

Public notice was given to *The Register-Guard* for publication on May 9, 1991.

**LANE TRANSIT DISTRICT
REGULAR BOARD MEETING**

**May 15, 1991
7:30 p.m.**

**LTD BOARD ROOM
3500 E. 17th Avenue, Eugene
(off Glenwood Blvd.)**

A G E N D A

- I. CALL TO ORDER
- II. ROLL CALL
 - Montgomery_____ Parks_____ Brandt_____ Calvert_____
 - Fitch_____ Herzberg_____ (vacant)_____
- III. INTRODUCTORY REMARKS BY BOARD PRESIDENT
- IV. EMPLOYEE OF THE MONTH
- V. AUDIENCE PARTICIPATION
- VI. ITEMS FOR ACTION AT THIS MEETING
 - A. Approval of Minutes
 - B. FY 91-92 Disadvantaged Business Enterprise (DBE) Policy and DBE Affirmative Action Program
- VII. ITEMS FOR INFORMATION AT THIS MEETING
 - A. Current Activities
 1. LTD Revenue Sources
 2. Oregon Transportation Plan Update
 3. Board President's Response to Springfield City Councilor Bruce Berg's Letter Regarding Downtown Station and Payroll Tax Rate
 4. Fuel Costs Update

- 5. Special Services Report
 - B. Monthly Financial Reporting
 - C. Third Quarter Performance Report
- VIII. ITEMS FOR ACTION/INFORMATION AT A FUTURE MEETING
 - A. Adoption of FY 91-92 Budget
 - B. First and Second Readings and Adoption of Payroll Tax Ordinance
 - C. Selection of Site for Eugene Transit Station
- IX. ADJOURNMENT

AGENDA NOTES

May 15, 1991

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IV. EMPLOYEE OF THE MONTH:

The May Employee of the Month is Bus Operator Renee' Remior. Renee' was hired as a part-time Bus Operator on June 7, 1989. She has received awards for one year safe driving and excellent attendance. In addition to her driving duties, Renee' works as a Temporary Transportation Clerk in the Transportation office, covering office shifts on an ad hoc basis and performing operator work bid-related tasks; was a 1990 United Way Team Captain; and is the 1991 employee picnic committee chair. The bus rider who nominated Renee' said Renee' was always courteous and cheerful, and that she wished Renee' drove her route more often.

When asked what makes Renee' a good employee, Transportation Administrator Bob Hunt said that Renee' is an innovator whose presence in the office makes us look at new ways of doing old jobs. He added that Renee' is dependable, happy, and confident.

Renee' will attend the meeting to be introduced to the Board and receive her award.

VI. ITEMS FOR ACTION AT THIS MEETING

- A. **Approval of Minutes:** The minutes of the April 17, 1991, special meeting and the April 24, 1991, adjourned meeting are included in the agenda packet for Board review and approval. 06
- B. **FY 91-92 Disadvantaged Business Enterprise (DBE) Policy and DBE Affirmative Action Program:** 16

Background: In October 1981 the Board established an affirmative action program for minority business enterprise participation in federally funded projects. Each year, the Board has adopted revised DBE policies and affirmative action programs.

The proposed FY 91-92 DBE policy statement and goals are included in the agenda packet for the Board's review. The only changes recommended for FY 91-92 are in respect to FY 91-92 budgeted amounts. Also included is a Resolution Revising DBE Policies and DBE Affirmative Action Program, for approval by the Board.

Staff Recommendation: That the Board adopt the Resolution amending the FY 1990-91 DBE Policy and DBE Affirmative Action Program to the FY 1991-92 DBE Policy and DBE Affirmative Action Program.

VII. ITEMS FOR INFORMATION AT THIS MEETING

A. Current Activities:

1. **LTD Revenue Sources**: Staff will present information to the Board of Directors demonstrating methods to maintain financial flexibility so that the District can respond to fluctuation in payroll tax receipts without service cuts or substantial increases in the payroll tax rate. The Board may direct the Finance Committee to further analyze the staff's material, develop recommendations, and present those to the Board at a later time. 40

2. **Oregon Transportation Plan Update**: Included in the agenda packet for the Board's information is an "OTP Update" from the Oregon Department of Transportation. Within the publication are a summary of Governor Roberts' goals for transportation and a planning process outlined by Oregon Transportation Commission Chairman Mike Hollern. 41

3. **Board President's Response to Springfield City Councilor Bruce Berg's Letter Regarding Downtown Station and Payroll Tax Rate**: Included in the agenda packet are a letter from Springfield City Councilor Bruce Berg and a response from LTD Board President Keith Parks. 45

4. **Fuel Costs Update**: As requested by the Board, information regarding trends and recent changes in fuel costs is included in the agenda packet:
 - (a) Fuel Cost (Actual) 47
 - (b) Impact at Current Fuel Cost Level 48

5. **Special Services Report**: As a result of Board discussion about special services requested by persons and agencies in the community, a list of requests (approved and denied) is included in the agenda packet each month. However, no requests for special services were received since the last report.

B. Monthly Financial Reporting:

1. General Fund
 - a. Balance Sheet 49
 - b. Comparison of Year-to-date Actual Revenues and Expenditures to Budgeted 50

2.	Capital Projects Fund	
	a. Balance Sheet	51
	b. Comparison of Budgeted and Actual Revenues and Expenditures	52
3.	Risk Management Fund	
	a. Balance Sheet	53
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4.	Recap of Division Expenditures	55
C.	Third Quarter Performance Report	56

A report on the District's FY 90-91 third quarter performance in such areas as ridership, productivity, farebox revenue, and miles between preventable accidents is included in the agenda packet for the Board's review.

VIII. ITEMS FOR ACTION/INFORMATION AT A FUTURE MEETING

- A. **ADOPTION OF FISCAL YEAR 1991-92 BUDGET:** Adoption of the FY 91-92 budget will be scheduled for the June 19, 1991, Board meeting.
- C. **FIRST AND SECOND READINGS AND ADOPTION OF PAYROLL TAX ORDINANCE:** The first reading of the Payroll Tax Ordinance will be scheduled for the September 1991 Board meeting. The second reading and adoption will be scheduled for the October meeting.
- D. **SELECTION OF SITE FOR EUGENE TRANSIT STATION:** The Board has directed staff to examine alternative three-quarter-block sites to assure that the best location is found for the District's Eugene Station. Additional work sessions to discuss the Eugene Station may be scheduled.

IX. ADJOURNMENT

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.

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."

MOTION

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.

VOTE

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

MOTION

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.

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

VOTE

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.

MOTION

VOTE


Board Secretary

MINUTES OF DIRECTORS MEETING

LANE TRANSIT DISTRICT

ADJOURNED MEETING

Wednesday, April 24, 1991

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Present: Peter Brandt, Treasurer
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Herbert Herzberg, Secretary
Thomas Montgomery
Keith Parks, Vice President, presiding
Phyllis Loobey, General Manager
Jo Sullivan, Recording Secretary

Absent: (vacancy in subdistrict 5)

CALL TO ORDER: The meeting was called to order at 6:30 p.m. Mr. Herzberg was not yet present.

MOTION **APPROVAL OF MINUTES:** Ms. Fitch moved that the minutes of the February 13, 1991, work session on the Eugene Station be approved as distributed. Mr. Montgomery seconded the motion, and the minutes were approved by unanimous vote.

VOTE

LANE COMMUNITY COLLEGE GROUP PASS: Mr. Parks informed the Board that the student representatives from Lane Community College were not prepared to make their request to the Board at that meeting, so would attend a later meeting.

BOARD SALARY COMMITTEE RECOMMENDATION:

General Manager's Salary and Benefits: Ms. Fitch, Chair of the Board Salary Committee, said that the Committee had reviewed the Board's written evaluations of the General Manager's performance with Ms. Loobey and believed them to be extremely good. The full Board also had a chance to discuss the evaluations with Ms. Loobey in Executive Session at the April 17 Board meeting. The Committee's recommendation for the salary and benefits increases in the agenda packet were the result of the excellent evaluations and the Committee's salary discussions with Ms. Loobey.

MOTION Ms. Fitch moved that the Board authorize the Board President to sign a contract extending the General Manager's employment through Fiscal Year 1991-92; and approve, as

compensation to the General Manager for services rendered to the District during FY 91-92, an increase of 4 percent in base salary, for an annual rate of \$61,868; a monthly automobile allowance of \$200; and a one-time payment of \$6,675 for an additional benefit program to be determined by the General Manager. Ms. Calvert seconded the motion.

Mr. Brandt said he had no problem with the recommendation, but did not think the Board should be approving salary increases while the Budget Committee was looking at ways to reduce expenditures. He thought the process was backwards, and that the Board should approve salaries and benefits after the Budget Committee made its recommendations. He said he would be in favor of this motion subject to approval by the Budget Committee.

Ms. Fitch said that the Board had already approved the contract with union employees and had approved staff salary and benefit increases, and this was the last square in the puzzle. She suggested that the Board could look at changing the order of the process next year. Mr. Brandt agreed. Ms. Calvert said that if the District did come to a situation where its finances were in such bad shape that the Board had to look at salaries, it was not without precedence that this issue could come before the Board again. She said she wouldn't want to do so, but it could be done. Mr. Montgomery said he didn't think it would be fair to offer very much less in the way of the General Manager's compensation.

Mr. Herzberg arrived at this time.

VOTE

There was no further discussion, and the motion carried 5 to 0, with Mr. Herzberg abstaining because of his late arrival.

Proposal to Conduct External Salary Survey: Ms. Loobey stated that during the staff's latest analysis of the proposed budget for FY 91-92, the proposal to conduct an external compensation survey, at a cost of \$7,000, had been removed from the budget. Therefore, no Board discussion was necessary at this time.

AUDIENCE PARTICIPATION:

Mr. Parks asked for comments from members of the audience. Dick Reese spoke, stating that he owned different properties in downtown Eugene, either personally, through a trust, or through a corporation. He said he did not like to do battle unless he had to, but his understanding was that the prime location LTD was looking at for a downtown transit station was the Elections Lot. If this was the site the Board decided upon, he said, he would do everything in his power to oppose that site. He said he had met with an attorney, and believed that to acquire the land, LTD essentially would have to make the 5th and Pearl building a no-parking building or would have to take public funds, his tax dollars, to provide parking. He said he had C-3 (no parking) property downtown. He said that LTD probably had more money than he did, so would be able to defeat him, but he would go to court to fight LTD using tax dollars to provide parking on the Elections Lot. He said LTD could not take C-2 property out of the public sector and provide parking for those people who were not paying taxes on their C-3 property. He felt confident that other property owners would join him in the resistance to having the site on the Elections Lot.

Mr. Reese stated that using the Elections Lot would also require removal of the elections building, a 24,000 square foot building. He said LTD would be in trouble with him if that happened, because tearing down a public building to put in parking was an insanity, and he would resist it. Mr. Reese said that one of the sites LTD had identified in the agenda packet materials for that evening, block #6 on the map, was three blocks closer to the library and two blocks closer to downtown, and the only building of any means on the lot was what was referred to as the IBM building. The owners owned another quarter block, and behind that, a half-block site on 6th Avenue had been for sale for five years. Another similar property sold for \$160,000, so Mr. Reese thought LTD would be able to purchase that site very inexpensively.

Mr. Reese said he had property at 6th and Olive, which he did not want LTD to buy, on which he would soon be instituting a lawsuit to determine who was responsible for cleaning up a pollution problem. He said he wasn't there to tell the Board not to buy the Elections Lot so LTD could buy his property instead, because that property was important to him in relation to other property he owned. He used it as an example, however, to show that the cost to replace the Elections Lot parking would be more than the cost of the 3/4-block site he had previously mentioned. He said that if LTD chose the Elections Lot, he would alert the media. He said he could point out 60-some businesses west of the site, 40 of which lease from him, that were not contacted by LTD in considering the Elections Lot as a possible site for the downtown transit station. He closed by saying that if LTD were to tear down a 24,000 square foot building and replace it somewhere else, and provide public parking for private property, he would resist LTD as long and as hard as he could.

ITEMS FOR INFORMATION AT THIS MEETING:

Eugene Station Update: Stefano Viggiano, Planning Administrator, said that the last time staff spoke to the Board about the Eugene Transit Station, staff were directed to look at alternative sites. He planned to update the Board that evening on the additional analysis that had been done. However, the additional analysis had not yet been completed, and the District was not at a decision point that evening. Part of that analysis included looking at "L-shaped" parcels, or a full block with 1/4-block removed, and obtaining cost estimates for land for some of the alternative sites. He discussed page 23 of the agenda packet for that evening, a comparison including assessed land values, assessed improvement values, fatal flaws, and other comments about 36 downtown parcels. To make sure the District was not overlooking any sites, staff reviewed parcels within a six-by-six block area between 5th and 11th Avenues and Charnelton and Mill Streets, plus site #18, which was a City-owned parking lot a little west of Charnelton. Staff tried to determine if any of these sites had a "fatal flaw," and eliminated those which did. For instance, the Hult Center and Hilton Hotel would be too costly to tear down and replace, or historic buildings on the national registry would not be torn down, or the lot might not be large enough. Nine of the 36 blocks did not have a fatal flaw. Those included #4, the Elections Lot; #6, the IBM site; #18, the City-owned parking lots west of Charnelton (which would probably entail closing Broadway between Lincoln and Charnelton); and #24, the I-HOP site, which was at the far edge of downtown. Improvements on the I-HOP site included the International House of Pancakes restaurant, a savings and loan, and about five houses that are not assessed at a very high value. Mr. Viggiano said the site interested staff quite a bit.

Several L-shaped lots were also found to be without fatal flaws. Site #29, where the Eugene Retirement Center was located, would require removal of the Greyhound building and working around the retirement center. Site #31 would require removal of a cleaner's and the Rice & Spice store, and working around the Kiva. If the library moved to the Sears building, City staff had said a transit station on that site would work only if it included parking for the library. Site #34 included the old telephone building, and would require removal of a title building plus the Firestone store. Site #36, between 10th and 11th and High and Mill, was on the far edge of the study area. Since parking on that site was used by *The Register-Guard*, the District might have to pay a significant amount in damages.

Mr. Viggiano said that probably the biggest site-specific variable in the total station cost was for land costs, which included relocation and parking damages. Construction costs could be altered in roughly the same manner at any site more easily than land costs. Some of the sites under review would receive only a cursory examination because the sites did not seem to be attractive locations for a station. However, staff planned more detailed examinations for the I-HOP and Sears sites.

It had also been suggested that the Butterfly Lot be used as an L-shaped site, working around the historic Smeede Hotel building. It would require removal of the restaurant at the corner of 7th and Willamette. The Butterfly Lot had 227 parking spaces, which may or may not be required by code.

Mr. Viggiano stressed that the assessment information presented to the Board was strictly a rough estimate, and staff would report back to the Board when more information was available.

