

Public notice was given to *The Register-Guard* for publication on December 7, 1989.

**LANE TRANSIT DISTRICT
SPECIAL BOARD MEETING**

December 11, 1989

6:00 p.m.

LTD Conference Room,
1938 W. 8th, Eugene

A G E N D A

DINNER - 6:00 p.m.

- I. CALL TO ORDER - LTD CONTRACT REVIEW BOARD
 - Revision of LTD Contract Review Board Rules
 - II. CALL TO ORDER - LTD BOARD OF DIRECTORS
 - III. ROLL CALL
 - Brandt_____ Calvert_____ Herzberg_____
 - Montgomery_____ Parks_____ Pusateri_____ Andersen_____
 - IV. INTRODUCTORY REMARKS BY BOARD PRESIDENT
 - V. AUDIENCE PARTICIPATION
 - VI. APPROVAL OF MINUTES
 - VII. MID-YEAR BUDGET REVIEW
- (BREAK - Photographs of the Board members will be taken at this time)
- VIII. STRATEGIC PLANNING SESSION
 - IX. INFORMATIONAL ITEM - Americans With Disabilities Act Update
 - X. ITEMS FOR ACTION/INFORMATION AT A FUTURE MEETING
 - XI. ADJOURNMENT

AGENDA NOTES
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I. LTD CONTRACT REVIEW BOARD SESSION TO REVISE LTD CONTRACT REVIEW BOARD RULES

Issue Presented: Should the LTD Contract Review Board amend its current procedures?

Background: In the past year, both the State of Oregon and the federal government have amended their purchasing rules. The proposed changes would bring LTD's Contract Review Board Rules in compliance with these revised state and federal regulations, and would also streamline the rules and eliminate unnecessary language. At the meeting, Board members will receive the staff findings upon which the recommended changes are based, a resolution adopting the changes, and a copy of the revised rules.

Staff Recommendation: That the LTD Contract Review Board approve the recommended changes.

Results of Recommended Action: The approved changes will be incorporated in the Contract Review Board Rules, with minimal substantive change in current procedures.

VI. APPROVAL OF MINUTES: The minutes of the October 17, 1989, regular meeting and the November 15, 1989, regular meeting are included in the agenda packet for Board review and approval.

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VII. MID-YEAR BUDGET REVIEW

Background: Rather than convene a meeting of the Budget Committee, a letter was sent to all members. While payroll tax collections are lagging behind budget projections, staff believe the problem is manageable. At the Board meeting, Mark Pangborn will briefly review the current status of the 1989-90 budget and answer any questions the Board may have.

VIII. STRATEGIC PLANNING SESSION

Background: Staff are beginning the process of developing the Fiscal Year 1990-91 budget. The first step in the process is to develop a long-term strategic plan and identify the goals and objectives for FY 90-91. Staff have spent some time working on the long-term strategic plan and would like to involve the Board in that process. This session will address in a very general way the staff's perspective of the long-term goals and objectives for LTD, with the intent of soliciting Board members' input and views on the subject.

Please be prepared to discuss your perspective on long-term goals and objectives for LTD.

IX. INFORMATIONAL ITEM - Americans With Disabilities Act Update

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Background: Included in the agenda packet is a memorandum which discusses legislation which has been introduced in the U.S. Senate and House, and the impact that legislation would have on LTD.

X. ITEMS FOR ACTION/INFORMATION AT A FUTURE MEETING

- A. Election of Board Officers: The terms of the Board officers (President, Vice President, Secretary, and Treasurer) expire in January 1990. Election of officers for new two-year terms will be scheduled for the January Board meeting.
- B. Change in LTD Ordinance #1: LTD Ordinance #1, An Ordinance Providing Rules for Meetings of LTD, will need to be amended to allow Board meetings to be held in the new facility. The first reading will be scheduled for the January 1990 Board meeting, and the second reading and adoption will be scheduled for the February meeting.
- C. Bacon Davis Act: The question of how LTD and other transit districts check wages of the people working for contractors, to be sure the prevailing wage is being paid, was asked at the last Board meeting. Staff have been reviewing this question and will report to the Board in January.
- D. Lane Community College Station Relocation: At the January meeting, the Board will be asked to make a decision regarding the relocation of the LCC Transit Station.
- E. Customer Complaints/Compliments: A presentation explaining how customer complaints and compliments are received and handled will be made at the January Board meeting.
- F. Move-in and Grand Opening Plans for New Facility: In January, staff will report to the Board regarding plans for the District's move to the new facility, which is currently scheduled for mid-March. Staff will also inform the Board of plans for the dedication and public grand opening, now scheduled for May 1990.
- G. Eugene Transit Station Site Selection: In July 1990, the Board will be asked to make a decision on the Site Selection Committee's final recommendation for a new site for the downtown Eugene transit station.

