

Public notice was given to *The Register-Guard* for publication on June 11, 1987.

**LANE TRANSIT DISTRICT
REGULAR BOARD MEETING**

June 17, 1987

7:30 p.m.

McNutt Room
Eugene City Hall

A G E N D A

- I. CALL TO ORDER
- II. ROLL CALL
 - Runyan_____ Smith_____ Brandt_____ Calvert_____
 - Eberly_____ Parks_____ Pusateri_____
- III. INTRODUCTORY REMARKS BY BOARD PRESIDENT
- IV. BUS RIDER OF THE MONTH
- V. EMPLOYEE OF THE MONTH
- VI. AUDIENCE PARTICIPATION
- VII. ITEMS FOR ACTION AT THIS MEETING
 - A. Approval of Minutes
 - B. Annual Route Review Recommendations and Public Hearing on Service Changes
 - 1. Staff Introduction
 - 2. Opening of Public Hearing by Board President
 - 3. Public Testimony

4. Closure of Public Hearing
5. Board Discussion/Action
- C. First Reading of Ordinance No. 32--An Ordinance Imposing an Excise Tax on Employers, Providing for Administration, Enforcement and Collection of the Tax and Terminating the Application of Tax under Ordinance No. 31
- D. Adoption of Section 504 Accessible Service Program
- E. New Charter Regulations
- F. Resolution Reaffirming District Boundaries
- G. Fiscal Year 1986-87 Budget Transfer
- H. Adoption of Fiscal Year 1986-87 Supplemental Budget
 1. Staff Introduction
 2. Opening of Public Hearing by Board President
 3. Public Testimony
 4. Closure of Public Hearing
 5. Board Discussion/Action
- I. Adoption of Fiscal Year 1987-88 Budget
 1. Staff Introduction
 2. Opening of Public Hearing by Board President
 3. Public Testimony
 4. Closure of Public Hearing
 5. Board Discussion/Action

VIII. ITEMS FOR INFORMATION AT THIS MEETING

- A. Current Activities
 1. Review of Current Legislation
 2. Facility Project Update--Value Engineering Phase 2

- 3. Dial-A-Ride Fare
 - 4. Special Services Report
 - B. Monthly Financial Reporting
- IX. ITEMS FOR ACTION/INFORMATION AT A FUTURE MEETING
- A. Workers' Compensation Self-Insurance
 - B. Second Reading and Adoption--Ordinance No. 32
- X. ADJOURNMENT

AGENDA NOTES

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- IV. **BUS RIDER OF THE MONTH:** Brad Wheeler has been chosen as the June 1987 Bus Rider of the Month. He is an 8th grader at Life Lutheran School in Eugene, and has commuted to school on the #13 Centennial for the last two years. Brad is also a Freedom Pass user. He enjoys football and basketball, which he plays through the Springfield Sports Program. He also enjoys water skiing, which he learned to do in West Germany. In the future, Brad plans to be a pilot in the United States Air Force.

Brad was nominated for Bus Rider of the Month by drivers because he is so positive, friendly, and cheerful, and, as one said, "he's just a great kid."

Brad will attend the meeting to receive his award and be introduced to the Board members.

- V. **EMPLOYEE OF THE MONTH:** The June Employee of the Month, Bus Operator Dan Budd, will attend the meeting to receive his award and be introduced to the Board.

VII. ITEMS FOR ACTION AT THIS MEETING

- A. Approval of Minutes: The minutes of the May 20, 1987 regular meeting are included in the agenda packet for Board review and approval. 11
- B. Annual Route Review Recommendation and Public Hearing on Service Changes: 16
1. Staff Introduction
 - a. Issue Presented: Should the Board approve changes in service for FY 87-88 as recommended by staff in the enclosed memorandum?
 - b. Background: Each year, the Planning division conducts a comprehensive service evaluation called the Annual Route Review (ARR). This evaluation process results in the development of proposed service changes, including evaluation of changes requested by employees and the public. Included in the agenda packet is a memo from staff which explains the ARR process, gives a brief review of previous changes, and explains changes which are being recommended for FY 87-88.

Federal regulations require that a public hearing be held when 25 percent of the trips on a route are proposed to be changed. A public hearing is required for these service changes.

- c. Staff Recommendation: That the Board first hold a public hearing on the proposed service changes, and then approve the service recommendations for Fiscal Year 1987-88 as presented in the agenda packet.
- d. Results of Recommended Action: Staff will inform the public and implement the service as indicated in the attached memo.

2. Opening of Public Hearing by Board President

3. Public Testimony

4. Closure of Public Hearing

5. Board Discussion/Action

C. First Reading of Ordinance No. 32--An Ordinance Imposing an Excise Tax on Employers, Providing for Administration, Enforcement and Collection of the Tax and Terminating the Application of Tax under Ordinance No. 31:

24

Issue Presented: Should the Board hold the first reading of an ordinance which would reduce the payroll tax from the current rate of .005 to .0049?

Background: In 1984, the Board lowered the LTD employer-paid payroll tax from the legal maximum of .6 percent of gross payroll dollars to .5 percent. The tax has remained at .5 percent since that time.

In May, during the annual budget process, LTD staff learned that the District would be receiving \$778,000 from the State to use as local match for federal capital grants. Additionally, the payroll tax base has grown at a faster rate than anticipated. For these reasons, staff suggested that the payroll tax rate could be lowered for the near future with no adverse effects on the District. At its May 20 meeting, the Budget Committee voted to recommend to the Board a budget which projects a payroll tax rate lowered from .005 to .0049.

Ordinance No. 32 is included in the agenda packet. Under normal conditions, ordinances are adopted by majority vote through a process which requires a first and second reading at regular Board meetings which are 30 days apart. There is no need to declare an emergency in this instance, since there is adequate time to inform the Oregon Department of Revenue of any changes for the first quarter of FY 87-88.

Upon motion of the Board, the ordinance can be read by title only if there are sufficient copies available to members of the audience.

Staff Recommendation: That the Board vote to read Ordinance No. 32 by title only and then read the title:

"Ordinance No. 32, an Ordinance Imposing an Excise Tax on Employers, Providing for Administration, Enforcement and Collection of the Tax and Terminating the Application of Ordinance No. 31."

Results of Recommended Action: Staff will place Ordinance No. 32 on the agenda for the July 15 Board meeting for the second reading and adoption.

D. Adoption of Section 504 Accessible Service Program:

45

Background: Included in the agenda packet for the April 29 Board meeting was a memo which explained the District's draft Accessible Service Program, prepared in accordance with federal Section 504 regulations. Also included was an executive summary of the Program. Included in the packet for the May 20 meeting was a full copy of the draft Lane Transit District Accessible Service Program. A staff memo also explained the process and time line for adopting the Program. On May 20, the Board held a public hearing and received comment from members of the disabled community regarding the draft Accessible Service Program.

Only minor, editorial changes have been made to the draft Program. Final printed copies will be available to the public at the LTD office.

Staff Recommendation: That the Board adopt the Lane Transit District Accessible Service Program.

Results of Recommended Action: After approval by the Board, the Program will be submitted to the Urban Mass

Transportation Administration, to fulfill Federal Section 504 regulations.

E. New Charter Regulations:

46

Background: The federal government recently released new charter regulations which have an impact on how LTD will provide charter service in the future. Under the new regulations, a charter customer must first contact a private charter provider in the community. If that private provider is unable to provide the service, he or she may then subcontract with LTD for the necessary service.

Included in the agenda packet is a staff memorandum which explains the changes and the impact on the District in more detail. The memo also details the steps that staff will take to bring LTD into compliance with the new regulations. Staff will also discuss this issue with the Board at the June 17 meeting.

Staff Recommendation: That the Board authorize the General Manager to implement the new federal charter regulations.

Results of Recommended Action: Staff will take the outlined steps to implement the new charter regulations.

F. Resolution Reaffirming District Boundaries:

48

Background: Oregon Revised Statutes 267.207(3)(a) mandates that the boards of directors of transit districts annually determine the territory in which the transit system will operate. No District territorial changes have been made for Fiscal Year 1987-88. Included in the agenda packet is a resolution reaffirming the territory within which LTD's system will operate for FY 87-88.

Staff Recommendation: That the Board adopt the enclosed resolution reaffirming that Lane Transit District will continue to operate service within the boundaries specified in Lane Transit District Ordinance No. 24.

G. Fiscal Year 1986-87 Budget Transfer:

49

Background: As the District nears the end of the fiscal year, budget transfers are necessary to reflect expense needs as a result of changing circumstances. Funds to cover those expenditures can be taken from other areas where budgeted amounts were not spent. During the present

fiscal year, expenditures for Administration--Materials & Supplies have been higher than anticipated. Funds to cover these increased expenses can be taken from Maintenance--Materials & Supplies.

Staff Recommendation: That the Board adopt the enclosed Resolution authorizing a reduction in appropriations for Maintenance--Materials & Supplies in the amount of \$3,000, and an increase in appropriations for Administration--Materials & Supplies in the amount of \$3,000.

F. Fiscal Year 1986-87 Supplemental Budget:

50

1. Staff Introduction

- a. Issue Presented: Should the Board adopt the Supplemental Budget for Fiscal Year 1986-87 as approved by the Budget Committee on May 20, 1987?
- b. Background: The Supplemental Budget for Fiscal Year 1986-87, as presented in the agenda packet, was approved by the Budget Committee on May 20, 1987. The Supplemental Budget must be approved by the Board before the end of the current fiscal year in order for the District to properly allocate its year-end expenses and revenues. Included in the agenda packet for this meeting are a supplemental Budget Financial Summary, a Resolution Adopting the Supplemental Budget, and a Resolution Making Appropriations. A public hearing is required before the Supplemental Budget can be adopted.
- c. Budget Committee Recommendation: That the Board first hold a public hearing and then adopt the enclosed Resolution Adopting the Supplemental Budget, in the total amount of \$220,000, and the Resolution Making Appropriations, for Fiscal Year 1986-87.
- d. Results of Recommended Action: Staff will effect the budget adjustments as presented in the approved budget.

2. Opening of Public Hearing by Board President

3. Public Testimony

4. Closure of Public Hearing

5. Board Discussion/Action

I. Adoption of Fiscal Year 1987-88 Budget:

59

1. Staff Introduction:

a. Issue Presented: Should the Board adopt the budget and make appropriations for Fiscal Year 1987-88 as recommended by the Budget Committee?

b. Background: The budget for Fiscal Year 1987-88 was approved by the Budget Committee on May 20, 1987. A budget for FY 87-88 must be adopted by the Board before the end of the current fiscal year on June 30, 1987. Included in the agenda packet are the summary budget forms and a Resolution adopting the budget and making appropriations. A public hearing is required before the FY 87-88 budget can be adopted.

c. Budget Committee Recommendation: That the Board first hold a public hearing and then adopt the Resolution, as presented, which adopts the budget for Fiscal Year 1987-88, in the total combined fund sum of \$17,187,000.

d. Results of Recommended Action: The District will implement the programs and projects consistent with the funding appropriations for FY 87-88.

2. Opening of Public Hearing by Board President

3. Public Testimony

4. Closure of Public Hearing

5. Board Discussion/Action

VIII. ITEMS FOR INFORMATION AT THIS MEETING

A. Current Activities

1. Review of Current Legislation: At the meeting, the General Manager will review with the Board current

legislative activity which would have an effect on the District's operations.

