

MINUTES OF DIRECTORS MEETING

LANE TRANSIT DISTRICT

REGULAR BOARD MEETING

Wednesday, February 15, 2017

Pursuant to notice given to *The Register-Guard* for publication on February 9, 2017, and distributed to persons on the mailing list of the District, the Board of Directors of the Lane Transit District held a regular board meeting on Wednesday, February 15, 2017, beginning at 5:30 p.m., at the LTD Board Room, 3500 E. 17th Avenue, Eugene, Oregon.

Present: Gary Wildish, President
Gary Gillespie, Vice President
Ed Necker, Secretary
Don Nordin, Treasurer
Carl Yeh
A.J. Jackson, General Manager
Dwight Purdy, General Counsel
Camille Straub, Clerk of the Board
Lynn Taylor, Minutes Recorder

Absent: Angelynn Pierce
Kate Reid

CALL TO ORDER/ROLL CALL: Mr. Wildish convened the meeting at 5:32 p.m. and called the roll.

PRELIMINARY REMARKS BY BOARD PRESIDENT: Mr. Wildish said that the work session preceding the regular meeting was very productive and informative.

COMMENTS FROM THE GENERAL MANAGER: Ms. Jackson announced that Camille Straub was temporarily filling in as clerk of the board. She asked Director of Human Resources David Collier to report on the January 29, 2017, banquet. Mr. Collier announced that Bus Operator Karen Burns had been selected as LTD's 2016 Employee of the Year.

ANNOUNCEMENTS AND ADDITIONS TO THE AGENDA: There were no announcements or additions.

BOARD CALENDARS: Ms. Jackson briefly reviewed future events and activities. She noted that the Board's March 15 meeting would be held at Churchill High School as part of the West Eugene service redesign initiative. LTD's Public Affairs staff was doing outreach to residents to encourage their attendance. She said a work session prior to the regular meeting could not be held due to facility availability earlier in the day and time was tentatively reserved on March 13 for a work session, should the need arise. The April 19 Board meeting would be held at the Eugene Public Library.

EMPLOYEE OF THE MONTH: The Board recognized Bus Operator Adam De La Torre as the March 2017 Employee of the Month. Mr. Wildish presented Mr. De La Torre with his award and thanked him for outstanding service and dedication to LTD's mission during the recent severe

winter weather. Mr. De La Torre thanked the Board for the honor and said he had only done what any other LTD driver would have done.

AUDIENCE PARTICIPATION:

Paul Blaylock, Eugene, spoke to the Board regarding service in the Whiteaker neighborhood. He said that on Sundays there was a gap between 8:00 a.m. and 11:00 a.m. He stated that he hoped that some service could be added to fill the gap so that people would not need to wait so long to catch the first inbound #52.

ITEM FOR ACTION AT THIS MEETING:

MOTION **Consent Calendar:** Mr. Yeh moved that the Board adopt the following resolution: LTD Resolution No. 2017-02-15-003; It is hereby resolved that the Consent Calendar for February 15, 2017, is approved as presented. Mr. Nordin provided the second. The Consent Calendar consisted of the Minutes of the January 18, 2017, regular Board meeting.

VOTE The resolution was adopted as follows:
AYES: Gillespie, Necker, Nordin, Wildish, Yeh (5)
NAYS: None
ABSTENTIONS: None
EXCUSED: Pierce, Reid (2)

State 5310 Enhanced Mobility of Seniors and People with Disabilities and Special Transportation Fund (STF) Program Recommendations: Accessible and Customer Services Manager Cosette Rees introduced Accessible Services Specialist John Ahlen, Human Services Transportation Coordinator Kris Lyon, and STF Advisory Committee Paul Blaylock, all of whom were involved in the 5310 and STF allocation processes.