XI. ADJOURNMENT

MINUTES OF DIRECTORS MEETING

LANE TRANSIT DISTRICT

REGULAR MEETING

Wednesday, October 18, 1989

Pursuant to notice given to *The Register-Guard* for publication on October 12, 1989, and distributed to persons on the mailing list of the District, the regular monthly meeting of the Board of Directors of the Lane Transit District was held on Wednesday, October 18, 1989, at 7:30 p.m. at the Eugene City Hall, Eugene, Oregon.

Present: H. Thomas Andersen, Secretary
Thomas Montgomery
Herbert Herzberg
Keith Parks, Vice President, presiding
Mark Pangborn, Director of Administrative Services
Jo Sullivan, Recording Secretary

Absent: Peter Brandt, Treasurer
Janet Calvert, President
Gus Pusateri

CALL TO ORDER: In Ms. Calvert's absence, the meeting was called to order by Vice President Keith Parks. Mr. Parks stated that General Manager Phyllis Loobey was ill that evening, and Mark Pangborn, Director of Administrative Services, was there in her place.

BUS RIDER OF THE MONTH: Mr. Parks introduced the October Bus Rider of the Month, Rex Jemison, Jr., who is a student at LCC. Mr. Jemison previously told staff that riding the bus affords him an extra chance to study, and that LTD has the cleanest buses and best service he has ever seen. The bus operator who nominated Rex for this award says that Rex is always supportive of LTD, rides often and knows the system very well, and is courteous to operators and other riders.

When asked if he had any comments, Mr. Jemison said that he is a "night owl" and would like to see the buses run later at night, with the last departure at 1220 a.m. He added that he understood that there might not be enough need for later service at this time, however.

EMPLOYEE OF THE MONTH: Mr. Parks introduced the October Employee of the month, Greg Evans, who was hired as a part-time Customer Service Center Representative on June 23, 1987, and promoted to full-time on March 14, 1988. Greg is LTD's Loaned Executive to the 1989 United Way campaign, and has been active on several employee committees. He is also very involved with organizations in the community, including the NAACP and a citizens group which brought community officials together to talk about gang problems.

Mr. Parks quoted Greg's supervisor, Customer Service Administrator Andy Vobora, who stated that one of Greg's best qualities is his diplomatic style, which enables him to work well with all the different people who come to the Customer Service Center. Greg is especially good with the District's handicapped customers; he knows many of them by name and works well with them and their supervisors from other agencies.

Mr. Parks presented Greg with his certificate of appreciation and check, and thanked Greg for his service to LTD and its customers.

MOTION
APPROVAL OF MINUTES: Mr. Andersen moved that the minutes of the September 20, 1989, meeting be approved as written. He added that he was always extremely pleased with the way the minutes were written and with how well they conveyed the thoughts expressed by the Board members. Mr. Herzberg seconded the **VOTE** motion, and the minutes were approved by unanimous vote.

ACCEPTANCE OF AUDIT REPORT FOR FISCAL YEAR ENDING JUNE 30, 1989: Copies of the audit report had been distributed to the Board members earlier in the week. Brentt Ramharter, Finance Administrator, introduced John Joyce, the in-charge partner with Coopers & Lybrand, the District's independent auditor, who was present to answer questions. Mr. Joyce told the Board that if they read the audit report carefully they would notice some changes, due to some additional complexities because the accountants were working under new rules. The statements that fall under the "findings of question costs" in the schedule of federal financial assistance are the ones which the Board would be most concerned about; however, there were none. Coopers & Lybrand issued a management letter with some recommendations for management. In discussing interest allocation, the auditors stated that they believed that the current practice of excluding the Capital Projects Fund from interest earnings does not provide complete and proper classification of the District's investment earning activity. He added that Coopers & Lybrand had been working with Mr. Ramharter on this issue, and thought it could be dealt with in the budget process. In response to a question from Mr. Andersen, Mr. Joyce said that interest would be noted as interest, and transfers to the Capital Projects Fund would be less the amount of interest. In other words, the dollars would be the same, but they would look different in the financial statements.

