

MINUTES OF DIRECTORS MEETING
LANE COUNTY MASS TRANSIT DISTRICT

REGULAR MEETING

October 20, 1981

Pursuant to notice given to the Eugene Register-Guard for publication on October 15, 1981, and distributed to persons on the mailing list of the District, the regular monthly meeting of the Board of Directors of Lane County Mass Transit District was held at the City Hall, Eugene, Oregon, on October 20, 1981, at 7:30 p.m.

Present: Kenneth H. Kohnen, President, presiding
Daniel M. Herbert, Vice President
Robert C. Loomis
Carolyn Roemer
Phyllis Loobey, General Manager
Cindy Ficek, Recording Secretary

INTRODUCTORY REMARKS BY BOARD PRESIDENT: Mr. Kohnen, Board President, called the meeting to order and thanked Mr. Herbert for presiding at the September meeting during his absence. Mr. Kohnen then mentioned that there was an additional agenda item for action that didn't get on the agenda. This item was the Real Estate Independent Contractor counsel report. Mr. Kohnen asked the Board's permission to insert the above item right after the Audit Report. Board approval was given.

MOTION APPROVAL OF MINUTES: Mr. Herbert moved that the minutes of the September 15, 1981 regular Board meeting be approved as mailed. Ms. Roemer seconded, and the motion was approved by a vote of 3 to 0; Dr. Loomis abstained.

VOTE

1980-81 AUDIT REPORT: Mr. Kohnen stated that the 1980-81 Audit Report had been completed and delivered by the firm of Derickson & Gault. He also mentioned that two representatives from Derickson & Gault, Mr. Charles Krogman and Mr. David Gault, were present to answer any questions about the audit. Mr. Kohnen asked Mr. Gault if he would like to make any comments. Mr. Gault mentioned that there was no management letter in the report this year as they had nothing significant enough to warrant a management letter. He also mentioned that the records were in a condition that made the audit go more efficiently than ever before and consequently the audit fee was substantially reduced. Mr. Kohnen asked a question regarding the "Collateral Securing Depository Balances" under the audit comments. His question was if the inadequacies of the collateral in the depository balances were material, and if so what the amounts were. Mr. Gault responded to Mr. Kohnen's question by answering that they (Derickson & Gault) had confirmed the collateral coverage at the Bank of the Northwest, but that during certain times of high deposits LTD was uncollateralized. Ms. Loobey stated that she had been in contact with Mr. Walt Sands of the Bank of the Northwest and our collateral coverage level had been raised. Mr. Herbert moved that the Audit Report from Derickson & Gault be approved, Ms. Roemer seconded the motion. The motion was passed

MOTION

VOTE unanimously.

REAL ESTATE INDEPENDENT CONTRACTOR-COUNSEL REPORT: Mr. Kohnen mentioned that the real estate independent contractor matter has been up before the Board at previous Board meetings. At the September Board meeting, the Board asked District counsel, Mr. Richard Bryson, to review the matter and formulate a report of recommended action to be taken by the Board. The issue involves claims for payroll tax refunds by local real estate brokers. Mr. Bryson has concluded that real estate salespeople cannot be independent contractors under the provision of the real estate licensing statute and regulations. This is also the position that has been taken by the Oregon Department of Revenue when processing claims for refunds. Ultimately, this matter may have to be decided in a court of law, possibly through the Department of Revenue's appeal process. Mr. Kohnen stated that Mr. Randall Bryson, partner of Mr. Richard Bryson, was present to answer any questions the Board might have. Mr. Kohnen further stated that if the Board would like a more complete report by Mr. Bryson an Executive Session motion would need to be made. Dr. Loomis stated he didn't feel that was necessary and moved the Board accept the staff recommendation. The staff recommendation states that the Board should formally reject all claims for payroll tax refunds until either an administrative or court ruling determines whether or not real estate broker's salespersons are exempt from the payroll tax under Oregon law. Every broker has the option of appealing this action within the Department, and then in tax court. Additionally, the staff recommends that the Department of Revenue proceed without further delay on those requests for hearings previously made by brokers. Mr. Herbert seconded the motion which passed unanimously by the Board.