Eric Gunderson, project architect, discussed drawings which were included in the agenda packet. He had looked at two conditions: (1) whether all program requirements for the transit station could fit adequately within the boundaries of the I-HOP site; and (2) how the station would best fit on an L-shaped 3/4-block site. He said the I-HOP site was nearly a full block, which would leave an unused portion on Coburg Road about the same size as on the Elections Lot. He was able to provide 23 boarding positions on the I-HOP site, as well as a number of program goals the same as on the Elections Lot. There would be some space for the District's shuttle vans and for three buses to lay over. There would also be a piece of discretionary land which could be sold or used as a public plaza, which was not essential to the transit station. Mr. Gunderson said that a buffer would be left along Coburg Road, where there were no pedestrian crossings, by the use of landscaping. In the City's plans, Broadway had been described as an entry to downtown, so a transit station at that site would continue that idea, with the Customer Service Center (CSC) at Broadway and High.

Mr. Gunderson said that none of the Ferry Street Bridge options would infringe on the property lines of the I-HOP property in a serious way, and Broadway would remain as it was currently.

A second drawing of the I-HOP site, on page 29 of the packet, showed all of the boarding positions around one island, which Mr. Gunderson had not been able to accomplish in drawings for other properties. This allowed buses to park in a more dense manner.

AGENDA ITEM SUMMARY

DATE OF MEETING: May 15, 1991

ITEM TITLE: FY 91-92 Disadvantaged Business Enterprise (DBE) Policy and DBE Affirmative Action Program

ACTION REQUESTED: Adoption of DBE Policy and DBE Affirmative Action Program for FY 91-92

BACKGROUND: In October 1981 the Board established an affirmative action program for minority business enterprise participation in federally funded projects. Each year, the Board has adopted revised DBE policies and affirmative action programs. The proposed DBE policy statement and goals are included in the agenda packet. The only changes recommended for FY 91-92 are in respect to FY 91-92 budgeted amounts.

ATTACHMENT: DBE Policy Statement; DBE Goals; Resolution Revising DBE Policies and DBE Affirmative Action Program

PROPOSED MOTION: That the Board adopt the Resolution amending the Fiscal Year 1990-91 DBE Policy and DBE Affirmative Action Program to the Fiscal Year 1991-92 DBE Policy and DBE Affirmative Action Program.

a:DBEsum.jhs

MINUTES OF DIRECTORS MEETING

LANE TRANSIT DISTRICT

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Phyllis Loobey, General Manager
Jo Sullivan, Recording Secretary

Absent: (vacancy in subdistrict 5)

CALL TO ORDER: The meeting was called to order at 6:30 p.m. Mr. Herzberg was not yet present.

MOTION **APPROVAL OF MINUTES:** Ms. Fitch moved that the minutes of the February 13, 1991, work session on the Eugene Station be approved as distributed. Mr. Montgomery seconded the motion, and the minutes were approved by unanimous vote.
VOTE

LANE COMMUNITY COLLEGE GROUP PASS: Mr. Parks informed the Board that the student representatives from Lane Community College were not prepared to make their request to the Board at that meeting, so would attend a later meeting.

BOARD SALARY COMMITTEE RECOMMENDATION:

General Manager's Salary and Benefits: Ms. Fitch, Chair of the Board Salary Committee, said that the Committee had reviewed the Board's written evaluations of the General Manager's performance with Ms. Loobey and believed them to be extremely good. The full Board also had a chance to discuss the evaluations with Ms. Loobey in Executive Session at the April 17 Board meeting. The Committee's recommendation for the salary and benefits increases in the agenda packet were the result of the excellent evaluations and the Committee's salary discussions with Ms. Loobey.

MOTION Ms. Fitch moved that the Board authorize the Board President to sign a contract extending the General Manager's employment through Fiscal Year 1991-92; and approve, as

compensation to the General Manager for services rendered to the District during FY 91-92, an increase of 4 percent in base salary, for an annual rate of \$61,868; a monthly automobile allowance of \$200; and a one-time payment of \$6,675 for an additional benefit program to be determined by the General Manager. Ms. Calvert seconded the motion.

Mr. Brandt said he had no problem with the recommendation, but did not think the Board should be approving salary increases while the Budget Committee was looking at ways to reduce expenditures. He thought the process was backwards, and that the Board should approve salaries and benefits after the Budget Committee made its recommendations. He said he would be in favor of this motion subject to approval by the Budget Committee.

Ms. Fitch said that the Board had already approved the contract with union employees and had approved staff salary and benefit increases, and this was the last square in the puzzle. She suggested that the Board could look at changing the order of the process next year. Mr. Brandt agreed. Ms. Calvert said that if the District did come to a situation where its finances were in such bad shape that the Board had to look at salaries, it was not without precedence that this issue could come before the Board again. She said she wouldn't want to do so, but it could be done. Mr. Montgomery said he didn't think it would be fair to offer very much less in the way of the General Manager's compensation.

Mr. Herzberg arrived at this time.

VOTE

There was no further discussion, and the motion carried 5 to 0, with Mr. Herzberg abstaining because of his late arrival.

Proposal to Conduct External Salary Survey: Ms. Loobey stated that during the staff's latest analysis of the proposed budget for FY 91-92, the proposal to conduct an external compensation survey, at a cost of \$7,000, had been removed from the budget. Therefore, no Board discussion was necessary at this time.

AUDIENCE PARTICIPATION:

Mr. Parks asked for comments from members of the audience. Dick Reese spoke, stating that he owned different properties in downtown Eugene, either personally, through a trust, or through a corporation. He said he did not like to do battle unless he had to, but his understanding was that the prime location LTD was looking at for a downtown transit station was the Elections Lot. If this was the site the Board decided upon, he said, he would do everything in his power to oppose that site. He said he had met with an attorney, and believed that to acquire the land, LTD essentially would have to make the 5th and Pearl building a no-parking building or would have to take public funds, his tax dollars, to provide parking. He said he had C-3 (no parking) property downtown. He said that LTD probably had more money than he did, so would be able to defeat him, but he would go to court to fight LTD using tax dollars to provide parking on the Elections Lot. He said LTD could not take C-2 property out of the public sector and provide parking for those people who were not paying taxes on their C-3 property. He felt confident that other property owners would join him in the resistance to having the site on the Elections Lot.

Mr. Reese stated that using the Elections Lot would also require removal of the elections building, a 24,000 square foot building. He said LTD would be in trouble with him if that happened, because tearing down a public building to put in parking was an insanity, and he would resist it. Mr. Reese said that one of the sites LTD had identified in the agenda packet materials for that evening, block #6 on the map, was three blocks closer to the library and two blocks closer to downtown, and the only building of any means on the lot was what was referred to as the IBM building. The owners owned another quarter block, and behind that, a half-block site on 6th Avenue had been for sale for five years. Another similar property sold for \$160,000, so Mr. Reese thought LTD would be able to purchase that site very inexpensively.

Mr. Reese said he had property at 6th and Olive, which he did not want LTD to buy, on which he would soon be instituting a lawsuit to determine who was responsible for cleaning up a pollution problem. He said he wasn't there to tell the Board not to buy the Elections Lot so LTD could buy his property instead, because that property was important to him in relation to other property he owned. He used it as an example, however, to show that the cost to replace the Elections Lot parking would be more than the cost of the 3/4-block site he had previously mentioned. He said that if LTD chose the Elections Lot, he would alert the media. He said he could point out 60-some businesses west of the site, 40 of which lease from him, that were not contacted by LTD in considering the Elections Lot as a possible site for the downtown transit station. He closed by saying that if LTD were to tear down a 24,000 square foot building and replace it somewhere else, and provide public parking for private property, he would resist LTD as long and as hard as he could.

ITEMS FOR INFORMATION AT THIS MEETING:

Eugene Station Update: Stefano Viggiano, Planning Administrator, said that the last time staff spoke to the Board about the Eugene Transit Station, staff were directed to look at alternative sites. He planned to update the Board that evening on the additional analysis that had been done. However, the additional analysis had not yet been completed, and the District was not at a decision point that evening. Part of that analysis included looking at "L-shaped" parcels, or a full block with 1/4-block removed, and obtaining cost estimates for land for some of the alternative sites. He discussed page 23 of the agenda packet for that evening, a comparison including assessed land values, assessed improvement values, fatal flaws, and other comments about 36 downtown parcels. To make sure the District was not overlooking any sites, staff reviewed parcels within a six-by-six block area between 5th and 11th Avenues and Charnelton and Mill Streets, plus site #18, which was a City-owned parking lot a little west of Charnelton. Staff tried to determine if any of these sites had a "fatal flaw," and eliminated those which did. For instance, the Hult Center and Hilton Hotel would be too costly to tear down and replace, or historic buildings on the national registry would not be torn down, or the lot might not be large enough. Nine of the 36 blocks did not have a fatal flaw. Those included #4, the Elections Lot; #6, the IBM site; #18, the City-owned parking lots west of Charnelton (which would probably entail closing Broadway between Lincoln and Charnelton); and #24, the I-HOP site, which was at the far edge of downtown. Improvements on the I-HOP site included the International House of Pancakes restaurant, a savings and loan, and about five houses that are not assessed at a very high value. Mr. Viggiano said the site interested staff quite a bit.

Several L-shaped lots were also found to be without fatal flaws. Site #29, where the Eugene Retirement Center was located, would require removal of the Greyhound building and working around the retirement center. Site #31 would require removal of a cleaner's and the Rice & Spice store, and working around the Kiva. If the library moved to the Sears building, City staff had said a transit station on that site would work only if it included parking for the library. Site #34 included the old telephone building, and would require removal of a title building plus the Firestone store. Site #36, between 10th and 11th and High and Mill, was on the far edge of the study area. Since parking on that site was used by *The Register-Guard*, the District might have to pay a significant amount in damages.

Mr. Viggiano said that probably the biggest site-specific variable in the total station cost was for land costs, which included relocation and parking damages. Construction costs could be altered in roughly the same manner at any site more easily than land costs. Some of the sites under review would receive only a cursory examination because the sites did not seem to be attractive locations for a station. However, staff planned more detailed examinations for the I-HOP and Sears sites.

It had also been suggested that the Butterfly Lot be used as an L-shaped site, working around the historic Smeede Hotel building. It would require removal of the restaurant at the corner of 7th and Willamette. The Butterfly Lot had 227 parking spaces, which may or may not be required by code.

Mr. Viggiano stressed that the assessment information presented to the Board was strictly a rough estimate, and staff would report back to the Board when more information was available.

Eric Gunderson, project architect, discussed drawings which were included in the agenda packet. He had looked at two conditions: (1) whether all program requirements for the transit station could fit adequately within the boundaries of the I-HOP site; and (2) how the station would best fit on an L-shaped 3/4-block site. He said the I-HOP site was nearly a full block, which would leave an unused portion on Coburg Road about the same size as on the Elections Lot. He was able to provide 23 boarding positions on the I-HOP site, as well as a number of program goals the same as on the Elections Lot. There would be some space for the District's shuttle vans and for three buses to lay over. There would also be a piece of discretionary land which could be sold or used as a public plaza, which was not essential to the transit station. Mr. Gunderson said that a buffer would be left along Coburg Road, where there were no pedestrian crossings, by the use of landscaping. In the City's plans, Broadway had been described as an entry to downtown, so a transit station at that site would continue that idea, with the Customer Service Center (CSC) at Broadway and High.

Mr. Gunderson said that none of the Ferry Street Bridge options would infringe on the property lines of the I-HOP property in a serious way, and Broadway would remain as it was currently.

A second drawing of the I-HOP site, on page 29 of the packet, showed all of the boarding positions around one island, which Mr. Gunderson had not been able to accomplish in drawings for other properties. This allowed buses to park in a more dense manner.

Mr. Gunderson recommended to the Board that the I-HOP site was a viable candidate for the transit station.

He then discussed 3/4-block sites, as shown on page 30 of the agenda packet. He said that the L-shaped boarding island allowed a much narrower boarding area than in other schemes. Ten feet on each side needed to be reserved for walking, so that left a very narrow area for benches, bicycle racks, trash cans, etc. The drawing in the packet was for a generic site, but if the layout of one-way streets changed, the drawing would have to change. The drawing on page 30 actually did fit the Greyhound site street configuration. Mr. Reese commented that it also fit the site between 6th and 7th and Olive and Charnelton.

Mr. Gunderson said that this scheme required some entry and exit by buses near street corners, which was somewhat less than ideal. He concluded that an L-shaped lot was possible, but the District would have to be cautious, because it might not be able to achieve the level of passenger amenities included in the original design, and there would be some compromises.

Ms. Fitch asked if the L-shaped design would cost less than the other designs. Mr. Gunderson said it would cost somewhat less because there was less space; a covered boarding area would be smaller, so it would be slightly less expensive. Mr. Montgomery asked if the required parking for the CSC would be taken care of in this design. Mr. Gunderson said it was not, and that he had assumed that there would be no code-required parking because this was a transit facility, but that issue had not yet been resolved with the City.

Ms. Loobey said that there would still be a fairly long walk from bus #1 to bus #11 in the L-shaped scheme. She wondered if the longer lifts on the new 900-series buses were accommodated in these drawings. Mr. Gunderson said he would check the new dimensions, but they should fit because the bus doors opened ahead of the next bus, parked at an angle on the right, which should allow people to walk around the wheelchairs and lifts. He said, however, that the new lifts would not work on the drawings with buses parked the other direction along the boarding area.

Mr. Viggiano said that staff hoped to have the rest of the information by the end of May, so would report to the Board at the June meeting. He said staff intended to spend most of their time reviewing the I-HOP, Sears, and McDonald sites. Ms. Calvert asked about the IBM site. Mr. Viggiano said that, with the library going into the Sears building, staff believed the other sites to be a little more centrally located. Mr. Herzberg asked about closing one block to make Site #18 work. Mr. Viggiano said that staff had not asked the City, and that staff's impression of the site was that it was on the edge of downtown with a residential area on the other side, so downtown would not be growing in that direction.

Ms. Calvert asked about the uncertainty of the library going into the Sears building affecting the need for parking. Mr. Viggiano said LTD could work with the City on joint parking for the library, and said he thought any site would have some parking issues that would need to be dealt with.

Mr. Reese spoke from the audience and said the IBM site was zoned C-3, no parking required, and had been for sale for five years, so LTD would not be displacing any parking. He said that staff were misleading the Board, that LTD could buy those quarter-blocks for \$10 a foot, or \$.25 million each, so it could buy all three-fourths of the block for \$1 million or \$1.2 million. He said there was no one in that area who would not want LTD there.

Mr. Montgomery said he would hate to see any vaguely viable site ruled out until every possible issue at that site had been looked at. He said he did not want a site that picked itself in the final sites. Mr. Viggiano said that the District's estimator would give staff some assessment of each site. Staff could share that information with the Board and see if the Board wanted to do any additional research on specific sites. Ms. Fitch said there were lots of questions on parking and other issues that needed to be answered in order to obtain a better cost estimate. If some property were available without requiring replacement parking, that would answer a big concern.

