

MINUTES OF DIRECTORS MEETING

LANE TRANSIT DISTRICT

REGULAR BOARD MEETING

Wednesday, October 17, 2012

Pursuant to notice given to *The Register-Guard* for publication on October 11, 2012, 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, October 17, 2012, beginning at 6:30 p.m., in the LTD Board Room at 3500 East 17th Avenue, Eugene.

Present: Greg Evans, President
Doris Towery, Vice President
Gary Gillespie, Secretary
Ed Necker, Treasurer
Michael Dubick
Mike Eyster
Dean Kortge
Ron Kilcoyne, General Manager
Jeanne Schapper, Clerk of the Board
Lynn Taylor, Minutes Recorder

CALL TO ORDER/ROLL CALL: Mr. Evans convened the meeting and called roll at 6:30 p.m.

PRELIMINARY REMARKS BY BOARD PRESIDENT: Mr. Evans presented an Oregon Department of Transportation Award of Excellence in recognition of 27 years of exceptional service to Accessible Services Program Manager Terry Parker. He cited her areas of expertise, accomplishments, and many contributions to public transportation, particularly accessible transportation. He said that although she was retiring at the end of 2012, her efforts would provide a legacy that would shape transportation services into the future.

Ms. Parker expressed her appreciation for the award and thanked LTD for providing an environment in which she could thrive and pursue her dreams.

Mr. Evans announced that the Oregon Transit Association had honored former Board president Mike Eyster with its Outstanding Transportation Board Member of the Year award. Mr. Evans recognized Mr. Eyster's efforts as a member and leader on the LTD Board and for his contributions to the community as well as to public transportation.

In response to a request from Mr. Evans to offer his comments, former LTD general manager Mark Pangborn said that he had submitted a letter in support of Mr. Eyster's nomination. He said that he was grateful that he had the opportunity to work in an organization like LTD where the community members of the Board are hard-working and contribute their talents to the District. He said that the Board had dealt with a number of controversial issues, and Mr. Eyster had shown extraordinary leadership during those times. He said that it had been a privilege to serve with him.

Mr. Eyster expressed his appreciation for the award. He described his experiences as an LTD Board member, and he said that it had been a privilege to be a part of the organization.

COMMENTS FROM THE GENERAL MANAGER: Mr. Kilcoyne noted the recent honors to Mr. Eyster, Ms. Parker, and Mr. Evans, which he said were well deserved. He said that staff had

discussed ways to improve the structure and facilitate a better flow to Board meetings. Suggested changes for the Board's consideration include moving agenda items relating to the Employee of the Month and Audience Participation to the beginning of the meeting instead of an hour into the meeting. He said that work session topics would then be placed under Information Items so that it would not be necessary to have a work session, and then a Board meeting.

Mr. Kortge expressed that he liked the concept, but he felt that it was important that the public have an opportunity to speak to the Board on topics that were considered during work sessions.

Mr. Necker offered that the public could still speak to work session topics at the beginning of the meeting and then stay to listen to the discussion.

Mr. Evans said that the Board could examine ways to provide for public participation on work session topics.

Mr. Kilcoyne said that he had seen other organizations provide a public comment period, with time limits on remarks, at the beginning of an agenda item.

Mr. Evans inquired if there was consensus to move forward with the new meeting format.

Mr. Eyster suggested that the Board could return to the current meeting format if the new way did not work well.

Ms. Towery said that the Board should be consistent with other public entities that provide a specific time on the agenda for public comments with a limit on the length of remarks in order to remain consistent, balanced, fair, and transparent.

Mr. Evans said that it appeared that there existed a consensus among the Board members to move forward with the new meeting format as suggested by staff

ANNOUNCEMENTS AND ADDITIONS TO THE AGENDA: None.

BOARD CALENDARS: Mr. Kilcoyne said that the Eugene Chamber of Commerce Business to Business Expo would be held on October 25, and Board members were welcome to join staff at the LTD booth.

EMPLOYEE OF THE MONTH: The Board recognized Bus Operator Gary Bennett as the November 2012 Employee of the Month.

Mr. Evans thanked Mr. Bennett for his service and dedication to LTD's mission and presented him with a certificate of appreciation, a check, and a pin commemorating his award. Mr. Bennett thanked the Board for its recognition and expressed appreciation for his position with LTD.

AUDIENCE PARTICIPATION: Mr. Evans explained the procedures for providing public testimony.

