate did assume a fairly high quality of materials. If the District did have to look at cuts, the value engineers would look at a cheaper way to achieve the same thing, and then some other potentially fairly painless ways to save, such as possibly not relocating the utilities around the site.

Mr. Montgomery asked why the Board was approving a budget at that time, and said he was feeling the intense need to have the budget say "preliminary budget" rather than "budget." He wondered if the Board even needed to deal with this yet.

Mr. Viggiano said the budget could be labeled a preliminary budget, and that it did say "schematic design phase budget," so it could not be mistaken for the final project budget. He explained that this budget was being considered now because it was a way to make sure as the District proceeded with the design that the design was in the range of possibilities that the District could afford to build. It was a formal check-in. He added that what Mr. Bennett was suggesting might make a difference in the direction of the project.

Ms. Hocken stated that the Board had taken one action with the budget figure of \$12 million, and the information now was a little more detailed than the Board had seen a couple of months before.

Mr. Saydack echoed Mr. Montgomery's feelings, and said that the bottom line was the same for all options. He said it was not easy for him to distinguish how that addressed the issues Mr. Bennett was talking about in terms of the quality or anything else. He wasn't sure why the Board was approving a budget instead of just saying that the staff and Committee were doing a good job. Mr. Viggiano replied that if the Board approved budget B, that would tell the Committee and architect to try to reduce construction costs. The architect had been working with the committee, but Mr. Viggiano was not yet prepared to say what those cuts might be. He said that the Board action did not have to be a formal motion, but he was not yet sure that reducing construction costs was what the Board wanted to do.

Mr. Bailey said that he thought the decisions and concerns that Mr. Bennett raised were the next phase. The budget being presented addressed the level of contingency to maintain at this stage of the project, and the Committee wanted the budget feedback from the rest of the Board as a validation of a particular direction or balance. The Committee

recommended B as a pretty good balance. He said the Board could delegate to the Committee without voting, but he urged the Board not to get into a minute examination of the construction budget to date. The Committee was trying to do the background work and present a balance of where it thought the budget should be at that point.

Mr. Kleger said he agreed with Mr. Bailey. He thought it was appropriate to move forward with the schematic design. Before considering taking a vote, maybe the issues should be more clear.

Mr. Viggiano said that the Committee also had a recommendation regarding where various activities on the site should be. The main Customer Service Center (CSC) activities would be in a building at 11th Avenue and Willamette Street. This would include a waiting room, offices, telephone information, and public restrooms. Another area, being called the "CSC Junior," would contain the operators' lounge and restrooms and a couple of support functions. This could all be located at the corner of 11th and Olive, or in the building immediately west of the McDonald Theatre building (Mr. Viggiano explained that the Dowds Building, to the west of the McDonald Theatre, was now being called the Gibson building). The Committee was recommending that the CSC Junior be located at 11th and Olive and that the Gibson building be left alone as much as possible. The construction costs at either location would be the same, but the District would save money by not taking the entire Gibson Building. The owner was considering developing the Gibson Building with the transit station in mind.

Mr. Viggiano said he believed that the Federal Transit Administration (FTA) money would not be available for private development on the site, so it was not included in the budget estimate. Staff had asked the FTA how much of the 11th and Olive building it would pay for, but did not yet have an answer. Approximately 3,000 square feet would be needed for the CSC Junior functions, and about 7,000 square feet would be available for private business. Mr. Kleger added that the District didn't really have a choice about developing the southwest corner, since a sound wall had to be built along 11th to meet the Conditional Use Permit.

Mr. Bennett said that the space at 11th and Olive was an odd shape, and the District would have to consider ingress and egress and mixed-use integration very carefully. Mr. Viggiano said that Allen Evans had donated some time to comment on the design. He had said that the shape of the building would be important to tenants. The architects were trying to put as large a building as possible on that property, but they might be able to look at a different shape.

Mr. Kleger said that the Committee would be meeting again the following Tuesday to continue its discussion on these issues.