2. **Facility Project Update--Value Engineering Phase 2:** 60
Included in the agenda packet is a staff memo which describes the value engineering process following the design development phase of the new facility project. Staff will be available at the Board meeting to answer any questions the Board may have about value engineering or other aspects of the facility project.
 3. **Dial-A-Ride Fare:** 61
A staff memo in the agenda packet explains the STF Advisory Committee recommendation to lower the Dial-A-Ride fare from \$.50 to \$.30. The LTD Executive Committee approved lowering the fare for several reasons, which are listed in the memo.
 4. **Special Services Report:** 64
As a result of Board discussion about special services requested by persons and agencies in the community, a list of requests received (approved and denied) is being included in the agenda packet each month.
- B. **Monthly Financial Reporting:** Financial statements for May, 1987 are included in the agenda packet:
1. Comparison of Budgeted and Actual Revenues and Expenditures
 - a. General Fund 65
 - b. Capital Projects Fund 66
 - c. Risk Management Fund 67
 2. Comparison of Year-to-date Actual Revenues and Expenditures to Budgeted (General Fund) 68

IX. **ITEMS FOR ACTION/INFORMATION AT A FUTURE MEETING**

- A. **Workers' Compensation Self-Insurance:** Results of a staff study on the feasibility of self-insuring workers' compensation will be included on the agenda for the July Board meeting.
- B. **Second Reading and Adoption--Ordinance No. 32:** The second reading and adoption of Ordinance No. 32, an ordinance to lower the payroll tax to .49 percent, will be placed on the agenda for the July 15 Board meeting.

X. **ADJOURNMENT**

MINUTES OF DIRECTORS MEETING

LANE TRANSIT DISTRICT

REGULAR MEETING

Wednesday, May 20, 1987

Pursuant to notice given to *The Register-Guard* for publication on May 15, 1987, the regular monthly meeting of the Board of Directors of the Lane Transit District was held on Wednesday, May 20, 1987 at 7:30 p.m. at the Eugene City Hall.

Present: Peter Brandt, Treasurer
Janice Eberly, Vice President, presiding
Keith Parks
Gus Pusateri, Secretary
Rich Smith
Phyllis Loobey, General Manager
Jo Sullivan, Recording Secretary

Absent: Janet Calvert, President
Dean Runyan

CALL TO ORDER: Ms. Eberly called the meeting to order at 7:30 p.m.

BUS RIDER OF THE MONTH: Ms. Eberly stated that she was pleased to introduce the May Bus Rider of the Month, Will Souder, who has ridden the bus since August 1972. He was nominated by five LTD bus operators, who all cited his cheerful, friendly personality and his consistent support of LTD during his 15 years of ridership. Mr. Souder is the office manager and dispatcher for Eugene Moving & Storage, where he has worked for the past 22 years. Ms. Eberly presented Mr. Souder with a certificate of appreciation, gift certificate for a free monthly pass, and a special LTD lapel pin. Mr. Souder thanked the Board and employees of LTD, and said it was the bus system that enabled him to be the Bus Rider of the Month.

EMPLOYEE OF THE MONTH: Ms. Eberly then introduced Susan Hanson, the May Employee of the Month. Ms. Hanson was hired as a service representative in August 1981, and was promoted to marketing representative a few months later. She was nominated by fellow employees for the award. After receiving her certificate, letter, and check, Ms. Hanson stated that she has enjoyed working at LTD for six years, and has enjoyed the wide variety of projects she has been able to work on as a marketing representative.

AUDIENCE PARTICIPATION: Ms. Eberly asked if anyone in the audience was interested in speaking on items of a general nature not covered by that evening's agenda. There was no audience participation at this time.

APPROVAL OF MINUTES: Mr. Brandt moved that the minutes of the April 29, 1987 adjourned meeting be approved as distributed. After seconding by Dr. Smith, the minutes were unanimously approved.

PUBLIC HEARING ON DRAFT SECTION 504 ACCESSIBLE SERVICE PROGRAM:

Micki Kaplan, Transit Planner and project manager, introduced an interpreter for the hearing impaired and asked if such services were needed at the meeting. There was not need at that time, but the interpreter stayed in case anyone needing her services came late. Ms. Kaplan also introduced Tom Schweitz, a planner at the Lane Council of Governments (L-COG), who had assisted LTD in preparing the Program.

Ms. Kaplan explained that the draft Accessible Service Program was developed in response to federal regulations regarding Section 504 of the Rehabilitation Act of 1973 and Section 317(c) of the Surface Transportation Act of 1982. The purpose of the U.S. Department of Transportation (USDOT) Ruling, issued in June 1986, is to require transit operators who receive funds from the USDOT to establish programs to provide transit services to handicapped persons. By June 23, 1987, all transit operators who receive federal funds must have a plan and must meet service level criteria, including the establishment of an ongoing method of participation by persons with disabilities. Ms. Kaplan stated that the District had achieved 100 percent accessibility on all buses and routes and has had good support and communication with the handicapped community, since staff have worked closely with them. However, although members of the handicapped community have been involved on an ad hoc basis, such as when the District was contemplating putting lifts on all buses, LTD has had no ongoing, formal public participation process for two years.

In order to meet the requirement for ongoing public participation, staff were proposing that three members be added to the Special Transportation Fund (STF) Advisory Committee, and that this expanded committee become the mechanism for ongoing public participation. The three additional members would be representatives from the sight impaired community, the hearing impaired community, and the physically disabled community.

Ms. Kaplan explained that no additional changes were being recommended in the District's current accessible services program, which was developed in 1980 in response to earlier rulings by USDOT. A public hearing on the draft Accessible Service Program was scheduled to be held that evening, and the Board would be asked to adopt the program in June. After the June meeting, the program will be submitted to the Urban Mass Transportation Administration (UMTA).

Public Hearing on Draft Section 504 Accessible Service Program:

Ms. Eberly opened the public hearing on the District's draft Section 504 Accessible Service Program.

The first person to speak was Dave Kleger of 2154 Golden Garden Street, Eugene. Mr. Kleger stated that he has been involved with LTD for many years, in dealing with the District's move toward accessible transportation. He said he had reviewed the draft Program and did not see any problems with respect to its adoption by UMTA. He did not see a need to create a new committee, since there was not much for the committee to do. Mr. Kleger said he had been watching the District's activities with the

handicapped community for the last two years. He found that there were not many problems and, when there were, LTD staff had contacted members of the handicapped community to work with them to resolve the problems. He agreed that it would be appropriate to use the existing STF Advisory Committee, with the three additional members. A letter from Mr. Kleger on this subject had also been included in the agenda packet for that evening.

Jane Allworth, a member of the City of Eugene's Disabled Commission's Subcommittee on Transportation, spoke next. She stated that she works with Oregonians for Independent Living (OIL), and read a letter from Mike Keller on behalf of the OIL. The letter expressed support for the proposed plan, especially in relation to the provision for ongoing client input.

Ms. Allworth also stated that Ms. Loobey had spoken to the Subcommittee on Transportation, and that the members found her talk to be informative and were grateful for her time and her concern for the safety and comfort of the passengers. Ms. Allworth said she knew that the Subcommittee and the disabled community could work with LTD on issues of importance to them. She added that she had seen instances where people using the lifts could use more instruction.

Gwyneth van Frank of Support for Independent Living with Visual Impairments (SILVI), an organization for the sight impaired, thanked Mr. Schweitz and Ms. Kaplan for taking the time to speak to her group and to put information on tape for them. She said she had been working with members of SILVI who wanted to have bus schedules written in braille but understood that this would be very cumbersome. She thought that having the telephone lines open extended hours was very helpful to blind persons. She requested that the District offer more in-service training for drivers, because sometimes they seem to forget. The only complaints she had heard were that often blind patrons are not let off the bus at the stop they had requested. She said this is also due to the need for blind persons to be more assertive in stating their needs, but additional driver training and awareness would be helpful, as well.

Closure of Public Hearing: There was no further public testimony, and the public hearing was closed.

Dr. Smith wondered if anyone in the audience was affiliated with Mobility International, and what that organization's input would be regarding LTD. Ms. van Frank said the only thing she had heard about LTD had been positive. She had taken a film regarding LTD to Germany three years ago, and had been involved with bringing people from other countries to Eugene to observe LTD's 100 percent accessible service. She said that those people had gone back to their countries to convince them that 100 percent accessible service can be achieved.

Mr. Kleger said that Mobility International calls him from time to time about how to achieve such a system. Ms. Kaplan stated that Mobility

International was mailed a copy of the packet regarding the draft Accessible Service Program.

Ms. van Frank then asked that people stop using the term handicapped and instead say "alter-abled."

SALARY COMMITTEE RECOMMENDATION: A memorandum from the Board Salary Committee was included in the agenda packet. Dr. Smith, Committee Chairman, explained that the Committee had met with the General Manager the previous week and had reached an amicable agreement regarding her salary. Since administrative staff salaries had been raised 5 to 6 percent, Committee members believed the General Manager's salary and benefits package should be increased a comparable amount, within an acceptable range when compared with like positions along the west coast.

MOTION

Dr. Smith moved that the Board approve the Salary Committee recommendation for a base salary of \$50,007.60, continuation of the \$200 monthly automobile allowance, and a grant of \$5,800 to be used for additional benefits as determined by the General Manager, for a total salary and benefits package of \$58,207.60 as compensation for the General Manager for Fiscal Year 1987-88; and that the Board authorize the Board President to sign a contract extending the General Manager's employment through Fiscal Year 1987-88. Mr. Parks seconded the motion.

Dr. Smith said he believed this to be a conservative recommendation, and that the District was lucky to have Ms. Loobey as its General Manager.

VOTE

Mr. Brandt and Mr. Pusateri called for the question, and the motion carried by unanimous vote.

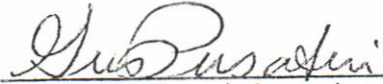
ITEMS FOR INFORMATION AT THIS MEETING:

Review of Current Legislation: Ms. Loobey informed the Board that the hearing testimony on Senate Bill 233, regarding mandatory binding interest arbitration, had not been completed that morning and would be rescheduled as soon as possible. She said there was still a lot of opposition to the bill and some controversy due to the Governor's promise to veto it, which might result in a compromise position by many. A hearing had also been held that day on SB 773, the wage tax bill, and it was likely that this bill would be going into a work session in the near future.

MOTION

ADJOURNMENT: Mr. Brandt moved, seconded by Dr. Smith, that the meeting be adjourned. With no further discussion, the meeting was unanimously adjourned at 8:00 p.m.

VOTE


Board Secretary



OREGONIANS FOR INDEPENDENT LIVING

P.O. BOX 10931

• EUGENE, OREGON 97440

• PHONE (503) 341-3807

May 20, 1987

To whom it may concern:

Oregonians for Independent Living, (O.I.L.), is an organization of people with physical disabilities. O.I.L. works for the legal and human rights of people with disabilities.

We are writing this letter in support of your proposed accessibility plan, particularly the part about providing for consumer input. Many of us receive state services, and those organizations which provide those services frequently do not permit adequate client feed-back. Our experiences have shown us that without client input, there is no first hand knowledge of the needs involved, and therefore damaging mistakes will result. This is why we support your proposed plan.

If you have any questions, you may contact Mike Keller at 342-6732. Thank-you.

Sincerely,
O. I. L.





June 17, 1987

MEMORANDUM

TO: Board of Directors
FROM: Stefano Viggiano, Planning Administrator
RE: Annual Route Review Recommendations

INTRODUCTION

Every year, the Planning Division conducts a comprehensive evaluation of service. This process is called the Annual Route Review (ARR). Major service changes that the District wishes to implement are developed as part of the ARR. In addition, any requests for service changes or service additions that have been received by the District from employees or the public are considered as part of this process. Changes adopted as part of the ARR are generally implemented the following September.

The ARR process includes the collection and analysis of ridership data and survey information which is necessary in order to make decisions. Options are reviewed by a driver advisory committee, the District's safety committee, and other employees. Typically, many alternative solutions to a particular problem are developed, evaluated, and discussed before final recommendations are proposed.

New service is evaluated after a one-year maturation period to determine if it has met ridership expectations and adheres to District productivity standards.

REVIEW OF PREVIOUS ARR CHANGES

Ferry Street Bridge/Springfield Redesigns (1984/1985)

In 1984 and 1985, major changes to service sectors were implemented as part of the ARR. In 1984, the Ferry Street Bridge service was redesigned, while in 1985, the Springfield sector was restructured. These two major changes in service have proven successful. As reported to the Board as part of the Route Segment Analysis in January, 1987 and indicated on the following table, the sector redesigns have resulted in increased ridership and productivity.