Bob Macherione, 1994 Brewer, Eugene, said that the Board should have consulted the public before changing the meeting format. He preferred to listen to the work session discussions before making his comments to the Board during the audience participation portion, and he disagreed with the change. He said that the past few years had been controversial because LTD was not listening to stakeholders or responding to requests. He said that the Environmental Analysis had been

submitted, but it did not prove a need, how money would be saved, or if greenhouse gases would be reduced. He said that the Jarrett Walker report addressed all of those issues and should have been used. He did not think that Board members had read the report. He said that his stakeholder group would not retreat, and 10-minute bus service on West 11th Avenue should be implemented immediately, but LTD could not afford it.

Josef Siekiel-Zdzienicki, 1025 Taylor Street, Eugene, said that the problem with having public comment at the beginning of a Board meeting was that the Board would not meet again for another month. Many interesting issues are raised during work sessions, and stakeholders might have some valid input that would be valuable for the Board to hear. He hoped that opportunity could be provided. He said that the minutes of the last Board meeting did not accurately reflect his comments because he made points about a report that were not included in the minutes.

George Cole, West 11th Avenue, Eugene, commented that there was an ideological divide between some of the Board and some stakeholders which related to money. He said that the problem was that those he spoke for represented earned money, and LTD represented appropriated or political money. He said that the operation's income stream came from earned money, and he was disappointed that they had been eliminated from the process. He said that the only glimpse of the future was looking in the rearview mirror, and there would not be money to fund operations the way things were headed, so taxes would have to be raised. It was important for the Board to be stewards of the finances and there was no need for EmX out West 11th Avenue, which already had bus service. People would be better served if the routes were changed so that it was not necessary to go downtown to transfer and commute times were shorter. He said that EmX would not relieve traffic congestion unless there was a dedicated lane.

ITEMS FOR ACTION AT THIS MEETING

MOTION **Consent Calendar:** Mr. Kortge moved adoption of LTD Resolution No. 2012-022: It is hereby resolved that the Consent Calendar for October 17, 2012, is approved as presented. Mr. Necker provided the second. The Consent Calendar consisted of the minutes of the September 19, 2012, regular Board meeting.

VOTE The Consent Calendar was approved as follows:
AYES: Dubick, Evans, Eyster, Gillespie, Kortge, Necker, Towery (7)
NAYS: None
ABSTENTIONS: None
EXCUSED: None

Lane Transit District Title VI Compliance Report: Director of Customer Services and Planning Andy Vobora presented a report on the Title VI Compliance Plan, which addresses the issue of potential discrimination in terms of disparate treatment and disparate impact on minority and/or low income populations as a result of programs, policies, or activities.

Mr. Vobora said that the national data shows that minority households are twice as likely as non-minority households to lack access to a car, and low income households are 2-½ times more likely to lack access to a car. In terms of service and fare equity analysis, the Federal Transit Administration (FTA) expects those issues to be addressed during the District's planning activities and not as an afterthought.

Mr. Vobora said that the District's Title VI Plan requires an equity analysis for major service changes, defined as more than 25 percent of service hours or service miles; although, the District conducted an analysis when changes were below that threshold to determine if they could potentially impact certain populations. He reviewed a table of 2010 service changes, all of which were determined not to have created a disparate impact.

Mr. Vobora noted that a summary of the Title VI report had been distributed to the Board; nevertheless, the entire 600-page document was available for review. He said that the report consisted of 10 chapters, but he would focus his remarks on the chapter related to Limited English Proficiency, as it was the most relevant to LTD's operations. He said that those speaking Spanish represented the greatest minority population. Other languages were represented in the community, but many of those individuals were associated with the college and university and did not have barriers to reading and understanding English.

Mr. Vobora said that demographic analyses were conducted by the Lane Council of Governments, which provided current information about the community. He said that the FTA encouraged a coverage standard in the Districts' Service Policy, and LTD would want to consider that at some point in the future. He pointed out that LTD provided bus service within a quarter mile of 73 percent of households in the community.

Mr. Necker commented that in 2010, the Board Service Committee established a standard of 75 percent productivity and 25 percent coverage related to service changes. He questioned whether that standard should be revisited. Mr. Vobora said that the standard related to allocation of service hours, but that coverage could be reconsidered as the community's goals changed with respect to denser development along major transit and travel corridors.