MOTION

VOTE

EUGENE MALL TRANSIT STATION: Mr. Kohnen introduced Ms. Ellen Bevington, Planning Administrator, to give the report on the Eugene Mall Transit Station. Ms. Bevington began by reviewing the situation with the Eugene Renewal Agency on the potential construction of a Eugene Mall Transit Station. The ERA has requested LTD present a work program and recommendation for such a station in November. The adopted Downtown Transportation Study will be used as a starting point in responding to the ERA's invitation to submit a program of transit improvements for the Eugene Mall; specifically three alternatives for a phased implementation of the 8th/10th ContraFlow Plan, will be evaluated with the ultimate goal being the development of an affordable project that can be funded and built within the next 18 months. The three alternatives that will be developed are as follows: A) As the first phase of the 8th/10th ContraFlow Plan, redevelop the 10th Street Station, with or without the use of the contraflow technique; B) As the first phase of the 8th/10th ContraFlow Plan, develop the 8th Street Station with contraflow or the conversion of 8th Avenue to two way and shift the focus of transit to 8th Avenue; C) Develop both 8th Avenue and 10th Avenue under a scaled down version of the original plan; however, covered walkways would not be involved and the effect of recent midday service reductions on the overall effectiveness of split stations will be analyzed. Ms. Bevington further explained that staff time had been previously programmed for this activity and traffic engineering assistance would be procured by scaling down the U of O study. Thus no change in the budget for consulting services would be necessary. Dr. Loomis made the comment that the term "site" should be used instead of station as the public tends to envision a structure or building when the term station is used. Ms. Roemer asked

MOTION if the staff had any idea what the dollar amount involved would be for the project. Ms. Bevington responded that the project would be under a million dollars funded locally, with the possibility of some share coming from LTD and the ERA, although none of the agencies involved in the project have talked share amounts yet. Mr. Herbert moved the Board accept the work program prepared by the staff and a subcommittee be appointed to oversee development of a Eugene Mall Transit VOTE Site proposal. Ms. Roemer seconded the motion which passed unanimously. Mr. Herbert stated that he would like the record to show that he would have no conflict of interest if appointed as a design consultant for the project as his term on the Board ends in the near future. The appointed subcommittee will consist of Mr. Kohnen, Mr. Herbert, and Ms. Roemer.

PORT OF SIUSLAW CORRESPONDENCE: Mr. Kohnen called the Board's attention to a letter in the packet from the Port of Siuslaw. The letter refers to a proposal by the Port of Siuslaw to implement bus service between Florence and Eugene. Mr. Kohnen asked Ms. Loobey if she had any comments to add. Ms. Loobey stated that basically the problem seems to be one of communication with the Port of Siuslaw. She further stated that LTD needs to clear up the situation of who is going to fund the project and why and who is going to administer the project. The draft letter enclosed in the Board packet is the staff's answer to these questions and would be sent to the Port of Siuslaw Commission if approved by the Board. Concerning the draft letter in the packet, Mr. Herbert made the comment about the statement "...the District seriously doubts whether Eugene-Florence transit service is economically viable at the present time." by saying he didn't feel this was necessary in the letter. Mr. Kohnen agreed with Mr. Herbert's comment. Dr. Loomis asked Ms. Loobey for a short synopsis of the situation. Ms. Loobey responded that the Port of Siuslaw has been approached to be the sponsor of a project which would implement bus service from Florence to Eugene. As LTD is the pass-through agent for Section 18 funds the Port of Siuslaw contacted LTD in order to apply for those funds. LTD contacted the Public Transit Division, who is the original receiver of the funds which they distribute throughout Oregon, and requested they handle the application as their division has technical assistance for small operators. The Public Transit Division has thrown the administration of the application back at LTD with the reasoning that LTD is the appointed pass-through agency. LTD believes that this isn't enough rationale for the amount of staff hours that would have to be committed in overseeing the project. Dr. Loomis mentioned that we should clearly state our position and "make peace". He further suggested that the proposed letter be rewritten. MOTION Mr. Herbert moved that Mr. Kohnen and Ms. Loobey rewrite the letter to the Port of Siuslaw, which would reflect the staff recommendation. Ms. Roemer seconded VOTE the motion which passed unanimously by the Board.

