

Public notice was given to The Register-Guard for publication on June 13, 1985.

LANE TRANSIT DISTRICT

REGULAR BOARD MEETING

June 18, 1985

7:30 p.m.

Municipal Courtroom #1,
Eugene City Hall

A G E N D A

- I. CALL TO ORDER
- II. ROLL CALL
Pusateri_____ Brandt_____ Calvert_____ Eberly_____
Nichols_____ Parducci_____
- III. INTRODUCTORY REMARKS BY BOARD PRESIDENT
- IV. AUDIENCE PARTICIPATION
- V. EMPLOYEE OF THE MONTH
- VI. ITEMS FOR ACTION AT THIS MEETING
 - A. Approval of Minutes
 - B. Grant Application for U.M.T.A. Section 9 and Section 3 Capital Funds
 1. Staff Introduction
 2. Opening of Public Hearing by Board President
 3. Public Testimony
 4. Closure of Public Hearing
 5. Board Discussion

- C. Supplemental Budget, Fiscal Year 1984-85
 - 1. Staff Introduction
 - 2. Opening of Public Hearing by Board President
 - 3. Public Testimony
 - 4. Closure of Public Hearing
 - 5. Board Discussion
- D. Approved Budget, Fiscal Year 1985-86
 - 1. Staff Introduction
 - 2. Opening of Public Hearing by Board President
 - 3. Public Testimony
 - 4. Closure of Public Hearing
 - 5. Board Discussion
- E. Ordinance No. 29, An Ordinance Imposing an Excise Tax on Employers, Providing for Administration, Enforcement, and Collection of the Tax, Terminating the Application of Ordinance No. 28, and Declaring an Emergency
- F. Ordinance No. 30, An Ordinance Making the Board of Directors of the Lane Transit District (LTD) the Local Contract Review Board for LTD and Declaring an Emergency
- G. LTD Contract Review Board Session to Adopt Contract Review Board Rules
- H. Budget Transfer

VII. ITEMS FOR INFORMATION AT THIS MEETING

- A. Current Activities
 - 1. Maintenance Facility Update
 - 2. Update on Oregon Country Fair
 - 3. Responses to Board Letter Regarding State Funding for Higher Education

4. Certificates of Appreciation for LTD Staff from Lane County ESD and Association for Retarded Citizens of Lane County

B. Monthly Financial Reporting

C. Quarterly Investment Report

VIII. ITEMS FOR ACTION/INFORMATION AT A FUTURE MEETING

A. Selection of Architect for New Facility

B. Adoption of TransPlan

C. Service Improvements

D. Contract Negotiations Progress

E. 10th and Olive Project

IX. ADJOURNMENT

AGENDA NOTES

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V. EMPLOYEE OF THE MONTH: The June Employee of the Month, Don White, will be present to receive his check and certificate and to be introduced to the Board.

VI. ITEMS FOR ACTION AT THIS MEETING

A. Approval of Minutes: The minutes of the May 21, 1985 regular meeting and the May 28, 1985 adjourned meeting are included in the agenda packet for Board review and approval. 13

B. Grant Application for U.M.T.A. Section 9 and Section 3 Capital Funds: 17

1. Staff Introduction:

a. Issue Presented: Should the Board approve an application for Section 9 and Section 3 capital grant funds through the Urban Mass Transportation Administration (UMTA)?

b. Background: At its May 14 work session, the Board directed staff to prepare a grant application for Board approval at the June 18 meeting, consistent with discussion at that meeting. The Board also confirmed the recommendation of the Facilities Subcommittee to direct staff to begin negotiations with the owners of the top three sites, for purchase of one, to approve the budget Option 3A to construct buildings for the year 2005 but build bus and employee parking for the year 1995, and to not include the sale of existing LTD land in the facility estimates; and expressed the desire that there be no increase in the payroll tax rates in Fiscal Year 1985-86. On May 21, the Budget Committee approved the budget as presented, including the recommendation of the Subcommittee for the new bus maintenance facility. On May 30, staff met with UMTA officials to discuss the District's proposed application. An oral report on that meeting will be given at the June 18 meeting.

Staff have prepared the grant application as directed, and notice of the public hearing on this issue was published according to federal

regulations. Additionally, Federal regulations require that a public hearing must be held before the application can be approved.

- c. Staff Recommendation: That the Board first hold a public hearing on the grant application and then approve the application for Federal Section 3 and Section 9 capital funds as included in the agenda packet, and authorize the General Manager to proceed with the application on behalf of the District.
- d. Results of Recommended Action: Staff will submit the application to the Urban Mass Transportation Administration in the anticipation of being among the first to apply for these funds for the Federal Fiscal Year 1986, which begins in October, 1985.

- 2. Opening of Public Hearing by Board President
- 3. Public Testimony
- 4. Closure of Public Hearing
- 5. Board Discussion

C. Supplemental Budget, Fiscal Year 1984-85:

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- 1. Staff Introduction:
 - a. Issue Presented: Should the Board adopt the Supplemental Budget for FY 84-85 as approved by the Budget Committee on May 21, 1985?
 - b. Background: The Supplemental Budget for FY 84-85, as presented in the agenda packet, was approved by the Budget Committee on May 21, 1985. The Supplemental Budget must be approved by the Board before the end of the 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 Resolution Adopting the Supplemental Budget and a Resolution Making Appropriations.
 - c. Staff Recommendation: That the Board adopt the enclosed Resolution Adopting the Supplemental

Budget, in the total amount of \$ 58,000, and the Resolution Making Appropriations, for Fiscal Year 1984-85.

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

D. Approved Budget, Fiscal Year 1985-86:

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1. Staff Introduction:
 - a. Issue Presented: Should the Board adopt the proposed budget as approved by the Budget Committee on May 21, 1985?
 - b. Background: The budget for FY 85-86 was approved by the Budget Committee on May 21, 1985. A budget for FY 85-86 must be adopted by the Board before the end of the present fiscal year (June 30, 1985). Included in the agenda packet are the summary budget forms and a resolution adopting the budget.
 - c. Staff Recommendation: That the Board adopt the Resolution, as presented, which effectively adopts the budget for FY 85-86, in the total combined fund sum of \$12,067,978.
 - d. Results of Recommended Action: The District will implement those programs and projects consistent with the funding appropriations.
2. Opening of Public Hearing by Board President
3. Public Testimony

4. Closure of Public Hearing
 5. Board Discussion
- E. Ordinance No. 29, An Ordinance Imposing an Excise Tax on Employers, Providing for Administration, Enforcement, and Collection of the Tax, Terminating the Application of Ordinance No. 28, and Declaring an Emergency 31

Issue Presented: Should the Board adopt an ordinance which would continue the rate of payroll taxes at .5% on gross payrolls for the period April 1, 1985 through March 31, 1986, declaring an emergency?

Background: The budget approved by the Budget Committee on May 21, 1985 includes a continuation of the payroll tax rate at .5% through May 31, 1986. Ordinance No. 28, which set the payroll tax rate at .5% for April 1, 1984 through March 31, 1985, includes a provision for the tax rate to automatically increase to the statutory limit of .6% as of April 1, 1985 unless a new payroll tax ordinance is adopted by the Board before the end of this fiscal year. After adoption of the budget by the Board, Ordinance No. 29 must be adopted. In order to adopt the ordinance in time to notify the Oregon Department of Revenue to effect the payroll tax rate change, the Board must declare an emergency and adopt the ordinance at this meeting.

Under normal circumstances, 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. However, when an ordinance contains an emergency clause, it can be adopted at its first reading, but only by unanimous vote of the Board.

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. 29 by title only, read the title ("Lane Transit District Ordinance No. 29, An Ordinance Imposing an Excise Tax on Employers, Providing for Administration, Enforcement, and Collection of the Tax, Terminating the Application of Ordinance No. 28, and Declaring an Emergency"), and unanimously adopt Ordinance No. 29 at this meeting.

Results of Recommended Action: In accordance with Ordinance No. 1, the approved ordinance will be filed with the County Clerk and notice of the adoption will be published in one or more publications of general circulation within the District. Staff will notify the Department of Revenue of the payroll tax rate, and payroll taxpayers in the District will be assessed the .005 rate for the period April 1, 1985 through March 31, 1986.

- F. Ordinance No. 30, An Ordinance Making the Board of Directors of the Lane Transit District (LTD) the Local Contract Review Board for LTD and Declaring an Emergency:

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Background: The purpose of a contract review board is to settle disputes, decide appeals by vendors, and establish contracting procedures. The establishment of a District Contract Review Board became necessary when the State of Oregon ceased funding the State Contract Review Board. At its April 16, 1985 meeting, the Board adopted Ordinance No. 27, which established the LTD Board of Directors as a public contract review board. However, because of a miscommunication between staff and the District's Counsel, Ordinance No. 27 was subsequently not filed with the Circuit Court within the allotted time limit and must be re-adopted. Although it is unlikely that the LTD/CRB's rules and decisions would have been challenged because of this factor, District Counsel recommends that the ordinance be readopted in order to be within the letter of the law.

Staff recommend that Ordinance No. 30 be adopted as an emergency ordinance in order to immediately adopt operating rules to allow the District CRB to function. To adopt an emergency ordinance, the Board must declare an emergency and adopt the ordinance by unanimous vote of those present. If the Board so chooses, it can vote to read the ordinance by title only. Extra copies of the ordinance will be available for members of the public.

Staff Recommendation: That the Board vote to read Ordinance No. 30 by title only, read the title ("Lane Transit District Ordinance No. 30, An Ordinance Making the Board of Directors of the Lane Transit District (LTD) the Local Contract Review Board for LTD and Declaring an Emergency"), and unanimously adopt Ordinance No. 30 as an emergency ordinance.

Results of Recommendation Action: The Board will immediately convene a session of the LTD Contract Review Board in order to adopt the rules of the LTD Contract Review Board.

G. LTD Contract Review Board Session to Adopt Contract Review Board Rules:

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Background: The Oregon Legislature adopted general guidelines for public agencies to follow in performing the duties of a contract review board. After receiving the final published guidelines from the Legislature, staff worked with District Counsel to develop the relevant policies and procedures under which the LTD/CRB will perform its duties as a contract review board in the state of Oregon. Because the ordinance under which the LTD/CRB rules were adopted at the April 16 meeting was not filed with Circuit Court within the mandated timeframe, the rules need to be readopted after adoption of Ordinance No. 30 at this meeting.

Staff Recommendation: That the Board of Directors call a session of the LTD Contract Review Board and adopt the enclosed Resolution Adopting the Rules of the LTD Contract Review Board, then return to regular session to complete the Board meeting.

Results of Recommended Action: Future actions of the LTD Contract Review Board will be guided by the adopted rules.

H. Budget Transfer:

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Background: As the District nears the end of the fiscal year, budget transfers are necessary to allow for expenditures which are higher than original apportionments. Funds to cover those expenditures can be taken from other areas where budget amounts were not spent. During the present fiscal year, expenditures for Marketing & Planning--Personal Services, Maintenance--Materials and Supplies, and Maintenance--Contractual Services have been higher than anticipated in the budget process. Funds to cover increased expenditures in these areas can be taken from Transportation--Personal Services and Maintenance--Personal Services.

Staff Recommendation: That the Board adopt the enclosed Resolution authorizing a reduction in appropriations for Transportation--Personal Services in the amount of \$8,000 and Maintenance--Personal Services in the amount of

\$20,000, for a total reduction of \$28,000, and increases in appropriations for Marketing & Planning--Personal Services in the amount of \$8,000; Maintenance--Materials and Supplies in the amount of \$10,000; and Maintenance--Contractual Services in the amount of \$10,000, for a total increase of \$28,000.

Results of Recommended Action: Staff will make expenditures in line with the approved changes.

VII. ITEMS FOR INFORMATION AT THIS MEETING

A. Current Activities

1. Maintenance Facility Update: On May 30, Phyllis Loobey, Mark Pangborn, Tim Dallas, and Eric Gunderson met with UMTA Region X officials in Seattle to present the findings of the feasibility study. The UMTA officials asked a number of questions, to which staff are currently responding, but responded very positively to staff's inquiries about funding in Fiscal Year 1986. On Monday, June 3, Ms. Loobey testified before the House Ways and Means Subcommittee on Natural Resources and Environment on the potential for a State contribution to the local match for the facility from lottery proceeds. Staff will advise the Board if there is any progress in this regard.
2. Update on Oregon Country Fair: Staff are working with Oregon Country Fair staff to provide service in accordance with the Board's direction at its April 16, 1985 meeting. An informational report on the actual service provided will be made to the Board at the July meeting.
3. Responses to Board Letter regarding State Funding for Higher Education: Included in the agenda packet are letters received by the District in response to the Board President's letter of May 15 in support of full funding of the Oregon State System of Higher Education budget. 79
4. Certificates of Appreciation for LTD Staff from Lane County ESD and Association for Retarded Citizens of Lane County: Also included in the agenda packet are certificates several LTD employees have received for individual actions which helped support the 85

community training program for students with special needs during the 1984-85 school year.

