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Public notice was given to *The Register-Guard* for publication on May 10, 1996.

LANE TRANSIT DISTRICT REGULAR BOARD MEETING

May 15, 1996
7:30 p.m.

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

AGENDA

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| | Bennett _____ Hocken _____ Kleger _____ | |
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VIII. ADJOURNMENT

Alternative formats of printed material (Braille, cassette tapes, or large print) are available upon request. A sign language interpreter will be made available with 48 hours' notice. The facility used for this meeting is wheelchair accessible. For more information, please call 741-6100 (voice) or 687-5552 (TTY, for persons with hearing impairments).

AGENDA ITEM SUMMARY

DATE OF MEETING: May 15, 1996

ITEM TITLE: EMPLOYEE OF THE MONTH

PREPARED BY: Jo Sullivan, Executive Secretary

ACTION REQUESTED: None

BACKGROUND: **June 1996 Employee of the Month:** Maintenance Supervisor Frank Whisenhunt has been selected as the June 1996 Employee of the Month. He has been an LTD employee since March 14, 1977, and is a member of the District's Accessible Issues Committee. The co-worker who nominated Frank said that he is a valuable member of the Fleet Services team, and a dependable, supportive, and fair supervisor. Additionally, if another employee is having car trouble and needs help, Frank will do what he can to get the vehicle started, and has assisted in the "key locked in car" syndrome several times. Frank's co-workers commend him for being an employee who helps other employees, and believe that he is very deserving of selection as Employee of the Month.

When asked what makes Frank a good employee, Fleet Services Manager Ron Berkshire said, "Frank is an excellent employee and supervisor. He is a dedicated employee who provides stability to the Department during busy and changing times. As a member of the Accessible Issues Committee, Frank has contributed heavily in developing improved securement systems and accessibility on LTD buses. He has assisted Oregon State University researchers in their study of wheelchair securement systems on transit buses and has taken responsibility for acquiring and providing information and input into the process. Frank also has played a major role in improving communications between operators and Fleet Services by conducting new operator orientation classes. Frank's dedication and contribution as a team player are a great asset to LTD and appreciated by those around him."

AWARD: Frank will attend the meeting to be introduced to the Board and receive his award.

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AGENDA ITEM SUMMARY

DATE OF MEETING: May 15, 1996

ITEM TITLE: CONSENT CALENDAR

PREPARED BY: Phyllis Loobey, General Manager

ACTION REQUESTED: Approval of Consent Calendar Items

BACKGROUND: Issues that can be explained clearly in the written materials for each meeting, and that are not expected to draw public testimony or controversy, are included in the Consent Calendar, for approval as a group. Board members can remove any items from the Consent Calendar for discussion before the Consent Calendar is approved each month.

The Consent Calendar for May 15, 1996:

1. Approval of minutes: April 17, 1996, special Board meeting/work session;
2. Approval of minutes: April 17, 1996, regular Board meeting;
3. Fiscal Year 1996-97 Disadvantaged Business Enterprise (DBE) Goals.

ATTACHMENTS:

1. Minutes of the April 17, 1996, special Board meeting/work session
2. Minutes of the April 17, 1996, regular Board meeting
3. Fiscal Year 1996-97 Disadvantaged Business Enterprise (DBE) Goals

PROPOSED MOTION: I move that the Consent Calendar for May 15, 1996, be approved as presented.

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MINUTES OF DIRECTORS MEETING
LANE TRANSIT DISTRICT

SPECIAL MEETING/ WORK SESSION

Wednesday, April 17, 1996

Pursuant to notice given to *The Register-Guard* for publication on April 15, 1996, and distributed to persons on the mailing list of the District, a special meeting/work session of the Board of Directors of the Lane Transit District was held on Wednesday, April 17, 1996, at 5:30 p.m. in the LTD Board Room at 3500 East 17th Avenue, Eugene.

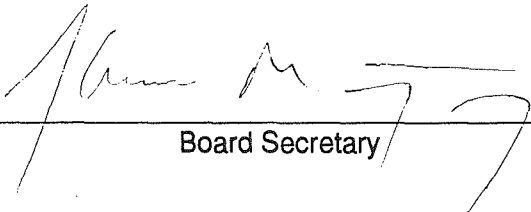
Present: Kirk Bailey, Vice President
Rob Bennett
Patricia Hocken, President, presiding
Dave Kleger, Treasurer
Thomas Montgomery, Secretary
Roger Saydack
Phyllis Loobey, General Manager
Jo Sullivan, Recording Secretary

Absent: (One vacancy, subdistrict #2)

CALL TO ORDER: The meeting was called to order at 5:35 p.m. by Board President Pat Hocken. She reintroduced Mary Murphy, the Governor's appointee for the vacant Springfield position on the Board. She explained that Ms. Murphy had been confirmed by the Senate and would be signing her oath of office at 7:30 p.m., after which she would be a voting member of the LTD Board of Directors.