Mr. Saydack asked if it had been determined that the District legally could build and manage commercial space. Mr. Viggiano replied that it had not. Mr. Saydack said it seemed that needed to be done so the plans would not have to be revised. Mr. Viggiano said that the option existed for the District not to manage. There was adequate justification for the purchase of the property because a sound wall was required, and locating District

functions in the building would be appropriate. However, the District did not yet have a written opinion about commercial activity on the site. Mr. Montgomery wondered if the District was still concerned about commercial activity making it more difficult to ensure safety and security on the site. Mr. Viggiano said that the current design included colonnades with arches over the entrances for aesthetics, but also to define LTD's property. The attorney thought that was a good way to handle this issue. The commercial activity would be outside the defined station.

Mr. Montgomery asked if there would be access onto the station at the south end of the McDonald building. Mr. Viggiano said that was the intent. The bus parked there would be used only one or two times per day. Mr. Montgomery asked how the District would control access by delivery vehicles across the station. Mr. Viggiano said that most of the deliveries were made by small vehicles, and the District might be able to obtain an agreement that deliveries would be made off the hour. Mr. Montgomery said that open access made him nervous. Mr. Kleger said the Committee had been talking with the architect about a gate under LTD's control, and maybe some license limitation on deliveries that cross the platform.

MOTION
WITH-
DRAWN

Mr. Montgomery said he did not know if it was necessary for a formal vote, and that from what he had heard, the Committee was looking at things in a lot of detail. Mr. Saydack agreed. He said the Board had made several suggestions and brought up things he thought the Committee would act on. He was comfortable with the Committee proceeding. Mr. Bennett agreed with Mr. Saydack and Mr. Montgomery. Mr. Kleger and Mr. Bailey withdrew their motion and second.

EUGENE STATION--COMMITMENT OF PARKING REPLACEMENT FUNDS:

Mr. Viggiano explained the District's agreement with the City of Eugene for the purchase of the McDonald site and for parking replacement. The cost of the land was determined by fair market value. With FTA funding, LTD would pay for the land when it actually purchased the property, and would pay the City the parking replacement money when the parking was in place. However, in order for the City to proceed with the parking structure, it needed to make a commitment to build the structure, so LTD would have to make a commitment, also. Mr. Viggiano said he thought it was important to move ahead because doing so would limit the parking shortage during construction of the Eugene Station. The City would need to build the parking to meet all FTA regulations in construction. LTD would commit to approximately \$1.1 million for parking replacement funding, even if the station project fell through. He stated that there was some risk; he did not know what could happen, but there was a risk that something might.

Mr. Montgomery asked who would hold onto the \$1.1 million while the parking garage was under construction. Mr. Viggiano said that the FTA would hold the funds until the parking replacement was in place; then the funds would go to LTD and LTD would pay the City.

Mr. Pangborn said that the federal government had approved the grant for the Eugene station project. In the worst case, LTD would buy the property and agree to give the City \$1.1 million when the parking was completed; then, if the District found something as

unlikely as an Indian burial site on the property and couldn't build, it would still have an agreement with the City to pay \$1.1 million, which would then have to come out of local funds. The City had agreed to build according to federal regulations, and the FTA had said it would give the District the money for this purpose if the parking garage was built to federal regulations. Ms. Hocken asked if the District should own the parking garage if it paid for it and did not take away City parking after all. Mr. Viggiano said that if the federal government paid for it, they would retain a continuing interest in it. If LTD paid for it, the District may have a continuing interest.

Mr. Bennett expressed his view that LTD had to take this risk, because the construction could not be scheduled in any other way. The District had done due diligence in all phases, and unless it wanted to create a site where it had taken the parking and there was not replacement parking, he did not see any way around the risk.

Mr. Saydack wondered if there was a way to protect the \$1.1 million in the event the station project fell through, or to share the revenue in some way. He agreed that the risk appeared necessary. Mr. Bennett said it would be possible to protect the funds if the new garage contract were not already being signed. Mr. Viggiano explained that the garage was due to be completed in September 1996. Director of administrative services Mark Pangborn said that staff could explore Mr. Saydack's suggestion. He did not know, however, if parking revenue would amount to much more than maintenance costs. And then the District would get back to the question of whether or not it could invest in parking structures. Mr. Kleger asked the Board to keep in mind that the District was only acquiring City-owned property by helping the City replace the parking the station project would take away, and needed to act in good faith. Mr. Montgomery added that the District was giving the City money to satisfy the taking away of City parking, and it would not be the District's parking in any sense. Also, he said, as far as he was concerned, this was a formality; the District had already pushed the big rock down the hill, and the only way to stop it would be to stop the entire process now.

