

MINUTES OF DIRECTORS MEETING

LANE TRANSIT DISTRICT

REGULAR BOARD MEETING

Wednesday, August 19, 2015

Pursuant to notice given to *The Register-Guard* for publication on August 13, 2015, 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, August 19, 2015, beginning at 5:30 p.m., at the LTD Board Room, 3500 E. 17th Avenue, Eugene, Oregon.

Present: Gary Wildish, President
Carl Yeh, Vice President
Julie Grossman, Secretary
Ed Necker, Treasurer
Gary Gillespie
Don Nordin
Angelynn Pierce

Ron Kilcoyne, General Manager
Jeanne Schapper, Clerk of the Board

Lynn Taylor, Minutes Recorder

CALL TO ORDER/ROLL CALL: Mr. Wildish convened the meeting and called the roll.

PRELIMINARY REMARKS BY BOARD PRESIDENT: Mr. Wildish thanked those present for attending the meeting.

COMMENTS FROM THE GENERAL MANAGER: Mr. Kilcoyne noted that September would be a busy month for the Board with regular and special meetings, and a joint meeting with the Eugene City Council. He announced that in October, LTD would host the Oregon Public Transportation Conference in Eugene.

ANNOUNCEMENTS AND ADDITIONS TO THE AGENDA: None.

BOARD CALENDARS: Mr. Kilcoyne reviewed the upcoming Board meetings and other scheduled events.

EMPLOYEE OF THE MONTH — SEPTEMBER 2015: The Board recognized Bus Operator Kevin Kenworthy as the September Employee of the Month. Mr. Wildish presented Mr. Kenworthy with his award and thanked him for his outstanding service and dedication to LTD's mission. He noted that Mr. Kenworthy had prevented a potentially very serious accident that could have injured a child. Mr. Kenworthy thanked the Board for his award. He

said that he appreciated the safety training he had received over the years and was thankful that he was able to prevent the accident.

AUDIENCE PARTICIPATION: Mr. Wildish explained the procedures for offering comments to the Board.

Rebecca Bailey, Eugene, stated she was an EmX bus operator and fully supported the EmX system. She said that she lived in the Acorn Park area of West Eugene and appreciated the expansion of the system and better access to commercial and residential areas for transit users. She said that her eight-year-old daughter was becoming a transit user, and she was grateful for safe and efficient service. She added that she believed the bus rapid transit (BRT) model was excellent and benefited both transit users and drivers. She encouraged LTD to continue to expand the system.

Tom Snyder, Eugene, said that he resided in West Eugene and complimented LTD on the transit system. He said that he had a mild disability and was a frequent transit user. He commented that he had heard claims that buses were empty; but in his experience, ridership was good, including in the evenings. He questioned if those making the claims actually were transit users. He said that he appreciated buses running later in the evening, as well as the pedestrian and bike bridges that would be built as part of the West Eugene EmX expansion. He said that some neighbors had expressed concern about more property crime with increased access to the neighborhood from the bridges, but added that there was an active Neighborhood Watch program. He commended LTD's Lisa Van Winkle for her outreach work with residents, businesses, and property owners along the corridor and said that he was pleased to see the hiring criteria for the new general manager.

Bob Macherione, Eugene, representing Our Money Our Transit (OMOT), stated that OMOT had presented ways that transit could be done better in the community and that he believed that low-income people deserved priority transit service. He said that service had not yet been restored on Brewer Lane as he had requested, yet LTD was spending money in all different ways. He said that no one in LTD was taking into account the actual cost of EmX operations. He said that service had declined by 18 to 20 percent since 2010, but the cost had risen by 30 to 40 percent. He added that the lane in front of his business on 6th Avenue had been taken during construction and had not been open. He asked why it was no longer available for traffic when the system would not open until 2017. He said that he felt the lane should be opened immediately.

ITEMS FOR ACTION AT THIS MEETING

MOTION Consent Calendar: Mr. Necker moved that the Board adopt the following resolution: LTD Resolution No. 2015-032: It is hereby resolved that the Consent Calendar for August 19, 2015, is approved as presented. Mr. Yeh provided the second. The Consent Calendar consisted of the Minutes of the May 20, 2015, Regular Board Meeting; July 2, 2015, Special Board Meeting by Conference Call; and July 15, 2015, Regular Board Meeting.