EXECUTIVE SESSION PURSUANT TO ORS 192.660(1)(d): Mr. Bailey moved that the Board move into Executive Session pursuant to ORS 192.660(1)(d), to conduct deliberations with persons designated by the governing body to carry on labor negotiations. Mr. Saydack seconded, and the motion carried by unanimous vote. Human resources manager Ed Rutledge was present for this discussion with the Board.

RETURN TO REGULAR SESSION/ADJOURNMENT: The Board returned to regular session and unanimously adjourned the meeting at 7:15 p.m.


Board Secretary

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MINUTES OF DIRECTORS MEETING

LANE TRANSIT DISTRICT

REGULAR MEETING

Wednesday, April 17, 1996

Pursuant to notice given to *The Register-Guard* for publication on April 11, 1996, and distributed to persons on the mailing list of the District, the regular monthly meeting of the Board of Directors of the Lane Transit District was held on Wednesday, April 17, 1996, at 7:30 p.m. in the LTD Board Room at 3500 East 17th Avenue, Eugene.

Present: Kirk Bailey, Vice President
Rob Bennett
Patricia Hocken, President, presiding
Dave Kleger, Treasurer
Thomas Montgomery, Secretary
Mary Murphy
Roger Saydack
Phyllis Loobey, General Manager
Jo Sullivan, Recording Secretary

Absent:

CALL TO ORDER: The meeting was called to order at 7:30 p.m. by Board President Pat Hocken. She stated that Mary Murphy, the Governor's nominee for the vacant Springfield position, had been confirmed by the Senate and was in the process of signing her oath of office in one of the District's conference rooms. As soon as that was done, she would be a voting member of the Board and would participate during the meeting that evening.

Ms. Hocken stated that the Board had received three communications within the last month or so from low-income people complaining about the self-employment tax. She said she knew that in the past the Board had expressed some interest in setting up some sort of program to eliminate the self-employment tax for low-income people. She planned to work with staff during the next month or so to develop some suggestions or a proposal to bring to the Board. A brief information summary had been included in the materials for that meeting, raising some concerns about the "part-time self-employed." She said she was not as concerned about people who had other sources of income and operated a small business as much as she was about people who were truly low-income and had trouble paying their bills. She said that would be her approach, but the Board would be asked to approve any proposal she and staff developed. Ms. Hocken said she had discovered some issues about the way the employment-tax issue for domestic help worked, so that someone might not have to be registered with the State of Oregon for any other program, such as state withholding, workers' compensation, self-employment taxes, etc., but would have to be registered for LTD. She thought that was a waste of time and effort for the amount of

money the District would collect in that type of situation, so she said this was another issue she would bring before the Board in the next month or so.

AUDIENCE PARTICIPATION: There was no one present who wished to address the Board on any issues.

EMPLOYEE OF THE MONTH: Ms. Hocken recognized Payroll Technician Melody Bartley as the May Employee of the Month. She said that Ms. Bartley had been an LTD employee since February 1988, and previously was an Employee of the Month in 1990. The co-worker who nominated her said that employees' paychecks were very important to them, and Ms. Bartley was so good at her job that very few problems arose. When they did, they were handled willingly, without hesitation, and with a smile. Ms. Bartley was described as accurate, friendly, humorous, and always available to answer questions. The co-worker also mentioned Ms. Bartley's extra hours and hard work to be sure paychecks were correct and on time during the conversion from the old payroll system to the new, computerized one. When asked what made Ms. Bartley a good employee, Finance Manager Tamara Weaver had said that Ms. Bartley was an excellent employee who took complete responsibility for her area and treated other employees very well, with a great deal of patience. For the last two years, she had the extra project of software development, and the software consultants had said they had never worked with anyone who did a better job of debugging software. Ms. Bartley was still making suggestions for improvement, and worked with the developers to make sure it happened correctly. This had been an intense project, and Ms. Bartley deserved kudos for her handling of this extra responsibility.