Table 1

Weekday Ridership and Productivity Changes for the Ferry Street Bridge sector, Springfield Sector, and the Remainder of the System Between 1983/84 and 1986/87
Based on Route Segment Analysis Data

	<u>Ridership Change</u>	<u>Productivity Change</u>
Ferry Street Bridge	+ 27.3%	+ 5.9%
Springfield Sector	+ 25.6%	+ 12.6%
Remainder of System	+ 10.5%	+ 1.9%

#11X Express, Saturday Veneta Service (1986)

Last year, The ARR resulted in the implementation of only minor adjustments and additions to service. The two most significant service additions last year were the #11X Express on weekdays, and #34 Veneta on Saturday.

On/off counts were collected on the #11X Express for ten days in February. These counts indicated an average of 24 rides on the morning trip and 12 rides on the afternoon trip. Thus, the route has a productivity of 17.3 rides per hour, which is 62 percent of the system productivity and meets the District's minimum productivity standard of 50 percent of the system average. The current ridership on the 11X already exceeds the minimum level the route was expected to attain after the first year. It is expected that ridership on the route will increase significantly as the service becomes more established.

A survey of #11X riders was conducted during the week of March 3-6. A total of 43 completed questionnaires was collected (respondents were asked to complete only one survey). The survey indicated that 25 percent of the riders had not been using the bus before the #11X was implemented, and that an additional 28 percent indicated that their bus ridership had increased as a result of the implementation of the #11X. This level of new and increased ridership is very encouraging.

Ridership counts were collected on the morning and afternoon Veneta trips over three Saturdays. An average of 22 people rode each trip. This yields a productivity of 16.6 rides per hour, which is approximately equal to the productivity of the Veneta route on weekdays. The service exceeds its established productivity goal of 15 rides per hour.

SUMMARY OF 1987 RECOMMENDATIONS

The recommendations resulting from this year's ARR include the deletion of a few low-productivity trips, the addition of a small amount of service (less than one-half of a percent increase in service), and some routing changes which do not have an impact on cost. In general, the changes recommended this year are fairly minor.

The following table summarizes the cost and ridership impacts of the recommendations developed as part of this year's ARR. These recommendations are described in more detail later in this memorandum and will be presented at the Board meeting. In this memorandum, the proposed changes are divided into those issues that involve: (1) route changes; (2) service deletions; and (3) service additions.

Table 2
 Summary of 1987 ARR Recommendations

<u>Change</u>	<u>FY 87-88 Serv Hrs</u>	<u>FY 87-88 Cost</u>	<u>FY 87-88 Ridership</u>	<u>Prod</u>
#31A/B Off-Peak Switch	NA	NA	3,750	NA
#33 Route Change	NA	NA	975	NA
Delete Low Prod Trips	- 68	-\$1,850	- 540	7.9
Add #51X Express	146	3,900	3,300	22.6
Add #52 Saturday	234	6,300	3,500	15.0
Add #33 Evening	195	5,250	1,950	10.0
Add Holiday Service	NA	1,500	375	NA
Add Saturday Non-Urban	<u>273</u>	<u>3,700*</u>	<u>3,250</u>	<u>11.9</u>
Totals	780	\$18,800	16,560	21.2

*contingent on Section 18 funding

ROUTING CHANGES

#31A Bailey Hill and #31B City View Off-Peak Switch

Recommendation: Provide service on #31A instead of #31B on weekday evenings and weekends.

Analysis: FY 87-88 Service Hours: no change
FY 87-88 Ridership Gain: 3,750

Discussion: Currently, the #31A Bailey Hill and the #31B City View each operate hourly during weekdays, while only the #31B operates during weekday evenings and weekends. It is proposed that the #31A Bailey Hill operate during weekday evenings and weekends instead of the #31B. Ridership analysis indicates that the #31A loop is much more productive than the #31B loop, and, thus, would yield increased ridership if operated during the off-peak periods than does the #31B loop. Originally, the complete elimination of the #31B City View and replacement by more frequent #31A service was contemplated. However, the results of a survey of users on the #31B loop and driver input on this change convinced Planning to recommend only the reduction of service on the loop.

#33 Jefferson Route Change

Recommendation: Change routing from Polk to Chambers between 24th and 28th on #33 Jefferson.

Analysis: FY 87-88 Service Hours: no change
FY 87-88 ridership: 975

Discussion: On/off counts illustrated that the one of the highest use areas on the #31B loop is on Chambers between 24th and 28th. It has been determined that sufficient time on the current #33 Jefferson exists to serve Chambers between 24th and 28th. This would improve the directness of travel to this area and make the bus service more attractive to potential users.

Move Brown Section

Recommendation: Switch the Brown and Blue Sections at the Eugene Mall Transit Station.

Analysis: Cost: One-time \$1,000 cost.
Change in Ridership: Difficult to calculate, but expected to be positive.

Discussion: Currently, the Brown Section is located east of Willamette Street. Buses leaving the Brown Section and heading south on Willamette (the #24 Willamette and #25 Amazon) must travel to Pearl and back on 11th to access Willamette. It is proposed that the Brown Section be switched with the Blue Section. This would place the Brown Section west of Willamette and allow the #24 and #25 buses to simply turn right on Willamette Street. This change will improve the travel time on the two Willamette buses and not adversely affect the routing of the other buses in the Brown and Blue sections.

SERVICE DELETIONS

Low Ridership Trips

Recommendation: Delete the 5:47 p.m. #55 trip on weekdays, the 8:50 p.m. #10B trip on Saturday, and the 6:10 p.m. #10A trip on Sunday.

Analysis: FY 87-88 Service Hours: - 68
FY 87-88 Savings: \$1,850
FY 87-88 Ridership Lost: 540

Discussion: Low ridership trips were identified using data from the Fall 1986 and Winter 1987 RSAs. Additional data on these trips were gathered through driver counts, surveyor counts, or both. Based on these data, Planning proposes to eliminate these trips. They consistently fail to meet the District's productivity standards.

SERVICE ADDITIONS

#51X Santa Clara Express

Recommendation: Add two morning and one afternoon #51X trips between the Eugene Mall and the Santa Clara neighborhood loop.

Analysis: FY 87-88 Service Hours: 146
 FY 87-88 Cost: \$3,900
 FY 87-88 Ridership Gain: 3,300

Discussion: One of the District's service design objectives is to continue examining ways to provide express service and attract additional commuter riders. The Santa Clara route is a logical candidate for express service. This route is continually one of the most productive in the system and provides service between a residential neighborhood and downtown Eugene. In addition, express service to the Santa Clara area can be efficiently provided by adding the neighborhood loop to the existing #55 Riviera Express. Given the response to the #11X, this service is expected to generate some new ridership.

#52 Irving on Saturday (Reduce #50 Park)

Recommendation: Add 8 hours of Saturday service on #52 Irving (10:05-18:05).

Recommendation: Eliminate 2 hours of Saturday service on #50 Park.

Analysis: FY 87-88 Service Hours: 234
 FY 87-88 Cost: \$6,300
 FY 87-88 Ridership Gain: 3,500

Discussion: Last fall, residents in the Irving neighborhood submitted a petition (30 signatures) requesting weekend service on the #52 Irving route. This recommendation was developed to address this request, while, at the same time, providing half-hour frequency on the River Road corridor and consistent departure times. The District has been intending to establish 30 minute frequency on all major corridors on Saturdays.

#33 Jefferson in Evening

Recommendation: Add weekday evening trips at 8:20 and 9:20 p.m.

Analysis: FY 87-88 Service Hours: 195
 FY 87-88 Cost: \$5,250
 FY 87-88 Ridership Gain: 1,950

Discussion: As discussed in the Routing Changes section, sufficient time is available on this route to cover Chambers between 24th and 28th. However, this route ends at 7:20 p.m. on weekday evenings. Additional evening service on this route would provide some coverage in the area south of 18th that would be losing evening and weekend service.

Holiday Service

Recommendation: Offer service on holidays by contracting with a local taxi company(s) or other contracted option

Analysis:

Estimated Cost Per Trip:	\$4.50
Estimated Rides Per Holiday:	125
Cost Per Holiday:	\$563
Fare Revenue:	\$63
Net Cost Per Holiday:	\$500
Cost Per Year:	\$1,500
District Cost Per Trip:	\$4.00

Discussion: Last December, a citizen approached the Board with the request that the District offer some service on Thanksgiving, Christmas, and New Year's Day, the only days during which there is currently no service. The service that is proposed minimizes cost while still providing a transportation option to transit dependents.

Various alternatives for providing this service were examined. Proposed is a system in which the District would contract with a local private transportation provider (probably a taxi company) to provide service to bus patrons on the three holidays. Those wishing to use the service would need a "script" that would be available from the LTD Customer Service center. The patron would then arrange with the taxi company(s) for a ride and use the script as fare. The District would then reimburse the taxi company a pre-established sum for each script collected.

Non-Urban Saturday Service

Recommendation: Apply for a Section 18 grant to pay for 50 percent of the operating cost for Saturday service to McKenzie

Bridge and Junction City, and an additional trip to Veneta.

Analysis:	FY 87-88 Service Hours:	273
	District FY 87-88 Cost:	\$3,700
	FY 87-88 Ridership:	3,250

Discussion: An application would be submitted for Section 18 funding to cover 50 percent of the operating costs for Saturday non-urban service. If approved, three Junction City trips, two McKenzie Bridge trips, and one additional Veneta trip would be added on Saturdays beginning in January, 1988. This service has been requested very often by patrons. Given the ridership of the Saturday Veneta service, staff believe the service would easily meet productivity standards.

Staff Recommendation: That the Board first hold a public hearing on the proposed service changes and then approve the recommendations for FY 87-88 as presented.

Stefano Viggiano
Planning Administrator

SV:ms:js

LANE COUNTY MASS TRANSIT DISTRICT

ORDINANCE NO. 32

An ordinance imposing an excise tax on employers, providing for administration, enforcement and collection of the tax and terminating the application of tax under Ordinance No. 31.

The Board of Directors of the Lane County Mass Transit District under the authority of ORS 267.010 to 267.990, both inclusive, does hereby ordain and decree as follows:

1.01 Definitions. As used in this ordinance, unless the context requires otherwise:

(1) "District" means the Lane County Mass Transit District.

(2) "Service area" means the area designated in Ordinance No. 22 of Lane County Mass Transit District entitled "An Ordinance Altering the Territorial Boundaries for Lane County Mass Transit District and Repealing Ordinance No. 17" adopted January 19, 1982, as such area is now constituted and as it may be altered from time to time hereafter by ordinance of this District.

(3) "Department" means the Department of Revenue, State of Oregon.

(4) "Taxpayer" means an employer subject to tax under this ordinance as defined by ORS 267.380, and regulations thereunder.

(5) "Wages" means remuneration for services performed by an employee for his employer as defined by ORS 267.380, and includes wages which are paid for services performed partly within the service area.

1.02 Tax imposed. A tax is hereby imposed on every employer of individuals who perform services within the service area.

1.03 Rate. Every employer subject to tax shall pay an amount equal to forty-nine hundredths of one percent (.0049) of the wages paid by the employer with respect to services performed within the service area after June 30, 1987.

1.04 Tax period; Department the tax agent for District; Powers. The tax imposed by this ordinance shall be paid quarterly or less frequently than quarterly if directed by the Department, but not less frequently than annually, to the Department of Revenue, State of Oregon, as agent for the District. The Department is hereby designated the agent of the District for purposes of administering the tax imposed by this ordinance and is authorized to exercise all supervisory and administrative powers with regard to the enforcement, collection and administration of this tax as it is authorized to exercise pursuant to ORS 305.620; including, but not limited to entering closing agreements, waiving of interest and penalties, releasing liens, issuance of subpoenas, and the making of refunds.