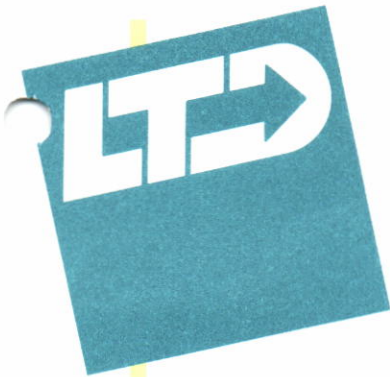
Mr. Viggiano said that an assessment of employment downtown was done, and employment was the biggest factor in the assessment of sites. The center of employment was found to be at 8th and Oak, and staff would like to build the new station as close as possible to that area. Ms. Calvert commented that she was pleased there were still some sites available in the downtown area.

Oregon Transportation Alliance: Ms. Loobey said that the information beginning on page 31 of the packet was included for the Board's information and required no action. It represented the position that the Oregon Department of Transportation (ODOT) had taken on the reauthorization of the Surface Transportation Assistance Act. ODOT had received input from the Automobile Association of America, the League of Cities and Counties, the Oregon Transit Association (OTA), and truckers. Ms. Loobey said the most intriguing aspect was that ODOT did arrive at this position, in consultation, for the first time, with transit. Ms. Loobey felt that this set a precedent, and said ODOT did a good job of listening to transit's concerns, especially regarding Section 9 and the effect on transit's ability to capitalize for the future.

Mr. Parks asked if ODOT had actually testified. Ms. Loobey said it had, before the House Committee on Public Works and Transportation, four weeks previously, in Portland.

ADJOURNMENT: There was no further discussion. With the Board's permission, Mr. Parks adjourned the meeting at 7:25 p.m.


Board Secretary



Lane Transit District

P.O. Box 7070
Eugene, Oregon 97401-0470

(503) 741-6100
Fax (503) 741-6111

May 15, 1991

MEMORANDUM

TO: LTD Board of Directors

FROM: Jeanette Tentinger, Purchasing Agent

RE: Adopt FY 1991-92 DBE Policy and DBE Affirmative Action Program

On October 20, 1981, the LTD Board of Directors established by resolution an affirmative action program for minority business enterprise participation in Department of Transportation or other federal agency financial assistance projects.

Since that time, the LTD Board of Directors has adopted revised Disadvantaged Business Enterprise (DBE) Policies and DBE Affirmative Action Programs on an annual basis.

The attached represents the revised FY 1991-92 DBE Policies and Programs. The only revisions this year are in respect to FY 91-92 budget amounts.

Staff Recommendation: That the LTD Board of Directors adopt the attached Resolution amending the FY 1990-91 DBE Policy and DBE Affirmative Action Program to the FY 1991-92 DBE Policy and DBE Affirmative Action Program.

Jeanette Tentinger
Purchasing Agent

JT/ms:ecm

i:adoptaa.jt

RESOLUTION

A RESOLUTION REVISING DBE POLICIES AND
DBE AFFIRMATIVE ACTION PROGRAM

The Lane Transit District Board of Directors resolves as follows:

WHEREAS, the LTD Board of Directors, by resolution, established an Affirmative Action Program and DBE Policy and adopted the same on the 20th day of October, 1981; and

WHEREAS, LTD is required by 49 C.F.R. Chapter 23.45, as amended, to maintain a policy statement giving DBE firms the maximum opportunity to participate in the performance of contracts financed in whole or part by the Department of Transportation (DOT) or other federal agencies; and

WHEREAS, LTD adopts new DBE policies and program on an annual basis; and

WHEREAS, said policies and program need to be amended to comply with updated regulations; and

WHEREAS, the attached policies and program have been amended to FY 1990-91 DBE Policies and DBE Affirmative Action Program;

NOW, THEREFORE, BE IT RESOLVED BY THE LTD BOARD OF DIRECTORS:

That the FY 1991-92 DBE Policies and DBE Affirmative Action Program, copies of which are attached to and hereby made a part of this Resolution, are adopted.

May 15, 1991
Date


Board President

i:dberes.jt

UMTA FUNDING BASE PROJECTED AWARDS FOR FISCAL YEAR 91-92

1) Applicant: _____
2) Address: _____

3) Months Covered: _____

(4) Contract/ Procurement Category	(5) Total UMTA Capital Funds	(6) Total UMTA Operating Funds	(7) Total UMTA Planning Funds	(8) Total Other UMTA Funds	(9) UMTA Funds With Contracting Opportunities
(10) Non Contracting Opportunities	0	893,310	0	0	893,310
(11) Construction	220,896	0	0	0	220,896
(12) Professional Services	430,224	107,620	0	0	537,844
(13) Materials/ Supplies/ Equipment	200,860	149,878	0	0	350,738
(14) Other	0	0	0	0	0
(15) Totals	851,980	1,150,808	0	0	2,002,788

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(16) Prepared by: _____

Phone #: _____

(17) Certified By: _____

Date: _____

CALCULATION OF ANNUAL GOALS FOR FISCAL YEAR 91-92

1) Applicant: _____
 2) Address: _____
 3) City/State: _____

Months Covered: _____

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(4) Contract/ Procurement Category	(5) UMTA Funds With Contracting Opportunities	(6) UMTA Adjusted Dollars Credit	(7) Total UMTA Dollars		(8) Percentages
			DBE	DBE	DBE
(9) Construction	220,896	100%	220,896	30,925	14%
(10) Professional Services	537,844	100%	537,844	75,298	14%
(11) Materials/ Supplies/ Equipment	350,738	100%	350,738	49,103	14%
(12) Other	0	100%	0	0	14%
(13) Totals	1,109,478		1,109,478	155,327	

(14) Annual Overall DBE Goal = Total Column (7) divided by Total Column (5) x 100 = 14%

(15) Prepared by: _____
 (16) Certified By: _____

Phone #: _____
 Date: _____

**LANE TRANSIT DISTRICT
PROJECTED UMTA FUNDED CONTRACT AWARDS
FY 91-92**

OPERATING FUNDS	PERSONAL SERVICES	MATERIAL & SUPP	CONTRACT SVCS	TOTAL
GENERAL FUND BUDGET	7,974,740	1,739,070	1,351,300	11,065,110
TRANSFER TO RISK MANAGEMENT			411,441	411,441
CONTINGENCY			250,000	250,000
OPERATING COSTS	7,974,740	1,739,070	2,012,741	11,726,551
LESS PLANNING PROJECTS			0	0
LESS STF (STATE SPECIAL TRANSP. FUNDS)			(564,500)	(564,500)
GRANT ELIGIBLE COST	7,974,740	1,739,070	1,448,241	11,162,051
OPERATING GRANTS				
SECTION 9			1,159,000	1,159,000
SECTION 18			0	0
TOTAL OPERATING GRANTS			1,159,000	1,159,000
% OF ELIGIBLE COSTS (TOTAL OPER. GRANTS/ELIG. COST)				10.38%
NONCONTRACTING OPPORTUNITIES				
PERSONAL SERVICES	(7,974,740)			(7,974,740)
TRANSFER TO RISK MANAGEMENT			(411,441)	(411,441)
UTILITIES				
FAC OPR		(51,800)		(51,800)
STORM SEWER PERMIT		(1,000)		(1,000)
CSC		(7,000)		(7,000)
MAINT		(79,700)		(79,700)
MIS		(36,700)		(36,700)
LEASES & RENTALS				
ADMIN		(1,500)		(1,500)
PERSONNEL		(850)		(850)
MARKETING		(100)		(100)
CSC		(17,300)		(17,300)
TRANSPORTATION		(1,350)		(1,350)
FACILITY OPER		(7,450)		(7,450)
TRAINING				
ADMIN		(13,800)		(13,800)
MIS		(3,850)		(3,850)
FINANCE		(3,000)		(3,000)
PERSONNEL		(900)		(900)
SAFETY & TRAINING		(7,650)		(7,650)
MARKETING		(5,600)		(5,600)
PLANNING		(3,400)		(3,400)
TRANSPORTATION		(2,050)		(2,050)
MAINTENANCE		(15,750)		(15,750)
FACILITY OPER		(2,450)		(2,450)
		(1,000)		(1,000)

**LANE TRANSIT DISTRICT
PROJECTED UMTA FUNDED CONTRACT AWARDS
FY 91-92**

CONTRACTING FUNDS	PERSONAL SERVICES	MATERIAL & SUPP	CONTRACT SVCS	TOTAL
NONCONTRACTING OPPORTUNITIES, CONT.				
DUES, PUB, MEMBERSHIPS				
ADMIN	(14,300)			(14,300)
MIS	(800)			(800)
FINANCE	(1,350)			(1,350)
PERSONNEL	(1,050)			(1,050)
SAFETY & TRAINING	(860)			(860)
MARKETING	(650)			(650)
PLANNING	0			0
CSC	(200)			(200)
TRANSPORTATION	(250)			(250)
MAINTENANCE	(250)			(250)
FACILITY OPER	(150)			(150)
POSTAGE - ADMIN	(6,300)			(6,300)
LEGAL ADVERTISING (REQUIRED)				
ADMIN	(1,000)			(1,000)
FINANCE	(800)			(800)
PERSONNEL (EMP.ADS)	(3,000)			(3,000)
TOTAL NONCONTRACTING OPPORTUNITIES	(7,974,740)	(295,160)	(411,441)	(8,681,341)
NET CONTRACTING OPPORTUNITIES				
UMTA FUNDED 10.38%	0	1,443,910	1,036,800	2,480,710
DBE REQUIREMENT 14%	0	20,983	15,067	36,050
CAPITAL FUNDS				
COMPUTER SOFTWARE - 80%	103,575			103,575
MAINTENANCE EQUIPMENT - 80%	13,400			13,400
PASSENGER BOARDING IMPR. - 80%			125,150	125,150
EUGENE STATION - 75%			500,000	500,000
BUSES	0			0
BUS RELATED EQUIPMENT - 80%	39,200			39,200
SERVICE VEHICLES - 80%	20,000			20,000
FACILITY - 80%	24,900			24,900
CONTINGENCY - 80%	50,000			50,000
FHWA - PASSENGER BOARDING IMP - 88%			200,000	200,000
NET CONTRACTING OPPORTUNITIES	0	251,075	825,150	1,076,225
UMTA FUNDED - 80%	0	200,860	100,120	300,980
UMTA FUNDED - 75%			375,000	375,000
UMTA FUNDED - 88%			176,000	176,000
TOTAL UMTA FUNDED	0	200,860	651,120	851,980
DBE REQUIREMENT 14%	0	28,120	91,157	119,277

**DISADVANTAGED BUSINESS ENTERPRISE (DBE)
LANE TRANSIT DISTRICT**

POLICY STATEMENT FY 91-92

It is the policy of Lane Transit District (LTD) that Disadvantaged Business Enterprises as defined in Title 49 Code of Federal Regulations Part 23, as amended, and UMTA Circular 4716.1A, as amended, shall have the maximum opportunity to participate in the performance of contracts.

Through this policy statement, Lane Transit District:

- * Expresses its strong commitment to equal opportunity and affirmative action for disadvantaged business enterprise (DBE) participation in its programs;
- * Informs all employees and supervisory personnel, governmental regulatory agencies, and the general public of its policy and program established to implement this policy; and
- * Assures conformity with Title 49 Code of Federal Regulations Part 23 (49 CFR 23) and UMTA C 4716.1A, or as either may be amended, and other applicable federal and state statutes, and executive orders, rules, regulations, and policies, as amended.

The primary administrative responsibility for the DBE Affirmative Action Program, including the development of policies, procedures, guidelines, and other resource materials and review, monitoring, and evaluation of the program, rests with the Purchasing Agent for all internal and external program components. The Purchasing Agent reports to the Finance Administrator.

The policy statement will be published in a newspaper of state-wide (Oregon) general circulation at least once.

LTD and any recipient of a contract will ensure that discrimination on the basis of race, color, national origin, sex, age, religion, mental, physical handicap, or marital status is prohibited.

The responsibilities and the objectives of the commitment are described in LTD's DISADVANTAGED BUSINESS ENTERPRISE PROGRAM, which is available for inspection through LTD's Purchasing Office.

To ensure the objectives of this policy, LTD has established an overall goal for Disadvantaged Business Enterprises in the amount of 14 percent of federally-funded contracting activities.

A description of how the goals were selected is available for inspection during normal business hours (Monday through Friday, 8:00 am. to 5:00 p.m.) through LTD's Purchasing Office.

The public may submit written comments on the goals. These comments will be used for informational purposes only and can be sent to Jeanette Tentinger, Purchasing Agent, P. O. Box 7070, Eugene, Oregon 97401.

**LANE TRANSIT DISTRICT
DBE GOALS/FY 1991-92**

Overall DBE Goal: *Fourteen percent (14%) of federally-funded contracting activities.*

The estimated total of federally-funded contracting activities is:

Professional Services	758,740
Materials, Supplies, & Equipment	350,738
Total	1,109,478

LTD has adopted the following methodology for establishing its overall and specific contract goals for DBE participation:

1. Review of past results of dollar volume percentage of DBE participation in LTD contract awards.
2. Review of types and numbers of contracts projected which will use DOT funds. This information is available, and has been used in the computation of the above-listed goals.
3. Review of specific contract specifications of current DOT-funded projects.
4. Use of a directory of DBE's that has been compiled by the State of Oregon Executive Branch Office of Minority and Women Enterprises and other firms classified as 8a with the SBA Programs.
5. Setting of goals, on the basis of information obtained from numbers 1-4 above.
6. Annual review of DBE goals and establish new goals based on the latest information in numbers 1-4 above. LTD will annually compare last year's goals with actual DBE participation, analyze discrepancies, and then set new goals.
7. Submission of goals to DOT/UMTA for approval.

LTD will investigate the services offered by female- and minority-owned banks. LTD will use and encourage contractors to make the greatest feasible use of these banks.

LTD will enforce the requirements of a recipient's DBE Program, by incorporating the procedures of 49 CFR 23 Section 23.75 and UMTA Circular 4716.1A, as amended.

CONTRACTORS. To ensure that prime contracts are awarded to competitors that meet DBE goals, LTD will issue Supplemental Required Contract Provisions, Disadvantaged Business Enterprise. These provisions identify the contractor's DBE responsibility to the contract and LTD's contract award procedure. These District provisions become a part of the DBE Program by reference.

If a DBE is unable to fulfill the original obligation to the contract, the prime contractor must demonstrate to LTD its good faith efforts to replace this subcontractor with another DBE.

After bid opening and during the contract performance, all substitutions must be approved by LTD.

A directory of DBE Contractors is available to bidders at the office of the Purchasing Agent at 3500 E. 17th Avenue, Eugene, Oregon 97403, (503) 741-6100.

SELECTION CRITERIA TO ENSURE THAT PRIME CONTRACTS ARE AWARDED TO BIDDERS THAT MEET DBE GOALS.