MOTION
VOTE Mr. Herzberg moved that the Board accept the audit report as presented. Mr. Andersen seconded, and the motion carried by unanimous vote.

CONSTRUCTION RETAINAGE ACCOUNT: Mr. Ramharter stated that staff were asking the Board to authorize creation of an account in which a percentage of the payments made to the new contractor for the maintenance/administration facility, Marion Construction Company, would be retained until after completion and final inspection of the facility.

Mr. Andersen asked if his recollection that the law required that the contractor receive the interest on the account was correct. Mr. Ramharter said that was correct, and added that Marion Construction requested that LTD set up a retainage account rather than commingling the retained funds with LTD funds. Mr. Andersen asked what percentage would be retained. Mr. Ramharter stated that

five percent of each payment made to Marion Construction would be retained in this account. Mr. Andersen then asked how this process was related to the bonding company. Mr. Ramharter stated that LTD receives invoices from the contractor and the progress payments go to the contractor. Stefano Viggiano, Planning Administrator, explained that LTD makes payments based on the original contract amount; that is, when the facility is 90 percent complete, LTD will pay the contractor 90 percent of the original contract amount. Marion Construction would then have to approach the bonding company, Fireman's Fund, for any additional costs associated with the project. Mr. Parks asked if, technically, Marion Construction is working for Fireman's Fund. Mr. Pangborn said that was correct, adding that LTD staff had not even seen the contract signed by Marion Construction. Mr. Viggiano stated that, as far as LTD is concerned, it is as if the District has the same contractor, the same contract, and the same deadlines.

MOTION Mr. Andersen moved that the Board adopt the resolution on page 17 of the agenda packet, authorizing the deposit of funds in a retainage account for Marion Construction Company at First Interstate Bank, and authorizing the President of the Board of Directors, the General Manager, and the Director of Administrative Services, in any combination of two signers, to sign in the District's name on the retainage account for Marion Construction Company. Mr. Montgomery seconded the motion, and the resolution was adopted by unanimous vote.

VOTE

ITEMS FOR INFORMATION AT THIS MEETING:

Facility Project Update: Mr. Viggiano called the Board's attention to a brief memorandum on page 18 of the agenda packet. Since the memorandum was written, staff had received the first schedule from Marion Construction. All the major contractors for the project had been "lined up." Mr. Viggiano stressed that the schedule was preliminary, and that LTD and the major subcontractors would be reviewing the schedule, which calls for substantial completion by December 29. Under "substantial completion," he explained, the building would basically be completed, but not really usable. He thought the project would not be completely finished until the end of January.

Mr. Andersen asked if this was ahead of last month's schedule. Mr. Viggiano replied that it was earlier than staff had thought it would be, but it was still tentative and would be carefully reviewed. He thought staff would have a better idea of the date for final completion by the November Board meeting.

Mr. Viggiano added that the project was moving ahead fairly quickly at that time, but that a couple of subcontractors were working less than the project manager would like, since their jobs were fairly critical. For instance, the overhead doors in Maintenance were only partially installed, but were necessary to secure the building.

Mr. Herzberg asked if the masonry contractor had returned to the job. Mr. Viggiano replied that the masonry contractor had begun working sporadically, but was not causing any delays for other subcontractors.

Valley River Center Station Update: Mr. Viggiano briefly explained the recent history of the Valley River Center (VRC) transit station. He said that staff had spent the last year negotiating with VRC management for an alternative site for the VRC transit station. Although that had not been possible, VRC and LTD were working together to make the current station more functional for LTD and its customers. Some of the improvements include a bus-only lane, which will eliminate some of the car/bus conflicts that occur now; elimination of the conflicts with the truck loading area; and creation of room for four buses instead of two. Mr. Viggiano added that when looking at Valley River Center from that side, the transit station will be the feature that stands out, and is the most modern. Staff are happy with the design and the improvements for the customers. The remodeled station was scheduled to be completed in about a month.

