

MINUTES OF DIRECTORS MEETING
LANE COUNTY MASS TRANSIT DISTRICT

REGULAR MEETING

March 16, 1982

Pursuant to notice given to the Eugene Register-Guard for publication on March 11, 1982, and distributed to persons on the mailing list of the District, the regular meeting of the Board of Directors of Lane County Mass Transit District was held at the City Hall in Eugene, Oregon, on March 16, 1982, at 7:30 p.m.

Present: Peter M. Brandt
Janet Calvert
Kenneth H. Kohnen
Ted J. Langton, President, presiding
Glenn E. Randall, Vice President/Treasurer
Phyllis Loobey, General Manager
Jo Sullivan, Recording Secretary

News Media Representative:
Ron Bellamy, Eugene Register-Guard

Absent: Janice Eberly, Secretary
Polly Nelson

INTRODUCTORY REMARKS BY BOARD PRESIDENT: Mr. Langton stated that the Board would attempt to offer as much time as was needed for input from the public. He informed the audience that the Board, in order to allow the largest amount of input possible on the self-employment tax issue, had decided to defer any action until the next scheduled Board meeting.

AUDIENCE PARTICIPATION: Mr. Langton asked for audience participation for items other than those on the agenda. There was none. He asked that those present to testify on specific items on the agenda wait until those items came up for Board discussion.

MOTION APPROVAL OF MINUTES: Mr. Kohnen moved that the Board approve the minutes of the February 9, 1982 Adjourned Meeting, the February 16, 1982 Regular Meeting, and the February 23, 1982 Adjourned Meeting, as distributed. Ms. Calvert seconded, and
VOTE the motion carried on a unanimous vote, with Mr. Randall not yet being present at the meeting.

ORDINANCES #23 and #24--SELF-EMPLOYMENT TAX: Mr. Langton reviewed this issue by stating that Ordinance #23 covers the imposition of a self-employment tax and Ordinance #24 reduces the payroll tax rate to correspond to the self-employment tax rate. Mr. Langton then opened the meeting for audience participation on this issue.

Don Wilhite of 3995 Banner Street, Eugene, stated that he had been in business in Santa Clara for 15 years and that he sees empty buses come and go most of the time. He said that as owner of a Texaco station there he paid payroll taxes, but now he works alone.

Jake Jacobson of 261 Hollyview, Eugene, thought that the Eugene Register-Guard had stated that this meeting would not be held. Mr. Langton explained that the newspaper had said that this issue would be deferred, not that the meeting would be postponed. Mr. Jacobson said he had sent 3,000 letters to people in the community, and thanked those who came to the meeting. He thought it was bad for the Board to get the people stirred up about an issue and then back off. Mr. Langton explained again that the issue was postponed until the next regular meeting, to be held on April 20, in order to receive as much public input as possible. Janet Calvert added that inclusion of the issue on the April 20 agenda does not imply automatic approval. Mr. Langton stated that, as of now, the Board plans to make a decision one way or the other on this issue at the April 20 meeting.

Art Mehas of 1220 Goodpasture Island Road, Eugene stated that he had done some research on House Bill 2818, and it appears that in Section 1(31)(d), net earnings of the self-employed has the same meaning as in Section 14012 of the Internal Revenue code. He also called the Attorney General's office about the term "net earnings," and it appears that the Attorney General's office has not investigated what that term actually means. He thought that if it means net earnings of the self-employed, this would be discriminatory because it singles out the self-employed as the only group in the state to be taxed on net income. He said that if he were a corporation, the tax would fall on his salary, not on his corporate profits, but this tax would fall on all the profits of his business.

Mr. Jacobson asked if this proposal was mandated or brought up by the District's trustees. Mr. Langton explained that the State Legislature had passed a bill which enables the District to levy such a tax, but it was not mandated.

Mr. Langton then closed the meeting for audience participation on this issue and explained that the Board would read the ordinances for the second time but take no action.

MOTION VOTE Mr. Kohnen moved that the Board read Ordinance #23 by title only. Ms. Calvert seconded, and the motion carried unanimously, with Mr. Randall not yet being present at the meeting. (Copies of the ordinances had been handed out to interested members of the audience prior to the Board meeting.) Mr. Langton read the title: "Lane County Mass Transit District Ordinance #23, An ordinance imposing a tax on net earnings from self-employment and providing for administration, enforcement and collection of the tax."

MOTION VOTE Mr. Brandt moved and Mr. Kohnen seconded that Ordinance #24 be read by title only. The motion carried unanimously, with Mr. Randall not yet present, and Mr. Langton read the title: "Lane County Mass Transit District Ordinance #24, An ordinance imposing an excise tax on employers, providing for administration, enforcement and collection of the tax, and conditionally terminating the application of Ordinance No. 20."