To demonstrate sufficient reasonable efforts to meet the DBE contract goal, a contractor shall document the steps it has taken to obtain DBE participation, including but not limited to the following:

1. Attendance at pre-bid meeting, if any, scheduled by LTD to inform DBEs of subcontracting opportunities under a given solicitation;
2. Advertisement in general circulation media, trade association publications, and minority-focus media for at least 20 days before bids or proposals are due. If 20 days are not available, publication for a shorter reasonable time is acceptable;
3. Written notification to DBE's that their interest in the contract is solicited;
4. Efforts made to select portions of the work increase the likelihood of achieving the stated goal;
5. Efforts to negotiate with DBEs for specific sub-bids including at a minimum:
 - i) The names, addresses and telephone numbers of DBEs that were contacted;
 - ii) A description of the information provided to DBEs regarding the plans and specifications for portions of the work to be performed; and
 - iii) A statement of why additional agreements with DBEs were not reached;
6. If the Bidder contacted but rejected as unqualified any DBEs, the Bidder shall provide supporting reasons for the rejection.
7. Efforts made to assist the DBEs contacted that needed assistance in obtaining bonding or insurance required by the Bidder or LTD.
 - a. Bidders that fail to meet DBE goals and fail to demonstrate sufficient reasonable efforts shall not be eligible to be awarded the contract.

- b. To ensure that all obligations under contracts awarded to DBEs are met, LTD shall review the contractor's DBE involvement efforts during the performance of the contract. The contractor shall bring to the attention of LTD any situation in which regularly scheduled progress payments are not made to DBE subcontractors.

CONSULTANTS. If a consultant is also a prime contractor, the conditions listed above also apply.

LESSEES. Lessees are not subject to the requirements of 49 CFR 23 except for the obligation of Section 23.7 to avoid discrimination against DBE's.

BARRIERS TO DBE PARTICIPATION. To assist in the identification and removal of barriers to DBE participation, LTD will employ a variety of techniques to express its commitment to the DBE Program. These will include:

1. Wide dissemination of the DBE Affirmative Action Policy Statement.
2. Utilization of already established contracts in minority communities and minority and women's organizations throughout the State.
3. Continuing and increasing personal contacts with the minority communities and minority and women's organizations by the DBE liaison officers to strongly emphasize LTD's commitment to the DBE Program.

To eliminate or reduce identified barriers, LTD will:

1. Provide information to DBE's and the minority communities and minority and women's organizations about services already available on a timely basis, as well as those being established, to assist them in the contracting process. Services include appropriate explanation of contracting program procedures and opportunities, assistance in the interpretation of laws, rules and regulations, completion of forms, framing proposals, bidding and estimating, marketing, aid in securing bonding, and other technical and consultation services.
2. Give advance notice of contract lettings to facilitate participation by Certified DBE's. LTD will provide DBE's twenty (20) days notice prior to letting a contract. The specifications and RFP's will be bilingual when appropriate.
3. Monitor awarded contracts closely to assure that performance is as specified, and that prime contractors are dealing in good faith with their subcontractors and potential subcontractors.
4. Review standards for technical and financial prequalifications to ensure that DBE's are invited into the process.
5. Initiate discussions with other governmental agencies to reduce duplication and the paperwork involved for DBE's in the certification process.

TRAINING. Training programs will be conducted by the Affirmative Action Officer for:

1. Supervisory personnel, to enable them to implement the program through better understanding of their responsibilities and the resources available to them in carrying out these responsibilities.
2. Affirmative Action Coordinators and Affirmative Action Designees to enable them to perform effectively in their assignments.
3. Potential DBE's for technical assistance through supportive services provided by or through LTD.

REVIEW. Reviews shall be conducted using the procedures specified in 49 CFR 23, Section 23.75. Reviews include:

Internal - Department and Divisions:

- * Policies, practices and procedures relating to contractors, subcontractors, consultants, and vendors, including minority business enterprises.

External

- * Contractors, subcontractors, consultants, and vendors, including minority business enterprises.
- * Private, non-profit organizations.

Affirmative Action Officer will conduct reviews of all external components related to projects and programs.

DISCRIMINATION COMPLAINTS. Complaints alleging discrimination shall be handled in the manner described in appropriate District procedures. Complaints may be filed within 180 days after the date of the alleged violation.

LTD strongly encourages complainants to discuss their problems in this manner:

Internal - First with the supervisor in charge of the activity, project, or program, then with the Affirmative Action Officer.

External - All personal services agreements; vendors; and lessees, first with the supervisor in charge of the activity project, or program, then with the Affirmative Action Officer.

This discussion should be held as soon as possible after the alleged discrimination occurs. This may lead to resolution of the complaint, informally. If a satisfactory agreement cannot be reached within 15 calendar days, the District will advise the complainant of the appropriate formal grievance procedure.

MONITORING AND EVALUATION. To emphasize the District commitment, an integral part of the DBE Affirmative Action Plan is monitoring and evaluation.

Following the review of the various DBE Affirmative Action Program aspects in all the entities which are covered by the DBE Affirmative Action Policy, the Affirmative Action Officer will establish a monitoring program to be:

1. Alert to changes needed for a successful DBE Affirmative Action Program.
2. Aware of progress being made in following through on recommendations made as a result of reviews.

Semi-annually, the Affirmative Action Officer will evaluate the District's progress in meeting its DBE goals and will report this progress to the General Manager.

RECORDS AND REPORTS. The District will establish, maintain, and submit such records as are required under 49 CFR 23.49. Other reports to state and federal agencies will be submitted as required. Records will be kept for a period of three years.

DBE AFFIRMATIVE ACTION GOALS. Department goals by U.S. Department of Transportation operating elements will be established annually, in July. These goals will be distributed to:

1. All supervisors and managers, to be readily available to all District employees.
2. All Certified local Disadvantaged Business Enterprises.
3. Minority, non-minority, and women's community and business organizations within the State of Oregon.

Copies of the goals will be available to the public through the Director of Administrative Services.

If overall goals are not attained, the District will investigate the possibility of set-asides.

DBE SET-ASIDES. LTD may establish contracting for DBE firms and use set-asides if LTD determines that the use of set-asides is needed to achieve its DBE goal and a minimum of three (3) DBE firms with capabilities consistent with contract requirements, must be available to bid for set-aside contracts to permit adequate competition.

AFFIRMATIVE ACTION PROGRAM
DISADVANTAGED BUSINESS ENTERPRISE

Through this policy statement, Lane Transit District:

1. Expresses its strong commitment to equal opportunity and affirmative action for Disadvantaged Business Enterprise (DBE) participation in its programs.
2. Informs all employees and supervisory personnel, governmental regulatory agencies, and the general public of its policy and program established to implement this policy.
3. Assures conformity with Title 49 Code of Federal Regulations Part 23 or as may be amended (49 CFR 23) and other applicable federal and state statutes, and executive orders, rules, regulations, and policies. (See Appendix: Authority)

DBE AFFIRMATIVE ACTION POLICY. The policy of Lane Transit District is to provide equal opportunity to all persons for participation in and access to the benefits and services provided through activities, projects, and programs within the District's jurisdiction.

In all these matters, the District will not discriminate against any person because of race, age, color, sex, religion, national origin, mental or physical handicap, political affiliation, or marital status.

This policy and the DBE Affirmative Action Program established to implement this policy apply, in entirety, to all Departments and all program areas within the District, including:

- A. Capital expenditures.
- B. Operational expenditures.

DBE AFFIRMATIVE ACTION PROGRAM. To implement this policy, the District has established the DBE Affirmative Action Program, designed to accomplish results in all facets of the program.

The District will take affirmative action to:

- A. Assure that provisions of this policy are adhered to by all District organizational units, by employees and supervisory personnel, and by all recipients of financial assistance from or through the District.
- B. Initiate and maintain efforts to increase participation by disadvantaged business enterprises in District programs.
- C. Strengthen already known disadvantaged business enterprises through training and/or technical assistance.
- D. Seek out and assist in developing additional disadvantaged business enterprise resources.

- E. Identify barriers to participation in and access to the benefits and services provided by District activities, projects, and programs, and develop ways to remove or modify the effect of said barriers.

The primary administrative responsibility for the DBE Affirmative Action Program, including the development of policies, procedures, guidelines, and other resource materials and review monitoring, and evaluation of the program, rests with the Purchasing Agent for all internal and external program components. The Purchasing Agent reports to the Finance Administrator.

The DBE officer has the responsibility for carrying out technical assistance for DBE's and for timely dissemination of information on available business opportunities so that DBE's will have an equitable opportunity to bid on the District's contracts.

Due to the size of the District and the small amount of Federally funded projects, the Purchasing Agent will spend about 10 percent of his/her time as the DBE officer.

All supervisors managers, and administrators have responsibilities to assure the implementation of the District's DBE Affirmative Action Program. The Director of Administrative Services will conduct an annual review to assess progress.

Like all LTD goals, equal opportunity, affirmative action, and nondiscrimination goals can only be reached through the active cooperation and support of every District employee. Each employee has the responsibility to assist in assuring the successful implementation of our DBE Affirmative Action Program.

All components of the DBE Affirmative Action Program may have my endorsement and my personal commitment for implementation.

Date

General Manager

Phyllis Loobey

**See Appendix: Definitions

DISADVANTAGED BUSINESS ENTERPRISE (DBE)

DEFINITION: A Disadvantaged Business Enterprise (DBE) is a small business concern, defined by Section 3 of the Small Business Act and implementing regulations:

- * Which is at least 51 percent owned by one or more socially and economically disadvantaged individuals or, in the case of any publicly owned business, at least 51 percent of the stock which is owned by one or more socially and economically disadvantaged individuals; and
- * Whose management and daily business operations are controlled by one or more of the socially and economically disadvantaged individuals who own it.

Socially and economically disadvantaged individuals are individuals who are citizens of the United States (or lawfully admitted permanent residents) who are:

Black American - persons having origins in any of the Black racial groups of Africa.

Hispanic Americans - persons of Mexican, Puerto Rican, Cuban, Central or South American, Portuguese, or other Spanish culture or origin, regardless of race.

Asian-Pacific Americans - persons whose origins are from Japan, China, Taiwan, Korea, Vietnam, Laos, Cambodia, the Philippines, Samoa, Guam, the U.S. Trust Territories of the Pacific, or the Northern Marianas.

Asian-Indian Americans - persons whose origins are from India, Pakistan, or Bangladesh.

Native Americans - persons who are American Indians, Eskimos, Aleuts or Native Hawaiians.

Women - regardless of race, ethnicity, or origin; and

Other - persons found to be socially and economically disadvantaged by the Small Business Administration (SBA) pursuant to Section 8(a) of the Small Business Act.

DISADVANTAGED BUSINESS ENTERPRISE (DBE) PARTICIPATION
COMMITMENT STATEMENT

ASSIGNED CONTRACT GOALS:

TOTAL DBE GOAL ____%

The Bidder's total DBE goal is the sum of the Bidder's proposed commitment to the goals for disadvantaged-owned and women-owned firms.

Bidders will calculate single goal percentages using the Bidder's proposed total dollar amount commitment to each single goal divided by the Bidder's total amount of bid dollars. Goals will be calculated to the nearest one-one hundredth (0.01) of a percent.

Bidders must indicate the total DBE goal they propose to achieve. Even if the assigned contract goals are 0%, Bidders must fill in all the blanks related to the Bidder's Contract goals. FAILURE TO DO SO SHALL RENDER THE BID NON-RESPONSIVE.

BIDDER'S CONTRACT GOALS:

DISADVANTAGED-OWNED ____%

TOTAL DBE GOAL ____%

By the time specified within the bid, all Bidders must be prepared to provide documentation regarding the identification of DBE's (by bid item amount(s)) used to meet the contract goals, and affirmative action steps taken. FAILURE TO PROVIDE THIS DOCUMENTATION SHALL RENDER THE BID NON-RESPONSIVE.

By signing this proposal the Bidder assures that reasonable efforts have been made to meet the goal (s) for the DBE participation specified for this contract; accepts the DBE Policy Statement on Page 13 of the Supplemental Required Contract Provisions, Disadvantaged Business Enterprise (DBE); and will include the statement in all subcontracts entered into under this contract.

BY: _____

TITLE: _____

SUPPLEMENTAL REQUIRED CONTRACT PROVISIONS
FOR DISADVANTAGED BUSINESS ENTERPRISE (DBE)
PARTICIPATION

FEDERAL AID PROJECTS

I. In accordance with 49 CFR 23, all Bidders and all contractors shall agree to abide by and take all necessary and reasonable steps to comply with the following statements:

DBE POLICY STATEMENT

DBE POLICY: It is the policy of the United States Department of Transportation (DOT) and Lane Transit District that minority business enterprises as defined in 49 CFR 23 shall have the maximum opportunity to participate in the performance of contracts financed in whole or part with Federal funds under this agreement. Consequently, the DBE requirements of 49 CFR 23 apply to this agreement.

DBE OBLIGATION: The recipient or its contractor agrees to ensure that minority business enterprises as defined in 49 CFR 23 have the maximum opportunity to participate in the performance of contracts and subcontracts financed in whole or in part with Federal funds provided under this agreement. In this regard all recipients or contractors shall take all necessary and reasonable steps in accordance with 49 CFR 23 to ensure that minority business enterprises have the maximum opportunity to compete for and perform contracts. Recipients and their contractors shall not discriminate on the basis of race, color, national origin, or sex in the award and performance of Department of Transportation-assisted contracts.

DBE APPLICABILITY: ← This applies to all projects and contracts financed by the Urban Mass Transportation Administration (UMTA) or through the Oregon Department of Transportation (Department) without regard to the funding source. Recipients and contractors shall conform to all applicable civil rights laws, orders, and regulations including Section 504 of the Rehabilitation Act of 1973. Recipients and their contractors shall not discriminate on the basis of race, age, sex, color, religion, national origin, mental or physical handicap, political affiliation, or marital status in the award and performance of Department contracts.

The DBE Policy Statement shall be included in all subcontracts entered into under this contract.

II. In accordance with 49 CFR 23, Subpart D, Section 23.62, all Bidders and all contractors shall agree to abide and take all necessary and reasonable steps to comply with the following goals.

III. In accordance with 49 CFR Part 23, Subpart A, Section 23.5, all Bidders and contractors shall agree to abide and take all necessary and reasonable steps to comply with the following goals.

IV. Contractors are encouraged to investigate the services offered by female and minority-owned banks and use these banks whenever possible.

V. In order to meet the District's DBE goals, the District may set aside contracts to be bid on by certified DBE's only. Set-asides will only be used where at least three (3) DBE's with the capabilities consistent with contract requirements exist so as to permit competition.

VI. DBE GOALS - In order to increase participation by DBE's in contracts, LTD has assigned goals to contracts. Goals for the project are listed on a sheet titled "DBE Participation, Commitment Statement" immediately in front of these supplemental required contract provisions in the Bidder's Proposal. Bidders will not be credited for exceeding any specified goal.