Mr. Evans said that the Board had recently held a joint meeting with the Centro Latino Americano Board to discuss LTD service. He said that there were a number of minority businesses along the West Eugene EmX corridor, and he asked if there had been specific outreach to those businesses to discuss concerns about customer access. Mr. Vobora said that there had been a number of efforts to work with minority businesses and populations, and the Environmental Analysis listed the activities and groups involved in those activities. He said that LTD had provided interpreters when necessary and had held a number of outreach meetings at locations, such as Plaza Latina and Centro Latino Americano, along the corridor.

Mr. Vobora emphasized that the analysis of impact needed to be ingrained in LTD's planning process, and public outreach should be an ongoing effort to create a public dialogue of LTD's services. He said that a Title VI report was required every three years, although the dates were being revised as a result of the Moving Ahead for Progress in the 21st Century Act (MAP-21), the new federal transportation bill.

Mr. Evans asked if other Title VI changes were anticipated as a result of MAP-21. Mr. Vobora replied that the recession had resulted in a closer focus on Title VI. The changes had separated environmental justice from Title VI, which was beneficial; and the updated federal guidelines were helpful to districts in meeting reporting requirements. He said that basic expectations had not changed.

Mr. Evans noted that the American Public Transportation Association was providing a webinar on MAP-21 changes on November 9, 2012.

Mr. Vobora said that he would provide information on environmental justice and Title VI webinars to Board members.

MOTION Mr. Dubick moved the following resolution: LTD Resolution No. 2012-023: It is hereby resolved that the LTD Board of Directors approves the 2012 Lane Transit District Title VI Compliance Plan and directs LTD staff to submit the Plan to the Federal Transit Administration for review and acceptance. Ms. Towery provided the second.

VOTE The resolution was approved as follows:
AYES: Dubick, Evans, Eyster, Gillespie, Kortge, Necker, Towery (7)
NAYS: None
ABSTENTIONS: None
EXCUSED: None

Selection of Pension Trustee-elect: Mr. Kilcoyne said that Mr. Kortge's term on the Board will end at the close of 2012. As he also is the Board's representative on the pension trusts for the Amalgamated Transit Union (ATU) employees and administrative employees, his term as trustee will end as well. Mr. Kilcoyne said that Mr. Gillespie had agreed to replace Dean as the Board's pension trust representative when Dean leaves the Board; however, the Board would need to officially appoint him as pension trustee-elect at this time to allow him to attend the annual pension trustee training in November. The same procedure was followed and precedent established when Mr. Kortge became the pension trustee.

MOTION Mr. Eyster moved approval of LTD Resolution No. 2012-024: The LTD Board of Directors hereby approves the appointment of Board Member Gary Gillespie to the position of pension trustee-elect, as defined in this document. Mr. Kortge provided the second.

VOTE The resolution was approved as follows:
AYES: Dubick, Evans, Eyster, Gillespie, Kortge, Necker, Towery (7)
NAYS: None
ABSTENTIONS: None
EXCUSED: None

ITEMS FOR INFORMATION AT THIS MEETING

Board Member Reports: Mr. Gillespie reported that the Metropolitan Planning Organization Citizen Advisory Committee (MPO CAC) would meet on October 18 and was in the process of recruiting new members. Mr. Kilcoyne added that he had been serving as the Metropolitan Policy Committee (MPC) liaison to the MPO CAC, but that position, once approved by the MPC, would be filled by Frannie Brindle, Oregon Department of Transportation (ODOT).

Mr. Gillespie said that the EmX Steering Committee had discussed public participation and opportunities for comment at its last meeting. He said that it was the first meeting of the new committee.

Mr. Necker reported that the Transportation Community Resource Group (TCRG), an advisory group on Eugene's transportation system plan (TSP) update process, had formed small groups to evaluate the 20-minute neighborhood concept, and the conclusions would be forwarded to planning staff. Mr. Kilcoyne added that the TCRG had received a presentation on Eugene's 20-Minute Neighborhood

study and how that aligned with Envision Eugene. He said that the groups discussed the various factors and themes associated with the concept.

Mr. Dubick reported that the Lane Area Commission on Transportation had discussed alternative revenue sources for transportation projects. ODOT was currently funded by gas taxes, and fewer funds are available for projects as vehicles become more efficient and people drive less. Research was being conducted on a pilot vehicle-miles-traveled tax.

Mr. Evans reported that the MPC had approved the monthly State Transportation Improvement Program (STIP) amendments. He noted that this was the last year that LTD would receive a \$500,000 allocation of STIP-U (Urban) funds from the MPC.