1.05 Tax and reports due dates. Every employer, quarterly, on or before the last day of April, July, October and January each year, or less frequently than quarterly if directed by the Department but not less frequently than annually, shall pay over to the Department the amount imposed by this ordinance as an excise tax and determined according to wages paid by him with respect to the employment of individuals during the preceding calendar period. Every taxpayer shall, with each payment made by him to the Department, deliver to the Department on a return prescribed by the Department a statement of the total amount of wages paid to his employees during the tax period upon which the tax is required to be computed, and such other information as the Department requires. Every deficiency shall bear interest at the rate provided in Section 5.01 for each month or fraction of a month computed from the due date of the return to date of payment.

1.06 Effective date. This ordinance and the payroll tax hereby imposed shall apply to all wages paid by employers subject to the tax with respect to all services performed after June 30, 1987, within said service area.

1.07 Date return considered filed or payment made. A return filed before the last day prescribed by law for the filing thereof shall be considered as filed on the last day. An advance payment of any portion of the tax made at the time the return was filed shall be considered as made on the last

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day prescribed by law for the payment of the tax. The last day prescribed by law for filing the return or paying the tax shall be determined without regard to any extension of time granted the taxpayer by the Department.

2.01 Assessment of deficiency; penalties and interest on deficiencies.

(1) As soon as practicable after the return is filed, the Department shall audit it, if the Department deems such audit practicable. If the Department discovers from the audit of a return or otherwise that a deficiency exists, it shall compute the tax and give notice to the taxpayer of its proposal to assess the deficiency, plus interest and penalty for fraud or negligence, if any attaches. The notice shall state the reason for each proposed adjustment to the return and a reference to the ordinance, statute, regulation or Department ruling upon which the proposed adjustment is based. Each notice of deficiency and proposed assessment shall be certified by the auditor who audited the return that he has audited the return and that the proposed adjustments to the return are made in good faith and not for the purposes of extending the period of assessment.

(2) Within 30 days from the date of mailing of notice of proposed assessment, the taxpayer shall pay the proposed deficiency with interest computed to the date of payment and any penalty proposed, or within that time shall advise the Department in writing wherein its determination of deficiency

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as to the proposed assessment at any time prior to the date such assessment is made.

(3) If neither payment nor written objection is received by the Department within 30 days after notice of proposed assessment has been mailed, the Department shall assess the deficiency, plus interest and fraud or negligence penalty, if any, and shall give notice of the amount so assessed.

(4) Every deficiency shall bear interest at the rate provided in Section 5.01 for each month or fraction of a month computed from the due date of the return to date of payment.

(5) Penalties shall be imposed as follows:

If the return was falsely prepared and filed with intent to evade the tax, a penalty equal to 100 percent of the deficiency.

(6) All payments received must be credited first to penalty, then to interest accrued, and then to tax due.

(7) Mailing of notice to the taxpayer at his last known address shall constitute the giving of notice of proposed assessment as prescribed in subsection (1) of this section or of notice of assessment as prescribed in subsection (3) of this section. The provisions of this ordinance with respect to revision and appeal shall apply to the assessed deficiency, penalties, and interest.

(8) Additional assessments and deficiency assessments with respect to any tax return shall be made pursuant to this section, and not otherwise, within the time limits prescribed by Section 2.02, including but not limited to the assertion of additional tax arising from:

(a) The failure to report properly all wages which are the measure of the tax;

(b) The deduction of wages not permitted by law;

(c) Mathematical errors in the return or the amount of tax shown due in the records of the Department;

(d) Improper credits or offsets against the tax claimed in the return.

2.02 Time limit for assessment of deficiency.

(1) At any time within three years after the return was filed, the Department may give notice of proposed assessment as prescribed in Section 2.01.

(2) The limitation to the giving of notice of proposed assessment of a deficiency provided in this section shall not apply to a deficiency resulting from false or fraudulent returns, or in cases where no return has been filed.

(3) After the first day of January, 1975, the tax deficiency must be assessed and notice of tax assessment mailed to the taxpayer within one year from the date of the notice of proposed assessment unless an extension of time is agreed upon. If, prior to the expiration of any period of time prescribed in this section for giving of notice of

proposed assessment or of assessment, the Department and the taxpayer consent in writing to the deficiency being proposed or assessed after the expiration of such prescribed period, such deficiency may be proposed or assessed at any time prior to the expiration of the period agreed upon.

2.03 Effect of failure to file return or to pay tax; Determining and assessing tax; Penalties.

(1) If a taxpayer failed to file a return within the time required by this ordinance, the Department shall determine the wages paid by the taxpayer for services rendered within the district according to the best of its information and belief, assess the tax accordingly, and notify the taxpayer of the termination and assessment. In addition to the tax, the Department shall also assess and collect (a) interest on such tax at the rate provided in Section 5.01 per month or a fraction of a month computed from the original due date of the return until paid, and (b) a penalty as provided for in subsection (2) of this section.

(2) If a taxpayer (a) fails to file a return at the time required by this ordinance or (b) fails to pay a tax at the time the tax comes due, unless it is shown that such failure is due to reasonable cause and not due to willful neglect, there shall be added to the amount of the tax required to be shown on the return, or to the amount of tax as determined by the Department, a penalty of 5 percent of the amount of such tax. If the failure to file continues for

a period in excess of three months after the due date, there shall be added to the amount of the tax required to be shown on the return a failure to file penalty of 20 percent of the amount of such tax. This penalty is in addition to the 5 percent delinquency penalty imposed in this section.

(3) Interest shall be collected on any unpaid tax as provided in subsection (4) of Section 2.01 of this ordinance.

(4) For purposes of subsection (2) of this section, the amount of tax required to be shown on the return shall be reduced by the amount of any part of the tax that is paid on or before the date prescribed for payment of the tax and by the amount of any credit against tax which may be properly claimed upon the return.

2.04 Books and records. Every employer shall maintain records adequate to determine the total wages by which the excise tax imposed by this ordinance is measured. The Department, for the purpose of ascertaining the correctness of any return or for the purpose of making an estimate of the wages paid by any taxpayer, may examine or cause to be examined by an agent or representative designated by it for the purpose, any books, papers, records or memoranda bearing upon the matter required to be included in the return, and may require the attendance of the taxpayer or officer or agent or any other person having knowledge in the premises, and may take testimony and require proof material for the information, with power to administer oaths to such persons.

The Department shall have authority, by order or subpoena to be served with the same force and effect and in the same manner that a subpoena is served in a civil action in the circuit court, to require the production at any time and place it may designate of any books, papers, accounts or other information necessary to the carrying out of the provisions of this ordinance and the laws under which it is enacted.

2.05 Department requiring return or supplementary return. If the Department is of the opinion that a taxpayer has failed to file a return, or to include in a return filed, either intentionally or through error, all wages paid, it may require from the taxpayer a return or supplementary return, under oath, in such form as it shall prescribe, of all the wages which the taxpayer paid during the quarter for which the return is made, whether or not paid with respect to services performed within the service area. If from a supplementary return, or otherwise, the Department finds that any wages by which the tax is measured have been omitted from the original return, it may require the wages so omitted to be disclosed under oath of the taxpayer, and to be added to the original return. Such supplementary return and the correction of the original return shall not relieve the taxpayer from any of the penalties to which he may be liable under any provisions of law, whether or not the Department required a return or a supplementary return under this section.

2.06 Tax as debt; termination of taxable period and immediate assessment of tax.

(1) Every tax imposed upon employers measured by wages paid to employees, and all increases, interest and penalties thereon shall become, from the time such liability is incurred, a personal debt, due the District, from the person or persons liable therefor.

(2) If the Department finds that a taxpayer designs to depart quickly from the state or to remove his property therefrom, or to do any other act tending to prejudice or to render wholly or partially ineffectual proceedings to collect the tax for any past quarter or the tax quarter then current, unless such proceedings be brought without delay, the Department shall declare the current taxable period for such taxpayer immediately terminated and shall cause notice of such finding and declaration to be given the taxpayer. Simultaneously, the Department, on the basis of the best information available to it, shall assess a tax for such terminated period and for the preceding tax quarter (if no return has been filed therefor, whether or not the time otherwise allowed by law for filing such return and paying the tax has expired), and shall assess additional tax for any quarters open to assessment under the provisions of the applicable law. The Department shall give notice to the taxpayer of all taxes so assessed. Such taxes shall thereupon become immediately due and payable as soon as the notice

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and findings are issued to the taxpayer or mailed to his last known address. In any proceeding in court brought to enforce payment of taxes made due and payable by virtue of the provisions of this section, the findings of the Department, made as provided in this section, whether made after notice to the taxpayer or not, shall be for all purposes presumptive evidence of the taxpayer's design, and the certificate of the Department of the mailing or issuing of the notice and findings specified in this section is presumptive.

2.07 Waiver, cancellation or compromise of tax, penalties and interest.

(1) The Department may, in its discretion, upon good and sufficient cause, according to and consistent with its rules and regulations, upon making a record of its reason therefor, waive, reduce or compromise any tax balance of \$10 or less or any part or all of the penalties and interest provided for in this ordinance.

(2) The Department may cancel any tax imposed by this ordinance or any portion thereof, including penalty and interest, which has not been collected, if the Department determines that the administration and collection costs involved would not warrant collection of the amount that can reasonably be expected to be recovered. Each such cancellation shall be evidenced by a written record in the files of the Department, a copy of which shall be sent to the District. Upon canceling the tax, the Department shall also

cause to be canceled or released any lien which it may have for the tax so canceled.

3.01 Warrant for collection of taxes.

(1) If any tax imposed upon employers by wages paid to employees or any portion of such tax is not paid within 30 days after it becomes due (or within five days, in the case of the termination of the tax quarter by the Department under the provisions of Section 2.06 of this ordinance) and no provision is made to secure the payment of this by bond, deposit, or otherwise pursuant to regulations promulgated by the Department, the Department, pursuant to ORS 267.385, shall:

Issue a warrant under its hand and official seal directed to the sheriff of any court of the state commanding him to levy upon and sell the real and personal property of the taxpayer found within his county, for the payment of the amount of the tax, with the added penalties, interest, and the sheriff's cost of executing the warrant, and to return such warrant to the Department and pay to it the money collected by virtue thereof by a time to be therein specified, not less than 60 days from the date of the warrant.

(2) The sheriff shall, within five days after the receipt of the warrant, file with the clerk of his county a copy thereof, and thereupon the clerk shall enter in the judgment docket, in the column for judgment debtors, the name of the taxpayer mentioned in the warrant, and in appropriate columns the amount of the tax or portion thereof and

penalties for which the warrant is issued and the date when such copy is filed. Thereupon the amount of the warrant so docketed shall become a lien upon the title to and interest in property of the taxpayer against whom it is issued in the same manner as a judgment duly docketed in the office of such clerk. The sheriff thereupon shall proceed upon the same in all respects, with like effect and in the same manner prescribed by law in respect to executions issued against property upon judgment of a court of record, and shall be entitled to the same fees for his services in executing the warrant, to be added to and collected as a part of the warrant liability.

(3) In the discretion of the Department a warrant of like terms, force and effect may be issued and directed to any agent authorized to collect excise taxes, and in the execution thereof the agent shall have all the powers conferred by law upon sheriffs, but is entitled to no fee or compensation in excess of actual expenses paid in the performance of such duty.

(4) If a warrant is returned not satisfied in full, the Department shall have the same remedies to enforce the claim for taxes against the taxpayer as if the people of the state had recovered judgment against the taxpayer for the amount of the tax, and shall balance his assessment record by transferring the unpaid deficiency to his delinquent record.

3.02 Liability of transferee of property of taxpayer for taxes imposed on taxpayer.

(1) When a taxpayer ceases to exist or is no longer subject to the jurisdiction of this District (although subject to the courts of a state having comity with the State of Oregon), being indebted for excise taxes levied upon employers, the transferee of the money or property of the taxpayer shall be liable for any such tax or deficiency in tax, including penalties and interest, imposed by law on the taxpayer and accruing or accrued upon the date of transfer, to the extent of the amount of money or value of the property received by the transferee. Property received by the transferee shall be valued at the fair market value of said property at the time of transfer to the initial transferee by the taxpayer. However, no heir, legatee, devisee or distributee of an estate of a deceased person shall be liable as a transferee of the decedent or of the decedent's estate (a) after the Department of Revenue's certificate of release with respect to such decedent's estate has been filed with the clerk of the probate court, or (b) where no release has been filed but 90 days have elapsed following a request to the Department by the decedent's representative for such release, unless within that time the probate court, upon application by the Department, finds reasonable grounds for extending the period and allows the Department additional time in which to issue a release.