Ms. Rees briefly reviewed the 5310 and STF programs. She said that grants were awarded every biennium and the recommendations to be discussed were for fiscal years 2017-18 and 2018-19. She said that the allocation process was collaborative and involved the Accessible Transportation Committee (ATC), which oversaw the process, vetted applications and developed funding recommendations to the Board. She said the grants were awarded in a compressed timeline, with funding amounts published in November 2016. LTD published a grant notice December 1 and held a grant workshop on December 5. An ATC subcommittee reviewed project applications on December 23 and met with applicants to hear presentations and ask questions. The subcommittee presented its recommendations to the ATC on February 8, 2017, and a public hearing was held. The ATC developed its recommendations to the LTD Board for consideration; applications were due to the state on February 17, 2017. She said that the 5310 funds could not be carried forward so they were prioritized for expenditure. The federal 5310 funds required a match and state STF funds could be used for that purpose. She said that recommendations were based on project consistency with the Coordination Plan's guidance.

Ms. Rees reviewed a spreadsheet entitled *LTD 2017-2018 and 2018-2019 Discretionary Grant Applications: 5310/STF Funding Recommendations*. She explained changes made to some funding requests, described projects' purpose and rationale, and responded to question from the Board. She noted that the column entitled "5310/STF Funding Allocation" demonstrated how the STF funds were leveraged to expend 5310 funds.

MOTION Mr. Yeh moved the following resolution: LTD Resolution No. 2017-02-15-004: Be it resolved that the Lane Transit District Board of Directors authorize the General Manager or their designee to

apply for funds and use those funds as recommended by the Special Transportation Fund Advisory Committee for the FY18 and FY19 biennium.

In response to a comment from Mr. Wildish, Ms. Rees affirmed that the total amount of 5310 and STF funds shown on the spreadsheet represented actual dollars available to LTD, not potential funding. She added that LTD had been advised to apply for 110 percent of that amount as more funds could be available. Any additional funds would be applied to paratransit services, which was an unfunded mandate.

VOTE The resolution passed as follows:
AYES: Gillespie, Necker, Nordin, Wildish, Yeh (5)
NAYS: None
ABSTENTIONS: None
EXCUSED: Pierce, Reid (2)

Human Resources Committee Recommendation - General Manager Performance

Measures: Mr. Gillespie said that the Human Resources Committee drafted 2017 goals for the general manager. The seven goals were developed in collaboration with the general manager. He invited comments from Board members.

Mr. Wildish said that the committee worked diligently to cover a wide range of topics in the seven goals established and that each represented a large body of work for the general manager.

Mr. Gillespie said it was important that short-range (three-year) and long-range (10-year) plans were connected.

In response to a question from Mr. Necker about the goal of developing processes for improving the agency's cost effectiveness, Mr. Gillespie said that the Board had discussed establishing criteria and approvals for several processes and the goal related to those discussions. Ms. Jackson added that peer ratings from the American Bus Benchmarking Group (ABBG) would be used to identify areas of work to make the District more cost effective and sustainable.

Mr. Nordin asked if ABBG was substantially different from TransitStat. Ms. Jackson said it was not substantially different and both were integral to measuring progress in many areas, but ABBG would best assist the Board in measuring progress in that specific goal.

MOTION Mr. Necker moved the following resolution: LTD Resolution No. 2017-02-15-005: Be it resolved that the Lane Transit District Board of Directors approves the 2017 goals set forth for the general manager. Mr. Yeh provided the second.

VOTE The resolution passed as follows:
AYES: Gillespie, Necker, Nordin, Wildish, Yeh (5)
NAYS: None
ABSTENTIONS: None
EXCUSED: Pierce, Reid (2)

Mr. Gillespie announced that Ms. Jackson had received a very positive review of her performance in 2016 and a salary increase.

Legislative Agenda: Director of Public Affairs Edward McGlone explained that the purpose of this item was to adopt the legislative agenda for the active bills that was reviewed during the

preceding work session and determine how to address legislation moving forward in between Board meetings. Two resolutions were presented for those actions.

Mr. McGlone said the first resolution would adopt staff recommendations en bloc, including a determination of the position it wished to take on LC 1934 changing the governance structure of LTD. There was no staff recommendation on that proposal and the options included support, oppose, remain neutral, or the Board could choose another position.