- B. Monthly Financial Reporting: Included in the agenda packet are financial statements for May, 1985.
1. Comparison of Budgeted and Actual Revenues and Expenditures
 - a. General Fund 92
 - b. Capital Projects Fund 93
 - c. Risk Management Fund 94
 2. Comparison of Year-to-Date Actual Revenues and Expenditures to Budgeted (General Fund) 95
- C. Quarterly Investment Report: Included in the agenda packet is a report of investment activities during this quarter. 96

VIII. ITEMS FOR ACTION/INFORMATION AT A FUTURE MEETING

- A. Selection of Architect for New Facility: Staff are currently preparing a Request for Proposals to proceed toward selection of a design architect for the bus maintenance facility. The Board and the Facilities Subcommittee will be kept apprised of progress in this area.
- B. Adoption of TransPlan: A draft of TransPlan, the updated long-range transportation plan, should be available for Board review at the July Board meeting. Final adoption of the Plan is anticipated for Fall, 1985.
- C. Service Improvements: Staff are now formulating plans for a service redesign for September 1985 to cut non-productive service and improve service with low productivity. Those redesign plans will be presented to the Board at the July 16, 1985 regular meeting for a public hearing and adoption.
- D. Contract Negotiations Process: Subsequent to the Board's meeting on May 28, the District's negotiating team has met with A.T.U. and the District's proposals were discussed. The next negotiating session is set for June 19. Staff will keep the Board informed of progress made in this process.

- E. 10th and Olive Project: District staff continue to explore alternate on- and off-street options to relieve the potential problems with the opening of Willamette between 10th and 11th.

IX. ADJOURNMENT

MINUTES OF DIRECTORS MEETING

LANE TRANSIT DISTRICT

REGULAR MEETING

May 21, 1985

Pursuant to notice given to The Register-Guard for publication on May 16, 1985 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 Tuesday, May 21, 1985 at 7:30 p.m. in the Eugene City Hall.

Present: Janet Calvert, President, presiding
Peter Brandt, Treasurer
Larry Parducci, Secretary
Gus Pusateri
Phyllis Loobey, General Manager
Jo Sullivan, Recording Secretary

News Media Representatives:
Jim Boyd, The Register-Guard
Jeff Mize, Springfield News

Absent: Janice Eberly, Vice President
Joyce Nichols

INTRODUCTORY REMARKS BY BOARD PRESIDENT: Ms. Calvert called the meeting to order at 7:40 p.m. and called roll. Mr. Brandt was not yet present. Since there was not a quorum, the approval of the minutes was postponed.

AUDIENCE PARTICIPATION: Ms. Calvert asked if anyone in the audience would like to speak. There was no response from the audience.

EMPLOYEE OF THE MONTH: Ms. Calvert introduced the May Employee of the Month, Gary Taylor. He began employment with the District as a bus operator in 1972 and became a System Supervisor in 1980. Ms. Calvert stated that her notes about Mr. Taylor described him as helpful, kind, and courteous, and said he has an excellent attendance record. He was nominated by three bus operators for the award. One of Mr. Taylor's recent accomplishments was to gain approval of the project to work with Child Find to place posters of missing children on the buses. Ms. Calvert then presented Mr. Taylor's check, letter, and certificate to him, and welcomed his wife and daughter who were in attendance.

PUBLIC HEARING ON CHARTER RATES: Ms. Calvert stated that, in order to be in compliance with federal regulations, the District must hold a public hearing on its charter services. Ed Bergeron, Marketing Administrator, stated that the growth in the District's charter revenues in the past few years has mirrored the community's growth in convention busi-

ness. Last year, the Eugene Springfield Convention and Visitors Bureau presented LTD with an award for its contribution to convention services.

Mr. Bergeron said that the District holds a public hearing on charter services once a year in order to let members of the public comment on the nature of its charter service and how they perceive the District is doing in that area. He added that charter rates would be increasing from \$35 to \$40 per charter hour as of July 1, 1985. The Convention Bureau believes that this increase will not hinder business, and the increase does place LTD in a good competitive position compared with other cities in the northwest. O'Connell Enterprises and Dorsey Bus are supportive of the District's ability to serve the community's charter needs, and fills a need for moving large groups of people in the local community. In order to avoid unfair competition with local charter service providers, LTD positions its rates at the high end of the scale, and has received no negative comments from any service providers.

Ms. Calvert opened the public hearing on the District's charter services. Hearing no comment from the members of the audience, Ms. Calvert closed the public hearing.

Mr. Brandt arrived at this point in the meeting.

MARKETING PRESENTATION ON TOTALLY TRANSIT PROMOTION: Mr. Bergeron informed the Board that last year the Totally Transit campaign was voted the best marketing campaign in the nation by the American Public Transit Association. In an attempt to improve on the success of last year's campaign, staff this year have been taking a 20- to 25-minute show to local middle and high schools, in cooperation with Willamette Beverage and KSND radio. From 200 to 300 students attend each noon hour and hear about the Totally Transit summer pass for youth. Mr. Bergeron showed a videotape of parts of one of the school presentations, and also showed this year's Totally Transit television commercial. The commercial is geared to youth in the 12 to 17 age bracket and is shown mostly on M-TV. The actors in the commercial were all employees or employees' children and friends. Last year LTD sold 1,000 Totally Transit summer passes. This year the price was raised \$5.00, from \$20.00 to \$25.00 for the summer. Forty-eight area merchants participated in the coupon book, which is given to everyone who purchases a pass, by donating discounts on merchandise.

Mr. Bergeron also handed out Totally Transit t-shirts to the members of the Board.

APPROVAL OF MINUTES: Mr. Parducci moved, seconded by Mr. Pusateri, that the Board approve the revised copy of the May 14, 1985 regular meeting minutes which had been distributed that evening. The motion carried by unanimous vote.

Mr. Brandt moved that the Board approve the minutes of the April 16, 1985 regular meeting and the May 7, 1985 adjourned meeting. After seconding by Mr. Parducci, the motion carried unanimously.

BOARD LETTER REGARDING FUNDING FOR HIGHER EDUCATION: Mr. Brandt expressed his approval regarding the mailing of the requested letter to legislators to encourage the full funding of the Oregon State System of Higher Education budget.

MOTION

ADJOURNMENT: Mr. Parducci moved that the meeting be adjourned to Tuesday, May 28, 1985 at 7:30 a.m. at the LTD conference room for an Executive Session pursuant to ORS 192.660(1)(d), for the purpose of conducting deliberations with persons designated by the governing body to carry on labor negotiations. Mr. Pusateri seconded the motion, and the meeting was unanimously adjourned at 7:55 p.m.

VOTE

Board Secretary

MINUTES OF DIRECTORS MEETING

LANE TRANSIT DISTRICT

ADJOURNED MEETING

May 28, 1985

Pursuant to notice given at the May 21, 1985 regular meeting and to assigned reporters at The Register-Guard and the Springfield News, an adjourned meeting of the Board of Directors of the Lane Transit District was held on Tuesday, May 28, 1985 at 7:30 a.m. at the Chanterelle Restaurant, pursuant to ORS 192.660(1)(d), for the purpose of conducting deliberations with persons designated by the governing body to carry on labor negotiations.

Present: Janet Calvert, President
Joyce Nichols
Larry Parducci, Secretary
Gus Pusateri
Phyllis Loobey, General Manager
Jo Sullivan Recording Secretary

Absent: Peter Brandt, Treasurer
Janice Eberly, Vice President

CALL TO ORDER: Before Mrs. Calvert arrived, Mr. Parducci called the meeting to order pursuant to ORS 192.660(1)(d), for the purpose of conducting deliberations with persons designated by the governing body to carry on labor negotiations. Mr. Bob Hewitt of Cascade Employers, the District's chief negotiator, was present to discuss this issue with the Board.

ADJOURNMENT: With no further topics being discussed, the meeting was unanimously adjourned at 9:05 a.m.

Board Secretary

June 18, 1985

ATTACHMENT #

AUTHORIZING RESOLUTION

Section 9 FY 1985
Section 3

Resolution authorizing the filing of an amended application with the Department of Transportation, United States of America, for a grant under the Urban Mass Transportation Act of 1964, as amended.

WHEREAS, the Secretary of Transportation is authorized to make grants for a mass transportation program of projects;

WHEREAS, the contract for financial assistance will impose certain obligations upon the applicant, including the provisions by it of the local share of the project costs in the program;

WHEREAS, it is required by the U.S. Department of Transportation in accord with the provisions of Title VI of the Civil Rights Act of 1964 that, in connection with the filing of an application for assistance under the Urban Mass Transportation Act of 1964, as amended, the applicant give an assurance that it will comply with Title VI of the Civil Rights Act of 1964 and the U.S. Department of Transportation requirements thereunder;

WHEREAS, it is the goal of the applicant that minority business enterprise be utilized to the fullest extent possible in connection with these projects, and that definite procedures shall be established and administered to ensure that minority business shall have the maximum construction contracts, supplies, equipment contracts, or consultant and other services; and

WHEREAS, the applicant is in compliance, or intends to comply, with the U.S. Department of Transportation Minority Business Enterprise Regulations;

NOW, THEREFORE, BE IT RESOLVED BY The Lane Transit District Board of Directors:

1. That the General Manager is authorized to execute and file an application on behalf of Lane Transit District with the U.S. Department of Transportation to aid in the financing of a planning project as well as the financing of a maintenance and administrative facility, computer enhancements, and other miscellaneous capital assets.
2. That the General Manager is authorized to execute and file with such applications an assurance or any other document required by the U.S. Department of Transportation effectuating the purposes of Title VI of the Civil Rights Act of 1964.

Authorizing Resolution
Section 9 (FY 85) and Section 3
June 18, 1985
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3. That the Director of Administrative Services is authorized to furnish such additional information as the U.S. Department of Transportation may require in connection with the application for the program of projects.
4. That the General Manager is authorized to set forth and execute affirmative minority business policies in connection with the program of projects' procurement needs.
5. That the General Manager is authorized to execute grant agreements on behalf of Lane Transit District with the U.S. Department of Transportation for aid in the financing of the planning and capital assistance projects.
6. That the General Manager is authorized to file amendment requests related to the project as defined in the application.

Date

Board Secretary

AUTHRESO.SBE

CERTIFICATION

The undersigned duly qualified and acting Executive Secretary of the Lane Transit District certifies that the foregoing is a true and correct copy of a resolution adopted at a legally convened meeting of the Board of Directors held on June 18, 1985.

Signature of Recording Officer

Title of Recording Officer

Date

CERTIFY.SBE

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 1984-85 in the total sum of \$58,000, 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 1984-85 fiscal year budget and that the supplemental budget is appropriated as follows:

GENERAL FUND

Loan to Capital Projects Fund	(175,000)
Transfer to Capital Projects Fund	68,000
Transfer to Risk Management Fund	165,000
Total General Fund Appropriation	\$ 0

Secretary

Date



Lane Transit District

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

June 18, 1985

MEMO

TO: LTD Board of Directors
FROM: Mark Pangborn
RE: FY 85-86 Budget

Attached for your adoption is the FY 85-86 Budget approved by the Budget Committee at their May 21, 1985 meeting. I would like to make note of one change in the Capital Projects budget. In that budget we have allocated funds to two projects, Passenger Boarding Improvements, and Automatic Passenger Counters (APC). Both of these projects were started last year, FY 84-85. Work on the Automatic Passenger Counter was subcontracted to the Lane Council of Governments (L-COG) for FY 84-85. Much of the work entailed technical computer analysis for which L-COG had more resources than the District. As we have developed the project, it has become apparent that the District can perform the work itself and not have to pay the additional L-COG overhead. Consequently, we are proposing to use the capital funds earmarked for L-COG to hire a District staff person to carry on with the APC project. There is no additional cost to the District; the District will be able to move the project along faster and we can plow the money that was paying the L-COG overhead back into the project. There are no other changes to the budget as approved by the Budget Committee.

We, therefore, recommend adoption of the FY 85-86 Budget.

Mark Pangborn/jp
Mark Pangborn
Director of Administrative Services

MP/em

attachment

RESOLUTION

BE IT RESOLVED that the budget of Lane Transit District for the Fiscal Year 1985-86 in the total combined fund sum of \$12,067,978 is hereby adopted, and

BE IT FURTHER RESOLVED that the amounts for the Fiscal Year 1985-86 are appropriated for the following purposes by organizational unit:

GENERAL FUND

	Administration
\$ 473,100	For Personal Services
\$ 119,400	For Materials & Supplies
\$ 142,600	For Contractual Services
	Marketing & Planning
\$ 444,000	For Personal Services
\$ 139,700	For Materials & Supplies
\$ 235,000	For Contractual Services
	Operations
\$3,719,000	For Personal Services
\$ 16,600	For Materials & Supplies
\$ 6,000	For Contractual Services
	Maintenance
\$ 976,800	For Personal Services
\$ 970,300	For Materials & Supplies
\$ 151,900	For Contractual Services
	Unallocated Expenditures
\$ 23,000	For Contingency
\$ 49,800	For Transfer to Capital Projects Fund
\$ 58,000	For Transfer to Risk Management Fund
	CAPITAL PROJECTS FUND
\$2,670,110	For Capital Outlay
\$1,425,768	Capital Reserve
	RISK MANAGEMENT FUND
\$ 446,900	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.