(2) The amount for which a transferee of the property of a taxpayer is liable in respect of any such tax or deficiency in tax, including penalties and interest, whether shown on the return of the taxpayer or determined as a deficiency in the tax, shall be assessed against such transferee and collected and paid in the same manner and subject to the same provisions and limitations as would apply to the taxpayer had he or it continued subject to the jurisdiction of this District, except as provided in this section.

(3) As used in this section, the term "Transferee" means one not a bona fide purchaser for value and includes an heir, legatee, devisee, distributee of an estate of a deceased person, the shareholder of a dissolved corporation, the assignee or donee of an insolvent person, the successor of a corporation which is a party to a corporate reorganization, and persons acting on behalf of such transferees in a fiduciary capacity.

(4) The period of limitation for assessment of any such liability of a transferee shall be as follows:

(a) In the case of the liability of an initial transferee of the property of the taxpayer, within one year after the expiration of the period of limitation for assessment against the taxpayer;

(b) In the case of the liability of a transferee of a transferee of the property of the taxpayer, within one year after the expiration of the period of limitation for assessment against the preceding transferee, but not more than three

years after the expiration of the period of limitation for assessment against the taxpayer;

(c) If, before the expiration of the period of limitation for the assessment of the liability of the transferee, as set forth in paragraph (a) or (b) of this subsection, a court proceeding for the collection of the tax or liability in respect thereof has been begun against the taxpayer or last preceding transferee, then the period of limitation for assessment of the liability of the transferee shall expire one year after final judgment has been rendered in the court proceedings;

(d) If, before the expiration of the time prescribed in paragraphs (a), (b) or (c) of this subsection for the assessment of the liability, both the Department of Revenue and the transferee have consented in writing to its assessment after such time, the liability may be assessed at any time prior to the expiration of the period of extension agreed upon. The period so agreed upon may be further extended by subsequent agreements in writing made before the expiration of the period of extension previously agreed upon.

(5) For the purposes of this section, if the taxpayer is deceased, or in the case of a corporation, has terminated its existence, the period of limitation for assessment against the taxpayer shall be the period which would be in effect had death or termination of existence not occurred.

(6) In the absence of notice to the Department of Revenue of the existence of a fiduciary relationship, notice of liability enforceable under this section in respect to a tax or deficiency in tax, including penalties and interest thereon, imposed by this ordinance, if mailed to the person subject to the liability at his last known address, shall be sufficient for the purposes of this section even if such person is deceased, or is under a legal disability, or, in the case of a corporation, has terminated its existence.

4.01 Refunds. (1) If the amount of the tax found due as computed is less than the amount theretofore paid, the excess shall be refunded by the Department with interest at the rate provided in Section 5.01 for each month or fraction of a month from the time the tax was paid to the time the refund is made. No refund shall be allowed or made after three years from the time the return was filed, or two years from the time the tax or a portion thereof was paid, whichever period expires the later, unless before the expiration of such period a claim for refund is filed by the taxpayer in compliance with the manner prescribed by the Department. The amount of the refund, exclusive of interest thereon, shall not exceed the portion of the tax paid during such period preceding the filing of the claim, or, if no claim is filed, then during the period preceding the allowance of the refund during which a claim might have been filed. Where there has been an overpayment of any tax imposed, the amount of the overpayment and the interest thereon shall be

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credited against any tax, penalty, or interest then due from the taxpayer, and only the balance shall be refunded.

(2) Notwithstanding any provision to the contrary in subsection (1) of this section, if, prior to the expiration of the period prescribed in subsection (1) of this section, the Department and the taxpayer consent in writing to the refund of tax after the expiration of the period prescribed, the refund shall be made at any time prior to the expiration of the period agreed upon and no refund shall be made or allowed after the expiration of the period agreed upon unless a claim for refund is filed by the taxpayer before the expiration of the period agreed upon in compliance with the manner prescribed by the Department. The Department shall have the power to consent to such refund only where the taxpayer has consented to assessment of additional tax, if such be determined upon audit, after the expiration of the applicable three-year period prescribed.

5.01 Interest rates. Interest rates on all delinquencies, deficiencies and refunds for all interest periods beginning on or after June 1, 1982, shall be as provided in the applicable provisions of ORS Chapters 305 and 314 as now constituted or hereafter amended.

6.01 Appeal to Department. (1) A taxpayer may appeal to the Department for the refund or revision, or both, of any excise tax within the time stated below:

(a) In the case of an appeal for a refund of taxes shown on the return filed by the taxpayer, within three years from the

time the return was filed, or two years from the time the tax, or a part or installment thereof, was paid, whichever period expires the later.

(b) In the case of an appeal from additional taxes assessed, taxes assessed where no return was filed, or a refund denial issued by the Department, within six months from the date of notice of assessment. Assessments shall be final after the expiration of the period specified in this paragraph and payment of the tax shall not give the taxpayer any extension of the period within which an appeal may be taken.

(2) The appeal shall be by way of written petition which states the grounds upon which the taxpayer contends that the assessment is erroneous. The Department shall grant a hearing upon the appeal and shall examine the determination of the amount of tax due, including penalty and interest thereon, and shall redetermine such amount if it is necessary upon the law and the facts to do so. The Department shall notify the taxpayer of its determination of the amount of tax due with penalty and interest, either as originally assessed or as redetermined and shall refund to the taxpayer the amount, if any, paid in excess of the tax found to be due, with interest thereon as provided in this ordinance. Where there has been an overpayment of any tax, the amount of such overpayment and the interest thereon shall be credited against any tax, or penalty or interest then due from the taxpayer, and only the balance shall be refunded. If the taxpayer has failed prior to the time of the appeal, without good

cause, to file any return required by law, within the time prescribed by law, or has filed a fraudulent return, or, having filed an incorrect return, has failed, after notice, to file a proper return, the Department shall not reduce or refund so much of the amount of the tax involved in the hearing as it may be found that the taxpayer owes for any other year or years.

6.02 Appeal from Department. Until the effective date of legislation making other provision therefor, an appeal from the determination of the Department upon the application made by the taxpayer for refund or revision of any tax, as provided for in this ordinance, may be taken by the taxpayer to the Circuit Court located in Lane County or Marion County. Any such appeal must be within 60 days after notice of the Department's determination has been received by the taxpayer, given as provided in this ordinance. If the Department fails to notify the taxpayer within 12 months after the claim was filed of its determination of the claim for refund or revision of the tax, the taxpayer may then appeal to the Circuit Court.

6.03 When appeal stays collection proceedings. Unless otherwise ordered by the Circuit Court, an appeal to the Department or to the court from an assessment of taxes or additional taxes shall not stay proceedings to collect any unpaid tax if the Department believes that collection of the tax will be jeopardized by delay.

7.01 Termination of Application of Tax under Ordinance No. 31. The tax imposed by Ordinance No. 31, adopted by the Board of Directors of Lane County Mass Transit District on the 17th day of September, 1986, shall not be applied to any wages paid with respect to services performed after June 30, 1987.

ADOPTED this _____ day of June, 1987.

President and Presiding Officer

ATTEST:

Recording Secretary



Lane Transit District

P.O. Box 2710 Eugene, Oregon 97402 Telephone: (503) 687-5581

June 17, 1987

MEMORANDUM

TO: Board of Directors
FROM: Micki Kaplan, Transit Planner
RE: Draft Accessible Service Program

At the May 1987 LTD Board meeting, Board members received a copy of the District's draft Accessible Service Program and conducted a public hearing on the Program.

As you may recall, Federal Section 504 regulations require that the District prepare and submit to the Urban Mass Transportation Administration (UMTA), by June 23, 1987, a program for handicapped transportation services. In accordance with federal regulations, the draft Program was subject to a 60-day public review period, which closed on June 1, and a public hearing. Staff have responded to comments, and only minor editorial changes were made to the document. The draft Program has been received favorably by various local agencies and members of the handicapped community. The draft Program is ready for submittal to UMTA pending approval from the LTD Board of Directors.

Staff Recommendation: That the Board adopt the Lane Transit District Accessible Service Program.

Micki Kaplan/jk
Micki Kaplan
Transit Planner

MK:ms:js



Lane Transit District

P.O. Box 2710 Eugene, Oregon 97402 Telephone: (503) 687-5581

June 17, 1987

MEMORANDUM

TO: LTD Board of Directors
FROM: Phyllis Loobey, General Manager
RE: New Charter Regulations

The federal government recently released new charter regulations which apply to all public transit districts that receive federal funds. A complete review of the new charter regulations has led staff to the conclusion that the District's only choice is to stop providing charters as they have been done in the past. This does not mean that the District can no longer provide any charter service; rather, the manner in which it is provided will be changed. Under the current regulations, the District essentially competes in the local market for charter business, although the competition has been friendly. All of the local private charter providers specialize in long haul business (Portland, the coast, Reno, etc.), while LTD specializes in in-town service. For the most part, the District has had a good working relationship with the private charter providers.

Until now, the charter customer has been free to choose the charter operator. If the District was approached by a customer who wanted service at a time when the District had equipment and drivers available, LTD provided the service. The District's charter rates were high enough that a profit was realized.

The new regulations forbid LTD from contracting directly with the customer. Under the new regulations, all charter customers will first approach a private charter operator in the community, of which there are three or four. That charter operator will arrange to provide the service. If the private operator does not have the proper type of equipment (i.e., lift equipped buses) or enough equipment, then he/she may subcontract with the District for that extra equipment. The District is not required to provide buses to a private operator, and, in fact, there are certain times that LTD is not able to provide any equipment because of federal restrictions.

The net effect of these new rules will be that the customer will have less choice in the type of charter service received, and will probably pay more

for the service, but the District still will be able to provide support for large conventions, if needed.

The District will have to take the following actions in order to implement these new regulations:

- * Marketing staff will prepare a letter for all private charter operators in the area. This letter will explain the new federal regulations, let the private operators know that the District still is able to assist them in providing charters, and explain the conditions of the provision of service.
- * At the same time, Marketing staff will work with the District's legal counsel to draw up a draft contract with the private operators and a set of operating procedures.
- * Marketing staff will also prepare a letter to all community groups and individuals, Eugene/Springfield Convention and Visitors Bureau, Chambers of Commerce, etc., that have relied on the District's charter services in the past, explaining the new regulations and the District's response. The letter will inform all the necessary players how to handle charter needs in the future.
- * A staff position in Marketing will be assigned to charters. That person will begin establishing contact with all private charter operators in the area to insure smooth working relationships.

While the new charter regulations are not the preference of the District, they are the law. It appears that LTD will be able to conform with them without a substantial loss of service to the community.

BOARD ACTION REQUIRED: Authorize the General Manager to take the necessary steps to implement the new federal charter regulations.

Phyllis Loobey/jp
Phyllis Loobey
General Manager

PL:MP:js

RESOLUTION
LANE TRANSIT DISTRICT


A resolution reaffirming the territory in the District within which the transit system will operate in accordance with Oregon Revised Statutes 267.207(3)(a).

WHEREAS, ORS 267.207(3)(a) requires that the Board of Directors of the Lane Transit District annually determine the territory in the District within which the transit system will operate, therefore

HEREBY BE IT RESOLVED, that for fiscal year 1987-88, the Lane Transit District will continue to operate service within the boundaries specified in Lane Transit District Ordinance Number 24.