VOTE The resolution was approved as follows:
AYES: Gillespie, Grossman, Necker, Nordin, Pierce, Wildish, Yeh (7)
NAYS: None
ABSTENTIONS: None
EXCUSED: None (0)

Public Hearing and First Reading of Ordinance Nos. 50 and 51: Government Relations Manager Edward McGlone briefly reviewed the previous steps in the process, which consisted of the Board's making a finding of economic recovery and a decision to move forward with development of an ordinance with an implementation date of January 1, 2016. He said that the agenda packet contained background information on the matter and copies of the two ordinances dealing with the payroll tax. He stated that on the advice of legal counsel, the tax increase was split into two ordinances: one addressed the payroll tax and the other addressed the self-employment tax. He said that the ordinances were crafted in plain language and replaced rather than amended previous ordinances, making it easier for the public to interpret. He added that passage of the ordinances would result in a one-hundredth of one percent tax increase annually for the next decade, going from the current seven-tenths of one percent to eight-tenths of one percent after a decade. He said that a vote on the ordinances would occur at the Board's September 2015 meeting.

Mr. Gillespie clarified that the current tax rate was \$7.00 per \$1,000 of payroll and that would increase by \$0.10 over each of the next 10 years, after January 2016, until it reached \$8.00 per \$1,000.

Mr. Wildish explained the procedures for providing public testimony and opened the public hearing.

Jerry Rainey, Springfield, said that he was a small business owner and had previously been the chief financial officer of two credit unions. He acknowledged that the proposed payroll tax was only \$0.10, but he was troubled that LTD continued to raise taxes instead of operating within its own budget. He said that the Board should be able to manage the District's operations, and he was concerned that if the tax was a way to continue to fund employees' salaries and benefits, including retirees, the Board was digging itself into a hole. He encouraged the Board to challenge itself that not everything was perfect and some of its current actions, particularly salaries, had future implications. He urged the Board to consider ways to avoid a payroll tax increase, or preferably, to rescind the tax completely and work within its own budget to provide services.

Jozef Siekiel-Zdzienicki, Eugene, said that he opposed the payroll tax because the recession was not over. He said that there would not be real recovery until workers began getting raises, and that had not happened.

Bob Macherione, Eugene, representing Our Money Our Transit (OMOT), said that OMOT business members experienced many financial pressures. Over the years, OMOT has asked LTD for certain things and received nothing. He said that those included asking for basic bus service before EmX, restoring business service for low-income residents, considering other methods of transporting people in a highly efficient manner other than EmX, and using real numbers for EmX ridership. He said that OMOT had commissioned a study of EmX ridership and the preliminary Gateway numbers were dismal. He said that OMOT would not support

the payroll tax increase. He added that LTD was disliked by the general public, and he reiterated his concern about conflicts of interest that he did not feel the Board had addressed.

There were no other speakers, and Mr. Wildish closed the public hearing.

MOTION Mr. Necker moved that Ordinance Nos. 50 and 51 be read by title only. Mr. Gillespie provided the second.

VOTE The motion was approved as follows:
AYES: Gillespie, Grossman, Necker, Nordin, Pierce, Wildish, Yeh (7)
NAYS: None
ABSTENTIONS: None
EXCUSED: None (0)

Mr. Wildish read the ordinances by title only:

"ORDINANCE NO. 50, AN ORDINANCE REGARDING THE EXCISE TAX ON EMPLOYERS, AND AMENDING AND RESTATING ORDINANCE NO. 34, ORDINANCE NO. 39, ORDINANCE NO. 40, AND ORDINANCE NO. 47.

ORDINANCE NO. 51, AN ORDINANCE REGARDING THE EXCISE TAX ON SELF-EMPLOYED PERSONS, AND AMENDING AND RESTATING ORDINANCE NO. 38, ORDINANCE NO. 39, ORDINANCE NO. 40, ORDINANCE NO. 41, AND ORDINANCE NO. 46."

Hiring Standards and Criteria for LTD's Next General Manager: Director of Administrative Services Roland Hoskins said that the hiring standards and criteria had been developed through a process of obtaining input from Board members, employees, and a wide range of community interests. He asked the Board to formally adopt the standards and criteria as proposed in the attached Amended Leadership Profile.

MOTION Mr. Gillespie moved the following resolution: LTD Resolution No. 2015-033: It is hereby resolved that the Lane Transit District Board of Directors approves the hiring standards and criteria for the next general manager. Mr. Necker provided the second.

VOTE The resolution was approved as follows:
AYES: Gillespie, Grossman, Necker, Nordin, Pierce, Wildish, Yeh (7)
NAYS: None
ABSTENTIONS: None
EXCUSED: None (0)

ITEMS FOR INFORMATION AT THIS MEETING:

Board Member Reports: Mr. Yeh reported that the EmX Steering Committee was working on a Vision Zero policy that would be recommended to the LTD Board for consideration in the future.

Mr. Gillespie reported that he had received an e-mail from an EmX construction area resident who had complained about losing a week of sleep due to roadwork. He said that he had replied to the resident and also notified LTD's Lisa Van Winkle and Chris Watchie of Cogito. He added that the groundbreaking activity was completed and the next phase would be paving, which was less noisy.