Mr. Andersen asked where the buses were loading in the meantime. Mr. Viggiano said that there was a temporary boarding area beside Meier and Frank, with room for three buses, that seemed to be working well.

Gateway Station Update: Mr. Viggiano showed the Board a drawing of the new transit station planned for the Gateway Mall, which was under construction at that time. The transit station will be toward the south end of the mall, where the Target store is located. The main entrance to the mall will be a food court area, and staff are happy that the transit station will be close to that area. The station will involve an island which is 200 or 300 feet from the front door to the mall. It is a long mall, but it is expected that many people will walk the distance from Target at the south end to Sears at the north end. There will be room for two buses at the station. Buses to the east and south will leave from separate areas. The station will provide some wind protection and security from the parking area.

Mr. Montgomery asked if staff anticipated a need to expand the station to accommodate more buses in the future. Mr. Viggiano replied that it was difficult to predict, but at this point, the developer was concerned with meeting the number of parking spaces required by code for this size development. However, Mr. Viggiano thought it might be ten years before LTD would need more than two bus bays. It is not anticipated that the Gateway Mall will be as big a draw as Valley River Center, and the area around the mall is all residential.

Mr. Herzberg asked if construction had begun on the station. Mr. Viggiano said that the working drawings had been completed and the project should go out to bid sometime before December. Staff expect to start using the station in conjunction with the opening of the mall next spring. Mr. Pangborn added that the District is serving the center now on Gateway, but buses do not go into the mall parking area.

Eugene Downtown Transit Station Site Selection Committee Update: Mr. Andersen, one of the three Board members on the Committee, explained that at its last meeting the Committee had considered five sites for bus-only use, mixed use with commercial/parking, commercial/retail/parking, or City offices. The number of sites had been expanded to nine different ways to look at the five sites. LTD, L-COG, and City staff would be getting together on Friday, October 20, to go through the major criteria to see which would be the best

sites. Mr. Andersen invited other Board members to go to the Washburne building to observe this process, and said staff would be working through the lunch hour to make it convenient for others to observe. Mr. Andersen stated that he thought things were going well in the site selection process, and that everything had been positive to that point. However, there will probably be more input at public hearings which will be held later.

Mr. Viggiano stated that the memorandum in the agenda packet had been reviewed by the Citizen Involvement Committee the previous week, and the committee had made a number of suggestions to involve the public and especially bus riders. A significant concern expressed by the Citizen Involvement Committee was that the members were uncomfortable that the public involvement phase would follow the Site Selection Committee's recommendation. Since the Selection Committee is not a technical committee, but composed of policy makers, that Committee's recommendation would contain some political decisions. Therefore, staff were recommending that the sites be evaluated on their technical criteria at the meeting on October 20, but the Site Selection Committee would not be asked to make a recommendation at that point. Rather, staff and the Committee would have a technical report which would go through a public input period. After that, the Site Selection Committee would be asked to re-evaluate the sites, looking at the technical data and the public input. The Committee's top one or two recommended sites would be analyzed further. Mr. Viggiano said that the Committee would like to do a market study to see if the recommended site is appropriate for mixed-use development. Traffic Engineering would also like to perform a detailed study of the recommended site. If the site is determined to be appropriate and without any fatal flaws, the recommendation would be taken to the decision-making bodies for approval. If the recommended site does have a fatal flaw, the second site would be considered, or the Site Selection Committee would be reconvened. Mr. Viggiano added that a letter would be sent to the Committee members, asking if this recommended change in the process met with their approval.

In response to a question from Mr. Parks, Mr. Viggiano stated that no matter where the station is to be located, it will have to go through a conditional use study and an environmental assessment, rather than an impact statement, where all alternatives have to be considered.

Mr. Andersen stated that the recommended change in the process is a significant change, but that it was his feeling that more attention should be paid to the technical aspects rather than the political, and he thought this process would put more emphasis on the political. Mr. Viggiano said the Committee can also decide to place the emphasis on the technical aspects.