Participation may be accomplished by including Certified DBE in any part of the contract work that is necessary to complete the contract obligation. A DBE will be recognized as a prime contractor, subcontractor, joint venture, material supplier, or consultant.

- A. Bidders may count toward DBE goals only expenditures made to perform a commercially useful function in the work of the contract. A DBE is considered to perform a commercially useful function when the DBE is responsible for execution of a distinct element of the contract work and is carrying out the responsibilities by actual performing, managing, and supervising the work involved. To determine whether a DBE is performing a commercially useful function, LTD will evaluate the amount of work subcontracted, industry practices, and other relevant factors.
- B. In a joint venture, only the percentage of the dollar value of the contract equal to the percentage of the work under the control of the DBE partner in the joint venture will be counted toward the goals.
- C. Only 60 percent (60%) of the total dollar value of purchases of supplies of a regular dealer will count toward the goals.

To be considered for participation in a bid, firms must be certified as a DBE by the following:

Oregon Department of Transportation
EEO, MBE and Labor Compliance Unit
Construction Section
Transportation Building Salem, OR 97310

A contract that is assigned a zero-percent goal does not relieve the contract participants of their commitment to the DBE Policy Statement.

VII. CHALLENGE PROCEDURE - A third party may challenge the certification or the pending certification of a DBE.

During LTD's review of the challenge submitted by a third party, the presumption that the challenged party is eligible to participate in Department of Transportation-assisted contracts as a DBE will remain in effect until a final determination is made which negates this presumption.

Final determination may be appealed to the Department of Transportation in accordance with the appeal procedures set up under the Department's Disadvantaged Business Enterprise regulations published in the Federal Register on March 31, 1980.

A. Challenge Procedure: Phase One

1. The District will accept and evaluate written challenges to the social and economic status of businesses certified or seeking certification as a DBE except in cases where the business has a current certification from the Small Business Administration.
2. The challenging party is required to submit information relevant to a determination that the challenged party is not socially and economically disadvantaged.
3. The District will make a decision on whether or not there is reason to believe that the challenged party is not, in fact, socially and economically disadvantaged. The decision is based on the information provided.
 - a. If there is a reason to believe that the challenging party is a socially and economically disadvantaged business/individual, the District will inform the challenging party of its decision. This ends the proceeding.
 - b. If there is reason to believe that the challenged party is not socially and economically disadvantaged, the District will continue its evaluation under the challenge procedure.

B. Challenge Procedure: Phase Two

1. The District will evaluate the information submitted by the challenged party in response to the challenge and make a proposed determination of the social and economic status of the challenged party. Following its determination, the District will provide written notification to each party of its proposed determination, and the

rationale for the determination. Following this, the District will provide an opportunity to the parties for an informal hearing to respond to the determination.

2. The District will make a final determination within a reasonable period of time and provide written notification to both parties. This notification should advise the challenged party of the appeal procedures provided under the regulation.

C. Certification Appeals

A business/individual that believes they have been wrongly denied certification on the basis of a determination under the District's certification process or challenge procedures may file an appeal with the Department of Transportation.

During the appeal process, the presumption that the business/individual is socially and economically disadvantaged remains in effect unless otherwise advised by the Department or until certification has been denied by the Department.

1. Filing - The appeal must be filed not later than 180 days after the certification has been denied by the District.
2. Investigation - Following submission of a request for appeal from the party denied certification, the Department will conduct an investigation pursuant to the Department's Title IV investigation procedures.
3. Determination - The Secretary will make one of the following determinations:
 - a. Certification of the DBE or DBE Joint Venture
 - b. Denial of certification to participate in DOT-assigned contracts until a new application for certification is approved by the recipient.

VIII. DOCUMENTATION OF DBE PARTICIPATION - Bidders shall complete the DBE Participation Commitment Statement included in the Bidder's Proposal in accordance with the instructions contained on the form. Failure to complete the form as instructed shall render the bid non-responsive. Unless stated in the bidding documents, generally the following will apply.

- A. Within five (5) calendar days after the bid opening, all bidders must be prepared to provide documentation regarding the identification of DBE's used to meet the contract goals. Identification must include bid item(s) and dollar amount(s).
- B. By 5:00 p.m. on the fifth calendar day following determination of the low bidder, the low bidder shall provide this documentation to the Purchasing Agent, 3500 E. 17th Avenue, Eugene, Oregon, 97403, or P. O. Box 7070, Eugene, Oregon, 97401.
- C. If the bidder's DBE contract goals are less than the assigned contract goals, the low bidder, as requested, shall provide additional written documentation regarding the good faith efforts made and the affirmative action steps taken prior to the bid opening date to achieve the assigned goals.

- D. Failure of the low bidder to provide the documentation specified above shall render the low bidder ineligible to execute the contract and the low bidder's bid shall be rejected.

LTD, at its option, may accept a late filing of the documentation and award the contract if deemed in the public interest under the circumstances.

In the event that the low bidder fails to provide the documentation required above, the next lowest bidder shall provide such documentation to the Purchasing Agent, 3500 E. 17th Avenue, Eugene, Oregon, 97403, or P. O. Box 7070, Eugene, Oregon 97401, after receiving actual notification to do so. This same procedure will be followed until a successful low bidder is determined or all bids may be rejected.

IX. CONTRACT AWARD SELECTION PROCEDURES - To decide whether the total bid amount offered by a bidder is reasonable, LTD will use the same criteria that it would use if only a single bid was received.

In the event a single bid is received, LTD will conduct a price and/or cost analysis of the bid. A price analysis is the process of examining the bid and evaluating the separate elements. It should be recognized that a price analysis through comparison to other similar procurements must be based on an established or competitive price of the elements used in the comparison. The comparison must be made to a purchase of similar quantity and involving similar specifications. Where a difference exists, detailed analysis must be made of this difference and costs attached thereto.

Where it is impossible to obtain a valid price analysis, it may be necessary for LTD to conduct a cost analysis of the bid price.

The price and/or cost analysis shall be made by competent and experienced auditors or price analysts; an engineer's estimate or comparison of the price involved is insufficient.

The conclusion for disposition of the contract will be in the best interest of LTD and will assure that LTD will meet its affirmative action commitment to its DBE overall goal.

Criteria to ensure that prime contracts are awarded to bidders who meet DBE goals are:

- A. If the low bidder offering a reasonable bid meets or exceeds the assigned goal, that bidder will be recommended for the contract award.
- B. If the low bidder offering a reasonable bid does not meet the assigned goal, to remain in competition for the contract award the bidder must furnish LTD, within five (5) calendar days following determination of the low bidder, written evidence of the affirmative action steps that were taken in an attempt to meet the goal. LTD will review this documentation to determine if the affirmative action steps taken are satisfactory. As a result of the review, if the affirmative action steps are taken, and are:
 - 1. Satisfactory, that bidder will be recommended for the contract award.
 - 2. Not satisfactory, that bidder will not be recommended for the contract award.

- C. If the low bidder offering a reasonable bid is not recommended for the contract award, LTD will proceed to the second low bidder and will repeat the process described in Paragraphs A through C. If necessary, LTD will consider all responsive bidders in ascending order.

X. AFFIRMATIVE ACTION STEPS - In addition to signing the DBE Participation Commitment Statement contained in the Proposal, the bidder who has not achieved the assigned goal on this project shall document the steps taken to obtain participation, such as:

- A. Attendance at a pre-bid meeting, if any, scheduled by LTD to inform the DBE of subcontracting opportunities in this contract work.
- B. Advertising in general circulation media, trade association publications, and minority-focus media at least ten (10) days before bids or proposals are due. If ten (10) days are not available, a shorter reasonable time will be acceptable.
- C. Use of the Department of Transportation's Certified DBE Directory.
- D. Written notification to DBE that their interest in the contract is solicited.
- E. Efforts to select portions of the work proposed to be performed to increase the likelihood of achieving the assigned goal.
- F. Efforts to negotiate for specific sub-bids, including at a minimum:
1. The name, address, or telephone number of each DBE contacted;
 2. A description of the information provided regarding the plans and specifications for the portions of the work to be performed;
 3. A statement of why additional agreements were not reached.
- G. Reasons for rejecting as unqualified any DBE contacted.
- H. Efforts to provide assistance in obtaining any necessary bonding or insurance.
- I. Efforts to use the service of banks owned and controlled by minorities or women.
- J. Efforts to assist the DBE in purchasing materials and supplies.
- K. Any other affirmative action efforts.

XI. RECORDS AND REPORTS - The contractor shall provide monthly documentation to LTD that it is subcontracting with or purchasing materials from the DBE identified to meet contract goals. The contractor shall notify LTD and obtain its written approval before replacing a DBE or making any change in the participation listed. If a DBE is unable to fulfill the original obligation to the contract, the contractor must demonstrate to LTD its good faith efforts to replace that DBE with another. Failure to do so will result in withholding payment on those items. The monthly documentation will not be required after the DBE goal commitment is satisfactory to LTD.

Any DBE participation attained after the goal commitment has been satisfied should be reported to LTD.

XII. CONTRACTOR'S DBE LIAISON OFFICER - The contractor shall designate a DBE liaison officer who will administer the contractor's DBE program.

XIII. CERTIFIED DBE DIRECTORY - LTD is taking affirmative action to seek out, identify, certify, and compile a directory of DBEs that wish to participate in its contracting activities. LTD strongly encourages contractors to assist in this effort. The current Certified DBE Directory is included with the proposal form. The Directory can also be obtained by phoning (503) 378-6293.

AGENDA ITEM SUMMARY

DATE OF MEETING: May 15, 1991

ITEM TITLE: LTD Revenue Sources

ACTION REQUESTED: None; for discussion only

BACKGROUND: Staff will present information to the Board of Directors demonstrating methods to maintain financial flexibility so that the District can respond to fluctuation in payroll tax receipts without service cuts or substantial increases in the payroll tax rate. The Board may direct the Board Finance Committee to further analyze the staff's material, develop recommendations, and present those to the Board at a later date.

ATTACHMENT: None.

PROPOSED MOTION: None.

a:revsum.jhs

OTP UPDATE



OREGON TRANSPORTATION PLAN

Governor Roberts Outlines Goals for Transportation

Governor Barbara Roberts outlined five goals she would like the Oregon Department of Transportation to "embrace as their own" in a speech before the Transportation Commission on April 4, 1991.

Governor Roberts said integration in land use planning, energy conservation, developing a multimodal transportation plan by 1993, forging stronger links between rural and urban Oregon, and providing the funding mechanisms necessary to improve Oregon's transportation system are the critical issues facing the Commission.

Roberts said the interagency agreement to better coordinate planning efforts of ODOT and the Department of Land Conservation and Development was an important step, but that she wanted planning efforts coordinated between all agencies involved in growth issues, as well as local governments.

In the area of energy conservation, Governor Roberts charged the Commission with developing programs to cut down on the number of single-occupancy vehicles, to convert fleet vehicles to cleaner burning alternative fuels and to meet Oregon Progress Board Benchmarks in transportation areas.

The governor's third goal focused on the Transportation Plan. "I would like to see the development of an ODOT transportation plan that goes far beyond our need for highway maintenance and construction and begins to develop plans for a multimodal approach to our transportation needs," she stressed. "The plan you are developing for 1993 should reach far beyond highways into new and exciting forms of transportation that are clean, energy efficient, user friendly and cost effective." She asked the commission to include efforts in this plan to improve rail, air transport and ports, as well as to encourage walking, bikes and buses.

"Beyond just assessing highway need based on existing or anticipated demand, your transportation plan should consider the types of transportation that make energy sense. It should consider the tradeoff between building roads and highways as opposed to rail or mass transit," Governor Roberts said. "In short, I would be pleased to see your planning efforts become more proactive--looking for new ways to accomplish our, transportation needs, seeking out innovation and responding with vigor to the needs of our local communities."

The governor charged the commission with helping to diminish the gap between rural and urban Oregon, and stressed her commitment to the Access Oregon Highway Program, funding for the Westside Light Rail, and the state funding proposal developed by the Roads Finance Committee. She urged ODOT to aggressively lobby Congress for increased highway and aviation funding.

Hollern Presents Planning Process

The Oregon Transportation Plan is the Oregon Department of Transportation's (ODOT's) exploration of all transportation modes within the state.

Oregon law requires that the Transportation Commission "develop and maintain a state transportation policy and a comprehensive, long-range plan for a multimodal transportation system for the state." The Transportation Commission directed the department's strategists to create a plan that encompasses statewide transit, aeronautics, rail and highway improvements.

Mike Hollern, Transportation Commission chairman, said developing such a comprehensive plan will require the cooperation of state and local government, private industry and the public.

(continued on page 3)

Citizens Across State Guide OTP

How can transportation support our vision for the future of our cities? How can we maintain and improve access to work, shopping, services and recreation? How can we improve our freight services? Improve our traffic safety? How can transportation facilities support the urban growth boundaries? How can rural areas obtain adequate funds to finance major projects? These are some of the issues that five advisory committees to the Oregon Transportation Commission will be discussing this spring.

The five advisory committees, headed by members of the Transportation Commission, are developing the policies of the Oregon Transportation Plan. Members on each committee have broad geographic interests and a wide range of experience in all facets of transportation, representing public and private transportation users and providers and decision makers.

Each committee will review the vision document, identify issues raised by the vision and by existing transportation policies, and develop policies that will guide transportation planning toward fulfillment of the vision.

The Urban Mobility Policy Advisory Committee, chaired by Commissioner David Bolender, will address issues of urban congestion, land use, economic development, and the environment, the relationship of state and local transportation facilities, and the relationship of the state transportation plan to the regional transportation plans.

The Rural Access Committee, headed by Commissioner John Whitty, will discuss intercity-interregion transportation issues, the needs of small communities and rural regions, and bus access and freight concerns.

Commissioner Roger Breezley will chair the Freight Productivity Committee. It will address issues related to the movement of goods, including international transportation needs.

Issues of safety for drivers, passengers, vehicles and goods will be the focus of the Safety

Improvements Committee chaired by Commissioner Cynthia Ford.

Policies involving funding sources and allocations to carry out these policies and programs will be the responsibility of the Financial Systems Committee headed by Commissioner Mike Hollern.

Each committee will meet three times from April to July (see schedule on page 4); all meetings will be open to the public. You may comment on policies during the committee process by submitting written comments to Dave Bishop or Carolyn Gassaway at least 10 days before the committee meetings or by furnishing the committee with 15 copies of the comments at the meeting. Oral testimony may be given during the public hearing process before the Transportation Commission this fall.

Staff Invites Comments on OTP

The Strategic Planning Section of ODOT, headed by Mark Ford, is overseeing the development of the Transportation Plan. Dave Bishop is Plan Manager; he recently came to ODOT after completing two terms as Yamhill County Commissioner. He has directed the departments of planning and development for Yamhill and Umatilla Counties and has a Master's degree in Urban Planning from the University of Oregon. Dave believes that the OTP is an exciting project and he hopes to provide many opportunities for public participation in it.