Ms. Hocken presented Ms. Bartley with her letter of congratulations, plaque, and monetary reward. Ms. Bartley thanked the Board, and said that she enjoyed everyone she worked with, and LTD had been a great place to work. She said that May was becoming an extraordinary month; not only was she Employee of the Month, but she was marrying the man of her dreams, thanks to LTD, also, because she met him at work. She said that the only dark spot in May was that Ms. Weaver was leaving LTD.

MOTION **CONSENT CALENDAR:** Mr. Kleger moved the adoption of the Consent Calendar for April 17, 1996. Mr. Montgomery seconded the motion. Ms. Hocken asked a question on page eight of the minutes of the March 20, 1996, Board meeting. A sentence said, "The \$116,000 was projected to pay the cost increases and provide about a 50 percent increase in rides." Ms. Hocken wondered if that 50 percent increase was correct. Assistant General Manager Mark Pangborn said that it should be 15 percent rather than 50 percent.

AMEND Mr. Kleger and Mr. Montgomery asked to amend the motion to approve the Consent Calendar with the minutes as amended. The Consent Calendar, including the minutes as

VOTE amended, was then approved by unanimous vote (6:0).

Ms. Murphy joined the meeting at this point.

INCREASE IN FREEDOM PASS PRICE: Planning & Development Manager Stefano Viggiano said that in March staff had told the Board that if they waited a month to approve the pricing changes, it would not create any problems. However, one of the changes in the package was to increase the cost of the Freedom Pass, a summer youth pass. Staff had

recommended that the increase take effect during the current year, with pass sales beginning in May. However, since the Board would be adopting the fare changes by ordinance, with a 30-day waiting period before the ordinance took effect, the price change for the Freedom Pass could not take effect until June. Staff had asked legal counsel what options were available. After reviewing this issue, it was counsel's preliminary opinion that the District was not required to adopt fare changes by ordinance. That had been an opinion from the District's previous attorney, so staff had begun adopting fare changes by ordinance in 1992. Before that, fare changes were adopted by motion. District counsel suggested that the Board adopt the 1996-97 fare changes by ordinance, except for this particular item of the Freedom Pass, which the Board would adopt by motion, and counsel would continue to research this question and provide an opinion for next year's fare deliberations. Therefore, staff had removed the Freedom Pass price increase from the fare ordinance, and were recommending an increase from \$24.95 to \$27.95 for the summer youth pass.

Mr. Bennett asked about staff's estimate for revenue increase and ridership loss. Mr. Viggiano said that when people rode with a pass, they took "x" number of trips, and staff estimated that number. When the price increases, some people will choose not to buy a pass, maybe based on the number of trips they take per month. Those people might ride less and pay cash, but not ride as often as they would have if they had purchased a pass. He said this estimate was based on a predicted price elasticity. He thought that the estimate had been that LTD might sell 2 percent fewer passes. There were studies that predicted fare elasticity, but LTD's experience had been that the District lost much less ridership than the national studies predicted. Staff attributed that to the fact that the District was careful and somewhat innovative in the way in the way it raised prices. He thought that staff still tended to overestimate the ridership loss, so that 8,000 lost rides probably was an overestimation.

MOTION Mr. Bennett moved that the price of the Freedom Pass be increased to \$27.95, effective with the summer 1996 Freedom Pass. Mr. Montgomery seconded, and the motion carried by unanimous vote (7:0).

VOTE

FISCAL YEAR 1996-97 PRICING PLAN: Mr. Viggiano stated that the rest of the items in the Pricing Plan were the same as discussed at the last meeting, except that the Freedom Pass had been removed and the monthly pass price was now recommended to increase by \$2 per month instead of \$1 per month. Since the last Board discussion, staff reviewed a number of suggestions, such as increasing cash at the same time, increasing the monthly pass price by \$2 instead of \$1, and reviewing the benefits of prepaid fare instruments. An analysis was included in the agenda packet. After considering the analysis, staff were even more strongly convinced that it made sense to make monthly passes a very attractive fare option. Therefore, staff were not comfortable going much beyond the \$2 per month price increase for passes, given the current cash price, but did believe that the monthly pass would still be attractive at \$26 per month for adults.

Mr. Viggiano said he had included the Fare Policy in the agenda packet. One of the sections of the policy related the prices of tokens and passes to the price of cash, and \$26 was within the range of what the pass price should be, given an \$.80 cash fare. Therefore, the two-dollar pass price increase was consistent with the Board-adopted Fare Policy.