DISTRICT BOUNDARY ADJUSTMENT: Mr. Kohnen stated that the 1981 Legislature approved House Bill 2818, which empowers the District to levy a tax on income from self-employment. This bill also requires the transit districts to evaluate their boundaries to determine whether they correspond to areas where bus service is provided. This is to be accomplished by deleting any census tracts where no transit service is provided and at the Board's option, deleting portions of census tracts that are not near bus routes. Ms. Loobey stated that the staff has prepared a map showing the five areas that must be deleted under HB 2818 and two additional areas that the staff proposed to delete. This map is enclosed in the board packet. Mr. Herbert asked Ms. Loobey what the criteria was for a census tract with bus service, was it within a quarter of a mile in the census tract? Ms. Loobey responded that the criteria is service within a 2½ mile radius along that route. A question was voiced from Ms. Melva Barnes of 29943 Aubrey Lane concerning the boundaries. Ms. Barnes was under the impression that

the Board was passing an authorization to tax people in her area without notification. Ms. Loobey responded that the issue was just the opposite; if the District were to annex any territory there has to be proper notification. She further stated that there is a process if people wish to be annexed they can do so. Dr. Loomis moved that the Board authorize staff and legal counsel to prepare an ordinance altering the District's boundaries to comply with the map enclosed in the packet. Mr. Herbert seconded the motion, the vote was unanimous.

MOTION

VOTE

MINORITY BUSINESS ENTERPRISE RESOLUTION: Mr. Kohnen stated that last November (1980) the Board approved a resolution adopting the MBE program as required by UMTA. Since then UMTA has sent the program back to LTD requesting LTD strengthen the wording and promise a more aggressive recruitment of MBE's. Mr. Kohnen further stated that the staff has made these changes and are reflected in the resolution in this meetings board packet. Ms. Roemer moved the Board accept the resolution approving a Minority Business Enterprise program, Dr. Loomis seconded. The vote passed unanimously by the Board.

MOTION

VOTE

RIVER ROAD TRANSIT STATION: Ms. Bevington was asked by Mr. Kohnen to give an update on the River Road Transit Station. Ms. Bevington began by stating that the contract for the station has been awarded by the State to Wildish Construction Company. The ground breaking will occur in November. Ms. Bevington also mentioned that the bid was right on the architect's estimate and well under the Federal Urban funding budget for that project.

Concerning the Springfield City Center Transit Station, the final plans and specifications are basically complete. Ms. Bevington expects the project to go out for bid in 2 to 3 weeks with contract award in 6 weeks. Construction will begin the month after the award.

Ms. Bevington stated that LTD is still negotiating on the Springfield Mall Transit Site. The owners of the Mall will need to grant LTD an easement in order for construction to begin. The site plan has been approved by the City of Springfield traffic engineer.

Regarding the bus stop signs, all anchor posts have been installed in Springfield and most of Santa Clara/River Road. Mr. Kohnen requested that Ms. Bevington give an update on the separate funds for shelters provided through a TSM (transportation systems management funds) administered through L-COG. Ms. Bevington stated that the shelters will probably go under contract in the next 2-3 weeks, with hopefully 40 shelters installed.

FOLLOW-UP REPORT - COMPREHENSIVE SERVICE REDESIGN/IMPLEMENTATION: Ms. Bevington stated that at the Administrative level everyone is very pleased with the implementation of the CSR. Staff involvement was nearly total for the whole week. From the comments staff has received it appears that this implementation was LTD's best effort at communicating changes to the public. On the ridership response, Ms. Bevington said that it's still too early to gauge ridership figures effectively, although a comparison table of the first 17 days of the new CSR has been supplied in the board packet along with last year's figures. Ms. Bevington mentioned that the requests by Fairview residents at the September board meeting had been accommodated, with Quinalt Street being reinstated on the route. She further mentioned that the #17 Weyerhaeuser is not doing well and is being monitored very closely. If this route can't be turned around with better ridership, a resolution may be presented to the Board at a future date for elimination of that route.