MOTION Mr. Kleger moved that the Board approve the commitment of the parking replacement funds to the City of Eugene at the time that the land is purchased from the City, and ask that staff negotiate the best terms they could get. Mr. Bailey seconded, and the motion

VOTE carried by unanimous vote.

OCTOBER BOARD RETREAT DATE AND AGENDA: Ms. Loobey stated that staff had run into a problem with scheduling the Board retreat on October 7-8 and several other dates. Staff would like more time to prepare materials, and wondered if Board members would be available on October 14-15. She discussed the agenda items proposed by staff, listed on page 68 of the agenda packet. Staff were recommending that the Board continue the strategic planning process with consultants Peter and Susan Glaser, who would be available on October 14-15.

Mr. Bennett said he would like to talk about productivity and the fare policy. He thought also that a goal for the Board would be to push the BRT concept until it almost became ridiculous. He said the District would never gain any balance that it believed could make a difference unless it had some competitive priority system. Most communities waited

until it was too late, and he did not want to see that happen here. He stated that one of his objectives was for the District to get some money together to buy rights of way for a BRT system. Another issue he wanted to discuss what LTD really would get out of the Ferry Street Bridge improvements being recommended. The Ferry Street Bridge committee would be starting up again, and he wanted some direction from the Board. Ms. Hocken said that the Board was scheduled to have a work session on bus rapid transit, but maybe this issue could be discussed at the retreat instead. Mr. Bennett said that maybe the Board would decide not to pursue BRT as aggressively as he would like, or maybe it was time for someone else to take up the baton with the Ferry Street Bridge committee.

Mr. Kleger said he would like to discuss whether the Board could begin selecting a corridor along which it could begin taking some actions, such as buying right of way. He thought the District needed to bring a demonstration route. He said he didn't care when it was discussed, but it needed to be done fairly soon.

Mr. Bennett stated that if he wrote the checks at LTD, he would pay for someone to present a "most probable" route to discuss: if the District were going to do something in this community, where exactly would it go? He thought this would give confidence that BRT had some degree of realism and get people to focus on the issue a little more.

Mr. Saydack said that one dramatic view of the future could be seen when taking the football shuttle from South Eugene High School to Autzen Stadium. While spending 45 minutes crossing the Ferry Street Bridge, he said, he thought a lot about transit priorities.

Mr. Saydack also asked to talk about the role of the Board: what kinds of decisions the Board should be making; staff's role; public input; what kind of information the Board should have to make decisions; etc.

Mr. Montgomery agreed that bus rapid transit was an important topic for discussion, because every week that went by, something new was built and took away a piece of the right of way. If the District were going to do BRT, a demonstration on a route somewhere would be of great value, and he thought many people would support it. He thought this should be discussed soon and done as soon as there was time and money.

Ms. Hocken suggested discussing the Long-Range Financial Plan to see how it fit with BRT discussions, the loss of federal funding, the fare policy, etc. Ms. Loobey said that if the updated Long-Range Financial Plan was not available for the retreat, this discussion would happen in the near future.

ITEMS FOR INFORMATION AT THIS MEETING:

Obie Transit Advertising: Ms. Hocken added this item to the agenda, stating that representatives of Obie Transit Advertising were present to talk about the advertising contract and other issues. Ms. Loobey explained that a year or so ago, Obie introduced the "bustacular" advertising program, and the Board approved the program for 30 vehicles. The bustaculars had received a lot of positive response from the community and advertisers. Since other firms had expressed an interest in the advertising contract, staff thought it would

be important to send out a Request for Proposals. Proposals had been received from Obie and two other firms. Obie Transit Advertising was the successful proposer, and increasing the number of buses with the bustacular signs from 30 to 50 created considerably more revenue than had been anticipated. Ms. Loobey stated that Obie's proposal included some design concepts about how to position the logo with the half-side signs, and the company offered to create a complete wrap on one bus free of charge.