There had been a suggestion to raise the cash price at the same time, in order to maintain a bigger differential between the cash and pass prices and keep people buying passes. However, that was not consistent with the Fare Policy, and staff felt uncomfortable doing that as a result. A cash fare increase was scheduled for the following year, but the actual amount of the increase had not yet been set.

Mr. Kleger commented that passes still would be a bargain at \$26 per month.

Mr. Montgomery said that, based on the savings from using passes over all other fare instruments, it seemed that the District should be working very hard to encourage the use of passes. Mr. Viggiano agreed, adding that only 30 percent of the District's customers used cash, which was a low figure compared with other transit Districts, and that some of those cash users would never change. Mr. Montgomery wondered if a \$2 increase was too much. Mr. Viggiano replied that the pass price still would be considerably cheaper than cash, and he thought it was still a good deal.

MOTION
VOTE

Mr. Montgomery moved that Fourth Amended Ordinance No. 35 be read by title only. Mr. Bailey seconded, and the motion carried unanimously, 7:0. Ms. Loobey informed those present that copies of the ordinance were available for anyone who wished to have one.

Ms. Hocken read the title of the ordinance: Fourth Amended Ordinance No. 35, An Ordinance Setting Fares for Use of District Services.

FAMILY AND MEDICAL LEAVE POLICY: Human Resources Administrator Ed Rutledge called the Board's attention to the proposed policy in the agenda packet. He explained that his predecessor at LTD had drafted a policy, but at the time he left the District, the state legislature was meeting to adopt a new Oregon Family Medical Leave bill. Both a federal law and a state law governed family medical leave, and, as a result of the last legislative session, the state law was almost identical to the federal Family and Medical Leave Act (FMLA). The only difference seemed to be a slight difference in eligibility requirements, so both were included in LTD's proposed policy. Mr. Rutledge thought it was important to have the Family and Medical Leave Policy so employees could understand their rights and responsibilities, and managers, supervisors, and the HR staff could have a policy to refer to. Much of the language, such as the definitions, had been copied directly from the state and federal laws. Basically, the laws provided opportunities for people to take time off that could not be unreasonably denied to take care of adoption, birth of a child, or illness issues for themselves or immediate family members. Also, the laws required the maintenance of benefits for 12 weeks, if paid benefits were provided in the labor contract or by District policy for that employee.

Mr. Rutledge said that it was possible under this policy and state law for employees to take up to 24 weeks off. As an example, the birth of a child, followed by care of the child, would fit this scenario. However, the employer's obligation to pay benefits did not go past 12 weeks.

Mr. Kleger asked about duration of leave on page 2; whether it meant a total of 12 weeks for two employees both employed by LTD, or 12 weeks each. Mr. Rutledge said

that this language was directly from the statute, and meant if two employees worked for LTD, the two of them together would be eligible for a total of 12 weeks. The employer probably could grant more if it wanted to, but under the law, and under this policy, a total of 12 weeks was required.

Ms. Hocken asked if there was anything in the policy that was not required by federal or state statute. Mr. Rutledge replied that there was not; it was not his intention to do so.

MOTION Mr. Bennett moved that the Board of Directors adopt the Family and Medical Leave Policy as presented to the Board on April 17, 1996. Mr. Bailey seconded the motion. There
VOTE was no further discussion, and the motion carried by unanimous vote, 7:0.

POLICY ON SEXUAL HARASSMENT: Mr. Rutledge introduced an amendment to the previously adopted Policy on Sexual Harassment.

Mr. Kleger noted that the policy applied to all District employees. He asked who that included and who that did not include, and said he was raising the issue because there were a few people who did volunteer work for LTD, as well as the Board members. He wondered if the policy should be extended to cover volunteers and Board members, company or District officers, etc. Mr. Rutledge recommended not doing that, because the legal foundation to the policy spoke in terms of employment law. Therefore, the policy should cover the employer-employee relationship.