Assisting Dave is Carolyn Gassaway, transportation analyst. Carolyn has been a member and chair of the Portland Metropolitan Area Local Government Boundary Commission and has worked for the City of Portland Bureau of Planning in annexation and public involvement. She has a Master's degree in English and is completing a Master's in Public Administration.

The staff welcomes your comments or questions. Send comments to the Strategic Planning Section, Room 405, Transportation Building, Salem, Oregon 97310 or phone Dave at 373-1279 or Carolyn at 378-5509 (FAX: 373-7194).

Planning Process (Cont.)

The process has four goals:

- To create for the 1993 Oregon Legislature a transportation policy document, needs assessment, and funding request that reflects a long-range, comprehensive and multimodal perspective;
- To establish an ongoing transportation planning process within ODOT that complies with Oregon law;

OTP Calendar

1991

April-July	Policy Advisory Committees to draft OTP policies
September	Transportation Commission to approve Draft Policy Element for public review
November-December	Public hearings to be held throughout state on Draft Policy Element

1992

January	Transportation Commission to review preliminary Transportation System Element
February	Policy Advisory Committees to review comments from public hearings and prepare Final Draft of Transportation Policy Element
April	Transportation Commission to adopt Transportation Policy Element
June	Transportation Commission to approve Draft System Element
July	Public Hearings on Draft System Element to be held
August	Transportation Commission to adopt Transportation System Element and Financial Plan

- To establish, maintain and improve coordination and cooperation between the various transportation modes, state and federal agencies, local governments and private industry; and

- To provide better integration of existing division implementation plans.

The planning process is being developed around four elements:

- A long-range **overview** which looks 40 years into the future at the transportation system and at population, economic, environmental and other trends affecting transportation.

- A **vision** which looks into the future at what we *want* to happen. The vision element is based primarily on work already done by other agencies and the Legislature in long-range planning and goal setting. This includes the Land Conservation and Development Commission's statewide planning goals and the Oregon Benchmarks developed by the Oregon Progress Board.

- A **policy** element whose purpose is to produce a transportation policy to build decision making in a way that will respond to needs for personal mobility and commerce and will contribute to achievement of the Oregon vision of livable communities and state. Five committees of public and private officials and citizens will develop policies in critical areas; each committee will be headed by a member of the Transportation Commission. The work of these committees will result in a draft Policy Plan that will be distributed for public review this fall. The final document will be adopted by the Transportation Commission and the governor in 1992.

- A **system** element which will describe the transportation system that should be put into place in the next 20 years to achieve the vision and serve the transportation needs of the state. This element will not be as detailed as the State Highway Plan or the regional transportation plans of the state's four metropolitan areas; but it will allow consideration of alternative modal solutions, provide direction to modal and regional plans, and provide a basis for needs estimates and future funding decisions. This element will be completed in August 1992.

OTP POLICY ADVISORY COMMITTEE SCHEDULE

COMMITTEE	FIRST MEETING	SECOND MEETING	THIRD MEETING
Freight Productivity Policy Advisory Committee Roger Breezley Chair	Mon., April 22 12:30-4:00 pm Suite 3100 U.S. Bank Tower 111 SW Fifth Ave. Portland	Wed., May 29 1:00-4:00 pm Room B, 19th Floor U.S. Bank Tower 111 SW Fifth Ave. Portland	Wed., June 26 1:00-4:00 pm Room 122 Transportation Bldg. Capitol Mall Salem
Safety Improvement Policy Advisory Committee Cynthia Ford Chair	Wed., April 24 9:00 am-12:30 pm Room 122 Transportation Bldg. Capitol Mall Salem	Wed., May 22 9:00 am-noon Administration Bldg. Terminal 6 7201 N Marine Dr. Portland	Fri., June 28 9:00 am-noon Room 406 Transportation Bldg. Capitol Mall Salem
Rural Access Policy Advisory Committee John Whitty Chair	Thurs., April 25 12:30-4:00 pm Room 122 Transportation Bldg. Capitol Mall Salem	Thurs., May 30 9:00 am-noon Room 123 Transportation Bldg. Capitol Mall Salem	Mon., June 24 1:00-4:00 pm Room 123 Transportation Bldg. Capitol Mall Salem
Urban Mobility Policy Advisory Committee David Bolender Chair	Tues., April 30 9:00 am -12:30 pm Conference Room A Third Floor 500 NE Multnomah Portland	Thurs., May 16 8:30-11:30 am Conference Room A Third Floor 500 NE Multnomah Portland	Tues., June 25 1:00-4:00 pm Conference Room A Third Floor 500 NE Multnomah Portland
Financing Systems Policy Advisory Committee Mike Hollern Chair	Tues., April 30 12:30-4:00 pm Room 125 Transportation Bldg. Capitol Mall Salem	Mon., June 3 1:00-4:00 pm Room 123 Transportation Bldg. Capitol Mall Salem	Wed., July 10 1:00-4:00 pm Room 116 Hwy. Operations Bldg. 2950 State Salem

Strategic Planning Section
 Rm. 405, Transportation Bldg.
 Salem, OR 97310

**BULK PERMIT
NO. 65**

Phyllis Loobey
 General Manager
 Lane Transit District
 P. O. Box 7070
 Eugene, OR 97401





April 19, 1991

Board of Directors
Lane Transit District
P.O. Box 7070
Eugene, OR 97401

Dear Board Members,

This is in regard to personal concerns I have about the proposed LTD business fee increases and the proposed new location of your Eugene main station. These views do not reflect that of the city or other governing officials of Springfield, but I do believe they affect us in our public duties.

Regarding the state allowable tax hike, is there any way in which LTD can increase (or receive) its share of gas tax receipts? Lane County appears to have a burgeoning amount of money for road funds, which is wonderful, but it seems to me that as one drives their personal vehicle they too should be responsible for not just road improvement and maintenance, and air pollution issues, but also mass transit capital and operating needs.

In my mind it makes little sense to have business owners incur a cost that all who drive their cars incur. For example, let's say a business owner has each and every employee take the bus and all of their marketing is done via phone and the mail. What sense does the LTD tax make for them? Whereas one can certainly delineate car usage as a direct competitor against LTD and this can be compensated fairly with a gas tax fee.

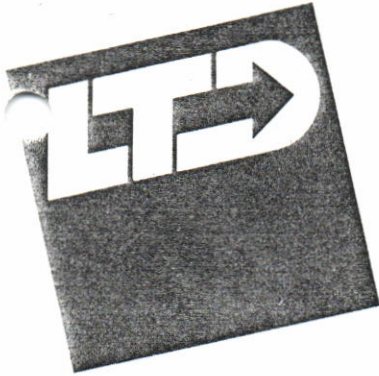
Regarding your new site possibility and the issues of perception surrounding Measure 5, I don't believe it bodes well for government entities. We are charged with insuring care in fiscal issues. Obviously my opinion matters little, but I do think that with the mall reopening and trying to get foot traffic downtown, as well as congestion issues and cost containment, it's a very tough sell for me and, I believe, many others.

I write not to criticize, but trying to help add thoughts and perceptions that you as a Board may have well considered many times. I would appreciate hearing from you about these two issues and I'd be happy to help in whatever manner I can.

Thank you for your consideration and attention!

Sincerely,

Bruce Berg
Councilor, Ward 2



Lane Transit District

P.O. Box 7070
Eugene, Oregon 97401-0470

(503) 741-6100
Fax (503) 741-6111

May 7, 1991

Mr. Bruce Berg
City Councilor, Ward 2
City of Springfield
225 Fifth Street
Springfield, Oregon 97477

Dear Councilor Berg:

Thank you for your recent letter regarding your concerns about LTD's proposed tax rate and the Eugene Station project.

First, LTD does not receive any revenue from gas tax receipts levied by the State. The Oregon Constitution prohibits the use of gas taxes or fees associated with automobile ownership or operation for any use that is not directly related to construction, repair, renovation and maintenance of state highways. Past attempts to pass amendments to the constitution to broaden the use of the gas tax revenues have failed. The most recent effort was last November, when voters were asked to approve a local option motor vehicle registration fee which would have provided funds for transit capital projects. The measure failed.

Second, the Board of Directors is very concerned over the potential cost of a new station. The Board has determined that a new station is needed; that it should be located in downtown Eugene, and that it, preferably, should be off-street. The Board has directed staff to re-examine all potential sites to determine costs of land acquisition and construction; operating efficiency; and long-term capacity. Additionally, the project has been reprogrammed on a four-year schedule rather than three years.

Mr. Berg, we do appreciate your comments. You may know that Tammy Fitch and Tom Montgomery, Springfield residents, sit on LTD's Board of Directors. I am certain they would be more than willing to discuss any LTD issue with you. And, of course, you are welcome to confer with the entire Board at your convenience.

Thank you.

Sincerely,

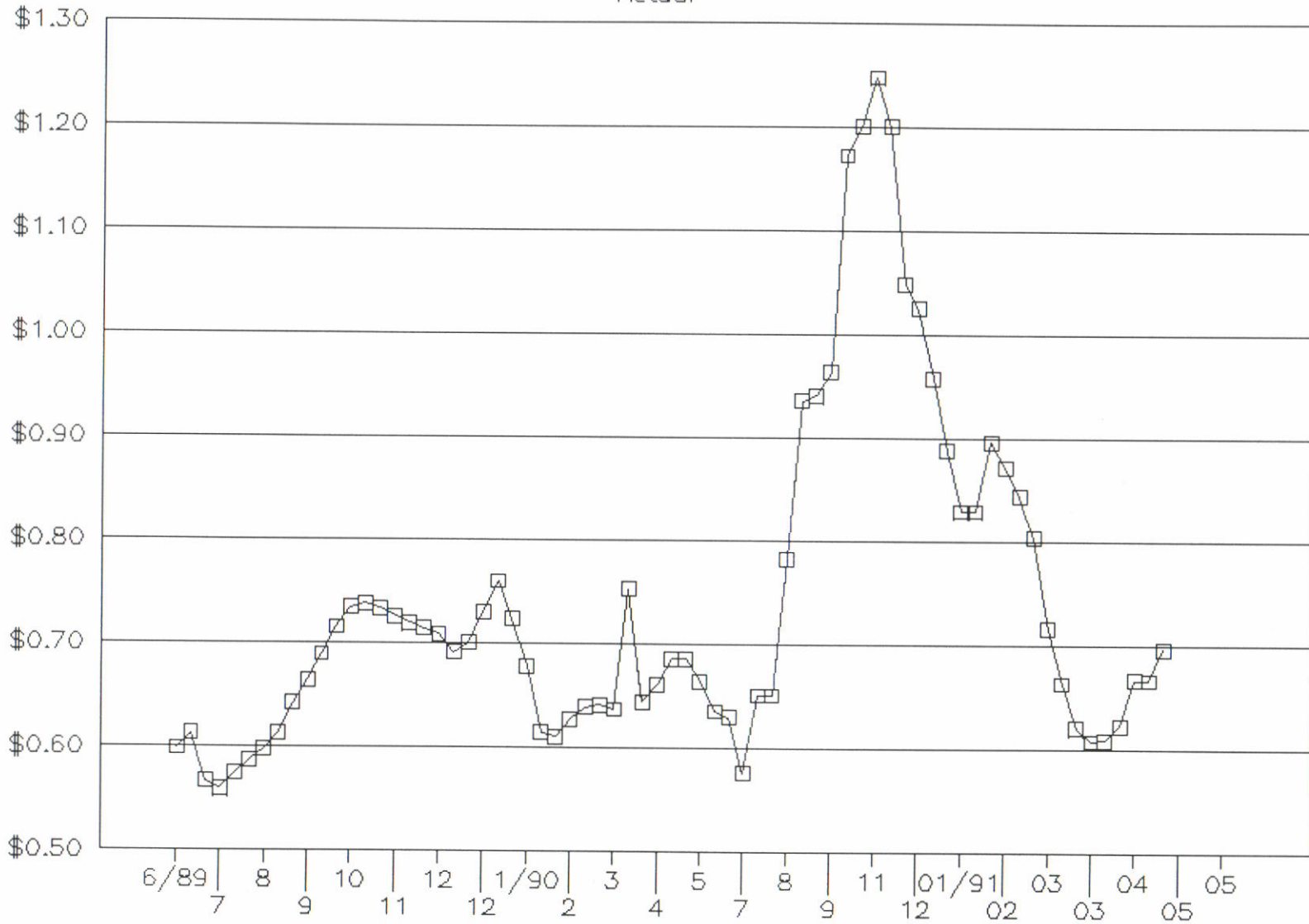
A. Keith Parks
President, Board of Directors

AKP:PL:js

CHART 1

FUEL COST

Actual



□ Actual Cost

IMPACT AT CURRENT FUEL COST LEVEL

April 15, 1991

		1ST QTR	2ND QTR	3RD QTR	4TH QTR	TOTAL
ESTIMATE INCREASE IN PRICE PER QUARTER					0%	
PRICE PER GALLON		\$0.85	\$0.95	\$0.66	\$0.70	
BUDGETED GALLONS	771,297					
ASSUMED INCREASE IN CONSUMPTION	3%				163,987	
GALLONS USED PER QUARTER		186,197	165,815	213,875	36,732	
COST PER QUARTER		\$161,484	\$193,682	\$157,973	\$138,748	\$651,887
BUDGET						\$677,200
REMAINING BALANCE						\$25,313

LANE TRANSIT
BALANCE SHEET
GENERAL FUND
April 30, 1991

	6/30/90	4/30/91	Increase (Decrease)
	-----	-----	-----
ASSETS			
Cash	\$10,513	\$391,016	380,504
Cash - LGIP	196,078	1,583,926	1,387,848
Accounts receivable	287,519	73,637	(213,882)
Other receivables	73,418	216,185	142,766
Prepaid expenses	5,985	0	(5,985)
	-----	-----	-----
Subtotal	573,514	2,264,765	1,691,251
Inventory	300,598	315,410	14,812
Deferred compensation	326,971	326,971	0
Prepaid lease	120,833	119,271	(1,563)
	-----	-----	-----
Subtotal	748,402	761,651	13,249
Property net of depreciation	18,771,619	18,771,619	0
Total assets	\$20,093,535	\$21,798,035	\$1,704,500
	=====	=====	=====
LIABILITIES & FUND BALANCES			
Accounts payable	\$167,872	\$110,700	(\$57,172)
Payroll payable	149,523	293,039	\$143,515
Unearned income	34,948	308,450	\$273,502
Bid bonds/ other payable	16,810	5,951	(\$10,859)
	-----	-----	-----
	369,153	718,139	348,986
Vacation/Cal/Sick payable	625,792	625,792	\$0
Deferred Comp payable	326,971	326,971	0
	-----	-----	-----
	952,763	952,763	0
Total Liabilites	1,321,916	1,670,902	348,986
Beginning fund balance	0	0	0
Add income/transfers	11,111,429	9,465,521	(1,645,908)
Subtract expenses	(11,111,429)	(8,110,007)	(3,001,422)
	-----	-----	-----
Ending Fund Balance	0	1,355,514	1,355,514
Fund balance in property	18,771,619	18,771,619	0
Total Liabilities & Fund Balances	\$20,093,535	\$21,798,035	\$1,704,500
	=====	=====	=====