Mr. Parks asked if an amendment to the TransPlan would be required. Mr. Viggiano thought it probably would not be required, since the TransPlan indicates that there is a major station downtown. He thought there was also some language about relocating the station there or in other plans that would need to be amended, probably in the Central Area Transportation Study (CATS) and the Downtown Plan.

Mr. Parks asked if the relocation of Ferry Street Bridge had been considered in the Committee's discussions. Mr. Andersen said that Committee had discussed that, and some sites had been rejected because it was thought that the changes to the bridge might have an impact on that property or on a station in that area.

Mr. Herzberg asked about the "butterfly lot." Mr. Viggiano explained that it is the two-tiered parking lot between Seventh and Eighth Avenues at Oak Street.

Mr. Pangborn said that staff had one other point to raise on this issue. The City Council was again toying with the idea of opening Olive Street, and staff were being asked the official position of the Board on that issue. He said that staff were proposing to take some counts of activities in that area and report to the Board at the next meeting. Mr. Andersen asked who was asking about the Board's position. Mr. Pangborn replied that the inquiries were informal at that point, from the Chambers of Commerce and others. He said he was not sure the Board wanted to take a position, but it would be good to have more information so the Board members could choose to take a position or not.

Mr. Andersen stated that several of the sites were clustered around 10th and Olive. Mr. Parks commented that the District was previously told that developers were going to build in that area, so the transit station had to go. He thought that the political "squabbles" over what downtown is going to do would be almost an annual affair until all the closed streets and the mall are torn out and opened.

Bus Purchase Update: Mr. Pangborn informed the Board that staff still had not heard about the allocation of federal capital funds for the bus purchase, but were moving ahead with the bidding process. He explained that it would take at least one and a half months to complete the specifications and go out to bid. However, the District could not award a contract until it received word that it will receive the funds. In the past, he said, the District has written specifications and the bidders have come back to the District for approved equals. The federal regulations now allow competitive negotiations, in a two-step process designed to help properties obtain the bus the best meets its needs. The bidder first submits the product that will best meet the specifications. Then the District and the bidder negotiate face to face, and discuss why some parts will work and are reliable. The bidder is then asked to give the best and final bid on the agreed-upon product. The District is not required to take the lowest-cost bid in this case. Rather, it can take into account reliability (how long the product will last), serviceability (the ease with which the product can be worked on and maintained), fuel mileage, how compatible the product is with the District's current equipment, etc. This process might result in a recommendation to purchase a bus which is a little more expensive, but which should result in lower long-term costs. Mr. Pangborn stated that staff hoped to return to the Board in January with a recommended purchase of 25 buses.

Thank You Letter to all Employees from Board President: Mr. Parks called the Board's attention to a letter on page 25 of the agenda packet, which was

written as a result of a request made by the Board at the September meeting. He stated that it was a very good letter.

List of Countries from Bus Operator's Visitors Book: Mr. Parks asked if the list in the agenda packet was from one bus driver. Tim Dallas, Director of Operations, replied that the list represented the countries of riders who rode one bus operator's route on weekends and signed his visitors book. He added that this is from regular weekend service, not from the World Veterans' Championships last summer.

Monthly Financial Reporting: Mr. Andersen asked about the financial reporting on page 28 of the agenda packet. He wondered why 39.78 percent of Risk Management's budget had been expended, but everything else was fairly accurate for the amount expected to be spent during one quarter. Mr. Ramharter explained that most of the insurance premiums from the Risk Management budget had been paid during the first week of July, and only a couple of thousand dollars was expected to be expended each month during the rest of the year. The budget anticipated]s that several thousand dollars will be left at the end of the year, unless there is a catastrophic occurrence. Mr. Dallas added that the District is not required to pay at the beginning of the fiscal year, but that there is a substantial discount for doing so.

