

MINUTES OF DIRECTORS MEETING

LANE TRANSIT DISTRICT

SPECIAL MEETING

Wednesday, April 17, 1991

Pursuant to notice given to *The Register-Guard* for publication on April 11, 1991, and distributed to persons on the mailing list of the District, a special meeting of the Board of Directors of the Lane Transit District was held on Wednesday, April 17, 1991, at 6:45 p.m. in the LTD Board Room at 3500 E. 17th Avenue, Eugene.

Present: Peter Brandt, Treasurer
Janet Calvert
Tammy Fitch, Vice President
Thomas Montgomery
Keith Parks, Vice President, presiding
Phyllis Loobey, General Manager
Jo Sullivan, Recording Secretary

Absent: Herbert Herzberg, Secretary
(vacancy in subdistrict 5)

CALL TO ORDER: The meeting was called to order at 6:45 p.m. by Board President Keith Parks. Mr. Montgomery was not yet present.

EMPLOYEE OF THE MONTH: Mr. Parks introduced the April Employee of the Month, Perry Crawford, who had worked as a mechanic for LTD since 1979. At the recent Employee Awards Banquet, Perry had received awards for 10 years/no time loss accidents and good attendance. Coworkers who nominated Perry said they valued his willingness to help others, his sense of humor, and his ideas. When asked what made Perry a good employee, Maintenance Administrator Ron Berkshire said that Perry was dedicated to doing a good job and was a hard worker, and that you could rely on Perry to give his best at any task he was assigned. His positive approach to life and work made him a strong team player. Mr. Berkshire also described Perry as a very pleasant person and a pleasure to have as a member of the LTD Maintenance Team.

Mr. Parks presented Perry with a certificate, letter of appreciation, and check. Perry thanked the Board, and said he had never thought about being Employee of the Month, but was happy that someone thought he deserved it.

MOTION **EXECUTIVE SESSION PURSUANT TO ORS 192.660(1)(i):** Ms. Calvert moved that the Board move into Executive Session pursuant to ORS 192.660(1)(i), to evaluate the employment-related performance of the General Manager. Ms. Fitch seconded the motion, and the Board unanimously adjourned to Executive Session. Mr. Montgomery arrived during this time.

VOTE

RETURN TO REGULAR SESSION: The Board returned to Executive Session at 7:05 p.m.

AUDIENCE PARTICIPATION: There was none.

MOTION **APPROVAL OF MINUTES:** Mr. Brandt moved that the minutes of the February 20, 1991, regular meeting be approved as distributed. Mr. Montgomery seconded the motion, and
VOTE the minutes were approved by unanimous vote.

MOTION **BUDGET COMMITTEE APPOINTMENT:** Mr. Brandt moved that the Board appoint Tim
VOTE Luck to a three-year term on the Budget Committee, beginning immediately and ending January 1, 1994. Ms. Fitch seconded the motion, and Mr. Luck was unanimously appointed to the Budget Committee.

MOTION **LANE COMMUNITY COLLEGE GROUP PASS:** Ms. Loobey informed the Board that
VOTE the student representatives from Lane Community College (LCC) would not be attending the meeting that evening to discuss an LCC group pass program with the Board. However, they asked to do so at a later meeting. Ms. Fitch moved that the Board table the LCC group pass issue until the following meeting. Mr Brandt seconded, and the motion carried by unanimous vote.

LEGISLATIVE REPORT: Ms. Loobey briefly explained each Oregon House and Senate bill listed in her memorandum on page 32 of the agenda packet. Bills which Ms. Loobey recommended that the Board oppose were:

H.B. 2751, sections (a) and (b) of the H.B. 2571, as written in the memorandum, caused Ms. Loobey some concern. ORS Chapter 233, referred to in Section (b), had to do with Bancrofting. Since LTD was not property tax-based, the District would have no reasonable way of assigning or collecting fees. Mr. Montgomery asked if (a) and (b) meant that LTD would have to provide service from Culp Creek or somewhere that had secondary lands, with no way of garnering fees. Ms. Loobey said that was correct, and suggested that the Board opposed this bill. Mr. Parks said Ms. Loobey should make sure that some legislative history was written on what this bill really meant. Ms. Loobey said it was a strange provision, and she wasn't sure how anyone would do health services with bancrofting, either.

H.B. 3184 would create a task force on rural area transit, but would be redundant, because the state already had such an organization in the Regional Transportation Assistance Program (RTAP). Ms. Loobey said that portions of RTAP were federally funded, it operated under the auspices of the Public Transit Division of the Oregon Department of Transportation, and belonged to the Oregon Transit Association.

H.B. 3185, a companion bill to H.B. 3184, would require the appointment of a mass transit advisor to advise the board on rural transportation issues. LTD would need to provide office space and administrative support. Mr. Parks said he did not believe this was even constitutional, and he would be opposed to it.

S.B. 1126 would remove the current limitations on recovery for certain discrimination claims. The current tort limit was \$300,000 per incident or \$500,000 in the aggregate. This

bill would open up the liability limits, and Ms. Loobey suggested that the Board oppose it for that reason.

