

# MINUTES OF DIRECTORS MEETING

## LANE TRANSIT DISTRICT

### REGULAR BOARD MEETING

Wednesday, February 17, 2016

Pursuant to notice given to *The Register-Guard* for publication on February 10, 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 Monday, February 17, 2016, 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  
Angelynn Pierce  
Gary Gillespie  
  
Aurora (A. J.) Jackson, General Manager  
Jeanne Schapper, Clerk of the Board  
Lynn Taylor, Minutes Recorder

Absent: Ed Necker  
Don Nordin

**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 welcomed everyone to the meeting. He displayed a plaque that was presented to LTD by Womenspace in appreciation for the assistance of LTD employees.

**COMMENTS FROM THE GENERAL MANAGER:** Ms. Jackson distributed information on a motor vehicle accident involving a RideSource vehicle. She stated that there were no injuries but there had been a small fuel spill. She shared that during a recent visit at the Federal Transit Administration (FTA) regional office, officials had expressed interest in the West Eugene EmX Extension project, as well as the *MovingAhead* initiative to study future corridors. She announced that FTA Region 10 Administrator Rick Krochalis was retiring after more than 30 years with the agency.

**ANNOUNCEMENTS AND ADDITIONS TO THE AGENDA:** At the request of Mr. Yeh, Mr. Wildish added a discussion of Vision Zero to the agenda.

**BOARD CALENDARS:** Ms. Jackson briefly reviewed coming Board activities.

**EMPLOYEE OF THE MONTH — MARCH 2016:** The Board recognized Bus Operator Mike Duran as the March Employee of the Month. Mr. Wildish presented Mr. Duran with his award

and thanked him for his outstanding service and dedication to LTD's mission. Mr. Duran thanked the Board for his award.

**AUDIENCE PARTICIPATION:** Mr. Wildish explained the procedures for providing public testimony to the Board.

**Rob Zako**, Better Eugene-Springfield Transit (BEST), Eugene, distributed a memorandum dated February 2, 2016, from BEST to the EmX Steering Committee, regarding Vision Zero. He said that there had been a number of traffic fatalities last year in the metropolitan area and that Eugene, Springfield, and Lane County were engaged in safety initiatives. He said that the EmX Steering Committee had been discussing the question of what role LTD could play in promoting safety. BEST suggested that LTD adopt a Vision Zero goal--in particular, around bus stops and beyond, by conducting a comprehensive assessment of all bus stops to determine how safe it was to get to and from those stops, focusing on the safety of street crossings.

**ITEMS FOR ACTION AT THIS MEETING:**

**MOTION** **Consent Calendar:** Ms. Pierce moved to remove the January 20, 2016, Regular Board Meeting Minutes from the Consent Calendar. Mr. Yeh provided the second.

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

**MOTION** Ms. Pierce moved adoption of the following resolution: LTD Resolution No. 2016-001: It is hereby resolved that the Consent Calendar for February 17, 2016, is approved as amended. Ms. Grossman provided the second. The Consent Calendar consisted of the Minutes of the December 16, 2015, Regular Board Meeting.

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

**MOTION** Ms. Pierce moved to amend the January 20, 2016, Regular Board Meeting Minutes by removing the sentence, "She encouraged Board members to attend the December 17 employee potluck," under the Board Calendars section on page 1. Mr. Yeh provided the second.

**VOTE** The motion was approved as follows:  
AYES: Gillespie, Grossman, Pierce, Wildish, Yeh (5)  
NAYS: None  
ABSTENTIONS: None  
EXCUSED: Necker, Nordin, (2)

**Revised Criminal Records Process and Management Policy:** Human Resources Generalist Christy Riney stated that the proposed revisions would require a criminal background check for all new applicants and current LTD employees who applied for positions that required the operation of any District motor vehicle, regardless of who was being transported.

Mr. Yeh asked if that was a standard employment practice and would there be additional costs. Human Resources Manager David Collier replied that the policy was adopted by the Board in 2000 and was being updated to reflect new requirements. Ms. Riney explained that the additional costs were negligible and that there could actually be some savings involved as the District would use a third-party vendor to conduct electronic fingerprinting and another vendor to receive and process the fingerprints. She said that the process would significantly reduce the amount of time it took to receive background check results. Mr. Collier added that the process also would provide more accurate search results.

**MOTION** Mr. Yeh moved approval of the following resolution: Resolution No. 2016-002, adopting the Revised Criminal Records Process and Management Policy, which establishes criminal background check procedures and guidelines as required by ORS 267.237, while maintaining the current guidelines under ORS 181.537(2e). Ms. Pierce provided the second.

In response to a question from Mr. Gillespie, Ms. Riney said that once the new process has been in place long enough to have data available, it would be reviewed for time and cost savings.