ATU Presentation: Carl Faddis, Amalgamated Transit Union (ATU) executive board representative, thanked the Board for the opportunity to speak to them on behalf of LTD's ATU employees. He said that it was a profound truth that the interests of both the District and the union were valid. He said that he was constantly looking for points of mutual interest. He encouraged the involvement of ATU employees in community outreach activities to demonstrate agreement between the union and the District. He said that labor relations had improved greatly over the past four years.

Mr. Faddis said that a disconnect remained because of the different realities of the District, employees, and various community groups; a win could only be achieved when there was a willingness to recognize the validity of the other's interests. He said that there was a disconnect with bus operators and their experiences. Operators were willing to find their own voice but would rather go out into the community in concert with the Board and executive staff to advocate for issues. He added that he felt that involving operators in public outreach would have a powerful impact as people would be very interested in talking to bus drivers. He said that ATU was looking for opportunities to work with the District to better serve the community.

Ms. Pierce thanked Mr. Faddis for his remarks and agreed that perceptions were extremely important. She added that she liked the suggestions for involving ATU members and encouraged more input at future meetings.

Ms. Grossman asked for examples of how to better involve ATU in outreach activities. Mr. Faddis replied that he hoped to accompany Mr. McGlone to Salem to lobby on behalf of LTD's interests. He said that other options included making operators available to answer questions at public events and meetings about their experiences providing transit services to the community. He said that employees wanted the opportunity to get out in the community, engage people, and understand their concerns and issues; that would mean integrating them into the District's outreach activities. He pointed out that when LTD received the American Public Transportation Association's award as the best transit district of its size, no ATU employees were invited to speak at the party celebrating the achievement.

Mr. Wildish thanked Mr. Faddis for his comments. He said that he agreed that the relationship between operators and those riding the bus could be helpful to the District's efforts to engage the community.

Mr. Gillespie shared that when he joined the Board six years ago, the relationship between the District and ATU was very poor. He said that he was pleased with the improved labor relations and thanked ATU and its members for their willing collaboration, particularly on efforts to stabilize the pension trust fund.

Retired Bus Disposal: Customer Services and Planning Director Andy Vobora reported that typically a bus was sent to auction when it was past its useful life (minimum 12 years), but recently LTD had exercised another option for disposing of buses by donating five retired buses to local agencies. Those agencies were Lane Community College, River Road Parks District, and the Boys and Girls Club of Emerald Valley. He said that the agencies were very pleased to receive the buses and retain those assets in the community.

Board Member Committee Assignments: Mr. Wildish reviewed the list of committee assignments, and assignments were finalized.

Monthly Financial Report: Mr. Lipkin said that the financial report contained in the agenda packet included preliminary data, as was required to be provided within 30 days of the end of the fiscal year. He said that the data was still being posted and a final report would be provided once the annual audit was completed.

Monthly Engagement Reports: There were no questions or comments.

Monthly Performance Reports: There were no questions or comments.

Monthly Grants Report: There were no questions or comments.

Monthly Department Reports: There were no questions or comments.

EXECUTIVE SESSION PURSUANT TO ORS 192.660(2)(a) TO CONSIDER THE EMPLOYMENT OF A PUBLIC OFFICER (GENERAL MANAGER): Mr. Wildish announced that the Board would now meet in executive session pursuant to ORS 192.660(2)(a), to consider the employment of the general manager of LTD.

MOTION Mr. Nordin moved that the LTD Board of Directors meet in Executive Session pursuant to ORS 192.660(2)(a), to consider the employment of a public officer (general manager); Ms. Pierce provided the second.

VOTE The resolution was approved as follows:
AYES: Gillespie, Grossman, Necker, Wildish, Yeh, Pierce, Nordin (7)
NAYS: None
ABSTENTIONS: None
EXCUSED: None

The Board entered executive session at 6:36 p.m. LTD staff also present for the executive session were Director of Administrative Services Roland Hoskins and Human Relations Manager David Collier. Also present was Celia Kupersmith with KL2 Connects.

RETURN TO REGULAR (PUBLIC) SESSION: The Board returned to open session at 8:50 p.m.

Ms. Pierce asked about a new ad campaign she had heard on the radio that begins with the phrase, "LTD knows," and asked staff to look into it. She was concerned that it made LTD sound arrogant, and she asked staff to look into it and get back to her.

ADJOURNMENT: Mr. Wildish adjourned the meeting at 8:50 p.m.

LANE TRANSIT DISTRICT:

ATTEST:

Julie Grossman
Board Secretary

Jeanne Schapper
Clerk of the Board

Date Approved: _____