June 17, 1987

Date Adopted



Board Secretary

RESOLUTION
LANE TRANSIT DISTRICT

WHEREAS, Costs in Administration are anticipated to be greater than originally budgeted, and

WHEREAS, It is necessary to appropriate sums so that expenditures do not exceed appropriations, as required by ORS 249.435(4), therefore

BE IT RESOLVED that budget appropriations for the Fiscal Year 1986-87 are hereby revised as follows:

GENERAL FUND

REDUCTIONS IN APPROPRIATIONS

Maintenance - Materials & Supplies	\$ 3,000
Total Reductions	\$ 3,000

INCREASES IN APPROPRIATIONS

Administration - Materials & Supplies	\$ 3,000
Total Increases	\$ 3,000

June 17, 1987
Date Adopted


Board Secretary

LANE TRANSIT DISTRICT
SUPPLEMENTAL BUDGET FINANCIAL SUMMARY
FOR THE FISCAL YEAR 1986-87

GENERAL FUND

	RESOURCES	
Payroll Taxes		\$ 220,000
Total Resources		\$ 220,000

	EXPENDITURES	
Accrued Sick Leave		\$ 300,000
Contingency		(80,000)
Total Expenditures		\$ 220,000

RESOLUTION ADOPTING THE SUPPLEMENTAL BUDGET


BE IT RESOLVED that the Board of Directors of the Lane Transit District hereby adopts the supplemental budget, as approved by the Budget Committee for 1986-87 in the total sum of \$220,000, now on file at the Lane Transit District offices, located at 8th and Garfield.

RESOLUTION MAKING APPROPRIATIONS

BE IT RESOLVED that the Board of Directors hereby also increases and decreases appropriations in the current 1986-87 fiscal year budget and that the supplemental budget is appropriated as follows:

GENERAL FUND

Accrued Sick Leave	\$ 300,000
Contingency	(80,000)
Total General Fund Appropriation	\$ 220,000



Secretary

June 17, 1987

Date

LTD BUDGET
1987-88
GENERAL FUND RESOURCES

DESCRIPTION	86/87		87/88		
	FTE	BUDGET	PROJECTED	PROPOSED	AMENDED
BEGINNING FUND BALANCE		0	0	0	
OPERATING REVENUES					
Passenger Revenue		1,473,200	1,448,019	1,504,500	
Charters		20,000	20,000	20,000	
Advertising		46,700	46,692	49,600	
Miscellaneous		3,000	4,000	3,000	
TOTAL OPER REVENUES		1,542,900	1,518,711	1,577,100	
NON-OPERATING REVENUES					
Interest Revenue		150,000	145,000	140,000	
Payroll Taxes		5,064,500	5,137,577	5,236,200	
TOTAL NON-OPER REVENUES		5,214,500	5,282,577	5,376,200	
GRANTS & REIMBURSEMENTS					
UMTA Section 9 Oper Grant		714,800	893,448	893,400	
State Operating Assistance		454,900	502,450	527,500	
State Special Transp		300,000	286,995	349,000	
Other Operating Grants		15,400	2,442	9,400	
UMTA Planning Grants		40,000	10,666	44,100	
TOTAL GRANTS & REIMBURSE		1,525,100	1,696,001	1,823,400	
TOTAL RESOURCES		8,282,500	8,497,289	8,776,700	

PROGRAM STATEMENT

PERFORMANCE OBJECTIVES

SUMMARY OF CHANGES FROM CURRENT YEAR

Passenger Revenue - 1.2% revenue increase plus \$38,000 from cash fare increase.

Payroll Taxes - 4.0% increase.

State Operating Assistance - 5.0% increase.

State Special Transportation - LTD is the designated recipient for pass-through funds.

Other Operating Grants - Section 10 training support discontinued by UMTA. Section 18 revenues of \$9,400 are for Junction City operations.

LTD BUDGET
1987-88
GENERAL FUND EXPENDITURE SUMMARY BY OBJECT

DESCRIPTION	86/87		87/88			
	FTE	BUDGET	PROJECTED	FTE	PROPOSED	AMENDED
DIRECT EXPENDITURES						
Personal Services		5,682,500	5,576,123		5,798,500	
Materials & Supplies		1,130,400	1,007,869		1,223,800	
Contractual Services		836,600	749,993		970,800	
TOTAL DIRECT EXPEND		7,649,500	7,333,985		7,993,100	
GENL OPER CONTINGENCY		161,500	0		192,100	
TRANSFERS						
Transfer to Capital Proj		200,000	200,000		200,000	
Transfer to Risk Mgmt		271,500	271,500		391,500	
TOTAL TRANSFERS		471,500	471,500		591,500	
TOTAL EXPENDITURES		8,282,500	7,805,485		8,776,700	
ENDING FUND BALANCE		0	691,804		0	

LTD BUDGET
1987-88
GENERAL FUND EXPENDITURE SUMMARY BY DEPARTMENT

DESCRIPTION	86/87		87/88			
	FTE	BUDGET	PROJECTED	FTE	PROPOSED	AMENDED
DIRECT EXPENDITURES						
Administration		726,800	711,756		777,800	
Marketing & Planning		891,300	817,276		894,600	
Transportation		4,049,500	3,962,646		4,243,700	
Maintenance		1,981,900	1,842,307		2,077,000	
TOTAL DIRECT EXPEND		7,649,500	7,333,985		7,993,100	
GENL OPER CONTINGENCY		161,500	0		192,100	
TRANSFERS						
Transfer to Cap Proj		200,000	200,000		200,000	
Transfer to Risk Mgmt		271,500	271,500		391,500	
TOTAL TRANSFERS		471,500	471,500		591,500	
TOTAL EXPENDITURES		8,282,500	7,805,485		8,776,700	
ENDING FUND BALANCE		0	691,804		0	

LTD BUDGET
1987-88
OTHER EXPENDITURES

DESCRIPTION	86/87		87/88			
	FTE	BUDGET	PROJECTED	FTE	PROPOSED	AMENDED
Transfer to Capital Projects		200,000	200,000		200,000	
Transfer to Risk Management		271,500	271,500		391,500	
Contingency		161,500	0		192,100	
TOTAL OTHER EXPEND		633,000	471,500		783,600	

LTD BUDGET
1987-88
CAPITAL PROJECTS RESOURCES

DESCRIPTION	86/87		87/88			
	FTE	BUDGET	PROJECTED	FTE	PROPOSED	AMENDED
BEGINNING FUND BALANCE		2,342,748	2,226,661		2,802,200	
REVENUES						
UMTA Section 3 Grants		831,300	0		1,698,800	
UTMA Section 5 Grants		0	0		0	
UMTA Section 9 Grants		2,164,300	760,098		1,718,400	
UMTA Section 18 Grants		711,700	67,717		443,500	
Federal Highway Admin.		175,800	247,085		0	
State Grants		300,000	230,000		800,000	
Miscellaneous Grnats		60,000	0		0	
Sale of Tax Benefits		0	0		0	
Proceeds from Sale of Assets			22		0	
Transfer from Gen Fund		200,000	200,000		200,000	
TOTAL REVENUES		4,443,100	1,504,922		4,860,700	
OTHER RESOURCES		72,300	69,500		0	
TOTAL CAPITAL RESOURCES		6,858,148	3,801,083		7,662,900	

**LTD BUDGET
1987-88
CAPITAL PROJECTS EXPENDITURES**

DESCRIPTION	86/87		87/88		
	FTE	BUDGET	PROJECTED	PROPOSED	AMENDED
LOCAL EXPENDITURES					
Computer Software		0	0	0	
Office Equipment		0	0	0	
Maintenance Equipment		0	0	0	
Bus Stop Improvements		0	0	0	
Land & Buildings		0	0	0	
Miscellaneous		72,300	69,500	0	
TOTAL LOCAL EXPEND		72,300	69,500	0	
UMTA EXPENDITURES					
Planning Administrator		22,000	19,558	19,300	
Planning Technician		17,500	13,548	17,800	
Benefits		9,500	6,476	8,800	
Computer Software		14,100	5,701	5,000	
Office Equipment		66,000	60,008	116,350	
Maintenance Equipment		26,100	14,745	53,550	
Bus Stop Improvements		115,000	53,572	326,800	
Land & Buildings		2,988,600	794,764	4,121,000	
Buses		1,170,500	40,000	43,000	
Bus Related Equipment		30,000	490	86,300	
Service Vehicles		19,400	25,029	14,000	
Miscellaneous		57,700	877	40,100	
TOTAL UMTA EXPEND		4,536,400	1,034,768	4,852,000	
FHWA EXPENDITURES					
Bus Stop Improvements		199,400	280,350	0	
TOTAL FHWA EXPEND		199,400	280,350	0	
CONTINGENCY		167,000	0	115,400	
CAPITAL LEASE					
PRINCIPAL PMT		12,300	6,065	12,700	
TOTAL CAPITAL EXPEND		4,987,400	1,390,683	4,980,100	
RESERVE FOR FUTURE CAPITAL EXPENDITURES		1,870,748	2,410,400	2,682,800	

LTD BUDGET
1987-88
RISK MANAGEMENT

DESCRIPTION	86/87		87/88			
	FTE	BUDGET	PROJECTED	FTE	PROPOSED	AMENDED
BEGINNING FUND BALANCE		481,100	481,100		340,900	
REVENUES						
Transfer from Gen Fund		271,500	271,500		391,500	
Interest Revenue		10,000	14,800		15,000	
TOTAL REVENUES		281,500	286,300		406,500	
TOTAL RISK MGMT RESOURCES		762,600	767,400		747,400	
EXPENDITURES						
Administration		18,900	0		0	
Worker's Compensation Liability		254,600	147,100		253,000	
Misc Insurance		483,900	276,400		488,500	
TOTAL RISK MGMT EXPEND		5,200	3,000		5,900	
		762,600	426,500		747,400	
FUND ENDING BALANCE		0	340,900		0	

PROGRAM STATEMENT

To insure that the District is protected against catastrophe or major loss. To do this the Division oversees the buying and selection of insurance through a broker. Claims are managed and settled in a fair, reasonable and timely manner.

PERFORMANCE OBJECTIVES

- Maintain or decrease premium costs while maintaining adequate coverage for all District risks.
- Control and manage all claims.

SUMMARY OF CHANGES FROM CURRENT YEAR

No administrative fees - Broker now receives commission.

As in the past, all potential loses would be fully funded.

RESOLUTION

BE IT RESOLVED that the budget of Lane Transit District for the Fiscal Year 1987-88 in the total combined fund sum of \$17,187,000 is hereby adopted, and


BE IT FURTHER RESOLVED that the amounts for the Fiscal Year 1987-88 are appropriated for the following purposes by organizational unit:

GENERAL FUND

	Administration
\$ 554,000	For Personal Services
\$ 113,900	For Materials & Supplies
\$ 109,900	For Contractual Services
	Marketing & Planning
\$ 498,900	For Personal Services
\$ 160,800	For Materials & Supplies
\$ 234,900	For Contractual Services
	Operations
\$3,742,200	For Personal Services
\$ 24,000	For Materials & Supplies
\$ 477,500	For Contractual Services
	Maintenance
\$1,003,400	For Personal Services
\$ 925,100	For Materials & Supplies
\$ 148,500	For Contractual Services
	Unallocated Expenditures
\$ 192,100	For Contingency
\$ 200,000	For Transfer to Capital Projects Fund
\$ 391,500	For Transfer to Risk Management Fund
	CAPITAL PROJECTS FUND
\$4,967,400	For Capital Outlay
\$ 12,700	For Capital Lease Principal Repayment
\$2,682,800	Capital Reserve
	RISK MANAGEMENT FUND
\$ 747,400	For Risk Management Expenditures, and

BE IT FURTHER RESOLVED that the General Manager is authorized to make expenditures and incur obligations within the limits of the foregoing.

June 17, 1987
Date


Secretary

BUDRES.KRR



Lane Transit District

P.O. Box 2710 Eugene, Oregon 97402 Telephone: (503) 687-5581

June 17, 1987

MEMORANDUM

TO: Board of Directors
FROM: Stefano Viggiano, Planning Administrator
RE: Facility Project Update - Value Engineering Phase 2

During the first week in May, the District completed the second phase of value engineering (VE) on the new facility project. As you recall, VE involves the critical review of design by a team of specialists in various fields with the aim of improving the cost-effectiveness of the project.