**VOTE** The motion was approved as follows:  
AYES: Gillespie, Grossman, Pierce, Wildish, Yeh (5)  
NAYS: None  
ABSTENTIONS: None  
EXCUSED: Necker, Nordin, (2)

**Support for City of Eugene Community Court Grant:** Director of Operations Mark Johnson introduced City of Eugene Prosecutor Susan Triem, City of Eugene Presiding Judge Wayne Allen and LTD Public Safety Manager Frank Wilson who had been involved in the development of the Community Court program. He said that the City of Eugene had applied for a \$200,000 grant to start the program. He explained that the Community Court program would differ from regular court as it would work individually with low-level offenders, and it would focus on a better way to deal with the large number of low-level offenders within the one-block area of the Eugene Station who tend to cycle frequently through the court system. He added that the program was widely supported by downtown residents, businesses, and civic groups. The City of Eugene was requesting a letter of support from the LTD Board.

Ms. Grossman asked for examples of low-level offenses. Mr. Johnson said that examples may include trespassing, interfering with public transportation, and open container offenses.

Mr. Gillespie asked if the Community Court would be separate from LTD's process for removing or banning someone from the bus. Mr. Johnson replied that the two processes would work in concert and that people could be routed to Community Court instead of being prosecuted in regular court for certain offenses. The LTD appeal process would remain in place.

Mr. Yeh asked what types of penalties might be assessed through the Community Court program. Judge Allen said that the City's program is based on Spokane's model to address problems in its downtown area. He explained that the community policing approach would be used to try to resolve problems through assisting someone rather than citing or arresting them. If that did not work, a person would be cited and ordered to appear at Community Court, which was a much more informal environment. The person would be appointed a public defender and be given a needs assessment to determine if they would be assigned to a one-, two-, or three-month program. Referrals to providers would be made, and the person would be escorted to an area where provider representatives could meet with him/her to discuss needs and available services. He said that the goal is to help problem bus riders better use the transit system and learn accountability through community service. He said that the program would be very flexible to accommodate individual circumstances. He said that many approaches in the past had failed to solve downtown problems. The Community Court program's goal is to improve a person's situation and, thereby, improve the community. There are many benefits to be derived from Community Court, but the primary reason to take this approach is because it is the right thing to do.

Mr. Yeh said that he appreciated the new approach--particularly the needs assessment, and thanked the City for pursuing the grant.

Ms. Pierce asked if the program would be sustainable. Judge Allen said that Eugene City Manager Jon Ruiz was very interested in the approach, as well as in a veterans' court that is part of the Spokane model.

**MOTION** Mr. Gillespie moved the following resolution: Resolution No. 2016-003: It is hereby resolved that the LTD Board of Directors supports the proposed Community Court system and communicates said support by way of the attach letter to the directors of the Center for Court Innovation and Bureau of Justice Assistance, Office of Justice Programs, U.S. Department of Justice. Ms. Pierce provided the second.

**VOTE** The motion was approved as follows:  
AYES: Gillespie, Grossman, Pierce, Wildish, Yeh (5)  
NAYS: None  
ABSTENTIONS: None  
EXCUSED: Necker, Nordin, (2)

#### **ITEMS FOR INFORMATION AT THIS MEETING:**

**Board Member Reports:** Mr. Gillespie asked Planning and Development Manager Tom Schwetz to provide an update on the Metropolitan Policy Committee (MPC) meeting. Mr. Schwetz said that LTD's request for funding for the Main Street-McVay project was approved by the MPC and would be forwarded to the Oregon Department of Transportation (ODOT) for programming so that LTD could access funds.

**2016 Annual Route Review (ARR):** Mr. Schwetz provided a brief update on outreach and engagement activities and the schedule for approval by the Board. He said that there had been internal coordination with the Board Service Committee, which would meet again on March 8 to consider a recommendation to be forwarded to the full Board. Outreach had been

conducted with a number of community groups, and the Springfield City Council had requested a presentation on the project. He said that a public hearing on the ARR would be conducted at the Board's March 16, 2016, regular meeting, with approval by the Board requested at its April 20 meeting. He said that the specific proposed recommendations were included in the agenda packet.

Mr. Wildish asked how the new airport connector service was doing. Mr. Schwetz said that there had been an average of 30 rides per week in the first few months of service. He said the initial assumption was that riders would primarily be students and employees, but it appears that a number of other community members also are taking the connector to catch flights. He said that the current service does not touch on peak flight times and that staff would be evaluating the service, which was a partnership with the City of Eugene and Lane Community College.

Ms. Jackson pointed out that the service was operated by the City of Eugene, not LTD, and it was a small circulator route. She said that LTD's partners would determine whether or not the service met their expectations. She noted that considerable positive feedback had been received from the community.