10¢ FARE DAY: Mr. Langton introduced this item by stating that the main issue was the connection with the downtown promotion and the effect that this may have on that promotion, as well as the fact that the estimated revenue loss would only be \$500.

Ms. Calvert thought it might be a good idea. She recalled when the District had held a contest to see who could get from point A to point B the fastest and junior and senior high school students had had fun doing it. She wondered if that sort of thing might be of interest again.

Mr. Langton saw the proposed 10¢ Fare Day as an opportunity for the District to participate with the downtown merchants and to make them more aware of LTD. Mr. Kohnen stated that he wouldn't think of this as a revenue loss but as an opportunity to get many new people to ride the bus. He thought the overall result could be an increase in ridership and revenue.

Ray McIver, the Mall Manager for the Eugene Downtown Association, stated that he had been serving on the steering committee of the Imagination Celebration and that he was present to encourage the participation of the District in the 10¢ fare promotion. He said that the Celebration would not fail without the 10¢ fare and that there already was District involvement in other aspects of the Celebration, but that the Board's approval of a 10¢ Fare Day would make a tremendous Imagination Celebration even better. He added that on May 1st, the largest sale ever in the history of downtown would be taking place and the LTD 10¢ ride would make it even easier for people to take advantage of the tremendous discounts offered by the merchants. He thought a 10¢ Fare Day would increase the potential use of the bus system that day, and increase the number of people that could take part in the Imagination Celebration and Saturday Sale. He said also that the Downtown Development Board and the Downtown Association would be most favorably inclined if the LTD Board decided in favor of the 10¢ Fare Day.

Tamara Pinkas of 39290 Upper Camp Creek Road, Springfield, stated that she was the coordinator of the Imagination Celebration, which is an outreach program of the Kennedy Center for the Performing Arts, supported by the Oregon Alliance for Arts Education and the Lane Regional Arts Council, the Eugene Downtown Association, the 4-J School District, the Lane Educational Service District, Eugene Parks and Recreation, Maude Kerns Art Center, the Cooperative Museum Commission, local businesses, and LTD. She thought the 10¢ fare would be beneficial to the Imagination Celebration as well as to LTD. She referred to the doubled ridership on the Free Fare Day held on April 1, 1981 and thought that many of those riders were new to the District. The Imagination Celebration, she said, feels that a reduced fare would encourage community participation in the event and would highlight the bus as a means of transportation to Celebration sites. She said that LTD would have the opportunity to demonstrate the convenience of using the bus to attend cultural events and would give the community the opportunity to view the bus as a pleasant and viable alternative to private transportation. She saw the 10¢ fare as both a valuable community service and a chance for LTD to develop and educate its ridership. She thanked LTD for the support already given to the Imagination Celebration.

Dick Lennox of 1554 Oakpatch, Eugene, stated that he worked for the Lane Educational Service District as the Arts Specialist and wanted to speak from an

educator's standpoint. He said he was excited about LTD's involvement and support all the way through the process. He hoped the Celebration would be bright spot, something on which to focus energies in a positive way in a depressing economic time. He thanked the District for their support so far, and said that the best reason for approving a 10¢ Fare Day is that it would be mutually beneficial.

MOTION VOTE Ms. Calvert moved that the Board approve a 10¢ Fare Day for all LTD riders on Saturday, May 1, 1982. Mr. Brandt seconded, and the motion carried on a unanimous vote, with Mr. Randall not yet being present.

TRAVEL POLICY: Mr. Langton asked the Board members to note that there were two different travel policy proposals in the agenda packet--one recommended by the staff in response to instructions from the Board, and one recommended by Board member Pat Randall, who was not yet in attendance. He explained that the prime difference was the level of approval by the Board. In Mr. Randall's proposal, prior approval would be needed for any out-of-state travel, and in the policy recommended by the staff, prior approval would be necessary only under certain circumstances, as indicated in items one through five of the proposal; otherwise, the proposals are the same.

Mr. Brandt asked why an exception was made for travel to British Columbia, to which Paul Shinn, Director of Administrative Services, responded that there is a yearly or twice-yearly conference for Marketing and Planning people held in Vancouver, B.C.

Ms. Calvert recommended that the staff might inform the Board if there was going to be out-of-state travel, but not necessarily bring it to the Board for approval. Ms. Loobey explained that the budget process does that to a certain extent, but that staff could also alert the Board to upcoming travel. Mr. Langton further explained that the travel budget cannot be overspent. He thought it would be ponderous to approve all out-of-state travel, and wouldn't appreciate calling a special meeting to approve travel to Vancouver, Washington, for instance.

Mr. Kohnen asked how many trips a year would be over \$1,200 and Mr. Shinn thought no more than three, depending on length of time necessary to get reduced rates on the airlines, etc. Ms. Loobey said also that it depends partly on where the APTA annual conference is; some places cost more than others for lodging, food, etc.