Mr. Wildish said that all of the bills were discussed during the work session and Mr. McGlone explained the rationale for staff commendations. Mr. McGlone explained that the bills included in the work session discussion and the proposed legislative agenda were those impacting the District's administrative ability to conduct its operations. He said that he was looking for direction from the Board on LC 1934 on one of the options, or neutrality with an expression of specific concerns.

Mr. Gillespie said that he felt it was appropriate to oppose changing the number of board members from seven to 11.

Mr. Wildish said the issues related to LC 1934 that were discussed included increasing the number of board members and the nature of the four new at-large positions. Mr. McGlone explained each of the four new positions and noted that LC 1934 also had been discussed extensively at the last Strategic Planning Committee (SPC) meeting.

Mr. McGlone asked if the Board was willing to engage in a conversation about changes to governance.

Mr. Yeh said that he appreciated the effort to determine a better way to govern and represent people in the transit district, but did not see a reason to do so at this time. He stated that he did not see any problems with the LTD Board's representation of the community.

Mr. Nordin concurred with Mr. Yeh. He said the proposal was responding to conditions at TriMet and suggested either a position of oppose or neutral.

Mr. Gillespie said that he valued the opinion of bill sponsors that LTD was doing a good job. He suggested opposing expansion to an 11-member board and remaining neutral on the criteria for selection of board members.

Mr. Necker suggested opposing the increase in number of board members, but be willing to engage on the criteria.

Mr. Wildish said that he felt that the composition of the current Board was diverse in representation and perspectives. He said that he agreed with Mr. Yeh and Mr. Nordin that the Board was functioning well.

Mr. Nordin commented that the criteria related to ridership would result in a very small pool of applicants who could both meet the criteria and be able to assume the responsibilities of a board member.

Mr. Wildish said that he heard support from Board members to oppose the increase in membership, but be willing to engage in discussion of other elements of LC 1934.

Mr. Necker added that the definitions of ridership levels included in the criteria also should be adjusted.

Ms. Jackson said that staff needed clarification on the Board's position on LC 1934 because LTD, as one of two agencies affected, would be contacted regarding its stand if the legislation moved forward. That would allow Mr. McGlone to speak with certainty to legislators and others.

Mr. Yeh advocated opposing LC 1934 if it became a bill. He stated that he appreciated its intent, but preferred to see the Governor's Office apply the criteria informally, and not be constrained by them.

Mr. Gillespie said that certain things could be removed from the legislation or clarified, such as allowing an applicant to confirm he/she was a mass transit user without mandating a minimum number of rides per month, and indicating how the position with an age limit would be handled if the appointee exceeded that age during a term. He said that the provision he was opposed to was expansion to an 11-member body; other provisions could be processed.

Mr. Nordin commented that there were no definitions for various populations to be represented.

Mr. Necker said he could not support the legislation if it involved creating an 11-member board. He said that he agreed with Mr. Yeh that the criteria were worth taking into consideration by the Governor's Office when appointments were made.

MOTION Mr. Yeh moved the following resolution: LTD Resolution No. 2017-02-15-006: Be it resolved that the Lane Transit District Board of Directors amend the proposed legislative agenda to oppose LC 1934 and approve the legislative agenda as amended. Mr. Nordin provided the second.

Mr. McGlone said that staff had a good understanding of Board members' sentiments regarding LC 1934 and the opposing position expressed a grave concern about its impact, appreciation for some of its finer points, and the opportunity for stakeholders to discuss them.

VOTE The resolution passed as follows:
AYES: Necker, Nordin, Wildish, Yeh (4)
NAYS: Gillespie (1)
ABSTENTIONS: None
EXCUSED: Pierce, Reid (2)

Mr. McGlone said that bills moved very quickly in the legislature, particularly as deadlines drew near. Bills could be amended, deleted, reinserted in other legislation in a matter of hours. He asked the Board to provide guidance on how the District might take a position that responded to that fast pace between Board meetings. He said that the legislative agenda summarized the bills relevant to LTD, but issues would arise during the session. He said that staff were proposing the Board authorize the general manager or designee to make determinations on behalf of the District in consultation with the Board president or other members. He said the legislative agenda applied to the 2017 session; a new agenda would be proposed for the 2018 session.