Ms. Pierce asked to see the Main Street-McVay project materials before they were presented to the Springfield City Council.

**Legislative Update:** Government Relations Manager Edward McGlone provided an update on the Oregon State Legislature and United Front trip to Washington, D.C. He distributed two handouts that had been submitted to the legislature on LTD's behalf.

Mr. McGlone said that the 35-day legislative session was at the half-way mark. The session has largely been defined by debate on the minimum wage and efforts to keep the issue off the ballot. He said that Governor Brown had proposed a three-tiered system of minimum wages, based on the supposition that the cost of living differed around the state. Mr. McGlone described the three levels that would be phased in and added that LTD would not be directly impacted as its lowest wage was above the proposed minimum. Mr. McGlone explained that there were several bills before the legislature that could directly impact transit:

House Bill (HB) 4078 - funding for transit in non-payroll tax-supported parts of the state. LTD issued a statement of supportive neutrality, encouraging the legislature to continue to seek out funding for transit and fulfill its responsibility to transit statewide. He was not concerned that funding other transit would take funding away from either LTD or TriMet. He said that he perceived the bill would round out the picture of transit funding, recognizing that communities' needs differ.

HB 4130 - public records. The bill includes restrictive provisions, including the amount of time and money that could be spent by a public agency and charged to records requestors, additional appeals to the attorney general, and retention requirements. He said that there was broad-based resistance to the bill, although LTD had not taken a position on the issue since so many other voices were speaking out. He added that some amendments to make the bill more user friendly for public agencies had been made.

Senate Bill (SB) 1510- requested by TriMet to allow transit agencies established under Oregon Revised Statutes (ORS) to receive and spend non-payroll tax funds on roadways on which they do not operate. Mr. McGlone explained why TriMet had a specific need for the legislation. He said that the current law does not allow transit agencies to spend funds on those types of projects.

SB 1521 - transit payroll tax. LTD provided testimony on how the District might use the funds but did not take a position on the bill.

SB 1527 - statute modernization bill related to electronic fares. LTD had supported this legislation in the past and was supporting it again. He expected the bill to pass.

Mr. McGlone distributed a copy of materials related to the United Front trip and a book entitled *Rivers Districts 2021*. He explained that it was the 30th anniversary of the United Front partnership. This partnership has resulted thus far in more than \$500 million of direct federal investment in the community. He said that the book represented a collective vision for preparing for the 2021 International Association of Athletics Federations (IAAF) World Track and Field Championships to be held in Eugene, with each partner elevating one or two key priorities. He said that the federal government was pleased to see the region thinking ahead for the 2021 event, but officials cautioned that any projects should focus on community needs and benefits. He said that the FAST Act included provisions for a series of interconnected projects that would, in theory, allow a district to apply for funding for development of multiple corridors at once under the Small Starts grant program. He said the Federal Transit Administration (FTA) indicated that rules and regulations would be required to implement those provisions, and he expected it would be some time before that occurred. That meant LTD would need to apply for corridor funding on an individual project basis.

Mr. Gillespie asked if that meant that the *MovingAhead* project would pursue the development of several corridor projects at the same time, but funding and construction of those project would occur one at a time. Mr. Schwetz clarified that was the current situation, but LTD would look at the possibility of combining two corridors with connections into a single large project. The projects would still need to be implemented one at a time.

Ms. Pierce asked what impact that would have on the Main Street-McVay project. Mr. Schwetz said that corridor study would be completed prior to the conclusion of *MovingAhead*. Mr. McGlone emphasized that there would not be an application that included Main Street-McVay with a City of Eugene project.

Mr. McGlone said that a Notice of Funding Availability for the bus and bus facilities program was expected to be issued within the next several weeks and that the FTA had made it a top priority. There was not a separate funding stream for those projects and the FTA's priorities would mirror those of the Department of Transportation Secretary's with a focus on connections with jobs, education, and health care, and Beyond Traffic initiatives. He said the application process would proceed swiftly, and staff were preparing grant applications.

Mr. McGlone said that the Department of Homeland Security and the Secret Service would be involved in preparations for the 2021 games as they represented a significant international presence for a unique potential security threat. He said the event would likely achieve the highest level of risk profile and be eligible for federal resources related to manpower, infrastructure, and intelligence at no cost to the community.

**Monthly Financial Report:** Mr. Lipkin stated that the cost of fuel was still very low; staff were considering whether or not to use the stored fuel, which was purchased at a higher cost. Payroll taxes showed a positive trend, although the Department of Revenue had mistakenly paid LTD \$5 million in revenue that should have gone to TriMet. He said the Accessible Service transfer was still well below budget, and the Medicaid funding gap would be the subject of a future meeting with Trillium. He explained that the budget development process was well underway, and the Capital Improvements Program (CIP) would be issued for public review in March or April. He said that long-range financial planning, assumptions, and projections would be the subject of the Board's March 11, 2016, strategic planning session.