Staff had made some minor changes to the proposed policy revisions since the agenda packet had been distributed. Mr. Rutledge explained what those changes were, and a revised copy was distributed to Board members. The original policy had been in effect for a number of years. The need to revise the policy arose when Mr. Rutledge was talking with another public sector HR administrator in the area. There was a concern as to when a person could initiate a claim of sexual harassment. The District's policy said that the incidents should be reported immediately, but there could be a question as to what was meant by "immediately." On these kinds of issues, he said, the employer had a vicarious liability, and would want to deal with the issue very quickly. He wanted to include two statements in the policy that did not currently exist. First, unless there were extenuating circumstances, a sexual harassment complaint would be initiated within 180 days. Second, text was added to say that the complaints would be investigated without delay. Since this policy was being revised, staff also took the opportunity to add the word "inappropriate" in the description of physical contact, and updated the title of personnel administrator to human resources manager.

Mr. Bailey asked where Mr. Rutledge had gotten the 180 days and what LTD's legal counsel had said. Mr. Rutledge replied that he thought it was a reasonable period of time, and had discussed it with a couple other HR administrators, but had not checked with counsel. Ms. Loobey added that District counsel received the materials but had not called staff with any concerns. Ms. Loobey and Mr. Fraser had agreed that counsel would review the agendas and get back to staff with any concerns.

Mr. Saydack said that this was the kind of question where, because of the basis in law for claims of sexual harassment, he would ask for advice of counsel before making the change. He said it could be that imposing a 180-day restriction of this nature violated law. Mr. Rutledge asked to table this issue until staff could receive an opinion from counsel.

BOARD MEETING TIME AND DAY: Ms. Loobey said that there was discussion among staff that the Board agendas had been very full and sometimes items were pushed out because the meetings went too late. That brought up a discussion of whether or not the Board would be interested in setting the meeting time a half-hour earlier, and even whether or not the third Wednesday of the month continued to be a good meeting time for the members of the Board. The question was raised for the Board to discuss. If a change were to be made, it would need to be made through ordinance. Ms. Loobey explained that the Board had met for years on Tuesdays, and after a Board member was appointed who could not meet on those days, the date was changed to the third Wednesday, where it had remained for a number of years. Wednesdays generally had seemed to work well. If the meeting were a week earlier, to the second Wednesday of the month, that would not provide sufficient time for staff to put together the financial statements, but other materials would not be a problem because they were not time-dated in the same way.

Mr. Bennett said he liked the day, but was interested in 7:00 because maybe the meetings could end a little earlier. He asked if the Board really had been pushing ahead some things that staff were concerned about. Ms. Loobey said that sometimes there were important issues in the items for information, and it was difficult to place some emphasis on them when the meetings were long and the Board members were tired and wanted to adjourn. For instance, she had asked to have a memo about the radio bids put in the agenda packet because the Board had expressed some concern about it. It was an information item only, but it was important for the Board to know that the District received a very favorable bid on the radio system, given the amount of investment. Sometimes, she said, staff were not able to discuss those kinds of things with the Board as they had been able to do in times past.

Ms. Hocken said she always managed to read through everything in her Board packet, so she felt she had the information. She thought what Mr. Bennett was concerned about was whether starting a half-hour earlier meant that the meetings would still go until the normal ending time; that is, whether the meeting time would just expand. She said that if staff believed some information items to be very important, they might want to talk about them before the action items.

Mr. Kleger said that Wednesday night was a frustration for him because he had to miss choir practice one night a month, but he knew that when he came on board. He said he tended to arrive well before meeting times, so starting time made no difference to him. He added that he had no special need to change the meeting time, since he did not care how long the meetings went, as long as they were over in time for him to catch the last bus home.

Mr. Saydack said that unless someone was very inconvenienced by the day of the week, he would prefer to keep it where it was and adjust his schedule around it. If others wanted to change the meeting time to 7:00 p.m., that was fine with him.

Ms. Hocken said her target was to finish by 10:00 p.m.

Ms. Murphy said she would like to entertain the 7:00 p.m. starting time, just for the attentiveness and alertness of beginning earlier. She also liked the Wednesday meetings.

MOTION Mr. Bailey moved that the Board direct staff to revise Fifth Amended Ordinance No. 1, An Ordinance Providing Rules for Meetings of Lane Transit District, to provide that the Board's regular monthly meetings begin at 7:00 p.m. on the third Wednesday of the month, and place the revised ordinance on the agenda for reading at two meetings of the Board. Mr. Kleger seconded the motion.

VOTE There was no further discussion, and the motion carried by unanimous vote, 7:0.