Mr. Necker left the meeting at 7:41 p.m.

Mr. Evans said that he had attended a recent APTA meeting in Seattle. He said that there were a number of intense sessions with the FTA administrator and staff concerning MAP-21 issues and the need to begin planning for a new federal transportation bill because of the short authorization time for MAP-21.

Mr. Kilcoyne said that the FTA was struggling to meet the requirements of MAP-21 with reduced staffing. The transit industry had an opportunity to provide input on FTA rulemaking, but the timeline would be short. He felt that the FTA would be receptive to input on proposed rules. He said that APTA would begin preparing legislative recommendations for the next federal authorization at the beginning of 2013, and he was chairing the Legislative Subcommittee of the Small Operations Committee. He said that some of the issues of concern were loss of discretionary funding, regulatory impacts on smaller operators, Medicaid transportation, and the future of the Small Starts program. MAP-21 eliminated the Alternatives Analysis requirement before the Environmental Analysis (EA), but still required planning for any major capital project before the EA. He said that LTD had submitted a grant application for an alternatives analysis for a Northwest Eugene to Lane Community College corridor, but FTA was not certain how to proceed with those types of applications. He had discussed use of unexpended funds from Gateway Station construction for construction of the Pavilion Station at RiverBend with FTA Administrator Peter Rogoff but was not hopeful that the request would be approved.

Mr. Dubick said that he had attended a session on sustainability and was pleased that LTD was far ahead of most districts in its sustainability practices.

Mr. Gillespie said that he attended an Oregon Rail Project meeting of parties interested in commuter rail service. He said that it was apparent that every city with a population of more than 15,000 wanted some form of passenger rail service at a speed that matched or exceeded travel by car, and Union Pacific did not want to pay for it.

Mr. Kilcoyne agreed with Mr. Gillespie's summary. He said that those present broke into small groups to identify the top five outcomes they wished to achieve, but he felt that the process did not frame the issue well or address practical solutions for rail service.

Mr. Evans observed that LTD's role was connectivity between local transit service and passenger rail service in the future.

Board Member Appointment Process: Mr. Vobora said that the Governor's office had extended the application period for the open LTD Board positions to December 3, 2012, at 5:00 p.m. LTD staff were distributing information throughout the community about the opportunity to apply for a Board position. Mr. Vobora expected confirmation of appointments sometime in January 2013.

Mr. Kortge said that he had spoken to Representative Val Hoyle about recruiting people interested in the LTD Board.

In response to a question from Mr. Dubick, Mr. Vobora said that Board members were encouraged to spread the word about Board vacancies, although lobbying the Governor's office staff about specific candidates was discouraged.

Ms. Towery said that her term was expiring, and she had submitted an interest form to the Governor's office in order to be considered for reappointment for another term.

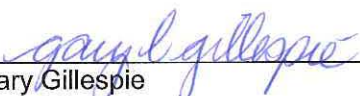
Monthly Financial Report: Director of Finance and Information Technology Diane Hellekson informed the Board that the first three months of the fiscal year were positive. She said that there was a 10 percent increase in payroll tax receipts; however, that would likely be reduced to about 7 percent by amended returns. Nevertheless, that was still a good percentage. She said that the local economy was slowly recovering. The Finance Committee would meet on November 12 before the LTD special Board meeting to discuss the type of empirical data required to make a determination of local economic recovery. She said that LTD, along with other transit districts in the state, had requested an investigation by the Department of Administrative Services into the drop in revenue from state-in-lieu receipts.

Director of Maintenance George Trauger reported that fuel was currently averaging \$3.29 per gallon, which was well below the budgeted cost. He did not anticipate the need to withdraw fuel from the Coos Bay storage facility until next summer. Fuel additives had been used to extend storage life as required.

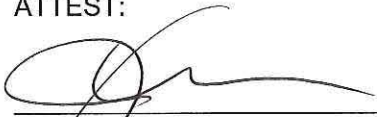
Ms. Hellekson said that the Finance Committee also would be revisiting the reserve policy as a result of the Budget Committee's discussion last spring.

ADJOURNMENT: Mr. Evans adjourned the meeting at 8:02 p.m.

LANE TRANSIT DISTRICT



Gary Gillespie
Board Secretary

ATTEST:


Jeanne Schapper
Clerk of the Board

Date Approved: December 19, 2012