Date

Secretary

BUDRES.KRR

RESOURCES

FORM LB-20

GENERAL FUND

Lane County Mass Transit District
(MUNICIPAL CORPORATION)

HISTORICAL DATA			RESOURCE DESCRIPTION	BUDGET FOR NEXT YEAR 85-86		
ACTUAL		ADOPTED BUDGET		PROPOSED BY BUDGET OFFICER	APPROVED BY BUDGET COMMITTEE	ADOPTED BY GOVERNING BODY
SECOND PRECEDING YEAR 82-83	FIRST PRECEDING YEAR 83-84	THIS YEAR 84-85				
			Beginning Fund Balances:			1
			* Available Cash on Hand (Cash Basis), or			2
			* Not Working Capital (Accrual Basis)			3
			Previously Levied Taxes Estimated to be Received			4
			Interest			5
			OTHER RESOURCES			6
			OPERATING REVENUES			7
			Passenger Revenues	1,379,800	1,379,800	8
			Charters	36,000	36,000	9
			Advertising	42,600	42,600	10
			Miscellaneous	3,000	3,000	11
			TOTAL OPERATING REVENUES	1,461,400	1,461,400	12
			NON-OPERATING REVENUES			14
			Interest Income	160,000	160,000	15
			Payroll Tax	4,889,800	4,740,000	16
			Short-Term Loan Proceeds	--	--	17
			TOTAL NON-OPERATING REVENUES	5,049,800	4,900,000	18
			GRANTS & REIMBURSEMENTS			20
			Federal Operating Assistance	714,800	714,800	21
			State Operating Assistance	444,000	444,000	22
			Other Operating Grants	5,000	5,000	23
			TOTAL GRANTS & REIMBURSEMENTS	1,163,800	1,163,800	24
						25
						26
						27
						28
						29
			Total Resources, Except Taxes to be Levied	7,675,000	7,525,200	30
			Taxes Necessary to Balance Budget			31
			Taxes Collected in Year Levied			32
			TOTAL RESOURCES	7,675,000	7,525,200	

LTD BOARD MEETING
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EXPENDITURE SUMMARY

BY FUND, ORGANIZATIONAL UNIT OR PROGRAM

FORM LB-30

GENERAL

Lane County Mass Transit District

ORGANIZATIONAL UNIT-FUND

(MUNICIPAL CORPORATION)

LINE NO.	HISTORICAL DATA			EXPENDITURE DESCRIPTION	BUDGET FOR NEXT YEAR <u>85-86</u>			LINE NO.
	ACTUAL		ADOPTED BUDGET		PROPOSED BY BUDGET OFFICER	APPROVED BY BUDGET COMMITTEE	ADOPTED BY GOVERNING BODY	
	SECOND PRECEDING YEAR <u>82-83</u>	FIRST PRECEDING YEAR <u>83-84</u>	THIS YEAR <u>84-85</u>					
1				PERSONAL SERVICES:				1
2	358,169	366,776	409,400	Administration	473,100	473,100		2
3	340,326	350,265	423,900	Marketing & Planning	444,000	444,000		3
4	3,136,634	3,189,249	3,638,100	Transportation	3,719,000	3,719,000		4
5	901,328	913,802	1,016,400	Maintenance	976,800	976,800		5
6	4,736,457	4,820,092	5,487,800	Total Personal Services	5,612,900	5,612,900		6
7				MATERIALS & SUPPLIES				7
8	91,581	106,840	126,700	Administration	119,400	119,400		8
9	87,596	122,607	147,000	Marketing & Planning	139,700	139,700		9
10	18,477	14,296	16,300	Transportation	16,600	16,600		10
11	878,513	851,730	921,200	Maintenance	970,300	970,300		11
12	1,076,167	1,095,473	1,211,200	Total Materials & Supplies	1,246,000	1,246,000		12
13								13
14				CONTRACTUAL SERVICES				14
15	82,506	35,839	76,000	Administration	142,600	142,600		15
16	298,072	290,433	280,700	Marketing & Planning	235,000	235,000		16
17	--	14,795	12,000	Transportation	6,000	6,000		17
18	69,182	56,161	122,200	Maintenance	151,900	151,900		18
19	449,760	397,228	490,900	Total Contractual Services	535,500	535,500		19
20								20
21	6,262,384	6,312,793	7,189,900	SUBTOTAL: DIRECT EXPENDITURES	7,394,400	7,394,400		21
22								22
23	120,000	93,000	--	ACCRUED LEAVE FUNDING	--	--		23
24								24
25	--	--	71,000	GENERAL OPERATING CONTINGENCY	80,000	23,000		25
26				TRANSFERRED TO OTHER FUNDS				26
27	519,055	843,300	258,600	Capital Projects	199,600	49,800		27
28	283,900	335,000	165,000	Risk Management	1,000	58,000		28
29				Loan to Capital Projects	--	--		29
30			50,000	Short-term Borrowing Fund	--	--		30
31	7,185,339	7,584,093	7,734,500	TOTAL EXPENDITURES	7,675,000	7,525,200		31
32								32
	7,185,339	7,584,093	7,734,500	TOTAL	7,675,000	7,525,200		

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DETAILED EXPENDITURES

FORM LB-31

GENERAL

ORGANIZATIONAL UNIT-FUND

Lane County Mass Transit District

(MUNICIPAL CORPORATION)

R A N G E	HISTORICAL DATA			NO. OF EMPS.	EXPENDITURE DESCRIPTION	BUDGET FOR NEXT YEAR <u>85-86</u>			
	ACTUAL		ADOPTED BUDGET			PROPOSED BY	APPROVED BY	ADOPTED BY	
	SECOND PRECEDING YEAR <u>82-83</u>	FIRST PRECEDING YEAR <u>83-84</u>	THIS YEAR <u>84-85</u>			BUDGET OFFICER	BUDGET COMMITTEE	GOVERNING BODY	
1					RECAP:				1
2									2
3	532,256	509,455	612,100		Administration	735,100	735,100		3
4	725,994	763,305	851,600		Marketing & Planning	818,700	818,700		4
5	3,155,111	3,218,340	3,666,400		Transportation	3,741,600	3,741,600		5
6	1,849,023	1,821,693	2,059,800		Maintenance	2,099,000	2,099,000		6
7									7
8	120,000	93,000	--		Accrued Leave Funding	--	--		8
9									9
10	--	--	71,000		Contingency	80,000	23,000		10
11									11
12	519,055	843,300	258,600		Transfer to Capital Projects Fund	199,600	49,800		12
13	283,900	335,000	165,000		Transfer to Risk Management Fund	1,000	58,000		13
14		--	50,000		Transfer to Short-term Borrowing Fund	--	--		14
15		--	--		Loan to Capital Projects	--	--		15
16									16
17									17
									18
									19
									20
									21
									22
									23
									24
									25
									26
									27
									28
									29
29									30
30									31
31	7,185,339	7,584,093	7,734,500		TOTAL EXPENDITURES	7,675,000	7,525,200		32
32					UNAPPROPRIATED ENDING FUND BALANCE				
	7,185,339	7,584,093	7,734,500		TOTAL	7,675,000	7,525,200		

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06/18/85 Page 25

RESOURCES

FORM LB-20

CAPITAL PROJECTS
FUND

Lane County Mass Transit District
(MUNICIPAL CORPORATION)

	HISTORICAL DATA			RESOURCE DESCRIPTION	BUDGET FOR NEXT YEAR <u>85-86</u>		
	ACTUAL		ADOPTED BUDGET THIS YEAR <u>84-85</u>		PROPOSED BY BUDGET OFFICER	APPROVED BY BUDGET COMMITTEE	ADOPTED BY GOVERNING BODY
	SECOND PRECEDING YEAR <u>82-83</u>	FIRST PRECEDING YEAR <u>83-84</u>					
1				Beginning Fund Balances:			
2				*Available Cash on Hand (Cash Basis), or			
3	1,131,377	1,316,678	2,282,207	*Not Working Capital (Accrual Basis)	1,724,191	1,837,248	
4				Previously Levied Taxes Estimated to be Received			
5	89,095			Interest			
6				OTHER RESOURCES			
7	--	--	--	UMTA Section 3	687,005	687,005	
8	31,299	320,798	2,775,504	UMTA Section 5	1,370	--	
9	--	33,192	1,763,147	UMTA Section 9	1,149,914	1,132,837	
10	5,048	18,805	88,440	UMTA Section 18	88,440	88,440	
11	357,406	--	--	Federal Aid Urban	--	--	
12	100,200	--	201,520	Federal Highway Administration	134,501	200,548	
13	28,036	159,978	120,000	State Assistance	--	--	
14	756	--	12,000	Miscellaneous Grant Revenues	--	--	
15	519,055	843,300	190,600	Transfer from General Fund	199,600	49,800	
16	3,397	123	--	Proceeds from Sale of Fixed Assets	--	--	
17	--	--	--	Sale of Tax Benefits	100,000	100,000	
18	--	--	175,000	Loan from General Fund	--	--	
19	2,265,669	1,376,196	5,326,211	TOTAL RESOURCES	2,360,830	2,258,630	
20							
21							
22							
23							
24							
25							
26							
27							
28							
29							
30				Total Resources, Except Taxes to be Levied			
31				Taxes Necessary to Balance Budget			
32				Taxes Collected In Year Levied			
	2,265,669	2,692,874	7,608,418	TOTAL RESOURCES	4,085,021	4,095,878	

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06/18/85 Page 26

*Includes Unappropriated Balance budgeted last year.

DETAILED EXPENDITURES

FORM LB-31

CAPITAL PROJECTS
ORGANIZATIONAL UNIT-FUND

Lane County Mass Transit District
(MUNICIPAL CORPORATION)

LINE NO.	HISTORICAL DATA			NO. OF EMPS.	EXPENDITURE DESCRIPTION	RANGE	BUDGET FOR NEXT YEAR <u>85-86</u>			
	ACTUAL		ADOPTED BUDGET				PROPOSED BY BUDGET OFFICER	APPROVED BY BUDGET COMMITTEE	ADOPTED BY GOVERNING BODY	
	SECOND PRECEDING YEAR <u>82-83</u>	FIRST PRECEDING YEAR <u>83-84</u>	THIS YEAR <u>84-85</u>							
1					CAPITAL OUTLAY					1
2										2
3					Locally Funded					3
4	6,603	8,896	--		Bus-Related Equipment	--	--			4
5	340,665	4,551	--		Land & Buildings	--	--			5
6	17,567	13,572	--		Bus Stop Improvements	--	--			6
7	6,305	7,123	--		Office Equipment	--	--			7
8	1,560	--	--		Computer Software	--	--			8
9	15,528	2,601	--		Maintenance Equipment	--	--			9
10	7,154	--	--		Service Vehicles	--	--			10
11	--	413	--		Miscellaneous	--	--			11
12	395,382	37,156	--		TOTAL LOCALLY FUNDED	--	--			12
13										13
14					Federal Highway Admin. Projects					14
15	407,975	--	--		Land & Buildings	--	--			15
16	100,200	--	229,000		Bus Stop Improvements	152,842	227,508			16
17	508,175	--	229,000		TOTAL FHWA PROJECTS	152,842	227,508			17
18										18
19										19
20										20
21										21
22										22
23										23
24										24
25										25
26										26
27										27
28										28
29										29
30										30
31					TOTAL EXPENDITURES					31
32					UNAPPROPRIATED ENDING FUND BALANCE					32
					TOTAL					

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DETAILED EXPENDITURES

FORM LB-31

CAPITAL PROJECTS

Lane County Mass Transit District

ORGANIZATIONAL UNIT-FUND

(MUNICIPAL CORPORATION)