Mr. Wildish expressed concern regarding the Medicare contract with Trillium and extension of the contract after January 1, 2016, without a new rate being negotiated. Mr. Lipkin replied that Trillium had assured the District that whatever new rate was negotiated would be retroactive to January 1.

Ms. Jackson said that once current and future costs were mitigated, staff would bring the matter to the Board. She said that absorbing costs from existing expenditures would require an appropriation by the Board to modify the budget and cover the costs. The goal is to negotiate a new rate and not incur any additional costs or appropriate new funds for the service.

**Monthly Engagement Reports:** There were no comments or questions.

**Monthly Performance Reports:** Ms. Jackson said that boardings were still in a downward trend. Staff were in the process of taking a holistic look at services and key priorities to determine how to provide better connectivity and shorter travel times. A redesign of service should result in improved ridership. She pointed out that as more efficient service was provided and riders could reach their destination in one trip, it might appear that less service was provided when it was actually better service. Currently taking two buses to one location counted as two boardings, while being able to take one bus to that location would be counted as one. Mr. Lipkin added that passenger miles could be used as a metric.

**Monthly Grants Report:** There were no questions or comments.

**Monthly Department Reports:** There were no questions or comments.

#### **ADDITIONS TO THE AGENDA:**

**Vision Zero:** Mr. Yeh said that the EmX Steering Committee had been discussing Vision Zero and passed a motion asking staff to develop information on implementing a Board policy. Mr. Yeh added that he would put forth a resolution related to a Vision Zero policy at the next Board meeting. He thanked BEST for its memo suggesting elements for a policy.

Ms. Grossman expressed that she was interested in how a Vision Zero policy could be implemented on the ground and best express LTD's commitment to safety for the broader community and partner agencies. She said that developing a common language with our

partners around safety issues was an important element of implementing Vision Zero strategies. Given the nature of its business, she encouraged LTD to take a strong leadership role. She thanked BEST for its contributions and urged LTD to take a leadership position on the issue. She said that she hoped that LTD could move quickly to develop tangible strategies to implement.

Mr. Yeh said that he agreed that it represented a major opportunity for LTD to demonstrate community leadership, but he did not want to create undue burdens on staff and resources.

Point2point Program Manager Theresa Brand offered that the City of Springfield was developing safety initiatives, and she encouraged the Board and staff to connect with other regional entities to successfully integrate LTD's efforts with its partner agencies.

Mr. Wildish concurred that developing a common language and message around safety and being consistent with partners' efforts was very important. It's a community issue; have a community conversation. He said that this should be a criteria within a level of priority of the organization, which then becomes a driver for its processes that affect lives. He added that he would appreciate staff getting input from partners and be a part of the conversation.

Ms. Grossman suggested beginning with a tangible and achievable goal and broaden efforts from there. She imagined identifying five stops that have had problems in the past, but with an adjacent sidewalk that is not under the District's prevue, this illustrates a problem that would require inter-agency safety efforts and a relatively quick and successful outcome that spurs buy-in throughout the community for future cooperative efforts.

Mr. Schwetz noted that it was often difficult to demonstrate the results of process improvements. The EmX Steering Committee's engagement in matters like Vision Zero, and how LTD could play a role, show how successful the efforts to reinvigorate the Committee had been.

#### **ITEMS FOR ACTION/INFORMATION AT A FUTURE MEETING-REQUESTED BY THE BOARD:**

Mr. Wildish explained that the presentation on solar energy installation would be moved to the April 2016 meeting as sufficient information was not yet available.

Mr. Gillespie announced that he had submitted the name of a citizen to replace Ed Gerdes on the LTD Budget Committee.

Mr. Gillespie also requested that Ms. Jackson review LTD's current contract and purchasing authority levels and report back to the Board with a recommendation based on best practices of transit and government agencies.

Mr. Wildish determined there was consensus of the Board to request the review and recommendations from Ms. Jackson.

Ms. Jackson clarified that as much preliminary information as possible could be provided at the next regular Board meeting with additional information provided at a later date if the Board wished.



**ADJOURNMENT:** Mr. Wildish adjourned the meeting at 7:11 p.m.

LANE TRANSIT DISTRICT:

ATTEST:

\_\_\_\_\_  
Julie Grossman  
Board Secretary

\_\_\_\_\_  
Jeanne Schapper  
Clerk of the Board

Date Approved: \_\_\_\_\_