Marketing Administrator Ed Bergeron introduced Obie general manager Steve Grover, account executive Doug Grover, and marketing manager Caroline Craven. They showed the Board photographs of displays from other transit districts. Mr. Bergeron explained that the designs seemed to cover the window from the outside, but that they did not obstruct the view from inside. He added that this program would generate more than \$1.6 million for LTD during a five-year period.

Mr. Kleger said that he had ridden in the buses with designs in the windows, and said that they tended to shade or screen the view, but were not terribly distracting. Any comments he had heard about the designs had been favorable. He said he liked the program and thought the District should go ahead with it. He did not see any problem with the full wrap as long as the logo would be visible and the design did not interfere with people entering the bus. Mr. Bailey said he had done an informal survey, and found that people were generally pleased. Ms. Hocken still had some concerns that if the advertising were on the sidewalk side, some customers might not be able to recognize that a bus was coming. Mr. Montgomery said people waiting for the bus generally saw the bus from the front first, so would know the bus was coming.

Ms. Loobey stated that Obie had proposed one full wrap as an LTD promotional bus, not to sell at this point. Full wraps were something the District could decide to do in the future. Mr. Grover said that Obie currently had no plans to ask for a full wrap, and that the better value for the advertiser was on the driver's side. He said they had done very few full wraps anywhere; they were generally too expensive for local business people.

Ms. Loobey said that no Board action was necessary, and that the bustacular program seemed to be very successful. Clients who bought the space seemed to become very proprietary about "their" buses, and some even had celebrations with their employees to unveil the design.

Ferry Street Bridge Corridor Transit Study and City of Eugene Ferry Street Bridge Plan: Ms. Hocken explained that she had asked the City for an update on the Ferry Street Bridge and what it was going to do for transit. Jan Childs and Dave Rinehard of the City of Eugene were present for this discussion. They handed out a newsletter and comment form. Mr. Rinehard briefly reviewed the process that led to the current preservation and enhancement proposals for the bridge. A number of seismic and safety enhancements were planned. He said that the plan had been submitted and the City hoped to receive the federal funding, although demonstration money was always at risk. The City was trying to begin drawing down for the design work within the next month or so. He explained the changes that were contemplated for the bridge and bridge approaches. Transit features were planned mostly for the north end, so far, but the City would look at

possible ways to provide transit advantages on the south side of the bridge, also. The north side would be widened to three lanes, with one for a right turn to Centennial. The bus would go through to an island that would be the bus stop, to allow a queue-jumper. Lights would be synchronized for the major flow of traffic in the major direction. The City was talking to the Oakway Mall designers regarding one major access to the mall from Coburg Road. The southbound bus stop would be located there, and the northbound stop would be across Coburg Road at Albertsons.

Ms. Childs said that the Harlow neighborhood members raised a number of issues regarding transit and the area north of Harlow Road. She said there was a lot of interest in trying to make that section of the corridor work better for transit and pedestrian movement. Mr. Rinehard was planning to establish a staff team to work through the design. LTD would be represented on that team.

Mr. Kleger asked if there was a safe way for buses to stop between I-105 and the bridge on the inbound trip. He said it was difficult for people to get to Alton Baker Park on the bus, so they just drove their cars. Mr. Rinehard said that the design showed a turnout just south of Country Club Road, and that would be the closest stop.

Football Shuttle Service: Mr. Saydack asked why there was no post-game show on the radio on the way home from the game. Mr. Bergeron explained that the new buses did not have radios, and the older buses had problems with noise on the radios. He said he understood that playing the post-game show had been suspended until those problems could be corrected.

High-Speed Rail: Mr. Bailey announced that the southern terminus study for high speed rail had been finished and he would have a report for the Board at the October meeting.

ADJOURNMENT: The meeting was adjourned at 10:35 p.m.


Board Secretary