1	HISTORICAL DATA			NO. OF EMPS.	EXPENDITURE DESCRIPTION	RANGE	BUDGET FOR NEXT YEAR 85-86		
	ACTUAL		ADOPTED BUDGET				PROPOSED BY BUDGET OFFICER	APPROVED BY BUDGET COMMITTEE	ADOPTED BY GOVERNING BODY
	SECOND PRECEDING YEAR 82-83	FIRST PRECEDING YEAR 83-84	THIS YEAR 84-85						
1					Urban Mass Trans. Admin. Projects				1
2									2
3					Personal Services				3
4				1	Planning Technician				4
5					Benefits				5
6	--	--	4,859,479		Buses	90,531	83,000		6
7	2,000	398,000	97,900		Bus-Related Equipment	57,500	62,406		7
8	--	--	98,300		Land & Buildings	2,018,918	2,017,788		8
9	--	9,797	21,203		Service Vehicles	15,000	15,000		9
10	6,311	27,705	269,001		Bus Stop Improvements	154,107	179,272	174,572	10
11	--	--	129,500		Maintenance Equipment	22,082	15,516		11
12	13,073	28,106	157,081		Office Equipment	44,164	36,466		12
13	--	--	145,700		Miscellaneous	55,959	25,754	6,754	13
14	24,050	2,386	5,700		Computer Software	7,400	7,400		14
15	45,434	465,994	5,783,864		TOTAL UMTA PROJECTS	2,465,661	2,442,602		15
16									16
17	--	--	8,480		CONTINGENCY	--	--		17
18									18
19	948,991	503,150	6,021,344		TOTAL CAPITAL OUTLAY	2,618,503	2,670,110		19
20									20
21	1,316,678	2,189,724	--		Reserve for Expenditures in Future Yrs	1,466,518	1,425,768		21
22									22
23	2,265,669	2,692,874	6,021,344		TOTAL EXPENDITURES	4,085,021	4,095,878		23
24									24
					RECAP:				25
	395,382	37,156	--		Locally Funded	--	--		26
	508,175	--	229,000		FHWA Funded	152,842	227,508		27
	45,434	465,994	5,783,864		UMTA Funded	2,465,661	2,442,602		28
	1,316,678	2,189,724	--		Reserve	1,466,518	1,425,768		29
	--	--	8,480		Contingency	--	--		30
	2,265,669	2,692,874	6,021,344		TOTAL EXPENDITURES				31
			1,587,074		UNAPPROPRIATED ENDING FUND BALANCE				32
	2,265,669	2,692,874	7,608,418		TOTAL	4,085,021	4,095,878		

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RESOURCES

FORM LB-20

RISK MANAGEMENT
FUND

Lane County Mass Transit District
(MUNICIPAL CORPORATION)

HISTORICAL DATA			RESOURCE DESCRIPTION	BUDGET FOR NEXT YEAR <u>85-86</u>		
ACTUAL		ADOPTED BUDGET		PROPOSED BY BUDGET OFFICER	APPROVED BY BUDGET COMMITTEE	ADOPTED BY GOVERNING BODY
SECOND PRECEDING YEAR <u>82-83</u>	FIRST PRECEDING YEAR <u>83-84</u>	THIS YEAR <u>84-85</u>				
1			Beginning Fund Balance:			1
2			* Available Cash on Hand (Cash Basis), or			2
3	274,004	297,749	* Net Working Capital (Accrual Basis)	415,900	358,900	3
4			Previously Levied Taxes Estimated to be Received			4
5	23,653	24,050	Interest	30,000	30,000	5
6			OTHER RESOURCES			6
7	283,900	335,000	Transfer from General Fund	1,000	58,000	7
8						8
9						9
10						10
11						11
12						12
13						13
14						14
15						15
16						16
17						17
18						18
19						19
20						20
21						21
22						22
23						23
24						24
25						25
26						26
27						27
28						28
29						29
30	581,557	656,799	Total Resources, Except Taxes to be Levied	446,900	446,900	30
31			Taxes Necessary to Balance Budget			31
32			Taxes Collected in Year Levied			32
	581	656,799	TOTAL RESOURCES	446,900	446,900	

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*Includes Unappropriated Balance budgeted last year.

EXPENDITURE SUMMARY

BY FUND, ORGANIZATIONAL UNIT OR PROGRAM

FORM LB-30

RISK MANAGEMENT
ORGANIZATIONAL UNIT—FUND

Jane County Mass Transit District
(MUNICIPAL CORPORATION)

	HISTORICAL DATA			EXPENDITURE DESCRIPTION	BUDGET FOR NEXT YEAR <u>85-86</u>			
	ACTUAL		ADOPTED BUDGET THIS YEAR 84-85		PROPOSED BY BUDGET OFFICER	APPROVED BY BUDGET COMMITTEE	ADOPTED BY GOVERNING BODY	
	SECOND PRECEDING YEAR <u>82-83</u>	FIRST PRECEDING YEAR <u>83-84</u>						
1				PERSONAL SERVICES:				1
2								2
3								3
4								4
5								5
6								6
7								7
8				Total Personal Services				8
9				MATERIALS AND SERVICES:				9
10	33,348	16,512	16,500	Administration	16,400	16,400		10
11								11
12								12
13								13
14								14
15								15
16	33,348	16,512	16,500	Total Materials and Services	16,400	16,400		16
17								17
18				OTHER EXPENDITURES				18
19	110,456	111,904	143,000	Workers Compensation	161,000	161,000		19
20	137,260	127,781	199,400	Liability	264,600	264,600		20
21	2,744	2,208	4,400	Miscellaneous Insurance	4,900	4,900		21
22	297,749	--	--	Reserved	--	--		22
23								23
24	548,209	241,893	346,800	TOTAL OTHER EXPENDITURES	430,500	430,500		24
25				GENERAL OPERATING CONTINGENCY				25
26				TRANSFERRED TO OTHER FUNDS				26
27								27
28								28
29								29
30								30
31	581,557	258,405	363,300	TOTAL EXPENDITURES	446,900	446,900		31
32		398,394	32,349	UNAPPROPRIATED ENDING FUND BALANCE	--	--		32
	581,557	656,799	395,649	TOTAL	446,900	446,900		

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LANE TRANSIT DISTRICT

ORDINANCE NO. 29

An ordinance imposing an excise tax on employers, providing for administration, enforcement and collection of the tax, terminating the application of Ordinance No. 28, and declaring an emergency.

The Board of Directors of the Lane 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 Transit District.
- (2) "Service area" means the area designated in Ordinance No. 22 of Lane 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 five tenths of one percent (.005) of the wages paid by the employer with respect to services performed within the service area after March 31, 1985, and prior to April 1, 1986, and an amount equal to six tenths of one percent (.006) of the wages paid by the employer with respect to services performed within the service area after March 31, 1986.

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 March 31, 1985, 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 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 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 determination 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 quickly to depart 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 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 count 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 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 re-determine 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.

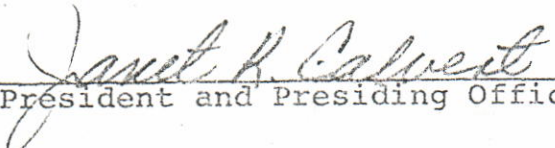
6.02 Appeal from Department. Until the effective date of legislation making other provision therefor, an appeal from the determination of the Department upon the application made by the taxpayer for refund or revision of any tax, as provided for in this ordinance, may be taken by the taxpayer to the 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 failed 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 Amended Ordinance No. 25. The tax imposed by Amended Ordinance No. 25, adopted by the Board of Directors of Lane Transit District on the 27th day of December, 1983, shall not be applied to any wages paid with respect to services performed after March 31, 1984.

8.01 Emergency Clause. The Board of Directors finds that the State Revenue Department needs to have as much time as possible after the adoption of this ordinance to prepare and mail notice and new forms, that this ordinance is necessary for the immediate preservation of the public health, order and safety, and that because of said reasons, immediate enactment of this ordinance is required. Therefore, this ordinance shall take effect immediately.

ADOPTED this 18th day of June, 1985.



President and Presiding Officer

ATTEST:



Recording Secretary

LANE TRANSIT DISTRICT

ORDINANCE NO. 30

An Ordinance making the Board of Directors of the Lane Transit District (LTD) the local contract review board for LTD and declaring an emergency.

The Board of Directors of the Lane Transit District (LTD) ordains as follows:

Section 1. Findings.

a. LTD is authorized by ORS 279.055, as amended by Chapter 690, Oregon Laws 1983 (Enrolled Senate Bill 190), to create its governing body as a local contract review board for LTD, and to prescribe the manner in which the local contract review board may adopt rules.

b. The immediate establishment of a functioning local contract review board for LTD is essential for the effective provision of a mass transit system.

Section 2. Contract Review Board.

a. The LTD Board of Directors is made the local contract review board for LTD, which shall be called the LTD Contract Review Board (LTD/CRB).

b. The LTD Board of Directors, acting as the LTD Contract Review Board, may adopt rules by resolution.

Section 3. Emergency.

The Board of Directors finds that this ordinance is necessary for efficient operation of the District, and that this ordinance is necessary for the immediate preservation of the public health, order and safety and that therefore immediate enactment of this ordinance is required.

An emergency is declared and this ordinance takes effect upon adoption in order that the LTD/CRB may immediately adopt operating rules to allow it to function.

Adopted: June 18, 1985



Janet Calvert, President

ATTEST:



Recording Secretary

RESOLUTION

A RESOLUTION ADOPTING THE RULES OF THE
LTD CONTRACT REVIEW BOARD

The Lane Transit District Contract Review Board (LTD/CRB) resolves as follows:

WHEREAS, the LTD Board of Directors, by Ordinance No. 30, adopted on June _____, 1985, created itself as the local contract review board for LTD pursuant to ORS 279.055, and

WHEREAS, the LTD/CRB is authorized by ORS 279.055(5) and LTD Ordinance No. 30 to adopt rules by resolution, and

WHEREAS, effective provision of a mass transit system by LTD requires action by the LTD/CRB and, under ORS 279.055, that Board cannot act until it has adopted rules, and

WHEREAS, exemptions from competitive bidding contained in the rules adopted by this resolution are unlikely to encourage favoritism in the award of LTD contracts or to substantially diminish competition for those contracts, and will result in substantial cost savings to LTD.

NOW, THEREFORE, BE IT RESOLVED by the LTD/CRB:

That the Rules of the LTD/CRB, a copy of which is attached to and hereby made a part of this Resolution, are adopted. Those rules supersede the rules of the former Public Contract Review Board insofar as LTD contracts are concerned.

Date

Board Secretary

RULES OF
LANE TRANSIT DISTRICT
CONTRACT REVIEW BOARD

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GENERAL

Section 1. Name.

The local contract review board created by LTD's Board of Directors shall be known as the LTD Contract Review Board, and may be abbreviated LTD/CRB.

Section 2. Definitions.

As used in these rules, unless the context requires otherwise:

1. "Board" means the LTD Contract Review Board.
2. "Competitive bidding" means solicitation of formal sealed offers through the advertising, bidding, and bid opening procedures required by ORS Chapter 279 and these rules.
3. "General Manager" means the General Manager of LTD.
4. "Public contract" means any purchase, lease or sale by LTD of personal property, public improvements or services other than agreements which are for personal service.
5. "Personal services" means services performed as an independent contractor in a professional capacity, including but not limited to:
 - a. Accountant;
 - b. Attorney;
 - c. Architectural or land use planning consultant;
 - d. Physician;
 - e. Dentist;
 - f. Registered professional engineer, appraiser, or surveyor;
 - g. Passenger aircraft pilot;
 - h. Aerial photographer;
 - i. Timber cruiser;
 - j. Broadcaster;
 - k. Artist in the performing or fine arts, including but not limited to photographer, filmmaker, painter, weaver, and sculptor;

- l. Consultant;
- m. Educational or human custodial care;
- n. Services of a specialized, noncommercial, and creative or research-oriented nature.

"Personal services" does not include:

- a. Services, even if rendered in a professional capacity, if the predominant result of the contract is a product (for example, a contract with a landscape architect to design a garden is for personal services, but a contract to design a garden and supply all the plants is not);
 - b. Labor that is of a type that generally can be done by any competent worker, including but not limited to janitorial work, security guard work, crop spraying, laundry, and landscape maintenance; and
 - c. Trade-related activities, even if a specific license is required to engage in the activities.
6. "President" means the presiding officer of the LTD Contract Review Board and is the same person who serves as President of the LTD Board of Directors.
 7. "Supplies" means consumable goods.
 8. "LTD" means Lane County Mass Transit District.

Section 3. Competitive Bidding; Exemptions Generally.

All LTD public contracts shall be based upon competitive bidding except the following:

1. Contracts made with other public agencies or the federal government.
2. Contracts made with qualified nonprofit agencies providing employment opportunities for the handicapped.
3. Contracts specifically exempt under these rules.

CATEGORICAL EXEMPTIONS

Section 4. Exemption of Contracts Under Certain Dollar Amounts.