During the first phase of VE following the development of the schematic design, proposals saving more than \$1,000,000 were accepted by the District. The most significant change was the elimination of fueling in place, which saved more than \$800,000.

The second phase of VE was scheduled following the completion of the design development phase. Given the increased detail in the design, proposals from the value engineers were more detailed and involved smaller potential savings. However, the District has tentatively accepted proposals which would save more than \$400,000 in project cost.

Most of the savings result from a proposal by the VE team to use roller compacted concrete in the bus parking area instead of a concrete slab. Roller compacted concrete is a relatively new method that involves the installation of concrete in a similar manner as asphalt. It is reputed to be as durable as poured concrete, but at a much reduced cost (savings of \$374,000 are expected in this project). The design team has researched this issue and feels that this project is a good application for roller compacted concrete. However, additional research will be conducted before the District will make a final commitment to this change.

Staff will be available at the Board meeting to answer questions on the value engineering workshop or on other aspects of the facility project. The Board Facilities Committee will also be discussing the Value Engineering proposals as an information item at its next meeting.

Stefano Viggiano
Planning Administrator
SV:ms:js



June 17, 1987

MEMORANDUM

TO: Board of Directors
FROM: Micki Kaplan, Transit Planner
RE: Reduction in Dial-A-Ride Fare Effective July 1, 1987

I. SUMMARY

The District contracts with the Lane Council of Governments (L-COG) to administer the Special Transportation Fund (STF) Program and the Dial-A-Ride Program. The District receives approximately \$300,000 in annual State Cigarette Tax revenues that L-COG allocates to various users and providers of elderly and handicapped transportation in Lane County. A large portion of the STF revenues has been allocated to Special Mobility Services, Incorporated (SMS) to expand the Dial-A-Ride Program and to broker special transportation for elderly and disabled persons who are unable to utilize the fixed-route system.

At the May 1987 Special Transportation Fund Advisory Committee meeting, L-COG staff and advisory committee members expressed concern regarding complications in fare collection that will occur with SMS's service expansion. In order to resolve the situation, L-COG and LTD staff and the STF Advisory Committee explored several options, finally proposing that LTD lower the Dial-A-Ride fare from 50 cents to 30 cents, and also charge a 30-cent fare to STF clients. Lowering the fare to 30 cents would mean that an LTD Fast Pass could also be used.

The District's Executive Committee has approved lowering the Dial-A-Ride fare to 30 cents for the following reasons:

- *The revenue loss is minimal.
- *SMS driver and patron confusion will be eliminated.
- *It promotes a simpler fare structure.
- *The fare would be consistent with the fixed-route reduced fare.
- *Many STF clients and agencies already purchase LTD Fast Passes.

*The lower fare would be more affordable for STF clients, many of whom have lower incomes, than an increase to the current 50-cent Dial-A-Ride fare.

*It reduces administrative costs.

The 30-cent fare on Dial-A-Ride will be effective July 1, 1987. A more detailed explanation of the lowering of the Dial-A-Ride fare is listed below.

II. BACKGROUND

Special Mobility Services currently has a complicated fare structure. SMS provides special transportation for various agencies from a variety of funding sources. With the addition of STF revenues, SMS has indicated that its complicated fare structure will become too confusing for patrons and drivers. For example, in the same vehicle, an SMS driver must distinguish between a Dial-A-Ride patron who pays 50 cents, a State client who is required by law to ride for free, a Laurel Hill client who pays 30 cents, and an STF client who currently pays no fare.

Reducing the Dial-A-Ride fare from 50 cents to 30 cents will not result in a significant revenue loss. Fare revenue from the Dial-A-Ride Program--\$3,200 for FY 1986-87--comprises only 2.2 percent of the operating costs of the Program. Since SMS is expanding its service, there probably will be no revenue loss.

Another difficulty occurs in distinguishing an STF client from a Dial-A-Ride client. Many of the new STF clients referred by agencies to SMS are similar to Dial-A-Ride clients and are certified with the same eligibility criteria. For example, Lane County Mental Health will be referring clients to SMS for taxi rides, or rides to and from work each day. When the client is referred from Lane County, the client is an STF client and rides "free." The same client may schedule a trip on Dial-A-Ride later that week and would then be required to pay a 50-cent fare as a Dial-A-Ride client.

An additional problem is caused by STF clients riding for free. The STF Advisory Committee members agree that charging a fare is important to maintain "consumer ownership" among patrons; therefore, STF clients should pay fares.

The STF Advisory Committee also agrees that the existing fare structure is confusing to SMS drivers and patrons, and may be too expensive for STF clients, many of whom are regular riders and have low incomes. If STF clients were able to utilize the fixed-route system, the cost

Board of Directors
Reduction in Dial-A-Ride Fare
June 17, 1987
Page 3

to ride would be less expensive at \$10.00 per month as opposed to \$20.00 per month on Dial-A-Ride. Special Transportation Fund agency representatives such as Lane County Mental Health will assist their clients in purchasing LTD Fast Passes. Other STF Committee members felt that reducing the Dial-A-Ride fare to 30 cents (or allowing use of an LTD Fast Pass) was acceptable.

III. ACTION REQUIRED:

None. This is presented for informational purposes only.

Micki Kaplan / js
Micki Kaplan
Transit Planner

MK:js

SPECIAL SERVICES REPORT
May/June 1987

<u>Date of Service</u>	<u>Sponsor</u>	<u>Denied/Granted</u>
5/18/87	*Eugene Springfield Convention & Visitors Bureau	Granted
5/19/87	*Eugene Springfield Convention & Visitors Bureau (three charters)	Granted
5/20/87	*Eugene Springfield Convention & Visitors Bureau	Granted
<p>*NOTE: The above are all charters associated with a visit by convention planners to assess Eugene/Springfield's suitability to host future conventions.</p>		
6/12/87	Eugene-Springfield Metropolitan Partnership-- shuttle service to Airport Groundbreaking Ceremony	Granted

specserv.jhs

LANE TRANSIT
 COMPARISON OF BUDGETED AND ACTUAL REVENUES AND EXPENDITURES
 GENERAL FUND
 FOR THE ELEVEN MONTHS ENDING MAY 31, 1987 (91.67% OF YEAR COMPLETED)

	CURRENT MONTH		YEAR-TO-DATE		% ACTIVITY	YEARLY BUDGET	BALANCE
	1987	1986	1987	1986			
REVENUES							
Operating Revenues:							
Passenger Fares	116,250	117,722	1,338,791	1,302,372	90.88%	1,473,200	(134,409)
Charters	2,553	(43)	21,429	18,129	107.15%	20,000	1,429
Advertising	4,136	3,755	42,556	39,027	91.13%	46,700	(4,144)
Miscellaneous	300	182	4,620	28,696	154.00%	3,000	1,620
TOTAL OPERATING REVENUES	123,239	121,616	1,407,396	1,388,224	91.22%	1,542,900	(135,504)
Non-Operating Revenues:							
Interest	17,734	13,324	138,665	152,064	92.44%	150,000	(11,335)
Payroll Taxes	854,684	819,201	5,112,576	4,826,411	100.95%	5,064,500	48,076
Federal Operating Assistance	0	0	0	0	0.00%	714,800	(714,800)
State In-Lieu-Of Payroll Taxes	0	0	366,201	304,280	80.50%	454,900	(88,699)
State Special Transportation	0	0	271,395	0	90.47%	300,000	(28,605)
UMTA Planning Grants	0	0	11,414	0	28.54%	40,000	(28,586)
Other Operating Assistance	0	0	842	2,564	5.47%	15,400	(14,558)
TOTAL NON-OPERATING REVENUES	872,418	832,525	5,901,093	5,285,319	87.56%	6,739,600	(838,507)
TOTAL REVENUES	995,657	954,141	7,308,489	6,673,543	88.24%	8,282,500	(974,011)
EXPENDITURES							
Administration:							
Personal Services	41,686	40,586	478,297	431,458	92.32%	518,100	39,803
Materials and Supplies	4,154	25,955	105,415	116,076	93.45%	112,800	7,385
Contractual Services	7,466	6,296	66,501	58,443	69.34%	95,900	29,399
Total Administration	53,306	72,837	650,213	605,977	89.46%	726,800	76,587
Marketing and Planning:							
Personal Services	39,029	38,367	393,564	400,717	84.33%	466,700	73,136
Materials and Supplies	7,250	8,027	126,701	128,998	88.60%	143,000	16,299
Contractual Services	15,448	12,098	225,626	228,626	80.12%	281,600	55,974
Total Marketing and Planning	61,727	58,492	745,891	758,341	83.69%	891,300	145,409
Transportation:							
Personal Services	297,080	297,780	3,324,588	3,237,569	89.75%	3,704,300	379,712
Materials and Supplies	31	1,913	19,209	16,463	84.25%	22,800	3,591
Contractual Services	0	423	274,623	4,098	85.18%	322,400	47,777
Total Transportation	297,111	300,116	3,618,420	3,258,130	89.35%	4,049,500	431,080
Maintenance:							
Personal Services	81,963	80,580	882,062	889,445	88.79%	993,400	111,338
Materials and Supplies	51,745	54,181	665,960	764,966	78.18%	851,800	185,840
Contractual Services	9,955	24,230	120,276	140,265	87.99%	136,700	16,424
Total Maintenance	143,663	158,991	1,668,298	1,794,676	84.18%	1,981,900	313,602
Contingency	0	0	0	0	0.00%	161,500	161,500
Transfer to Capital Projects	0	0	0	49,800	0.00%	200,000	200,000
Transfer to Risk Management	0	0	0	58,000	N/A	271,500	271,500
TOTAL EXPENDITURES	555,807	590,436	6,682,822	6,524,924	80.69%	8,282,500	1,599,678
EXCESS (DEFICIT) OF REVENUES OVER EXPENDITURES	439,850	363,705	625,667	148,619	N/A	0	625,667

LANE TRANSIT DISTRICT
 COMPARISON OF BUDGETED AND ACTUAL REVENUES AND EXPENDITURES
 CAPITAL PROJECTS FUND
 FOR THE ELEVEN MONTHS ENDING MAY 31, 1987 (91.67% OF YEAR COMPLETED)

	YEAR-TO-DATE	% ACTIVITY	YEARLY BUDGET	BALANCE
RESOURCES				
Beginning Fund Balance	2,226,661	95.04%	2,342,748	(116,087)
Revenues:				
UMTA Section 3	0	0.00%	831,300	(831,300)
UMTA Section 5	0	N/A	0	0
UMTA Section 9	282,594	13.06%	2,164,300	(1,881,706)
UMTA Section 18	30,708	4.31%	711,700	(680,992)
Federal Highway Admin	10,388	5.91%	175,800	(165,412)
State Assistance	33	N/A	300,000	(299,967)
Miscellaneous Grants	0	N/A	60,000	(60,000)
Asset Sale Proceeds	996	N/A	0	996
Transfer from Gen'l Fund	0	0.00%	200,000	(200,000)
Capital Lease Financing	69,285	95.83%	72,300	(3,015)
Total Revenues	394,004	8.73%	4,515,400	(4,121,396)
TOTAL RESOURCES	2,620,665	38.21%	6,858,148	(4,237,483)
EXPENDITURES				
Locally Funded:				
Office Equipment	0	N/A	0	0
Bus Stop Improvements	0	N/A	0	0
Miscellaneous	69,285	N/A	72,300	3,015
Total Locally Funded	69,285	N/A	72,300	3,015
UMTA Funded:				
Personal Services	34,339	70.08%	49,000	14,661
Computer Software	5,830	41.35%	14,100	8,270
Office Equipment	33,611	50.93%	66,000	32,389
Maintenance Equipment	5,928	22.71%	26,100	20,172
Bus Stop Improvements	48,301	42.00%	115,000	66,699
Land & Buildings	237,046	7.93%	2,988,600	2,751,554
Buses	0	0.00%	1,170,500	1,170,500
Bus Related Equipment	665	2.22%	30,000	29,335
Service Vehicles	25,029	129.02%	19,400	(5,629)
Miscellaneous	877	1.52%	57,700	56,823
Total UMTA Funded	391,626	8.63%	4,536,400	4,144,774
FHWA Funded:				
Bus Stop Improvements	11,855	5.95%	199,400	187,545
Total FHWA Funded	11,855	5.95%	199,400	187,545
Contingency	0	0.00%	167,000	167,000
Capital Lease Principal	5,042	40.99%	12,300	7,258
TOTAL EXPENDITURES	477,808	9.58%	4,987,400	4,509,592
ENDING FUND BALANCE	2,142,857	114.55%	1,870,748	272,109