ITEMS FOR INFORMATION

Board Member Updates: **MPC:** Ms. Hocken said that her MPC update would be very much like the TransPlan presentation scheduled for that evening. Since the Governor's Transportation Initiative also was listed as an information item, Mr. Bennett had no report to add. **TransPlan Update:** Mr. Kleger said he was participating on the Chairman's Goals and Objectives Committee, made up the chairs and co-chairs of the various task forces. They had met a couple of times in the last couple of months and reviewed in some detail the assessment criteria staff were using to evaluate the elements of this process and the projection modeling that was going on. They discussed what made sense, what the message was, what could be dropped, and he felt there was pretty good consensus about where TransPlan should be with that process.

Mr. Bennett said that the Ferry Street Bridge Committee had not met for a number of months, but there was a comment he wanted to make. He said that a finance committee had been appointed to look at ways in which the cost of crossing the river and various park improvements and land acquisition costs could be handled. The committee members were Paul Nicholson, Neal Hyatt, Dick Hansen, and Mr. Bennett. They ended up with a recommendation of four potential sources of revenue: a toll, a commuter tax or fee, a slight systems development increase for transportation, and an \$.08 per \$1,000 property tax increase. The intent was to use this as a fundamental approach, which was a compromise, on not only the Valley River bridge, which was being discussed at the time and which the committee wanted to be the first major crossing project, but also on other projects that might follow. It would apply only to those corridor projects and not to the transportation system as a whole. Federal funding would be used to improve the Ferry Street Bridge corridor, not in the context of adding a new corridor, but more for seismic improvements and some work on access points north of the bridge. Repairs were scheduled to begin in the fall of 1997 and last three years.

Mr. Bennett stated that LTD did not get what it wanted yet; that is, a specific corridor that could be called a transit corridor that would contribute to some of the new initiatives the Board would like to see happen. He said he was still making the case, but not everyone was convinced that LTD should be given that kind of priority; however, there was some support, which he appreciated. He said the committee work was over and would be pushed into the TransPlan Update as a whole, and monitored and judged accordingly. He stated that LTD had a continuing role in that regard, and Mr. Viggiano and others were continuing the effort.

Mr. Bailey said that the High Speed Rail Siting Steering Committee concluded its work on the study and was not scheduled to meet again in the near future. Mr. Bailey also attended the Cascadia Rail Stakeholders Session the week before. It was organized by the Oregon Business Council for High Speed Rail and the Discovery Institute, which was shepherding the Cascadia project for Washington, Oregon, and Vancouver, B.C. The biggest point to come out of the all-day conference was the push to solidify public support and public funding for the high speed rail project. The City of Eugene and other communities along the corridor had agreed in principle to allocate a percentage of their Transportation Equity Fund dollars to funding high speed rail. That included Albany, Salem, Portland, Marion County. The big push was to get Portland on board with high speed rail, because Portland had the political muscle to make this happen, but during the last Oregon legislative session, everything sort of fizzled out. The federal level people had identified that the project needed support from the Portland area, in order to make sure that the state came up with the funding for the project. Washington was contributing \$80 million to the funding, and Oregon was aiming for \$60 million for the Oregon section of the corridor, but had nowhere near that amount available. Some people had noted that even the Equity Fund money was a little shaky. Mr. Bailey said that the Governor attended the conference and put his support behind the project. Another positive note was that several legislators were there, all from the Salem and Portland areas, and had an opportunity to see the breadth of support for the project.

Ms. Loobey added that it was very important to bring the tri-county area on board. They had not been interested during the last legislative session because their interest was in light rail. However, their support was needed for the high speed rail project along the 1-5 corridor. She said that up and down the valley, communities needed to continue to work on the delegation from the tri-county area. In fact, there needed to be investment in the section of rail that crossed the river and came out of Union Station in Portland, which would save five to seven minutes. She stated that the tri-county area could spend no money at all and still have high speed rail, but the rail might not extend to Eugene/Springfield.

Ms. Loobey said that the Springfield City Council had been approached by the high speed rail business council. Dan Eagan, the new executive director of the Springfield Chamber of Commerce, appeared as a citizen, but there was a lukewarm response from the Springfield Council. Ms. Loobey and Mr. Bergeron planned to attend a meeting the following week at the Springfield City Hall between Chamber representatives and the Springfield Council to talk about the high speed rail project. She said it was very important that Springfield get on board, also.

Mr. Bailey stated that the corridor coordinator position, a joint position between Washington and Oregon, had recently been filled by John Magnano, a Clark County, Washington, commissioner. It was expected that this would increase dramatically the energy for the project and the prospects for the entire project, since one person would be leading the charge.