1. LTD may, in its discretion, let a contract for the purchase of goods, materials, or supplies that contains no element of personal service other than personal service in connection with the repair and maintenance of office equipment without competitive bidding

if LTD has determined that awarding the contract without competitive bidding will result in cost savings and the following criteria are satisfied:

- a. The amount of the contract does not exceed \$10,000, is for a single project, and is not a component of or related to any other LTD project.
 - b. When the amount of the contract does not exceed \$500, LTD should, where feasible, obtain competitive quotes.
 - c. When the amount of the contract is more than \$500 but not more than \$10,000 LTD must obtain a minimum of three competitive quotes. LTD shall keep a written record of the source and amount of the quotes received. If three quotes are not available, fewer will suffice if a written record is made of the effort to obtain quotes.
 - d. No contractor may be awarded in the aggregate within one fiscal year contracts in excess of \$30,000 without competitive bidding. Contracts under \$500 shall not be included in computing the aggregate under this paragraph.
2. Except for a contract for repair and maintenance of office equipment covered under subsection 1 of this section and a contract for road, highway, or parking lot maintenance covered under subsection 3 of this section, LTD may, in its discretion, let a contract for construction, maintenance or repair, or a contract containing an element of personal service without competitive bidding if LTD has determined that awarding the contract without competitive bidding will result in cost savings and the following criteria are satisfied:
- a. The amount of the contract does not exceed \$5,000, is for a single project, and is not a component of or related to any other LTD project.
 - b. When the amount of the contract does not exceed \$500, LTD should, where feasible, obtain competitive quotes.
 - c. When the amount of the contract is more than \$500 but not more than \$5,000, LTD must obtain a minimum of three competitive quotes. LTD shall keep a written record of the source and amount of the quotes received. If three quotes are not available, fewer will suffice if a written record is made of the effort to obtain quotes.

- d. No contractor may be awarded in the aggregate within one fiscal year contracts in excess of \$20,000 without competitive bidding. Awards under \$500 shall not be included in computing the aggregate under this paragraph.
3. LTD may in its discretion let a contract not over \$25,000 for road, highway, or parking lot maintenance without competitive bidding if LTD obtains a minimum of three competitive quotes. LTD shall keep a written record of the source and amount of the quotes received. If three quotes are not available fewer will suffice if a written record is made of the effort to obtain quotes.

Section 5. Emergency Contracts.

1. LTD may, in its discretion, award a contract without competitive bidding if an emergency exists, the emergency circumstances could not have been reasonably foreseen, and prompt execution of a contract is necessary to remedy the condition.
2. To authorize an emergency contract, LTD's Board of Directors must declare by resolution that an emergency exists and make detailed written findings describing the emergency conditions necessitating prompt execution of the contract.
3. If an emergency is declared under this section, the contract must be awarded within 60 days after the emergency is declared, unless the LTD/CRB grants an extension.

Section 6. Equipment Repair and Overhaul.

1. Contracts for equipment repair or overhaul may be let without competitive bidding if one of the following criteria is satisfied:
 - a. The service or parts required are unknown and cannot be determined without extensive preliminary dismantling or testing; or
 - b. The service or parts required are for sophisticated equipment and the service or parts installation requires specially trained personnel that are available from only one source.
2. The General Manager shall promptly report to the LTD/CRB all contracts for equipment repair or overhaul under this exemption in which the contract amount exceeds \$10,000. The report shall include:
 - a. A brief description of the contract;
 - b. The name of the contractor;
 - c. The total dollar amount of the contract;

- d. A statement of the criterion under subsection 1 of this section upon which the award without competitive bidding is based; and
- e. A description of the selection method that was used.

Section 7. Contracts for Price Regulated Items.

LTD may, without competitive bidding, contract for the purchase of goods or services where the rate or price for the goods or services being purchased is established by federal, state, or local regulatory authority.

Section 8. Auction Sales.

Personal property may be sold at auction if LTD determines that the auction contemplated will probably result in a higher net return than if the property were sold by competitive written bid.

Section 9. Investment Contracts.

LTD may contract without competitive bidding for investment of public funds or for borrowing, provided the contract is approved by LTD's General Manager and is otherwise authorized by law. Investment contracts authorized under this section include but are not limited to safe harbor leasing agreements.

Section 10. Paper Products.

LTD is exempt from competitive bidding requirements for the purchase of paper products if LTD seeks competitive quotes from as many vendors as is practicable and retains a written justification for the purchase made.

Section 11. Gasoline, Diesel Fuel, Heating Oil, Lubricants, and Asphalts.

LTD is exempt from competitive bidding requirements for the purchase of gasoline, diesel fuel, heating oil, lubricants, and asphalts if LTD seeks competitive quotes from a majority of vendors in the Eugene-Springfield metropolitan area, makes its purchase from the least expensive source, and retains a written justification for the purchase made.

Section 12. Copyrighted Materials.

1. If a contract is for the purchase of copyrighted materials and only one available supplier for the materials is known, LTD may contract for purchase of the materials without competitive bidding.

2. Notwithstanding the general prohibition under these rules against specification of particular brand names, LTD may specify a specific copyrighted product. This exception does not apply to patented or trade marked goods.

Section 13. Library Periodicals.

LTD may purchase subscriptions to journals, magazines, and similar periodicals for its library without competitive bidding.

Section 14. Advertising Contracts.

LTD may purchase advertising without competitive bidding if the contract is awarded as a personal services contract, pursuant to ORS 279.051.

Section 15. Data Processing Contracts.

1. Contracts for acquisition of data processing hardware and systems software may be let without competitive bidding using competitive procurement methods subject to the following conditions:
 - a. If the contract amount does not exceed \$10,000, LTD may follow informal competitive procurement methods. Prior to selection of a vendor reasonable efforts must be made to solicit proposals from three or more vendors. Justification of award shall be documented and made a public record.
 - b. If the contract amount exceeds \$10,000, LTD shall solicit written proposals from appropriate vendors appearing on the list compiled by the Data Systems Division, Executive Department, State of Oregon or shall publish an advertisement in a major trade publication of general circulation. LTD shall prepare both a detailed and a summary report of the evaluation process. Those reports shall be made part of the public record justifying the award.
 - c. If the amount of the contract exceeds \$500,000, LTD shall comply with paragraph b of this subsection and shall:
 - (i) Provide an opportunity for vendors to review LTD's requirements and, prior to submitting proposals, comment on any specifications which they feel limit competition;
 - (ii) Define the roles of any evaluation committee, explain its criteria, and state all complaint processes and remedies available;
 - (iii) Clearly state the contractual requirements in the solicitation document;

(iv) Provide that residual values be considered only if they are clearly ascertainable;

(v) Provide that the cost of conversion will be minimized by LTD; and

(vi) Ensure that each vendor is given the opportunity to review the evaluation of its proposal before final management review and selection. If there is little difference between the highest ranked proposals, appropriate consideration must be given to the purchase of equipment which will encourage competition.

2. LTD's General Manager shall report to the LTD/CRB all contracts for data processing pursuant to this exemption in which the amount exceeds \$10,000. The report shall be filed by July 31 of each even-numbered year after 1984 for the prior two fiscal years and shall include:
 - a. The name of the company, and, if applicable, the name of the retail vendor;
 - b. The reasons why LTD did not believe that competitive bidding was appropriate; and
 - c. A description of the reasons why the contractor was selected and other proposals rejected.

If a procurement under this section is also a sole source procurement, the information that must be submitted to the LTD/CRB for sole source procurements may be included in the annual report under this section and need not be separately reported.

Section 16. Food Service Contracts.

1. For purposes of this rule, a food service contract means a contract in which the contractor agrees to purchase, prepare, and serve meals and provide related services.
2. Contracts for food services may be let without competitive bidding if the following criteria are satisfied:
 - a. Prior to the selection of a contractor, LTD must make reasonable efforts to inform known companies providing food services of the subject matter of the contract and to solicit proposals. Solicitation must include public advertisements in at least one newspaper of general circulation in the Eugene-Springfield metropolitan area.
 - b. The contractor must be selected on the basis of the most competitive offer, considering both the cost and the quality of the product and of the service to be rendered.

3. LTD's General Manager shall report annually to the LTD/CRB all contracts for food service pursuant to this section in which the fee exceeds \$10,000. Reports shall be filed by July 31 of each even-numbered year after 1984 covering the prior two fiscal years. The report shall include:
 - a. A description of the contract, including the name of the contractor;
 - b. The reason why LTD did not believe that competitive bidding was appropriate; and
 - c. The reasons why the contractor was selected and other proposals rejected.

Section 17. Employee Benefit Insurance.

LTD may purchase employee benefit insurance without competitive bidding.

Section 18. Insurance Contracts.

1. Contracts for insurance where either the annual or aggregate premium exceeds \$5,000 must be let by competitive bidding or by one of the procedures described in this section.
2.
 - a. LTD may appoint a licensed insurance agent to serve as LTD's Agent of Record and perform insurance services in connection with more than one insurance contract. Among the services to be provided is the securing of competitive proposals from insurance carriers for all coverages for which the agent of record is given responsibility.
 - b. Prior to the selection of an agent of record, LTD shall make reasonable efforts to inform known insurance agents in the competitive market area that it is considering the selection. Those efforts shall include a public advertisement in at least one newspaper of general circulation in the Eugene-Springfield metropolitan area. The advertisement shall generally describe the nature of the insurance that LTD will require. If the amount of the annual premium for insurance other than employee benefits insurance is likely to exceed \$10,000 per year, the notice also shall include a public advertisement in at least one insurance trade publication of general circulation in the state.
 - c. The period of appointment of an Agent of Record shall not exceed six years. Agents of Record may serve more than one appointment period, but must qualify for such subsequent appointment prior to each period as if each appointment period were the first. This section shall not affect LTD's contractual rights, if any, to terminate the appointment of an Agent of Record prior to the end of any appointment period.

- d. In selecting an agent of record, LTD shall select the agent most likely to perform the services with greatest cost effectiveness.
3. a. LTD may solicit proposals from licensed insurance agents for the purpose of acquiring specific contracts.
 - b. Before contracting for specific insurance, LTD shall make reasonable efforts to inform known insurance agents in the competitive market area of the subject matter of the contract, and to solicit proposals for providing the services required in connection with the contract. Those efforts shall include public advertisements in at least one newspaper of general circulation in the Eugene-Springfield metropolitan area. If the amount of annual premium for insurance other than employee benefits is likely to exceed \$10,000 per year, the notice shall also include a public advertisement in at least one insurance trade publication of general circulation in the state.
 - c. LTD shall select an insurance agent on the basis of the most competitive offer considering coverage, premium cost, and service to be provided.
4. a. Within 30 days after the selection of an agent of record under subsection 2 of this section, LTD's General Manager shall report to the LTD/CRB the name of the agent, the number of agents that offered to provide the service, and the reasons for the selection.
 - b. LTD's General Manager shall report annually to the LTD/CRB all insurance contracts purchased under subsection 3 of this section. The reports shall be filed by July 31 of each even-numbered year after 1984, covering the two preceding fiscal years. The reports shall include:
 - (i) A description of the contract;
 - (ii) The name of the company and the name of the agent;
 - (iii) The reasons competitive bidding was deemed inappropriate;
 - (iv) A description of the reasons why the insurance agent and insurance carrier were selected and other proposals rejected.

Section 19. Affirmative Action Contracts.

1. LTD contracts may be let without competitive bidding if the letting of the contract is pursuant to LTD's affirmative action

plan, which is designed to ensure equal opportunity in employment and business for persons otherwise disadvantaged by reason of race, color, religion, sex, national origin, age, or physical or mental handicap, including, but not limited to, personnel practices of contractors, "set-aside" programs and minority business enterprises.

2. LTD's General Manager shall report annually to the LTD/CRB all contracts that are let pursuant to this section. Reports shall be filed by July 31 of each even-numbered year after 1984, covering the preceding two fiscal years. The reports shall include:
 - a. A description of the contracts, including the amount, the name of the contractor, and a general description of the type of work to be performed or service or product to be purchased; and
 - b. A description of the affirmative action goal or goals to be accomplished.

Section 20. Contract Modifications.

Any construction contract modification for additional work requested by LTD, including a change order, extra work, field order, or other change in the original specifications, that increases the original contract price may be made with the contractor without competitive bidding provided one of the following criteria is satisfied:

1. The original contract was let by competitive bidding and imposes a binding obligation on the parties covering the terms and conditions of the additional work resulting in the cost increase; or
2. The additional work is necessitated by unanticipated circumstances, such as differing site conditions, that were not reasonably foreseeable.
3. If the modification has the effect of creating a new contract, the amount of the aggregate cost increase resulting from all modifications shall not exceed 10% of the initial contract amount, or 20% of the initial contract amount when that amount does not exceed \$100,000 and is for the remodeling, repair, or rehabilitation of a building or buildings. Modifications made pursuant to subsections 1 or 2 of this section will not be included in computing the aggregate amount under this section.

Section 21. Sole Source.

1. LTD may award a contract for a service or product without competitive bidding if LTD has determined that the service or product is available from only one source after making a reasonable effort to identify alternative sources.
2. If a contract is awarded under this section, LTD's General Manager shall promptly submit to the LTD/CRB a written report that includes:
 - a. A finding that the service or product is available from only one source;
 - b. A description of that sole source; and
 - c. A description of the procedure used to determine that the service or product is available from only one source.

(Sections 22 - 30 Reserved)

SPECIFIC EXEMPTIONS

Section 31. Brand Name or Mark Exemptions.