LANE TRANSIT GENERAL FUND
 COMPARISON OF YEAR-TO-DATE ACTUAL REVENUES AND EXPENDITURES TO BUDGETED
 GENERAL FUND
 FOR THE PERIOD 7/1/90 TO 4/30/91 83.33% OF YEAR COMPLETED

	YEARLY BUDGET	YEAR-TO-DATE ACTIVITY	YTD VARIANCE OVER(UNDER)	% RECEIVED/ EXPENDED
	-----	-----	-----	-----
REVENUES				
Operating Revenues:				
Passenger Fares	1,920,000	1,742,617	142,617	90.76%
Charters	28,000	26,204	2,871	93.59%
Advertising	88,200	76,995	3,495	87.30%
Miscellaneous	2,000	6,587	4,920	329.35%
TOTAL OPERATING REVENUES	2,038,200	1,852,403	153,903	90.88%
Non-Operating Revenues:				
Interest	180,000	299,613	149,613	166.45%
Payroll Taxes	6,847,000	5,646,517	(59,316)	82.47%
Federal Operating Assistance	1,100,000	966,012	49,345	87.82%
State In-Lieu-Of Payroll Taxes	636,000	497,769	(32,231)	78.27%
State Special Transportation	544,000	197,496	(255,837)	36.30%
Other Operating Grants	0	5,000	5,000	0.00%
Other	0	710	710	0.00%
TOTAL NON-OPERATING REVENUES	9,307,000	7,613,118	(142,716)	81.80%
TOTAL REVENUES	11,345,200	9,465,521	11,188	83.43%
EXPENDITURES				
Administration:				
Personal Services	697,700	564,237	(17,179)	80.87%
Materials and Supplies	185,650	117,953	(36,755)	63.54%
Contractual Services	124,450	95,932	(7,777)	77.08%
Total Administration	1,007,800	778,122	(61,711)	77.21%
Marketing and Planning:				
Personal Services	628,200	512,416	(11,084)	81.57%
Materials and Supplies	221,850	203,898	19,023	91.91%
Contractual Services	173,300	138,454	(5,962)	79.89%
Total Marketing and Planning	1,023,350	854,768	1,976	83.53%
Transportation:				
Personal Services	4,767,349	3,926,503	(46,287)	82.36%
Materials and Supplies	23,650	9,065	(10,643)	38.33%
Contractual Services	656,158	309,444	(237,354)	47.16%
Total Transportation	5,447,157	4,245,013	(294,285)	77.93%
Maintenance:				
Personal Services	1,239,900	1,003,200	(30,050)	80.91%
Materials and Supplies	1,283,500	1,024,495	(45,088)	79.82%
Contractual Services	248,350	204,410	(2,548)	82.31%
Total Maintenance	2,771,750	2,232,105	(77,687)	80.53%
Contingency	200,000	0	(166,667)	0.00%
Transfer to Capital Projects	409,398	0	(341,165)	0.00%
Transfer to Risk Management	485,745	0	(404,788)	0.00%
TOTAL EXPENDITURES	11,345,200	8,110,007	(1,344,326)	71.48%
EXCESS (DEFICIT)	0	1,355,514	1,355,514	0.00%
	=====	=====	=====	=====

LANE TRANSIT
BALANCE SHEET
CAPITAL PROJECTS FUND
April 30, 1991

	6/30/90	4/30/91	Increase (Decrease)
	-----	-----	-----
ASSETS			
Cash - LGIP	\$3,557,548	\$1,599,692	(\$1,957,856)
Cash - retainage accounts	447,499	200,163	(247,336)
Capital grants receivable	147,091	548,951	401,860
Deposits - capital grants	4,016	4,016	0
	-----	-----	-----
Total assets	4,156,154	2,352,822	(1,803,332)
	=====	=====	=====
LIABILITIES & FUND BALANCES			
Accounts payable	\$146,059	\$924,231	\$778,172
Retainage payable	452,982	211,256	(241,726)
	-----	-----	-----
Total Liabilities	599,041	1,135,487	536,446
Beginning fund balance	3,593,978	3,557,114	(36,864)
Add income/transfers	2,890,442	2,898,734	8,292
Subtract expenses	(2,927,307)	(5,238,512)	2,311,205
	-----	-----	-----
Ending Fund Balance	3,557,114	1,217,335	(2,339,778)
	-----	-----	-----
Total Liabilities & Fund Balances	\$4,156,154	\$2,352,822	(\$1,803,332)
	=====	=====	=====

LANE TRANSIT
 COMPARISON OF BUDGETED AND ACTUAL REVENUES AND EXPENDITURES
 CAPITAL PROJECTS FUND
 FOR THE PERIOD 7/01/90 TO 4/30/91

83.33% OF YEAR COMPLETED

	YEARLY BUDGET	YTD ACTUAL	TOTAL VARIANCE	YTD VARIANCE OVER(UNDER)
	-----	-----	-----	-----
RESOURCES				
Beginning Fund Balance	2,795,728	3,557,114	761,386	
Revenues:				
UMTA Section 3-Buses	2,127,000	2,164,143		391,643
UMTA Section 3-Capital				0
UMTA Section 9-Buses	140,000			(116,667)
UMTA Section 9-Capital	238,000	275,533		77,200
UMTA Section 18	360,000	443,663		143,663
UMTA Section 18-LCC				0
Federal Highway Admin				0
Transfer from Gen'l Fund	409,398			(341,165)
Miscellaneous revenue		15,395		
Other (Sale of Old Facility)	50,000			(41,667)
	-----	-----		-----
Total Revenues	3,324,398	2,898,734		128,402
	-----	-----		-----
TOTAL RESOURCES	6,120,126	6,455,847		128,402
EXPENDITURES				
Locally Funded:	494,150	130,233		(281,559)
Cost of sale (8th & Garfield)		47,952		47,952
UMTA Funded:				
Computer Software		11,159		
Office Equipment		37,599		
Maintenance Equipment		2,278		
Bus Stop Improvements		371,722		
Land & Buildings		9,578		
Buses		4,598,613		
Bus Related Equipment		1,200		
Service Vehicles		15,810		
Miscellaneous				
Total UMTA Funded	4,835,000	5,047,958		1,018,791
Contingency	0	0		0
Capital Lease Principal	14,850	12,369		(6)
	-----	-----		-----
TOTAL EXPENDITURES	5,344,000	5,238,512		785,179
NET CHANGE TO FUND	(2,019,602)	(2,339,778)		(656,777)
ENDING FUND BALANCE	776,126	1,217,335	441,209	

LANE TRANSIT
 BALANCE SHEET
 RISK FUND
 April 30, 1991

	6/30/90	4/30/91	Increase (Decrease)
	-----	-----	-----
ASSETS			
Cash - risk account	\$5,000	\$5,000	0
Cash - LGIP	560,866	404,035	(156,831)
Receivables	20,963	0	(20,963)
Prepaid insurance	4,194	0	(4,194)
	-----	-----	-----
Total assets	591,023	409,035	(181,988)
	=====	=====	=====
LIABILITIES & FUND BALANCES			
Accounts payable	\$5,704	\$21,658	\$15,954
Claims payable	94,200	94,200	0
	-----	-----	-----
Total Liabilites	99,904	115,858	15,954
Beginning fund balance	411,849	491,119	79,270
Add income/transfers	430,880	162,345	(268,535)
Subtract expenses	(351,610)	(360,287)	8,677
	-----	-----	-----
Ending Fund Balance	491,119	293,177	(197,942)
	-----	-----	-----
Total Liabilities & Fund Balances	\$591,023	\$409,035	(\$181,988)
	=====	=====	=====

LANE TRANSIT
 COMPARISON OF BUDGETED AND ACTUAL REVENUES AND EXPENDITURES
 RISK MANAGEMENT FUND
 FOR THE PERIOD 7/01/90 TO 4/30/91

83.33% OF YEAR COMPLETED

	YEARLY BUDGET	YEAR-TO-DATE	TOTAL VARIANCE	YTD VARIANCE OVER(UNDER)
	-----	-----	-----	-----
RESOURCES				
Beginning Fund Balance	395,705	491,119	95,414	161,365
Revenues:				
Transfer from Gen'l Fund	485,745	0		(404,788)
Interest	25,000	0		(20,833)
SAIF Dividend	0	162,345		162,345
	-----	-----		-----
Total Revenues	510,745	162,345		(263,276)
TOTAL RESOURCES	906,450	653,464		(101,911)
EXPENDITURES				
Administration	4,200	2,100		(1,400)
Worker's Compensation	250,000	96,319		(112,014)
Liability Program	630,100	254,667		(270,416)
Miscellaneous Insurance	22,150	7,201		(11,257)
	-----	-----		-----
TOTAL EXPENDITURES	906,450	360,287		(395,088)
ENDING FUND BALANCE	0	293,177	293,177	293,177

RECAP OF DIVISION EXPENDITURES
 AS OF 4/30/91
 83% OF YEAR COMPLETED

DIVISION	ANNUAL BUDGET	EXPENDITURES YEAR TO DATE	CURRENT MONTH	YTD OVER (UNDER)	PERCENT EXPENDED
ADMINISTRATION	397,250	326,066	27,640	(71,184)	82.08%
MGMT INFO SVCS	164,600	127,696	16,265	(36,904)	77.58%
FINANCE	217,550	178,625	16,968	(38,925)	82.11%
PERSONNEL	100,050	68,561	4,812	(31,489)	68.53%
SAFETY & TRAIN	128,350	77,174	13,919	(51,176)	60.13%
MARKETING	538,350	457,032	19,910	(81,318)	84.89%
PLANNING	214,250	169,070	16,175	(45,180)	78.91%
CUSTOMER SVC	270,750	228,666	21,622	(42,084)	84.46%
TRANSPORTATION	4,791,758	3,936,133	378,739	(855,625)	82.14%
SPEC. TRANS.	655,400	308,880	32,916	(346,520)	47.13%
VEH. MAINT.	2,484,250	2,001,755	163,743	(482,495)	80.58%
FACILITIES OP	287,500	230,350	24,576	(57,150)	80.12%
	10,250,058	8,110,007	737,284	(2,140,051)	79.12%
TRANSFERS	895,142	0	0	895,142	0.00%
CONTINGENCY	200,000	0	0	200,000	0.00%
GENERAL FUND	11,345,200	8,110,007	737,284	(1,044,909)	71.48%
CAPITAL PROJ.	5,344,000	5,238,512	2,765,212	(105,488)	98.03%
RISK MGMT.	906,450	360,287	39,289	(546,163)	39.75%
TOTALS	17,595,650	13,708,807	3,541,785	(1,696,559)	77.91%

AGENDA ITEM SUMMARY

DATE OF MEETING: May 15, 1991

ITEM TITLE: Third Quarter Performance Report

ACTION REQUESTED: None; information only

BACKGROUND: The Board receives three quarterly performance reports and one year-end report each year. This report is for the third quarter of FY 90-91 and covers the period from January through March, 1991. Comparisons are made with the third quarter of FY 89-90, and a year-to-date summary is also provided.

ATTACHMENT: Third Quarter Performance Report

PROPOSED MOTION: None; information only

**THIRD QUARTER PERFORMANCE REPORT
FY 1990-1991**

MEASURE	THIRD QUARTER FY 90-91	THIRD QUARTER FY 89-90	PERCENT CHANGE
TOTAL PERSON TRIPS	1,325,575	1,203,891	10.1%
AVERAGE WEEKDAY PERSON TRIPS	18,532	16,542	12.0%
PASSENGER REVENUE	\$577,124	\$498,233	15.8%
PRODUCTIVITY	23.3	21.5	8.2%
MILES BETWEEN ROAD CALLS	3,349	3,450	-2.9%

MEASURE	YEAR-TO-DATE FY 90-91	YEAR-TO-DATE FY 89-90	PERCENT CHANGE
TOTAL PERSON TRIPS	3,660,782	3,376,649	8.4%
AVERAGE WEEKDAY PERSON TRIPS	16,544	15,227	8.6%
PASSENGER REVENUE	\$1,559,847	\$1,374,369	13.5%
PRODUCTIVITY	21.8	20.5	6.5%
MILES BETWEEN ROAD CALLS	3,521	3,487	1.0%

RIDERSHIP

Total ridership for the third quarter of FY 90-91 increased by 10.1 percent when compared with the third quarter of FY 89-90. Average weekday person trips (which measures the number of one-way trips taken on an average weekday) increased by 12 percent. Significant contributions to the third quarter increase in ridership are the group pass programs, some lingering effects of the Persian Gulf crisis, and a general ridership growth of about three percent that the District has been experiencing over the past seven years.

Year-to-date total ridership is up by 8.4 percent when compared with last year, and it appears as if final ridership for the year will be a little over 4.9 million person trips. Please refer to the graphs on page three of this report for more information.

PRODUCTIVITY

Productivity, measured as the total number of person trips taken for every schedule hour of service, increased to 23.3 in the third quarter of FY 90-91. This represents an 8.2 percent increase compared with the third quarter of FY 89-90. Year-to-date productivity stands at 21.8 trips per schedule hour. The level of service for the year has increased by 1.8 percent compared with last year.

THIRD QUARTER PERFORMANCE REPORT FY 1990-1991

PASSENGER REVENUE

Total passenger revenue for the third quarter increased by 15.8 percent when compared with the third quarter of FY 89-90. Year-to-date passenger revenue is up 13.5 percent. The table below provides an analysis of year-to-date passenger revenue.