MOTION Mr. Brandt moved and Ms. Calvert seconded that the Board adopt the Training and Travel Policy proposed by the staff (copy attached).

Mr. Randall arrived at this point in the meeting.

Mr. Randall apologized for being late and for holding up the meeting while he reviewed the proposals. He said he didn't see why there should be any secret about where the staff, Board members, or General Manager go. He wanted the Board to be notified each time anyone travels outside the state, by placing such items on the agenda. He didn't think an arbitrary amount of \$1,200 was proper, and said that

the Board of Directors had a responsibility to the taxpayers to know where the money was being spent and should be able to determine whether trips are necessary or not.

Mr. Kohnen asked staff how much of a problem would be involved in getting advance approval, how much advance notice of trips is ordinarily available. Ms. Loobey said that most APTA or staff training meetings involve enough notice that the Board could be notified. In fact, she said, ORS 267 requires that she tell the Board when she will be out of town and who will be the Acting General Manager. In some cases, for instance when the Board approved her participation on the Executive Committee of APTA, some meetings have come up which give much shorter notice than 30 days, and if the Board wished to have an approval process for that, it might require calling a special meeting.

Mr. Kohnen stated that he thought Mr. Randall's proposal was a sound proposal, and suggested that if his proposal ever came to a vote, an addition be made that when the Board has approved the General Manager or other staff person to have a committee membership or officership in a national transit organization, such approval carry with it approval for travel within budgetary limitations, without further advance approval, in other words, automatic approval. Mr. Randall said that he had no objections to such an addition.

Mr. Langton asked Mr. Randall why he was singling out travel, a budget of about \$20,000, for scrutiny. Mr. Randall replied that the thing that upset him the most was that the General Manager went to Alaska, for which Alaska paid "most" of the expenses. He thought the Board should have some sort of system for approving travel ahead of time, not to disapprove everything, but simply to know ahead of time what was happening.

VOTE Mr. Brandt called for the question. With no further discussion, the motion passed on a 3-2 vote, with Mr. Brandt, Ms. Calvert, and Mr. Langton voting in favor of the motion and Mr. Kohnen and Mr. Randall voting in opposition.

POLICY MANUAL---CHAPTERS 4 AND 5: Mr. Langton called the Board's attention to page 31 of the agenda packet, where a staff memo explained the two sections of Chapter 4 which needed to be adopted to comply with state legislation and past LTD practices. The remainder of Chapter 4 and all of Chapter 5 had already been adopted by the Board.

MOTION Mr. Kohnen moved that the Board adopt Section 4.012, Annual Review of Boundaries, and Section 4.022, Transit Service Outside Service Area. Mr. Randall
VOTE seconded the motion, and it carried on a unanimous vote.

CONVENTION BUREAU CHARTER NEEDS: Mr. Langton informed the Board that David Radcliffe of the Eugene/Springfield Convention and Visitors Bureau would not be able to attend the meeting as planned. Mr. Langton further said that he thought most charter business was profitable and that it appeared there would be some developing needs for charters.

Mr. Randall moved, and Mr. Brandt seconded, that the Board direct staff to work with the Convention Bureau to develop for Board approval new policies regarding LTD's desired role in accommodating future charter needs. The motion passed unanimously.

MOTION
VOTE

BUDGET COMMITTEE APPOINTMENT: Mr. Brandt said that he would like to nominate F. Robert O'Donnell to serve on the District's Budget Committee. Mr. Randall moved that the Board approve F. Robert O'Donnell's nomination to the Budget Committee for a three-year term. Ms. Calvert seconded, and the motion carried unanimously.

Mr. Randall stated that his appointee to the Budget Committee, John DeWenter, had resigned by letter to the Budget Committee Chairman, Dick Hansen. Mr. Randall said he hoped to have another nomination by the next meeting. Ms. Loobey stated that if Mr. Randall knew who his nomination would be, he/she could be invited to participate at the first informational committee meeting on March 23. Mr. Randall said that he had asked the labor people to help him choose someone to serve, and that they would be meeting on March 22.

APPOINTMENT OF BOARD MEMBER TO DDB PEDESTRIAN COVER REVIEW PANEL: Mr. Langton stated that Polly Nelson had expressed some interest in working with the Downtown Development Board on the Pedestrian Cover Review Panel; therefore, he appointed her to that panel.

APPOINTMENT OF BOARD MEMBER TO METROPOLITAN AREA TRANSPORTATION COMMITTEE (MATC) AND LANE COUNCIL OF GOVERNMENTS (L-COG) BOARD: Mr. Langton mentioned the importance to the District of having someone work with both MATC and L-COG. He then appointed Janet Calvert to serve as a dual appointee. Ms. Loobey explained that MATC normally meets one time per quarter and the L-COG Board normally meets once a month, although there may be more meetings because of the upcoming review of the T-2000 plan.