Passenger overloads have been occurring on some routes such as the #11 Thurston, #31A Bailey Hill, #21 LCC/Harris and the #51 Santa Clara. Ms. Bevington mentioned that the staff hasn't had an opportunity to do a productivity study yet, but if overloads continue the January bid will have to be adjusted to accommodate these overloaded routes.

Loss of frequency on 8th Avenue during the midday has proved to be a greater inconvenience than anticipated. LTD is currently working with the Bethel-Triangle neighborhood to take a look at their route and work out a restructurization that will serve 8th Avenue better and be acceptable to the Bethel neighborhood.

Potential hot spots that the staff are looking into include: Baxter Street, Shady Lane and "C" Street at Water. The degree to which the staff investigate each depends on the problem. At this point, Shady Lane will be unchanged as LTD has service on other streets that are much worse than Shady Lane. The Baxter Street situation is being taken to the neighborhood group for input. "C" Street and Water, adjacent to the Willamalane Senior Center, is being looked into closely because the nature of the situation dictates that LTD spend more time to resolve that issue.

Mr. Kohnen asked if anyone had questions for Ms. Bevington on any of the issues she covered. No questions were asked. Mr. Kohnen gave his personal thanks to the staff for their help and time spent in the service redesign and implementation.

T-2000 ANNUAL REVIEW: Mr. Kohnen mentioned that the T-2000 is the metropolitan area's long-term transportation plan. Mr. Kohnen further mentioned that each Board member received a copy of the T-2000 Annual Review with their board packet. Ms. Bevington made the comment that there is a policy discrepancy between the District's 30% farebox-to-operating-cost ratio and the T-2000's ridership goals. LTD has fallen behind in their projected ridership goals and in the next T-2000 update we have asked to have those ridership goals lowered.

FINANCIAL REPORTING: Ms. Loobey reported that our Section 5 funding, that is traditionally late, will be even later coming than usual this year. There is the possibility that future budget cuts will be made in Department of Transportation funds. In talking with Senate members, Ms. Loobey has found out that a 12% cut in Transportation funds is the minimum we can hope for if the Senate does decide to make the cuts. Mr. Kohnen and the Oregon Transit Association have corresponded with Oregon's Senators asking for first no cuts from the Transportation funds and then, if that is not possible, no more than a 12% cut in funds. Another issue that might delay receipt of Section 5 funds is the 13(c) agreement. Ms. Loobey stated that LTD recently sent a letter to UMTA stating that LTD would not accept the currently certified 13(c) agreement, but would accept the model 13(c) agreement as required by DOT policy.

Mr. Kohnen asked if there was any questions or comments on the financial statements. No questions or comments were made.

Ms. Loobey announced to the Board that Thursday and Friday, October 22nd and 23rd, the Oregon Transit Association would be holding their annual conference at the Holiday Inn. She further stated that any Board members wishing to attend would be welcome. Items on the agenda range from 13(c) to operating and capital budgets. John Hensel of Citizen's Bank will be the keynote speaker on Friday.

Another announcement made by Ms. Loobey was that Secretary of State, Norma Paulus, would be conducting a public hearing on the LTD boundaries October 21, 1981 at 1:00 p.m., Lane County Election Office. Ms. Loobey stated that she wasn't sure what to expect from the hearing but that she would be attending as a resource person.

Ms. Bevington mentioned that the LTD Eugene Mall Transit Site Subcommittee would be meeting on Wednesday, October 28th at 7:30 a.m. Committee members will be contacted later on the place.

Mr. Harold Chapman, 51 Chapman Drive, Eugene, mentioned that the Board would soon be getting a letter from the Santa Clara Neighborhood group concerning the discontinued service on River Loop #1.

Mr. Kohlen adjourned the meeting as there was no quorum for a vote.

A handwritten signature in blue ink, reading "Richard A. Book". The signature is written in a cursive style and is positioned above a horizontal line.

Secretary