Mr. Kleger stated that he had ridden the Talgo Train during the promotional trip. He had been told that there were problems with the accessibility equipment, which he and Kate Hunter-Jaworski of Oregon State University had talked with Bob Krebs of the Oregon Department of Transportation. He said that what had been done inside the train was excellent, but getting in and out lacked practicality and safety. They identified several ways to solve the problem without being too expensive. He stated that the Spanish engineers of the Talgo still had not gotten the idea of providing maximum independence for people with disabilities.

Eugene Station Update: Service Planning & Marketing Manager Andy Vobora discussed a new opportunity in relation to the construction of the new Eugene Station. He explained that as part of the project, LTD had to mitigate the parking loss from the surface lots, specifically for the station's downtown neighbors. While working on a communication plan for communicating with the neighbors about the construction process, it occurred to staff that with all the construction downtown scheduled for the coming summer, LTD had an opportunity to expand the mitigation work with the neighbors to target all of downtown, which was a primary target for the District in terms of long-range ridership goals. Staff had been working with the City of Eugene and Downtown Eugene, Incorporated (DEI), to produce a program to address the needs of everyone in downtown Eugene, because a lot of construction would be occurring at the same time, on Willamette Street, at the Register-Guard site, on East 11th, and at LTD, among others. Everyone going downtown would be affected.

Mr. Vobora explained that staff were putting together a package to help mitigate some of the problems for people who worked downtown and maybe keep some of the parking open for people who went downtown to shop or eat. Staff proposed to provide a shuttle from the fairgrounds that would circulate through downtown and to the 5th Street area and then back to Charnelton and the fairground. The shuttle service would increase the current frequency of four buses per hour past the fairgrounds during the morning and afternoon commute periods. Students would have a place to park and get to the LCC downtown campus. This construction period also provided an opportunity to offer a discounted pass for downtown employees and others in the DEI district. Staff hoped that by doing so, some of the new riders would continue to ride after construction was completed. DEI was willing to administer the program, sell the passes, and get them out to employees. Employee could either park at the fairgrounds or at other Park and Ride locations and ride the shuttle downtown, or ride the regular system from their homes.

Mr. Vobora explained that this shuttle and pass program would add significant costs that had not been budgeted. There would be some lost fare revenue because of the discounted passes, costs to provide the shuttles, and some marketing and communication

costs. Staff anticipated that the costs would range from \$35,000 to \$45,000 for a six-month period.

Ms. Hocken asked if parking space was available at the fairgrounds. Mr. Vobora replied that staff were working with the fairgrounds staff to use the new east lot. There would be a couple of big events during this six-month period that would have an impact on available parking, including the Lane County Fair. However, since this would be a defined market, staff thought it would be relatively easy to inform the riders of these problem times and let them know they would need to use other Park and Ride locations or ride the regular system during those events at the fairgrounds.

Ms. Hocken also asked about LTD's ability to circulate downtown during this construction period. Mr. Vobora replied that it would be a nightmare to try to operate the regular LTD routing through downtown and to the University of Oregon. Staff would be reviewing the construction projects and all the detour routing that would be necessary. He said there would be a lot of communication challenges.

Mr. Vobora said that staff would continue to work on the shuttle and pass program and report back to the Board at the May meeting. He added that staff needed to begin working on the project if there were no major concerns on the part of the Board members. Mr. Kleger stated that he thought it was a good idea.

TransPlan Update: Tom Schwetz, LCOG's TransPlan project manager, provided an update on the TransPlan Update process. He handed out copies of his presentation notes and some background information. He discussed the schedule for a public involvement process to look at several alternatives and technical evaluations. Two workshops were scheduled, with a symposium in mid-June and a series of Joint Planning Commission hearings and work sessions in late June, with a recommendation being forwarded to the respective councils and boards. A public survey was underway to obtain input on some of the strategies being considered for different plans. The base case used existing land use policies with a set of planned system improvements and the existing levels of transportation demand management. This base case would be measured against other options.

Mr. Schwetz provided an overview of the modeling process, which combined the characteristics of the traveler with the characteristics of the activity system. He also discussed the year 2015 base case conditions. Automobile vehicle miles traveled (VMTs) and vehicle trips per capita were expected to increase, with VMTs growing faster than population.