ITEMS FOR INFORMATION AT THIS MEETING:

LCC QUARTERLY PASS SALES RESULTS: Mr. Langton called the Board's attention to the sales results found in the agenda packet. Ms. Calvert stated that she found the results encouraging and hoped the District could continue negotiations with the University of Oregon for a similar program.

FALL, 1981 PUBLIC OPINION RESEARCH: Paul Shinn informed the Board that this year's public opinion research had been done in-house and there would be no detailed presentation as consultants had done in past years. However, a summary of the important results was found in the agenda packet, and if Board members wished to receive a copy of the entire report or an oral presentation, staff would be happy to comply.

In response to a question from Ms. Calvert regarding riders, Mr. Shinn answered that riders had been separated as a subgroup but not a lot had been done specifically with riders. He added that this year staff had begun an annual study of the travel habits of riders.

Ms. Calvert then asked if there was any way to have the drivers systematically report on the complaints most often made, etc. Ms. Loobey responded that those communication links are there in the form of a ridership task force, on which operators have been participating, and complaint/commendation calls from passengers.

ANNUAL ROUTE REVIEW: Regarding the memo from staff on this topic, Mr. Langton stated that it is important to maintain the adopted route framework and to make the adjustments within that framework.

RESIGNATION OF DIRECTOR OF ADMINISTRATIVE SERVICES: Mr. Langton mentioned the resignation of Paul Shinn, effective April 30, and thanked him for the good work he had done for the District. The Board joined Mr. Langton in extending good wishes for the future to Mr. Shinn.


MONTHLY REPORTING: A replacement Ridership Summary page (page 67A) was handed out to the Board, on which some incorrect figures had been corrected. Mr. Langton commented that the reduction in fare from 60¢ to 50¢ did not reverse the trend in farebox revenue, although it did reverse the trend in ridership, and therefore did not yet have the hoped-for results.

Mr. Brandt stated that it was difficult for him to look at the financial statements and see actual yearly cumulative budget figures compared with a budget on a monthly basis. He said that he would like to see the actual compared to the budget for the month; the year-to-date budget compared to the year-to-date actual. Mr. Shinn replied that staff break the budget into monthly increments for administrative use and that those figures could also be given to the Board members if they so desired.

FUTURE MEETINGS: Mr. Langton reminded the Board that the first Budget Committee meeting would be held at City Hall on Tuesday, March 23, at 7:30 p.m., and said that it would primarily involve an orientation to the budget system.

MOTION EXECUTIVE SESSION PURSUANT TO ORS 192.660(1)(h): Mr. Randall stated that prior to adjournment he would like to call for an Executive Session. He moved that the Board adjourn to Executive Session pursuant to ORS 192.660(1)(h), for the purpose of discussing pending litigation. Mr. Kohnen seconded the motion, which VOTE carried on a unanimous vote.

MOTION ADJOURNMENT: After returning to regular session, Mr. Randall moved that the Board adjourn to Tuesday, March 30, 1982, at 7:30 p.m., to a joint meeting with the Eugene Renewal Agency Board to be held at City Hall. Mr. Brandt seconded and VOTE after a unanimous vote in favor of the motion, the meeting was duly adjourned at 9:05 p.m.


Secretary

TRAINING/TRAVEL DRAFT POLICY

Submitted by Staff

I. Goal: Within the constraints of this policy and the adopted budget, it is the District's goal to encourage training and travel opportunities that will increase the levels of professionalism, knowledge of public transit and innovation among the District's administrative staff.

A. Approval of Out-of-State Travel

Prior approval of the Board of Directors is required for any of the following out-of-state travel:

1. Travel by members of the Board of Directors.
2. Travel outside the continental United States and British Columbia.
3. Travel for which total cost is expected to exceed \$1,200.00.
4. Travel which exceeds the adopted budget.
5. Travel which will be paid for by state or federal grants.

B. The General Manager is authorized to approve out-of-state travel by staff people which does not require Board of Directors approval as stated in Section (A) above.

C. Reporting

1. Any Board member or administrative staff person who travels out-of-state on District business shall submit a summary report to his/her immediate supervisor. For the General Manager or members of the Board of Directors, the report shall be submitted as an information item to the Board of Directors. Summary reports shall be kept on file for use by board or staff members.
2. At the close of each fiscal year, the General Manager shall submit for information to the Board of Directors a summary of all District sponsored travel. The summary shall state the total cost of travel reimbursement received from other agencies, the number of staff or board members who were involved in travel and a list of major categories of travel that took place.

(Board adoption: 3/16/82)