Mr. Yeh, Mr. Wildish, and Mr. Gillespie said that they agreed that the staff proposal was a prudent approach.

Mr. Gillespie pointed out that the entire legislature would vote on bills, including LC 1934, which would only affect the Eugene/Springfield and TriMet areas. He said that he doubted there would be support for the proposed union representative position.

MOTION Mr. Yeh moved the following resolution: LTD Resolution No. 2017-02-15-007: Be it resolved that the Lane Transit District Board of Directors authorizes the General Manager or designee to represent the District's position on legislation during the 2017 Legislative Session. Be it further resolved that the General Manager or designee shall report regularly to the Board of Directors on positions taken under this authority. Mr. Gillespie provided the second.

VOTE The resolution passed as follows:
AYES: Gillespie, Necker, Nordin, Wildish, Yeh (5)
NAYS: None
ABSTENTIONS: None
EXCUSED: Pierce, Reid (2)

Board Member Committee Assignments: Mr. Wildish stated that he had spoken to those involved on committee assignments. He briefly reviewed changes in assignments.

MOTION Mr. Gillespie moved the following resolution: LTD Resolution No. 2017-02-15-008: Be it resolved that the Lane Transit District Board of Directors approves the appointment of Carl Yeh to the Human Resources Committee and Kate Reid to the Metropolitan Policy Committee and the Main Street/McVay Governance Committee. Mr. Yeh provided the second.

VOTE The resolution passed as follows:
AYES: Gillespie, Necker, Nordin, Wildish, Yeh (5)
NAYS: None
ABSTENTIONS: None
EXCUSED: Pierce, Reid (2)

ITEMS FOR INFORMATION AT THIS MEETING:

Board Member Reports: Mr. Yeh said that he was impressed by the level of participation on the City of Eugene's Vision Zero Task Force. He said that the task force reviewed data on the location of pedestrian, bike, and vehicle incidents in the community and discussed how to provide the public with information about the Vision Zero initiative.

Mr. Nordin said that LaneACT received a presentation on the Cascadian Subduction Event and how the region would respond. He said that first priority was restoration of transportation and asked if LTD had been considering how to respond to such an event. Mr. Wildish added that the main north/south transportation corridor would be Highway 97 and the primary airport in the state would be Redmond.

Mr. Necker reported that the Board Service Committee met on February 13. A discussion topic was how to move beyond a hub and spoke model. Mr. Gillespie added that a six percent increase in services was being proposed. He said that the West Eugene EmX would open opportunities for cross-town connections.

Mr. Wildish observed that LTD had made some significant changes and increases to service and inquired as to whether there had been an opportunity to evaluate the success and cost effectiveness of those additions at the committee meeting. He noted that would be useful information in evaluating past decisions.

Monthly Financial Reports: Finance Director/CFO Christina Shew said that based on Board feedback, the reports had been modified to clarify information. She reviewed the revenue and expenditure data report included in the agenda packet for the General Fund, Medicaid Fund,

Accessible Services Fund, and Capital Projects Fund. She explained the driving factors affecting each fund, which were primarily related to timing issues. She said that staff were closely monitoring the reimbursement of claims under the Accessible Services Fund to assure payments were received; the Trillium backlog would continue to impact financial reports, but would show improvement in coming months.

In response to a question from Mr. Wildish, Ms. Shew said that she understood the backlog had been taken care of and explained that once the January report was completed the reports would then reflect a regular backlog of six weeks, which was equal to about \$800,000.

In response to a comment by Mr. Wildish, Ms. Jackson said that the delayed timing of draw downs against expenditures resulted from the need for due diligence in order to certify that the draw down requests met all of the requirements of the federal funding source. She said that staff were looking at ways to streamline that process.