LANE TRANSIT DISTRICT
 COMPARISON OF BUDGETED AND ACTUAL REVENUES AND EXPENDITURES
 RISK MANAGEMENT FUND
 FOR THE ELEVEN MONTHS ENDING MAY 31, 1987 (91.67% OF YEAR COMPLETED)

	YEAR-TO-DATE	% ACTIVITY	YEARLY BUDGET	BALANCE
RESOURCES				
Beginning Fund Balance	481,100	1.00	481,100	0
Revenues:				
Transfer from Gen'l Fund	0	N/A	271,500	(271,500)
Interest	12,127	1.21	10,000	2,127
Total Revenues	12,127	0.04	281,500	(269,373)
TOTAL RESOURCES	493,227	0.65	762,600	(269,373)
EXPENDITURES				
Administration	0	0.00	18,900	18,900
Worker's Compensation	138,563	0.54	254,600	116,037
Liability Program	220,321	0.46	483,900	263,579
Miscellaneous Insurance	2,949	0.57	5,200	2,251
TOTAL EXPENDITURES	361,833	0.47	762,600	400,767
ENDING FUND BALANCE	131,394	N/A	0	131,394

LANE TRANSIT DISTRICT
 COMPARISON OF YEAR-TO-DATE ACTUAL REVENUES AND EXPENDITURES TO BUDGETED
 GENERAL FUND
 FOR THE ELEVEN MONTHS ENDING MAY 31, 1987

	YEAR-TO-DATE ACTIVITY	YEAR-TO-DATE BUDGET	VARIANCE	
			FAVORABLE (UNFAVORABLE) AMOUNT	%
REVENUES				
Operating Revenues:				
Passenger Fares	1,338,791	1,358,013	(19,222)	-1.42%
Charters	21,429	19,000	2,429	12.78%
Advertising	42,556	42,556	0	0.00%
Miscellaneous	4,620	2,750	1,870	68.00%
TOTAL OPERATING REVENUES	1,407,396	1,422,319	(14,923)	-1.05%
Non-Operating Revenues:				
Interest	138,665	137,500	1,165	0.85%
Payroll Taxes	5,112,576	5,064,500	48,076	0.95%
Federal Operating Assistance	0	0	0	N/A
State In-Lieu-Of Payroll Taxes	366,201	319,378	46,823	N/A
State Special Transportation	271,395	300,000	(28,605)	N/A
UMTA Planning Grants	11,414	40,000	(28,586)	N/A
Other Operating Assistance	842	15,400	(14,558)	N/A
TOTAL NON-OPERATING REVENUES	5,901,093	5,876,778	24,315	0.41%
TOTAL REVENUES	7,308,489	7,299,097	9,392	0.13%
EXPENDITURES				
Administration:				
Personal Services	478,297	475,416	(2,881)	-0.61%
Materials and Supplies	105,415	103,993	(1,422)	-1.37%
Contractual Services	66,501	83,624	17,123	20.48%
Total Administration	650,213	663,033	12,820	1.93%
Marketing and Planning:				
Personal Services	393,564	428,233	34,669	8.10%
Materials and Supplies	126,701	139,389	12,688	9.10%
Contractual Services	225,626	274,159	48,533	17.70%
Total Marketing and Planning	745,891	841,781	95,890	11.39%
Transportation:				
Personal Services	3,324,588	3,388,001	63,413	1.87%
Materials and Supplies	19,209	22,353	3,144	14.07%
Contractual Services	274,623	319,875	45,252	14.15%
Total Transportation	3,618,420	3,730,229	111,809	3.00%
Maintenance:				
Personal Services	882,062	910,347	28,285	3.11%
Materials and Supplies	665,960	774,582	108,622	14.02%
Contractual Services	120,276	125,117	4,841	3.87%
Total Maintenance	1,668,298	1,810,046	141,748	7.83%
Contingency	0	0	0	N/A
Transfer to Capital Projects	0	0	0	N/A
Transfer to Risk Management	0	0	0	N/A
TOTAL EXPENDITURES	6,682,822	7,045,089	362,267	5.14%
EXCESS (DEFICIT) OF REVENUES OVER EXPENDITURES	625,667	254,008	(352,875)	-138.92%

LANE TRANSIT DISTRICT
 COMPARISON OF YEAR-TO-DATE ACTUAL REVENUES AND EXPENDITURES TO BUDGETED
 GENERAL FUND
 FOR THE ELEVEN MONTHS ENDING MAY 31, 1987

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Panel tables LTD wage tax bill

By TOM DETZEL
The Register-Guard

6/16/87

SALEM — A bill that would have allowed Lane Transit District to levy a direct tax on workers was tabled Monday by a House committee, and the panel's chairman said the measure was dead for the duration of the 1987 Legislature.

Under current law, employers in the transit district pay a 0.49 percent payroll tax that raises an estimated \$5 million per year that is used to subsidize operation of the county bus system.

Senate Bill 773, which had received approval earlier in the Senate, would have allowed Lane Transit to split the tax in half, levying 0.25 percent on workers and an equal amount on employers.

The bill primarily had been sought by Portland's Tri-Met district, which currently charges a 0.6 percent payroll tax and stood to gain \$4.7 million in additional revenues in 1987-89 had the measure passed.

Lane Transit General Manager Phyllis Loobey also had testified in favor of the measure, however, saying the district's board of directors supported the bill but had no immediate plans to institute a tax on wages.

The Eugene district would have raised an estimated \$600,000 in additional funds over the next two years by enacting the wage tax.

The revenue increase arises because neither federal and local governments nor non-profit agencies pay the payroll tax. Tri-Met had sought to broaden the base of the tax, claiming it

unfairly fell on employers.

The bill brought loud protests from public employee labor unions and from some lawmakers. Rep. Bill Dwyer, D-Springfield, unsuccessfully sought to prevent districts from enacting the tax without a public vote.

After testifying on the bill last week, Loobey said that if the bill passed, she would not recommend going ahead with a wage tax without first putting the issue on the ballot and attempting to build public support.

About 5,000 employers in the Lane Transit District service area currently pay the payroll tax. Enacting a wage tax as allowed under the bill would have cost a worker earning \$20,000 annually about \$5 per month, Loobey said.

However, the bill was tabled on a 5-

2 vote Monday in the House Revenue and School Finance Committee, and Rep. Carl Hosticka, D-Eugene, the panel's chairman, said the measure was dead for the rest of the legislative session.

Hosticka said some members of the panel were concerned about shifting the tax burden to individual workers from businesses, while others opposed the bill as a tax increase.

Transit districts have the authority to levy an income tax to raise operating funds, but Tri-Met and Lane Transit argued during hearings that an income tax was too expensive and cumbersome to administer.

Lane Transit tried to enact an income tax in 1978 and again in 1980, but both attempts were defeated at the ballot box.

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THE OREGONIAN, TUESDAY, JUN

6/16/87

House panel kills Tri-Met levy bill

By JEFF MAPES
of The Oregonian staff

SALEM — Tri-Met's attempt to levy a direct payroll tax on some 500,000 Portland-area workers was killed Monday by the House Revenue Committee on a 5-2 vote.

"There are a lot of questions about that tax," said House Revenue Chairman Carl Hosticka after the panel tabled the bill. "I think primarily the concern is related to the tax shift and the tax increase elements of the bill."

Hosticka and other committee members explained they were not interested in shifting the present tax burden for the transit agency from private businesses to workers.

Tri-Met had proposed in Senate Bill 773 to split its .06 percent payroll tax and have workers and employers each pay .03 percent of their gross wages. The transit agency estimated it would have raised at least \$2.8 million more from the new tax, mostly because the agency would have been able to tap the wages of public workers and private, non-profit employees for the first time.

Opposed by labor

Lobbyists from the Oregon AFL-CIO and the American Federation of State, County and Municipal Employees fought hard to kill the tax, and several House members have said they were leery about imposing a new tax on workers throughout the tri-county area. Someone earning \$30,000 a year would have paid \$90 a year under the proposed .03 percent tax.

Tri-Met lobbyist Dick Feeney said he also believed that the bitter fight over a bill requiring binding arbitration for transit workers contributed heavily to the defeat of the proposed tax. The Hoan... Zarbi... arbitration, which has been strongly opposed by Tri-Met.

"The term 'retaliation' was used by one legislator who was trying to explain the situation to me using my

native tongue," Feeney said.

Irv Fletcher, president of the Oregon AFL-CIO, said the transit union's support for the tax change "lagged quite a bit after Tri-Met went to the wall to defeat their bill. You can't say the two (issues) were not connected in some way."

But Richard Ries, business agent of the transit union's Local 757 in Portland, said the union saw no link between the two issues. "We didn't go out and torpedo anything," Ries said, adding that the union continued to support the Tri-Met tax proposal after losing the binding arbitration bill.

Amendments discussed

However, Hosticka said there was some discussion of amending the Tri-Met tax bill to require that the agency accept binding arbitration before it could impose a direct tax on workers. And Rep. Bruce Hugo, D-Scappoose, said he voted against tabling the bill so he could offer an amendment that would have cut off Tri-Met tax revenues in the event of a strike.

Feeney said that either of these two amendments would have also killed the legislation.

Tri-Met officials said they had sought the legislation, which had been handily approved by the Senate in April, as a way to spread the burden of supporting the transit agency. Tri-Met raises about \$48 million a year from its employer-paid payroll tax.

The Senate-passed bill would have also allowed Tri-Met to increase the rate of taxation on employers and employees to as high as .03 percent each with the approval of the Metropolitan Service District and the regional transportation planning council.

But the House Intergovernmental Affairs Committee amended the bill to require that the Legislature approve any tax increases. The legislation was then sent to the revenue committee and its death.

Tri-Met has 'no idea' about new revenues

By STAN FEDERMAN
of The Oregonian staff

6/16/87

Tri-Met officials reacted with dismay and uncertainty Monday after a House committee killed a bill that would have raised \$2.8 million a year in additional payroll taxes for the money-strapped transit agency.

"Your guess is as good as mine," Dick Feeney, Tri-Met lobbyist, said, when asked where the transit district would get additional operating funds for the fiscal year beginning July 1.

Although the agency did not include the \$2.8 million in its new budget, there was little doubt the bill's tabling by the House Revenue Committee was a rough blow to the district's hopes of continuing to improve its financial position.

"The loss of these funds will have a major impact on our finances, not only in the upcoming fiscal year but in our 1988-89 budgetary year," said Bob Post, Tri-Met's deputy general manager.

"It means we are going to have to continue using up our working capital, something we were hoping to avoid in the coming year," Post said.

Post said he had "no idea" where Tri-Met could obtain new operating revenues in the future. Discussions within the agency last year focused on a districtwide income tax or petroleum tax, ending with the district board rejecting both ideas.

Bruce Harder, Tri-Met financial director, said the House committee action was a "big disappointment" and one that would result in "continuing money problems for the agency."

The early success of the MAX light-rail line coupled with some stringent cost controls introduced by Harder have produced in the current fiscal year some of the agency's best operating results since 1980. "But we really needed these extra payroll tax funds," Harder said.

The new \$80.7 million budget carries several key items that, to some degree, the extra funds could have helped offset, he said. One is a \$2.5 million appropriation to the Tri-Met pension fund, to which the district has deferred payments in the last three years in order to help balance its budget.

"And regardless what happened today in Salem, we will make that payment to the pension fund this coming year," Harder said.

He noted the new budget also carried money for the start of the long-awaited preliminary engineering study for westside light-rail and a union wage increase of 4 percent over the next year.