1. Except as provided in this section, or in sections 12 and 55, specifications for public contracts shall not expressly or implicitly require any product by any brand name or mark.
2. LTD may apply for and receive a brand name or mark exemption ruling from the LTD/CRB, for current and contemplated future purchases. Applications shall contain the following information:
 - a. A brief description of the contract or contracts to be covered. The description should include contemplated future purchases.
 - b. The brand name, mark, or product to be specified.
 - c. The reasons LTD is seeking the exemption.
 - d. Procedures followed and facts found in support of such reasons.
3. The LTD/CRB may grant an exemption if any of the following conditions are met:
 - a. The exemption is not likely to encourage favoritism in public contracts or substantially diminish competition and will result in cost savings.
 - b. There is only one manufacturer or seller of the product of the quality required, or efficient utilization of existing equipment or supplies requires acquisition of compatible equipment or supplies; and the product is selected on the basis of the most competitive offer, considering quality and cost. The term "cost" includes not only the product price but also other items of expense such as cost related to quality or conversion.
4. Where there is only one manufacturer or seller of a product, or only one provider of a service, LTD may award the contract without competitive bidding pursuant to Section 21 of these rules.

Section 32. Other Specific Exemptions: Application & Findings.

1. LTD may apply to the LTD/CRB for exemption of a particular contract not otherwise exempt from the competitive bidding requirements of ORS 279.015. The application shall contain the following information.
 - a. The nature of the project;
 - b. Estimated cost of the project;
 - c. A narrative description of the cost savings anticipated by the exemption from competitive bidding and the reasons competitive bidding would be inappropriate;
 - d. Proposed alternative contracting and purchasing practices to be employed; and
 - e. The estimated date by which the contract must be let.
2. The LTD/CRB may require LTD to provide additional information it deems necessary to determine whether a specific contract is to be exempt from competitive bidding.
3. The LTD/CRB may grant an exemption upon the following findings:
 - a. It is unlikely such exemption will encourage favoritism in the awarding of public contracts or substantially diminish competition for public contracts; and
 - b. The awarding of public contracts pursuant to the exemption will result in substantial cost savings to LTD. In making such findings, the LTD/CRB may consider the type, cost, and amount of the contract, the number of persons available to bid and such other factors as may be deemed appropriate.

Section 33. Action on Exemption Applications.

1. Upon receipt of an application for a specific exemption or a brand name or mark exemption, the President of the LTD/CRB shall either:
 - a. Cause a notice of intention to adopt a rule to be published in the agenda for the next Board meeting, which notice shall request data, views, and arguments concerning the proposed rule; and may also set the matter for public hearing to receive data, views, and arguments; or
 - b. Initiate the procedure for granting an exemption by unanimous consent, pursuant to subsection 3 of this section.
2. The LTD/CRB may hear the application at the Board meeting designated in the published agenda notice. If the Board approves the application, it, in its discretion, either may grant the exemption by amending these rules by ordinance, or, in appropriate cases, grant a temporary exemption by resolution.
3. The President of the LTD/CRB may, in the exercise of discretion, notify the members of the Board that an application for exemption has been made and that if no objections are received to the exemption within seven days after the President's notice, the exemption will be considered granted by unanimous consent and the President may, in the exercise of discretion, deem the exemption adopted as a temporary exemption by resolution. Exemptions so adopted shall be placed on the Board's agenda as a unanimous consent calendar item for ratification as a temporary exemption or adoption by ordinance as a permanent rule by the Board at the next meeting of the Board.

(Sections 34 - 49 Reserved)

BIDDING AND CONTRACTING PROCEDURES

Section 50. Exemptions from Bid and Performance Security Requirements.

1. Public Improvement Contracts. Bid and performance security need not be required for public improvement contracts if the amount of the bid is less than \$10,000.
2. Other Public Contracts.
 - a. LTD's Director of Administrative Services may, but does not have to require bid security for contracts other than public improvement contracts.
 - b. LTD's Director of Administrative Services may, but need not require performance security for public contracts that are not public improvement contracts, except:
 - (i) On a contract for the purchase of goods valued at more than \$100,000; or
 - (ii) If the goods are rolling stock or specially manufactured; or
 - (iii) If the contract requires any payment by LTD before LTD's acceptance of the goods.

Section 51. Contract Award.

LTD shall award contracts to the lowest bidder except in the following circumstances:

1. The bidder has failed to comply with the invitation for bids or any statutory requirement relating to public contracting, and that failure gives or could give the bidder an unfair advantage over other bidders or otherwise makes the bid unresponsive under public contract law.
2. The bidder is disqualified by LTD pursuant to applicable statutes.

Section 52. Requirements Contracts.

1. LTD may enter into a requirements contract whereby LTD agrees to purchase its requirements for particular goods or services from the contractor and the contractor agrees to supply all of LTD's needs for those goods or services at a predetermined price if all of the following criteria are satisfied:
 - a. The contract must be let by competitive bidding pursuant to the requirements of Chapter 279, Oregon Revised Statutes and applicable rules of the LTD/CRB and LTD;
 - b. The term of the contract, including extensions, does not exceed two years; and
 - c. The contract is subject to no less than 30 days cancellation by the contractor.

2. LTD may request a specific exemption from one or more of the foregoing criteria.
3. Notwithstanding the maximum term specified by paragraph b of subsection 1 of this section, the maximum term, including extensions, is five years for requirements contracts for the following goods:
 - a. Tires;
 - b. Vehicle fuel;
 - c. Antifreeze; and
 - d. Uniforms;
 - e. Lubricants;
 - f. Industrial linen.
4. Requirements contracts may provide for price escalation only if the escalation is no more frequent than annually and is tied to the Consumer Price Index or reflects documented cost increases actually incurred by the contractor.

Section 53. Life Cycle Costing.

1. In determining the lowest responsible bidder for contract award, LTD may use life cycle costing in accordance with subsection 2 of this section. As used in this rule, life cycle costing means determining the cost of a product over its useful life.
2.
 - a. LTD shall identify those factors that will have cost implications over the life of the product, including but not limited to initial cost and operating and maintenance costs.
 - b. The invitation for bids shall clearly set out those factors and the methodology to be used in calculating life cycle cost adjustments.
 - c. The life cycle cost adjustments shall be applied to the base bid, and the bidder whose total adjusted bid is lowest shall be considered the lowest bidder.

Section 54. Product Prequalification.

1. When it is impractical to create specific design or performance specifications for a type of product to be purchased, LTD may specify a list of approved products by reference to particular manufacturers or sellers in accordance with the following product prequalification procedure:
 - a. LTD must make reasonable efforts to notify all known manufacturers or vendors of competitive products of its intention

to accept applications for inclusion in its list of prequalified products. Notification shall include advertisement in a trade journal of state-wide distribution when possible. In lieu of advertising, LTD may notify vendors and manufacturers appearing on the appropriate list maintained by the Department of General Services of the State of Oregon.

- b. LTD must permit applications for prequalification of similar products until not more than 15 days prior to advertisement for bids on the product.
2. If an application for inclusion in a list of prequalified products is denied, or an existing prequalification is revoked, LTD shall notify the applicant in writing. The applicant may appeal to the LTD/CRB for a review of the denial or revocation in the same manner as an appeal of disqualification in the same manner as an appeal of disqualification under these rules.
3. The product prequalification procedure under this section does not apply to construction contracts.

Section 55. Bidder Prequalification.

LTD may require bidders to prequalify in accordance with ORS 279.039 to 279.047, and rules adopted by LTD. Appeals from disqualification shall be governed by Section 72 of these Rules.

Section 56. Federal Rules.

Notwithstanding any other provision of these rules, LTD shall adhere to UMTA Circular 4220.1A, OMB Circular A-102, and other applicable federal procurement procedures for contracts funded in part with federal funds.

Section 57. Two-Step Procurement.

LTD may employ a two-step procurement procedure when that procedure is in LTD's interest. The first step is an advertised request for technical proposals. The second step is solicitation of formal sealed bids from technical proposers deemed acceptable by LTD.

(Sections 58 - 70 Reserved)

BOARD PROCEDURES

Section 71. Board Proceedings.

1. Proceedings of the LTD/CRB shall be governed by the same procedural rules that govern proceedings of LTD's Board of Directors, insofar as they are consistent with these rules.
2. The President of the LTD Board of Directors shall be the President of the LTD/CRB.
3. A majority of the members of the LTD/CRB shall constitute a quorum. Exercise of the Board's authority shall be by majority vote of the entire Board.
4. Meetings of the LTD/CRB may be held by conference telephone call after the required public notice. The President shall conduct the meeting using a speaker telephone attachment.
5. On urgent or perfunctory matters, the President may poll the members of the Board by telephone. Electronic transcripts of the polling calls shall be made and retained. In the course of the poll, any member may request the matter be discussed by conference call or deferred to a meeting.
6. Prior to conference calls or telephone polls, the press and public, including persons directly interested in the subject matter of the poll, shall be given reasonable notice that they may be present with the President at the time of the meeting or poll.
7. Notices of the LTD/CRB meetings or other actions shall be of the same type and given in the same manner as notices of meetings or other actions of the LTD's Board of Directors. LTD/CRB notices may be published as part of LTD Board of Director notices when the actions that are the subject of the notices will occur on the same date and at the same place.
8. The agenda of the meetings of the LTD/CRB shall include the following:
 - a. Unanimous consent calendar including a brief description of each contract exempted and the amount of the contract.

- b. Consideration without hearing of pending applications for exemption. The agenda will list all proposed pending exemptions with a brief description of proposed exemptions including the amount of each contract.
 - c. Consideration with hearing of pending applications for exemption rulings.
 - d. Contested case hearings of appeals of disqualification or revocation of prequalification, including the name of the contractor and the grounds of the proposed disqualification or revocation of prequalification.
 - e. The agenda of a meeting of the LTD/CRB may be included in the agenda of a meeting of the LTD Board of Directors when the two meetings will be at the same place and on the same date.
9. The LTD Board of Directors, during any of its meetings, may sit as the LTD/CRB by merely announcing that it is sitting in that capacity. Formal adjournment of the Board of Directors and convening of the Contract Review Board are unnecessary.
 10. Records of LTD/CRB proceedings shall be made in the same manner as those of LTD Board of Directors proceedings, and may be made a part of the latter records.

Section 72. Appeals.

1. A contractor or bidder may appeal to the LTD/CRB any of the following:
 - a. Notice of denial of qualification to bid under the section of these rules entitled "Bidder Prequalification."
 - b. Notice of conditions varying from application for prequalification.
 - c. Notice of revocation of prequalification.
 - d. Notice of product disqualification under the section of these rules entitled "Product Prequalification."
 - e. The appeal must be filed with LTD. An appellant under paragraph a, b, c or d of this subsection must notify LTD of its intent to appeal within three working days after receipt of the notice being appealed. The notice of intention to appeal need not be in any particular form so long as it is in writing and delivered to LTD's Director of Administrative Services.

2. Upon receipt of the notice of appeal, LTD shall promptly forward to the LTD/CRB the contractor's prequalification application, the notice of refusal of bid or prequalification or revocation, and the record of investigation by LTD upon which the refusal or revocation was based, together with the notice of appeal. The burden of sustaining the refusal, disqualification, or revocation is upon LTD. The LTD/CRB shall consider de novo the notice of disqualification, based upon the material forwarded by LTD, and upon any evidence submitted by the parties.
3. For purpose of appeals, three members of the LTD/CRB shall constitute a quorum. Meetings for appeal purposes may be held upon five days notice to Board members, LTD's Director of Administrative Services, and the appellant. The LTD/CRB shall decide the appeal within ten days after receiving notification of the appeal from LTD. The LTD/CRB shall set forth in writing the reasons for its decision.
4. At any time prior to the appeal hearing, LTD may reconsider its revocation or disqualification.
5. The LTD/CRB is not authorized to consider or act upon appeals or protests based upon grounds other than those listed in subsection 1 of this section.
6. Appeals under this section shall be treated as contested cases under the Attorney General's Model Rules of Procedure effective on the date the appeal is filed, insofar as those rules are consistent with these rules.

RESOLUTION
LANE TRANSIT DISTRICT

WHEREAS, Costs in Marketing & Planning and Maintenance were higher than anticipated, 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 1984-85 are hereby revised as follows:

GENERAL FUND

REDUCTIONS IN APPROPRIATIONS

Transportation-Personal Services	\$ 8,000
Maintenance - Personal Services	20,000
Total Reductions	\$28,000

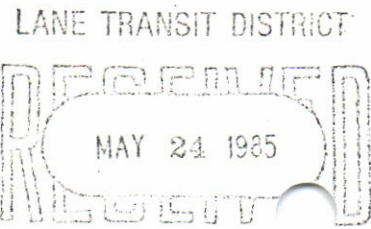
INCREASES IN APPROPRIATIONS

Marketing & Planning - Personal Services	\$ 8,000
Maintenance - Materials & Supplies	10,000
Maintenance - Contractual Services	10,000
Total Increases	\$28,000

June 18, 1985
Date Adopted

Board Secretary

MIKE THORNE
UMATILLA, UNION AND WALLOWA COUNTIES



REPLY TO ADDRESS INDICATED.