PASSENGER REVENUE	Y-T-D FY 90-91	Y-T-D FY 89-90	PERCENT CHANGE	PERCENT OF TOTAL INCREASE
FAREBOX CASH	\$636,960	\$571,698	11.4%	35.2%
TOKENS COLLECTED	\$97,033	\$103,946	-6.7%	-3.7%
MONTHLY PASS	\$339,890	\$312,596	8.7%	14.7%
QUARTERLY PASS	\$148,558	\$131,292	13.2%	9.3%
DAY PASS	\$53,724	\$44,090	21.9%	5.2%
U OF O GROUP PASS	\$232,526	\$210,746	10.3%	11.7%
OTHER GROUP PASSES	\$51,154	\$0		27.6%
TOTAL	\$1,559,845	\$1,374,368	\$185,477	

MILES BETWEEN PREVENTABLE ROAD CALLS

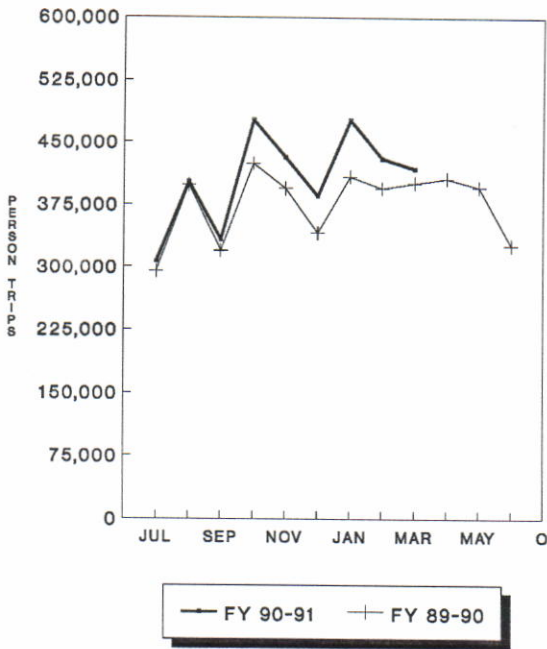
The number of miles between preventable road calls declined slightly for the third quarter when compared with the third quarter of FY 89-90, but year-to-date they have increased by 1 percent. The number of miles between road calls now stands at 3,521 for the year. Total miles travelled increased by 4.1 percent when compared with last year. The graph on the next page shows the relationship between total miles travelled and the number of road calls.

MILES BETWEEN PREVENTABLE ACCIDENTS

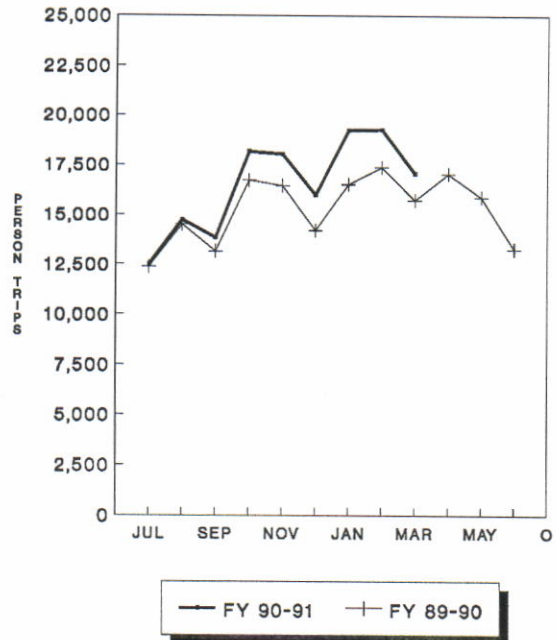
Information about accidents for the third quarter was incomplete when this report was prepared. Final figures for the year will be included in the year-end performance report, scheduled for release this summer.

THIRD QUARTER PERFORMANCE REPORT FY 1990-1991

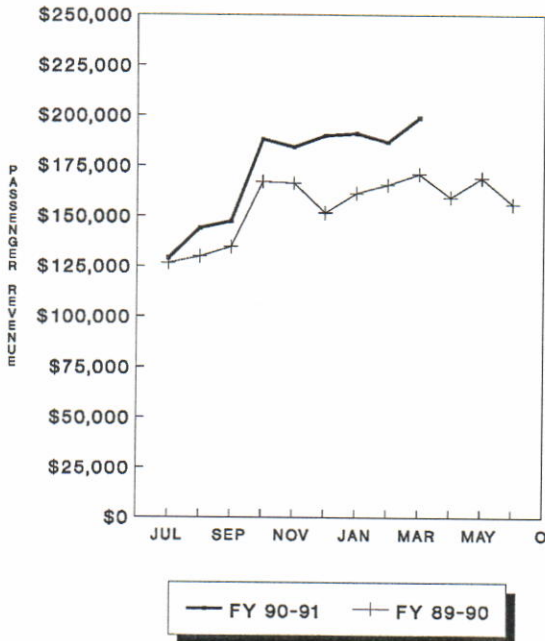
MONTHLY PERSON TRIPS
FY 90-91 COMPARED WITH FY 89-90



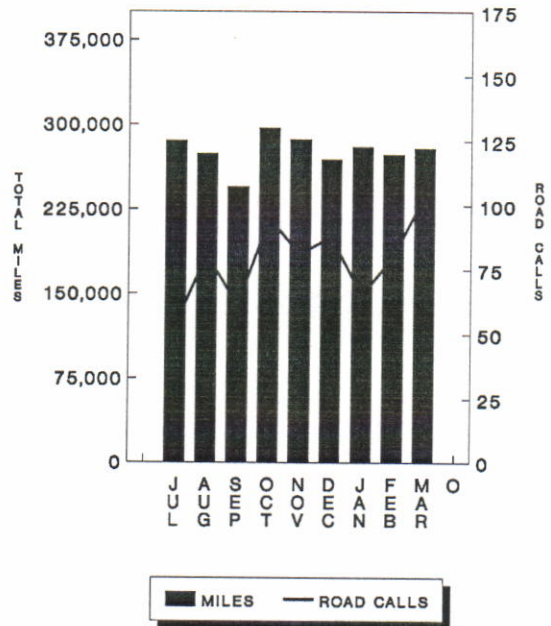
AVERAGE WEEKDAY PERSON TRIPS
FY 90-91 COMPARED WITH FY 89-90



MONTHLY PASSENGER REVENUE
FY 90-91 COMPARED WITH FY 89-90



MILES BETWEEN ROAD CALLS
FY 90-91 YEAR-TO-DATE



May 15, 1991

Senator Joan Dukes, Chair
Senate Transportation Committee
Room 140
State Capitol
Salem, OR 97310

Dear Senator Dukes:

Please approve SJR-10, the proposed Oregon constitutional amendment that will allow gas tax revenues to be used for a variety of solutions for transportation problems. This measure deserves a place on the November 1992 ballot because there are unfunded, money-saving transit projects that need immediate help. SJR-10 can provide timely, sensible allocation of funds for projects that will conserve transportation dollars and help meet state land use goals.

Lane Transit District has been especially concerned with two transportation funding issues this year. L.T.D. plans to build a transfer facility in Eugene that will help the community revitalize its downtown core and meet transportation goals. The design and siting of the facility has not been finalized, but we know that it will cost several million dollars, money that is hard to come by.

One factor that L.T.D. has noted during its site selection process is the proximity and relevance of the terminals for inter-city bus and rail service into Eugene. Our proposed transfer facility could help with the accessibility and popularity of these services, thereby taking some of the load off I-5.

Land Transit District is also faced with an operating budget problem and a shortage of easy solutions. We offer local bus service at a cost in excess of farebox revenues because we fill important needs that might otherwise require the allocation of scarce tax dollars for less cost effective methods of moving people around in the urban setting. Eugene-Springfield residents would be very interested in comparing the costs of purchasing transit services versus further highway construction when state transportation funding is to be considered.

Please help us provide affordable transportation by sending SJR-10 to a public hearing and on to the Senate. We would like to build on a high level of interest here now for alternatives to the automobile, and November 1992 is long enough to wait to know if there will be money available.

Thank you!

Name

Position

The Oregonian

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FRIDAY, MAY 10, 1991

Break gasoline-tax shackles

Rural areas are losing intercity bus and rail services, and the state's population and commerce center, the Portland area, is ranked 14th in the nation in peak-hour traffic gridlock. Yet, legislators in Salem refuse to offer voters a chance at common-sense transportation financing.

Sen. Joan Dukes, D-Astoria, shelved Senate Joint Resolution 10 last week without even a hearing. The resolution would have referred to voters a measure to allow the state's gasoline taxes to be used for mass transit as well as roadway repair and construction. She reasoned that the tax doesn't meet road needs now, that a comprehensive state transportation plan is needed before the gasoline tax is tapped for other than road needs, and that other interests than transit are eager to break the highways grip on the tax.

Nothing's new there. Comprehensive transportation planning, for example, has been talked about for years.

What is new is that Portland's gridlock has risen from 17th in the nation to 14th, according to Texas A&M University researchers. Intercity bus service no longer exists for many rural Oregon communities, and railroad abandonments are pending in Harney, Umatilla, Grant and Yamhill counties.

Some communities, large and small, including Dukes' Astoria, are struggling in the wake of the Measure 5 property tax limitation to keep their city bus service rolling.

Failure to advance SJR10 without even a Transportation Committee

hearing this session is scandalous. However, it is not fatal.

Dukes is right; other interests seek to tap into the highway treasure chest. But some make good sense. State Police workload has increased, but funding has languished since voters in 1980 succumbed to one-sided blandishments and gave highway and automobile interests a sole key to the gas-tax treasury.

State parks similarly have been fiscally starved since being locked out of the highway fund.

But where is the sense in putting a police, parks or other patch on a constitutional amendment that is basically flawed? Oregon's gasoline tax should be directed to transportation-related needs. The police and parks bills are alive, and should be merged into a single measure to free the gas tax.

Twenty-six states allow such flexibility. Neighboring California is funding significant rail and bus projects. Both it and Washington are seriously researching bullet-train service. What irony there would be if Oregon — the state that became a national transportation leader when it adopted the nation's first gasoline tax in 1919 — should be the 20th century gap in a 21st century, north-south West Coast high-speed-train system.

Patchwork amendments and weak-willed, put-it-off-another-bienium indecision should be cast aside. The 1991 Legislature should give voters the opportunity to repeal outright the excessive restrictions on state gas-tax revenues.

Senate Joint Resolution 10

Sponsored by COMMITTEE ON TRANSPORTATION (at the request of Oregon Railway Passenger Association)

SUMMARY

The following summary is not prepared by the sponsors of the measure and is not a part of the body thereof subject to consideration by the Legislative Assembly. It is an editor's brief statement of the essential features of the measure as introduced.

Authorizes use of fuel tax moneys for mass transit purposes. Upon voter approval of amendment to Oregon Constitution at next general election.

JOINT RESOLUTION

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Be It Resolved by the Legislative Assembly of the State of Oregon:

PARAGRAPH 1. Section 3a, Article IX of the Constitution of the State of Oregon, is amended to read:

Sec. 3a. (1) Except as provided in subsection (2) of this section, revenue from the following shall be used exclusively for the acquisition, construction, reconstruction, improvement, repair, maintenance, operation and use of public highways, roads, streets [*and*], roadside rest areas, mass transit services and railway systems in this state:

(a) Any tax levied on, with respect to, or measured by the storage, withdrawal, use, sale, distribution, importation or receipt of [*motor vehicle fuel*] fuel for motor vehicles or for rail vehicles operating on public rail lines or any other product used for the propulsion of [*motor*] those vehicles; and

(b) Any tax or excise levied on the ownership, operation or use of motor vehicles.

(2) Revenues described in subsection (1) of this section:

(a) May also be used for the cost of administration and any refunds or credits authorized by law.

(b) May also be used for the retirement of bonds for which such revenues have been pledged.

(c) If from levies under paragraph (b) of subsection (1) of this section on campers, mobile homes, motor homes, travel trailers, snowmobiles, or like vehicles, may also be used for the acquisition, development, maintenance or care of parks or recreation areas.

(d) If from levies under paragraph (b) of subsection (1) of this section on vehicles used or held out for use for commercial purposes, may also be used for enforcement of commercial vehicle weight, size, load, conformation and equipment regulation.

PARAGRAPH 2. The amendment proposed by this resolution shall be submitted to the people for their approval or rejection at the next regular general election held throughout this state.

Constitutional Amendment (SJR 10)
**BROADENS USE OF MOTOR VEHICLE TAXES
TO PROVIDE MULTIMODAL TRANSPORTATION FUNDING**

1. **COST-EFFECTIVE USE OF TAXES** Alternatives, like MAX Light Rail, can often be more cost-effective in moving people than expanding the highway system. With current funding constraints, state and local officials have one hand tied behind their back. Money is readily available for highway projects, but not for alternatives. The amendment will allow pursuit of solutions which best meet the community's needs. California already does this. Washington is seriously considering it. Oregon needs to catch up.
2. **GENERAL FUND DOLLARS/LOTTERY FUNDS** No new taxes. Instead, it frees up general fund dollars for vital human service and public safety programs which have been affected by Measure 5.
EXAMPLE: The state's share for needed light rail expansion is \$20 million/biennium. Diverting General Fund Cigarette Tax revenues or lottery funds is seen as the only practical funding mechanism today. Spending transportation dollars more wisely in the metropolitan area would benefit the entire state.
3. **SENSIBLE ENERGY/ENVIRONMENTAL POLICIES** Highway expansion continues our dependency on foreign oil and often leads to new congestion and environmental degradation. Being eligible for the same funding, environmentally-benign, energy-efficient alternatives would have a better chance of being chosen. The Middle East conflict emphasizes our nation's vulnerability due to our oil-consumptive transportation system. The war is resulting in growing public demand for sensible energy policies.
4. **CHOICES** It allows travel choices: people choose reasonable alternatives to automobiles if these are made available and government policy encourages them. Ten years ago Oregonians knew almost nothing about light rail. Few had knowledge of the efficiency and attractiveness of rail transportation. Last November, Portland area voters overwhelmingly approved funding for light rail expansion, even as they passed Measure 5.
5. **LAND USE PLANNING** Effective land use planning and transportation planning go hand-in-hand. But with funding bias causing most transportation dollars to be spent on highways, effective land-use planning is impossible. Improved transit allows compact urban land use, avoids urban sprawl and helps avoid destruction of valuable farm and forest lands.
6. **HIGHWAY MAINTENANCE** It improves highway maintenance. Currently, only about 38% of the State motor vehicle taxes are used for highway maintenance, while 46% of these taxes are used for highway construction¹. Diverting vehicular traffic from heavily traveled corridors reduces highway maintenance costs. Diverting long-distance freight to rail reduces wear and tear on roads: one fully-loaded semi does the same damage as 9600 automobiles².
7. **HIGHWAY CONGESTION AND SAFETY** Improved bus and rail service in and between urban areas is the only long-term way to reduce highway congestion and improve safety. Improved public transportation thus benefits those who must continue to drive.
8. **STATE-WIDE BENEFITS** Provides options for other areas besides the Portland region:
Willamette Valley: Improved corridor bus and passenger rail service could be more cost-effective and have less negative impacts than adding extra lanes to I-5.
Coastal Communities: Improved intercity bus service could reduce negative impacts of much-needed tourism, especially for increasing numbers of foreign visitors, who are used to public transportation.
Small Towns and Rural Areas: Funds could be used to improve, restore or add intercity bus service.

¹ ODOT Highway Division, 1991-6 Six-year Highway Improvement Program

² ASHTO, Our Highways: Why Do They Wear Out? Who Pays for Their Upkeep?

BOARD OF DIRECTORS

Date 5/15/91

MINUTES

DBE Policy

~~SJR 10~~

	AYE	NAY	AYE	NAY	AYE	NAY
Brandt	✓		✓			
Calvert	✓		✓			
Fitch	✓		✓			
Herzberg	✓		✓			
Montgomery	✓		✓			
Parks	✓		✓			
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