Davis Bacon Act: Mr. Herzberg asked staff if the wages of the people working on the new facility were randomly checked by an inspector, to make sure they are receiving the prevailing wage. Mr. Ramharter explained that the wages are reviewed by the District's purchasing agent. LTD receives a certified payroll from the contractor, as well as a list of prevailing wage rates, and those are matched on a monthly basis. Mr. Herzberg said he was asking because he works for unions and has found on a number of occasions that contractors certify that they are paying a certain amount, but really are not. Mr. Ramharter said it would be difficult for LTD to verify if a certain wage was actually being paid. Mr. Herzberg wondered if the District could randomly check paychecks. Mr. Ramharter said the District was trying to do what was legally required of it. Mr. Pangborn said that staff could talk to other agencies to see what they do in this regard. He thought that random checks of pay stubs might be expensive and complicated, but he said staff would review this issue and return to the Board with a report.

Letter Regarding Buses on 10th Avenue: Mr. Herzberg referred to copies of a letter that the Board members had received requesting that the downtown Eugene transit station be moved away from the Schaefer's building. Mr. Montgomery said he hoped the people making these requests would be asked to attend the public hearings about site selection. Mr. Andersen stated that some of them already are attending the Downtown Station Site Selection Committee meetings.

ADJOURNMENT: With no further business, the meeting was adjourned by unanimous vote.


Board Secretary

MINUTES OF DIRECTORS MEETING

LANE TRANSIT DISTRICT

REGULAR MEETING

Wednesday, November 15, 1989

In accordance with notice given to The Register-Guard for publication on November 9, 1989, the regular monthly meeting of the Board of Directors of the Lane Transit District scheduled for Wednesday, November 15, 1989, was cancelled, because no items were scheduled for Board action.


Board Secretary



December 11, 1989

MEMORANDUM

TO: Board of Directors
FROM: Phyllis Loobey, General Manager
RE: Americans With Disabilities Act

I. BACKGROUND

In May 1989, the U.S. Senate introduced the Americans With Disabilities Act of 1989 (Senate Bill 933). A similar bill has also been introduced in the House. The objective of the legislation is to protect the rights of persons with disabilities. The proposed bills require equal access to public transportation facilities, and require mass transit operators to provide fixed-route accessible service and "comparable levels" of paratransit service. In its current form, this proposed legislation is significant because of its serious impact on LTD. A discussion of the potential impacts on LTD follows.

II. DISCUSSION

In general, staff are supportive of the spirit and concept of the proposed legislation. However, Section 303(c) of the Senate bill causes concern. This section requires mass transit operators to provide 100 percent fixed-route accessible transportation and "comparable paratransit service" for those individuals unable to use the fixed route. As you know, the District has accessible fixed-route service and also contributes to a paratransit service for those unable to access the fixed route. However, the District's current contribution is insufficient to provide paratransit service which would meet the requirements of SB 933.

LTD annually contributes over \$300,000 in combined STF and local money to fund a variety of special transportation services, such as the Dial-a-Ride program, in Lane County. The STF is a state-wide Special Transportation Fund which assesses a tax on cigarettes. A "comparable" paratransit service, with the same geographic coverage and frequency as the fixed-route system as defined by SB 933, would have a major financial impact on LTD. The current Dial-a-Ride program operates weekdays from 7:30 a.m. to 5:30 p.m., and does not operate in some of the rural areas where fixed route service operates. Staff estimate an additional annual appropriation of \$200,000 to meet the comparable service requirement. Furthermore, this comparable service requirement

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mandates paratransit service regardless of demand and resources, without any increased federal assistance.

III. UPDATE OF THE LEGISLATION

Senate Bill 933 has passed the Senate. The House version is pending. Staff have sent comments to various legislators supporting the legislation except for Section 303(c), "comparable levels of service." The Special Transportation Fund Advisory Committee, a Lane Council of Governments (L-COG) citizen advisory committee comprised of special transportation users and providers in Lane County, which makes recommendations for the use of STF moneys, has also forwarded a similar recommendation to federal legislators. Staff have attended meetings of the Eugene Commission on the Rights of Disabled Persons to inform them of the legislation. Staff will monitor the legislation and forward comments to legislators as necessary, and will update the Board when the status of the legislation changes. Copies of the proposed legislation are available if Board members are interested. Please contact Micki Kaplan in the Planning Division at 687-5581.

Action Required: None. Information only.

Phyllis Lj
Phyllis Loobey
General Manager

PL:MK:js