S.B. 589 would require paid bereavement leave of three days, or five days if a trip were involved. Ms. Loobey explained that paid bereavement leave was a mandatory issue of bargaining, and was already in LTD's labor contract. She said she was personally opposed to mandating bargaining unit items of interest by law.

S.B. 1021, in effect, said that any third party contracting had to protect the rights of all current employees and retirees. This was already required under 13(c) agreements.

S.B. 1035 would allow employees of transportation districts and mass transit districts to elect to become members of the Public Employee Retirement System (PERS). If two-thirds of the employees voted to change retirement plans to PERS, LTD would have to make that change within 90 days. Nothing about how to make that transition was included in the bill, and there were too many questions left unanswered. Ms. Loobey added that LTD's trustees for the LTD/ATU pension trust did not support the move to PERS.

S.B. 1190 would add employees of mass transit and transportation districts to those public employees prohibited from striking. Ms. Loobey was opposed to this bill. Ms. Calvert asked if LTD had ever had a strike. Ms. Loobey said it had not, but the employees were not prohibited from striking.

S.B. 2589 would require an employer to give an employee the opportunity to participate in drug rehabilitation if that employee tested positive. This was already a mandatory issue of bargaining. Ms. Loobey explained that there were no conditions or limitations on the number of times an employer would have to let the employee participate in drug rehabilitation.

Mr. Brandt asked if the Board should even take a position on these bills. Ms. Calvert stated that the Board had discussed this at an earlier meeting, and decided that if proposed bills directly affected the fiscal responsibility of the District, the Board should take a stand. She thought the above bills would have an effect on how LTD would do its business.

MOTION
VOTE

Ms. Calvert moved that the Board oppose the above bills as suggested. Ms. Fitch seconded, and the motion carried by unanimous vote. Ms. Calvert said she would anticipate that many of these bills would not take a whole lot of work. Ms. Loobey said that the labor bills all came from the Labor Committee on the Senate side, where the Democrats were in the majority. The Chairman of the House Committee on Labor was a former board member of Salem Transit, and she thought she would have good access through him.

Ms. Loobey recommended that the Board support the following bills:

HJR 15 was a constitutional amendment which would allow the use of fees collected at the wholesale level on fuels sold for transit. Ms. Loobey said she was "lukewarm" about HJR 15, because it would require a constitutional amendment, but would be one way to look at diversifying money for transit. HJR 15 was a companion to H.B. 2552, which would provide additional license taxes on motor vehicle fuels, and would be the implementation bill for HJR 15.

S.B. 1011 would impact the density on commercial and residential zoning to maximize transit usage. It would provide the opportunity to have the bus pull onto commercial property, as LTD already did at the West 11th Fred Meyer but was not allowed to do at Shopko.

H.B. 2682 would allocate dollars from video lottery to counties and transit, as proposed in the last legislative session. Thirty percent would go to transit in Oregon for capital projects.

MOTION HJR 15. Mr. Brandt said he was not in favor of raising any more taxes, so he would not vote for HJR 15. He moved that the Board not support HJR 15, and by implication, H.B. 2552. Ms. Fitch seconded the motion. Ms Calvert commented that this was kind of a "pie in the sky" bill at that point. Mr. Parks said that because he kept hammering on the payroll tax being unfair, he would support another tax. Mr. Brandt asked if the tax receipts would just go to Portland. Ms. Loobey said they would have to come back to the area where collected; the bill included the words "public transit systems within this state."

VOTE The vote on the motion to not support HJR 15 and H.B. 2552 carried 3 to 2, with Mr. Brandt, Ms. Fitch, and Mr. Montgomery in favor, and Ms. Calvert and Mr. Parks opposed.

MOTION Ms. Fitch moved that the Board formally support S.B. 1011 and H.B. 2682. The motion was seconded, and carried by unanimous vote.


There were three additional bills which Ms. Loobey suggested be amended or monitored:

H.B. 3536 would require utilities to pay the city or county for right-of-way improvements which damaged structures. Ms. Loobey explained that all of LTD's shelters and boarding pads were in public rights of way, and LTD did not have any way to ask for reimbursement. She suggested that H.B. 3536 be amended to include transit districts and transportation districts.

S.B. 765 would require state vehicles to use alternative fuel. Ms. Loobey said there were some unanswered questions with this bill, especially whether vehicles for which the state paid half of the local share would be designated as state vehicles. This would require LTD to use alternative fuels in those vehicles. S.B. 766 would require Tri-Met and Rogue Valley to use alternative fuels. Ms. Loobey recommended that the District monitor these two bills.

MOTION Ms. Fitch moved that the Board accept the staff recommendation to amend H.B. 3536 and monitor S.B. 765 and S.B. 766. Mr. Montgomery seconded, and the motion passed unanimously.

MOTION ADJOURNMENT: Ms. Fitch moved that the meeting be adjourned to 6:30 p.m. on Wednesday, April 24, 1991, in the LTD Board Room. The motion was seconded, and the meeting was unanimously adjourned at 7:30 p.m.


Board Secretary