Mr. Necker left the meeting at 7:02 p.m.

Monthly Grant Report: There were no questions.

Monthly Cash Disbursements – December: Mr. Wildish asked about the check to the Department of Human Services (DHS). Ms. Shew explained that the intergovernmental agreement required LTD to pay DHS in full for accessible services and that DHS would then reimburse LTD for the match.

In response to a question from Mr. Gillespie, Ms. Washington said that disbursements to Jerry Brown were for fuel purchases, now that stored fuel had been used.

Monthly Report of Executed Contracts: There were no questions.

Report to the Board - Emergency Procurement: Purchasing Manager Collina Washington said that the Springfield Utility Board (SUB) had notified LTD of a water line leak in the bus lot and an emergency procurement process was necessary in order to take immediate action. The report provided documentation of the process to assure accountability.

Monthly Performance Reports: Director of Planning and Development Tom Schwetz said that passenger boarding's for the fixed-route service in November 2016 were initially shown as a .4 percent increase, which seemed inconsistent with a lower number of service days due to the holiday. He said that recalculating based on the correct number of days resulted in a 3.8 percent increase. He said that adjustments would be made to future reports.

Mr. Wildish commented that number of fleet miles traveled had increased while the ridership per mile was dipping. He questioned how the decision to increase service had affected those numbers. Mr. Schwetz responded that the District was operating an additional span of service on Sundays, which meant that the productivity would be lower but the miles traveled would increase. He said that an increase in service did not always equate to an increase in ridership and that was one of the trade offs the Board needed to consider. He said that community members were taking advantage of the Sunday service, but not at the same level as they do on weekdays.

Mr. Nordin pointed out that fuel costs had increased significantly. Mr. Wildish said the District was no longer using stored fuel purchased at a lower costs; it was now buying fuel at market rates. Ms. Washington added that LTD was in a pool with other local jurisdictions that allowed it to take advantage of some price reduction for fuel.

Monthly Department Reports: There were no questions.

Board Member Requests for Future Information/Action Items: There were no requests.

MOTION **EXECUTIVE SESSION PURSUANT TO ORS 192.660(2)(d), TO CONDUCT DELIBERATIONS WITH PERSONS DESIGNATED BY THE GOVERNING BODY TO CARRY ON LABOR NEGOTIATIONS:**

Postponed to a future meeting.

EXECUTIVE SESSION PURSUANT TO ORS 192.660(2)(h), FOR THE PURPOSE OF CONSULTATION WITH COUNSEL CONCERNING LEGAL RIGHTS REGARDING CURRENT LITIGATION:

Mr. Wildish announced that the Board would now meet in executive session pursuant to ORS 192.660(2)(h), for the purpose of consultation with counsel concerning legal rights regarding current litigation.

MOTION Mr. Gillespie moved that the LTD Board of Directors meet in Executive Session Pursuant to ORS 192.660(2)(h), for the purpose of consultation with counsel concerning legal rights regarding current litigation. Carl Yeh provided the second.

VOTE The resolution passed as follows:
AYES: Gillespie, Necker, Nordin, Wildish, Yeh (5)
NAYS: None
ABSTENTIONS: None
EXCUSED: Pierce, Reid (2)

The Board entered executive session at 7:15 p.m. LTD staff also present for the executive session were Service Planning Manager Tom Schwetz, Director of Administrative Services Roland Hoskins, Director of Operations and Customer Satisfaction Mark Johnson. Guests present for the executive session included General Counsel Dwight Purdy.

RETURN TO REGULAR (OPEN) SESSION:

The Board returned to its regular meeting at 7:35 p.m.

ADJOURNMENT: Mr. Wildish adjourned the meeting at 7:35 p.m.

LANE TRANSIT DISTRICT:

ATTEST:

Ed Necker
Board Secretary

Camille Straub
Clerk of the Board

Date Approved: _____

Q:\Reference\Board Packet\2017\March\March 15-Reg BD Meeting\2-15-2017-Reg BD Mtg Minutes.doc