- Senate Chamber
Salem, Oregon 97310
- Holdman Route, Box 505
Pendleton, Oregon 97801

OREGON STATE SENATE
SALEM, OREGON
97310

By _____

May 21, 1985

Janet Calvert
President, Board of Directors
Lane Transit District
P. O. Box 2710
Eugene, Oregon 97402

Dear Ms. Calvert:

I appreciate receiving your letter and am well aware of the concerns relating to the Governor's recommended budget for Higher Education, especially the packages regarding economic development and salary improvement.

It is my intention to do all I can to support as much of these packages as possible. At present, it appears we can provide much of the funding requested, but it all depends upon one major point.

Strong proponents of property tax relief have indicated to me that budgets should be reduced in order to provide for property tax relief not included in the Governor's budget proposal. I am opposed to this type of budget reduction as it would mean diluting the thrust of the Governor's recommended budget and placing in jeopardy the economic development and salary packages which are a part of the request for Higher Education.

I remain committed to a strong education system in Oregon and am well aware of the importance that research and development plays in Oregon's overall economy. It will not be possible to provide the funds for the program anticipated if increases in property tax relief appropriations come from the budget presented to us by the Governor.

I hope this information is helpful and I do appreciate your support and concern.

Sincerely,

Mike Thorne
State Senator

CARL HOSTICKA
LANE COUNTY
DISTRICT 40

REPLY TO ADDRESS INDICATED:

House of Representatives
Salem, Oregon 97310-1347
 870 Fox Glenn
Eugene, Oregon 97405



HOUSE OF REPRESENTATIVES
SALEM, OREGON
97310-1347

May 22, 1985

Janet Calvert
Lane Transit District
P.O. Box 2710
Eugene, OR 97402

Dear Ms. ^{Janet} Calvert,

Thank you for your letter urging my support for full funding of the budget for higher education.

Securing needed funding for higher education has been one of my highest priorities this legislative session. Any influence I have will be dedicated to achieving this goal. I have gained assurances that we will be granted the \$40 million requested for faculty salary improvements. I'm continuing to work to assure funding for program improvements (Centers of Excellence), and capital construction, including the Biotechnology and Advanced Science Building at the University of Oregon.

I appreciate your efforts in support of higher education in Oregon.

Yours sincerely,

Carl Hosticka
State Representative
District 40

*It looks like our efforts
are having an effect. We'll
know in a week or two*

Carl H

LANE TRANSIT DISTRICT

MAY 22 1985

MIKE KOPETSKI
MARION AND POLK COUNTIES
DISTRICT 33

REPLY TO ADDRESS INDICATED:

- House of Representatives
Salem, Oregon 97310-1347
- 458 Dorcas Dr. N
Salem, Oregon 97303



HOUSE OF REPRESENTATIVES
SALEM, OREGON
97310-1347

May 23, 1985

Janet Calvert, President
Board of Directors
Lane Transit District
P. O. Box 2710
Eugene, OR 97402

Dear Janet:

Thanks for taking the time to write and let me know of the benefits realized by the Lane Transit District as a result of the Oregon State System of Higher Education.

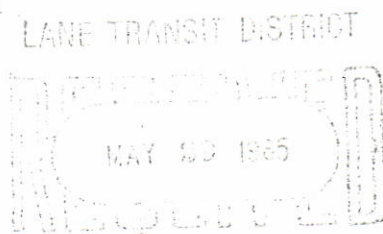
I have met and will continue to meet with representatives of the Oregon State System of Higher Education to discuss their budget.

I appreciate your taking the time to write and enlighten me on the many benefits you have received.

Sincerely,

Mike Kopetski
State Representative
District 33

MK:db



By _____

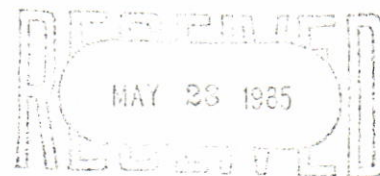
LTD BOARD MEETING
06/18/85 Page 81

Committee Membership:
Senator Margie Hendriksen, Chair
Senator Clifford Trow, Vice Chair
Senator L.B. Day
Senator Jeannette Hamby
Senator Steve Starkovich
Senator Eugene Timms
Senator Jan Wyers

Staff:
Bob Watrus, Administrator
Louise Mabel, Assistant



LANE TRANSIT DISTRICT



By _____

SIXTY-THIRD LEGISLATIVE ASSEMBLY

SENATE COMMITTEE ON
EDUCATION

331B State Capitol
Salem, OR 97310
(503) 378-5720

May 23, 1985

Janet Calvert, President
Lane Transit District
P.O. Box 2710
Eugene, Oregon 97402

Dear Ms. Calvert:

Thank you very much for your letter regarding the need to adequately fund higher education. I could not agree with you more regarding the need for a strong, healthy system of higher education and the impact that this can have on our economy.

As chair of the Senate Education Committee, I have worked diligently throughout this legislative session to increase funding for higher education.

Early in the session, we undertook a study of the policy issues arising from the various education agency budgets. In terms of higher education, the top priority must be improving faculty salaries. Simply stated, we cannot afford the continued exodus of the excellent faculty members we have at our colleges and universities, particularly the University of Oregon.

In addition to the Senate Education Committee's study, I have appeared before the Ways and Means Education Subcommittee on numerous occasions to urge increased funding for faculty salaries, capital improvements and other higher education priorities.

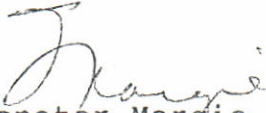
Since the Department of Higher Education budget is currently in the Ways and Means Committee, I would encourage you to also write members of that committee. The co-chairs are

Senator Mike Thorne and Representative Wayne Fawbush.
The chair of the Education Subcommittee of Ways and Means in
Senator Frank Roberts.

I am pleased and gratified that community leaders such as
yourself share in the recognition of the importance of
support for our universities, not only to Eugene and Lane
County, but to the state.

Please keep in touch.

Sincerely,



Senator Margie Hendriksen, Chair
Senate Education Committee

LARRY L. CAMPBELL
Lane and Douglas Counties
District 43

REPLY TO ADDRESS INDICATED:

House of Representatives
Salem, Oregon 97310

5 Wilson Drive
Eugene, Oregon 97405



Bus Phone:
Salem—378-8772
Res. Phone:
Eugene—484-2201

MINORITY LEADER
HOUSE OF REPRESENTATIVES

May 31, 1985

Janet Calvert
Lane Transit District
Post Office Box 2710
Eugene, Oregon 97402

Dear Janet;


Thank you for the recent letter asking for my support for the Higher Education budget.

I am committed to support the Governor's budget for Higher Education and I have been assured that there is funding available to support his request for \$40 million to cover salary adjustments.

I have also supported the request for additional funding for the building program. This measure has passed out of the Trade and Economic Development committee upon my recommendation. We are confident that lottery funds will be made available for this proposal. The bill referring to Centers of Excellence was also moved out of the Trade and Economic Development committee and was referred to Ways and Means.

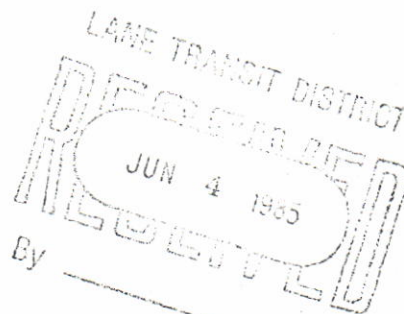
Again, thank you for your interest in funding for Higher Education and if I can be of further assistance to you, please do not hesitate to contact me.

Sincerely,


LARRY L. CAMPBELL
Republican Leader
House of Representatives
District #43

LLC/ph

LTD BOARD MEETING
06/18/85 Page 84



CERTIFICATE
of
Appreciation

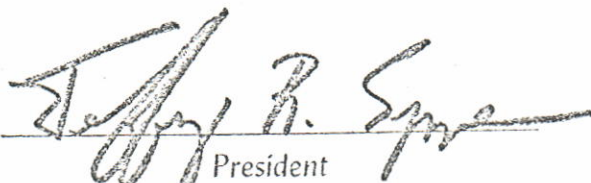
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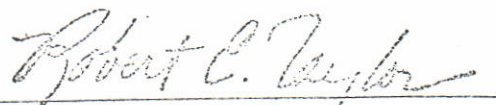
DICK BUTLER

LANE TRANSIT DISTRICT

who has given time, service and cooperation
in supporting the community training program
for students with special needs
during the 1984-85 school year

This certificate is awarded by Lane Education Service District
and Association for Retarded Citizens of Lane County,
with sincere thanks and appreciation


President
Association for Retarded Citizens
of Lane County


Director of Instructional Services
Lane Education Service District

CERTIFICATE
of
Appreciation

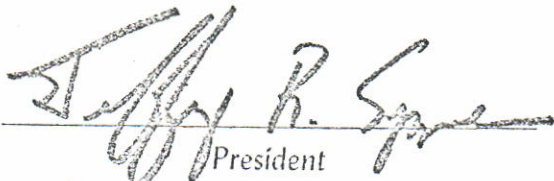
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LEE INKMANN

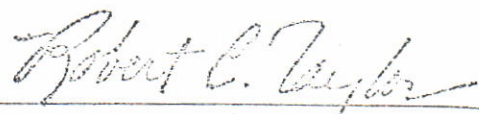
LANE TRANSIT DISTRICT

who has given time, service and cooperation
in supporting the community training program
for students with special needs
during the 1984-85 school year

This certificate is awarded by Lane Education Service District
and Association for Retarded Citizens of Lane County,
with sincere thanks and appreciation



President
Association for Retarded Citizens
of Lane County



Director of Instructional Services
Lane Education Service District

CERTIFICATE
of
Appreciation

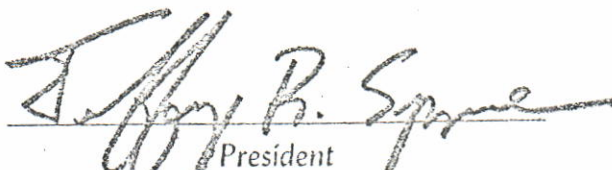
presented to

COLLEEN SNOW

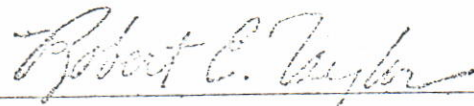
LANE TRANSIT DISTRICT

who has given time, service and cooperation
in supporting the community training program
for students with special needs
during the 1984-85 school year

This certificate is awarded by Lane Education Service District
and Association for Retarded Citizens of Lane County,
with sincere thanks and appreciation



President
Association for Retarded Citizens
of Lane County



Director of Instructional Services
Lane Education Service District

CERTIFICATE
of
Appreciation

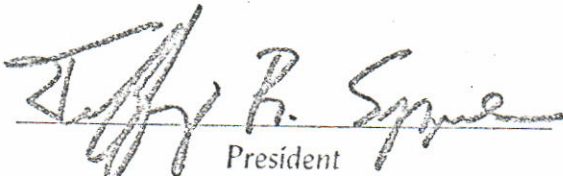
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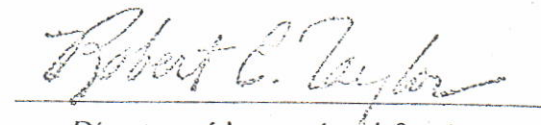
DON ANDERSON

LANE TRANSIT DISTRICT

who has given time, service and cooperation
in supporting the community training program
for students with special needs
during the 1984-85 school year

This certificate is awarded by Lane Education Service District
and Association for Retarded Citizens of Lane County,
with sincere thanks and appreciation


President
Association for Retarded Citizens
of Lane County


Director of Instructional Services
Lane Education Service District

CERTIFICATE
of
Appreciation

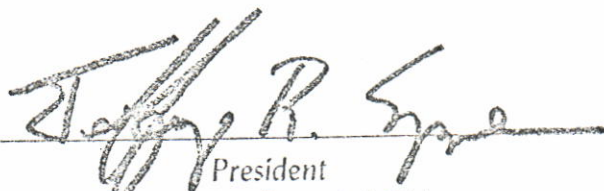
presented to

DORIS JOHNSON

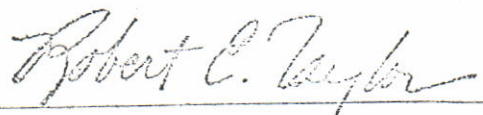
LANE TRANSIT DISTRICT

who has given time, service and cooperation
in supporting the community training program
for students with special needs
during the 1984-85 school year

This certificate is awarded by Lane Education Service District
and Association for Retarded Citizens of Lane County,
with sincere thanks and appreciation



President
Association for Retarded Citizens
of Lane County



Director of Instructional Services
Lane Education Service District

CERTIFICATE
of
Appreciation

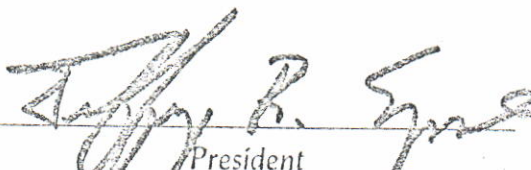
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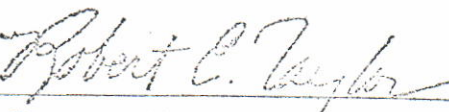
BETH NOON

LANE TRANSIT DISTRICT

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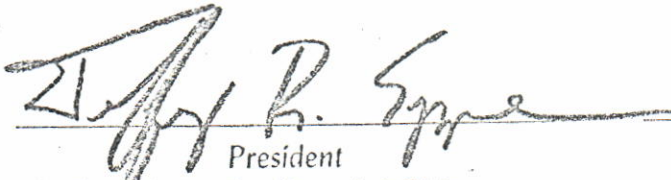
presented to

BOB EVERS

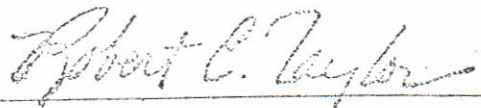
LANE TRANSIT DISTRICT

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Lane Education Service District

LANE TRANSIT DISTRICT
 COMPARISON OF BUDGETED AND ACTUAL REVENUES AND EXPENDITURES
 GENERAL FUND
 FOR THE ELEVEN MONTHS ENDING MAY 31, 1985 (91.67% OF YEAR COMPLETED)

	CURRENT MONTH		YEAR-TO-DATE		% ACTIVITY	YEARLY BUDGET	BALANCE
	1985	1984	1985	1984			
REVENUES							
Operating Revenues:							
Passenger Fares	116,762	118,934	1,199,963	1,211,007	80.79%	1,485,200	(285,237)
Charters	5,383	822	51,019	22,390	141.72%	36,000	15,019
Advertising	3,448	3,870	33,190	42,209	73.76%	45,000	(11,810)
Miscellaneous	387	280	3,016	2,785	60.32%	5,000	(1,984)
TOTAL OPERATING REVENUES	125,980	123,906	1,287,188	1,278,391	81.92%	1,571,200	(284,012)
Non-Operating Revenues:							
Interest	19,703	15,812	175,367	125,282	116.91%	150,000	25,367
Payroll Taxes	911,160	820,882	4,602,078	4,762,275	104.55%	4,401,900	200,178
Federal Operating Assistance	0	0	1,050,761	0	100.71%	1,043,400	7,361
State In-Lieu-Of Payroll Taxes	0	1	308,475	264,574	68.55%	450,000	(141,525)
Other Operating Assistance	0	0	3,896	5,179	38.96%	10,000	(6,104)
Short-term Loan Proceeds	0	0	50,000	0	100.00%	50,000	0
TOTAL NON-OPERATING REVENUES	930,863	836,695	6,190,577	5,157,310	101.40%	6,105,300	85,277
TOTAL REVENUES	1,056,843	960,601	7,477,765	6,435,701	97.41%	7,676,500	(198,735)
EXPENDITURES							
Administration:							
Personal Services	33,857	32,661	368,807	336,040	90.08%	409,400	40,593
Materials and Supplies	4,482	4,680	90,213	78,775	71.20%	126,700	36,487
Contractual Services	4,615	486	38,119	22,575	50.16%	76,000	37,881
Total Administration	42,954	37,827	497,139	437,390	81.22%	612,100	114,961
Marketing and Planning:							
Personal Services	42,807	27,966	385,751	321,303	91.00%	423,900	38,149
Materials and Supplies	6,079	14,670	137,085	117,093	93.26%	147,000	9,915
Contractual Services	12,824	55,325	266,347	276,718	94.89%	280,700	14,353
Total Marketing and Planning	61,710	97,961	789,183	715,114	92.67%	851,600	62,417
Transportation:							
Personal Services	292,709	276,610	3,157,482	2,932,045	86.79%	3,638,100	490,618
Materials and Supplies	576	762	12,760	12,733	78.28%	16,300	3,540
Contractual Services	423	1,987	4,156	13,068	34.63%	12,000	7,844
Total Transportation	293,708	279,359	3,174,398	2,957,851	86.58%	3,666,400	492,002
Maintenance:							
Personal Services	75,808	83,723	843,079	840,011	82.95%	1,016,400	173,321
Materials and Supplies	95,970	69,969	865,408	749,909	93.94%	921,200	55,792
Contractual Services	(2,120)	8,731	75,283	45,096	61.61%	122,200	46,917
Total Maintenance	169,558	162,423	1,783,770	1,635,016	86.60%	2,059,800	276,030
Contingency	0	0	0	0	0.00%	71,000	71,000
Loan to Capital Projects	0	0	0	0	0.00%	175,000	175,000
Transfer to Capital Projects	0	0	190,600	135,000	100.00%	190,600	0
Transfer to Risk Management	0	0	0	135,000	N/A	0	0
Transfer to Short-term Borrowing	0	0	0	0	N/A	50,000	50,000
TOTAL EXPENDITURES	567,930	577,570	6,435,090	6,015,371	83.93%	7,676,500	1,241,410
EXCESS (DEFICIT) OF REVENUES OVER EXPENDITURES							
	488,913	383,031	1,042,675	420,330	N/A	0	1,042,675

LANE TRANSIT DISTRICT
 COMPARISON OF BUDGETED AND ACTUAL REVENUES AND EXPENDITURES
 CAPITAL PROJECTS FUND
 FOR THE ELEVEN MONTHS ENDING MAY 31, 1985 (91.67% OF YEAR COMPLETED)

	YEAR-TO-DATE	% ACTIVITY	YEARLY BUDGET	BALANCE
RESOURCES				
Beginning Fund Balance	2,189,724	95.95%	2,282,207	(92,483)
Revenues:				
UMTA Section 5	2,458,086	88.56%	2,775,504	(317,418)
UMTA Section 9	1,217,077	69.03%	1,763,147	(546,070)
UMTA Section 18	0	0.00%	88,440	(88,440)
Federal Highway Admin	9,249	4.59%	201,520	(192,271)
State Assistance	37,326	31.10%	120,000	(82,674)
Misc Grant Revenues	5,246	43.72%	12,000	(6,754)
Transfer from Gen'l Fund	190,600	100.00%	190,600	0
Loan from Gen'l Fund	0	0.00%	175,000	(175,000)
Total Revenues	3,917,584	73.55%	5,326,211	(1,408,627)
TOTAL RESOURCES	6,107,308	80.27%	7,608,418	(1,501,110)
EXPENDITURES				
Locally Funded:				
Land & Buildings	4,750	N/A	0	(4,750)
Total Locally Funded	4,750	N/A	0	(4,750)
UMTA Funded:				
Computer Software	15,023	263.56%	5,700	(9,323)
Office Equipment	75,043	47.77%	157,081	82,038
Maintenance Equipment	8,310	6.42%	129,500	121,190
Bus Stop Improvements	35,372	13.15%	269,001	233,629
Land & Buildings	32,312	32.87%	98,300	65,988
Buses	4,242,016	87.29%	4,859,479	617,463
Bus Related Equipment	73,221	74.79%	97,900	24,679
Service Vehicles	9,284	43.79%	21,203	11,919
Miscellaneous	103,372	70.95%	145,700	42,328
Total UMTA Funded	4,593,953	79.43%	5,793,864	1,189,911
FHWA Funded:				
Bus Stop Improvements	10,492	4.58%	229,000	218,508
Total FHWA Funded	10,492	4.58%	229,000	218,508
Contingency	0	0.00%	8,480	8,480
TOTAL EXPENDITURES	4,609,195	76.55%	6,021,344	1,412,149
EXCESS (DEFICIT) OF REVENUES OVER EXPENDITURES	1,498,113	94.39%	1,587,074	(88,961)

COMPARISON OF BUDGETED AND ACTUAL REVENUES AND EXPENDITURES
RISK MANAGEMENT FUND
FOR THE ELEVEN MONTHS ENDING MAY 31, 1985 (91.67% OF YEAR COMPLETED)

	YEAR-TO-DATE	%- ACTIVITY	YEARLY BUDGET	BALANCE
RESOURCES				
Beginning Fund Balance	398,394	1.05	380,649	17,745
Revenues:				
Transfer from Gen'l Fund	0	N/A	0	0
Insurance Refunds	9,568	N/A	0	9,568
Interest	30,996	2.07	15,000	15,996
Total Revenues	40,564	2.70	15,000	25,564
TOTAL RESOURCES	438,958	1.11	395,649	43,309
EXPENDITURES				
Administration	16,400	0.99	16,500	100
Worker's Compensation	56,638	0.40	143,000	86,362
Liability Program	111,946	0.56	199,400	87,454
Miscellaneous Insurance	1,311	0.30	4,400	3,089
TOTAL EXPENDITURES	186,295	0.51	363,300	177,005
ENDING FUND BALANCE	252,663	7.81	32,349	220,314

LANE TRANSIT DISTRICT
 COMPARISON OF YEAR-TO-DATE ACTUAL REVENUES AND EXPENDITURES TO BUDGETED
 GENERAL FUND
 FOR THE ELEVEN MONTHS ENDING MAY 31, 1985 (91.67% OF YEAR COMPLETED)

VARIANCE

	YEAR-TO-DATE ACTIVITY	YEAR-TO-DATE BUDGET	FAVORABLE (UNFAVORABLE) AMOUNT	%
REVENUES				
Operating Revenues:				
Passenger Fares	1,199,963	1,368,000	(168,037)	-12.28%
Charters	51,019	33,000	18,019	54.60%
Advertising	33,190	41,250	(8,060)	-19.54%
Miscellaneous	3,016	4,584	(1,568)	-34.21%
TOTAL OPERATING REVENUES	1,287,188	1,446,834	(159,646)	-11.03%
Non-Operating Revenues:				
Interest	175,367	137,500	37,867	27.54%
Payroll Taxes	4,602,078	4,391,900	210,178	4.79%
Federal Operating Assistance	1,050,761	1,043,400	7,361	N/A
State In-Lieu-Of Payroll Taxes	308,475	330,000	(21,525)	N/A
Other Operating Assistance	3,896	5,000	(1,104)	N/A
Short-term Loan Proceeds	50,000	50,000	0	N/A
TOTAL NON-OPERATING REVENUES	6,190,577	5,957,800	232,777	3.91%
TOTAL REVENUES	7,477,765	7,404,634	73,131	0.99%
EXPENDITURES				
Administration:				
Personal Services	368,807	375,284	6,477	1.73%
Materials and Supplies	90,213	114,732	24,519	21.37%
Contractual Services	38,119	50,128	12,009	23.96%
Total Administration	497,139	540,144	43,005	7.96%
Marketing and Planning:				
Personal Services	385,751	388,325	2,574	0.66%
Materials and Supplies	137,085	136,819	(266)	-0.19%
Contractual Services	266,347	276,600	10,253	3.71%
Total Marketing and Planning	789,183	801,744	12,561	1.57%
Transportation:				
Personal Services	3,157,482	3,321,166	163,684	4.93%
Materials and Supplies	12,760	14,115	1,355	9.60%
Contractual Services	4,156	11,000	6,844	62.22%
Total Transportation	3,174,398	3,346,281	171,883	5.14%
Maintenance:				
Personal Services	843,079	932,514	89,435	9.59%
Materials and Supplies	865,408	846,778	(18,630)	-2.20%
Contractual Services	75,283	113,175	37,892	33.48%
Total Maintenance	1,783,770	1,892,467	108,697	5.74%
Contingency	0	0	0	N/A
Transfer to Capital Projects	190,600	190,600	0	0.00%
Transfer to Risk Management	0	0	0	N/A
Transfer to Short-term Borrowings	0	0	0	N/A
TOTAL EXPENDITURES	6,435,090	6,771,236	336,146	4.96%
EXCESS (DEFICIT) OF REVENUES OVER EXPENDITURES	1,042,675	633,398	409,277	64.62%

LANE TRANSIT DISTRICT
 INVESTMENT SUMMARY
 JUNE, 1985

INSTRUMENT	DEALER	ISSUE DATE	MATURITY DATE	INTEREST RATE	PRINCIPAL	13-Jun-85
						MARKET VALUE
U.S. NATIONAL BANK	U.S. NATIONAL BANK	01-Apr-85	27-Jun-85	7.125%	50,000	N/A
WILLAMETTE SAVINGS	WILLAMETTE SAVINGS	01-May-85	01-Nov-85	9.250%	100,000	N/A
STATE SVGS & LOAN	STATE SVGS & LOAN	03-May-85	07-Nov-85	10.500%	100,000	N/A
U.S. T-BILL	1ST INTERSTATE	02-May-85	31-Oct-85	8.475%	997,833	1,011,204 (INCL \$9,731 ACC'D INT)