Mr. Bennett said that Mr. Schwetz previously had stated that it would not be possible to meet the required single-occupant vehicle VMT reductions (10 percent in twenty years) unless there were changes in the demand side of the equation. Mr. Schwetz replied that this was correct. System improvements and land use changes would not get the community to that decrease, so the demand side would play an important role. Mr. Bennett asked about the percentage of increase in trips in the local metro area. Mr. Schwetz said he had heard that travel had increased slightly faster than population and employment, approximately 2 percent on an annual basis. All trips were measured by mileage per capita.

Ms. Murphy asked how trips were defined. Mr. Schwetz replied that for the survey and modeling, each piece of a "trip" was considered its own trip. Going from home to daycare to work would be two trips, but the same mileage as if they were considered one trip. Mr. Kleger added that the trips needed to be broken up for a per capita count because there might be a different number of people in each segment.

Mr. Bennett asked to make a comment. He said he had been listening and participating at the appointed committee level and particularly as a member of the LTD Board. When looking for ways to contribute to changing the balance in transportation modes, what concerned him was that people had not been willing to accept changes that might make a fairly rapid change. He questioned whether people in the Ferry Street Bridge area were going to be willing to wait for these changes to have an effect. On the demand side, he was worried about people's acceptance at a moderate to high level. He said he would continue to argue for a system in which cars were going to be with us, but also honest, competitive alternatives to address peak hour usage. He said he knew that staff believed in TDM more than he did, but he was hopeful that there were some things that would work. He asked Mr. Schwetz for examples of what might work. Mr. Schwetz said that research was showing that land use was not making the progress that needed to be made in a 20-year period. System improvements were constrained somewhat by financing, which meant that the community would not be able to build its way toward VMT reductions. The level of service that could be provided to the automobile was not going to be able to be maintained as congestion grew. That was why demand management was being considered, in a two-pronged process. The first question was what level of acceptable TDM might be able to be implemented as a trade-off to system improvements. The next step would be some higher level of demand management.

Mr. Schwetz said that the most direct way to affect demand was through pricing. ECO Northwest, a consulting firm, had advised that during the next 20 years it was unlikely that the community would be in a position where congestion pricing would make economic sense, because of the administrative costs. Therefore, other pricing was being considered, such as parking fees or a gas tax. A gas tax already was in use so would be easy to test how much it would have to change in order to change demand.

Graham Carey asked what sort of reserve capacity there was; that is, if there were no improvements, when would the community reach gridlock. Mr. Schwetz said that kind of modeling currently was being done, to identify those choke points. What was known was that congestion was going up considerably, with five times as many miles of congestion expected in 2015 than currently.

Mr. Bennett asked if Portland was doing anything with TDM. Mr. Schwetz replied that Portland had done quite a bit with respect to controlling parking in the downtown area; limiting parking had increased the prices. Portland currently was pursuing a pricing demonstration project. Mr. Carey added that Portland was looking at having tolls on all the bridges.

Ms. Hocken asked about the Board's future involvement in the TransPlan Update. She said that since this was a transportation plan that had to be adopted by the entire

metropolitan area, LTD had the same status as the cities and Lane County in its adoption. She asked at what point the Board would want to be involved. Mr. Schwetz said that LCOG staff could bring the Board the same presentation the other agencies received. Mr. Bennett said that the Board needed to be aggressively proactive in pushing LTD's position and making the opportunity to be heard. He said he would guess that the Board ought to be appearing everywhere, to advocate for the bus company and what the Board thought the future meant for LTD.

Ms. Hocken said she thought the Board had two roles: official adoption of the plan, and advocating a position that might not be shared by other plan adopters. Mr. Bennett said that he hoped the Board would be represented as often as possible in terms of representing LTD's objectives. Otherwise, the District might end up being official adopters of a plan that the Board was not able to buy into as much as it would like. He said he would rather adopt a plan that included some of LTD's initiatives. One of the things he had said as a Ferry Street Bridge committee member was that BRT was extremely important to the District. He did not think that LTD was a high priority in the process Mr. Schwetz was speaking about. He said that LTD was not the only answer, but the Board needed to stay very involved in order to be included as part of the metro transportation plan. He said that LTD had a viable long-term alternative to the car; he was not sure that people would be willing to pay for LTD's capital improvements project, but he would like to be able to make the case for BRT.

Ms. Hocken asked Mr. Schwetz how BRT fit into the modeling being done. Mr. Schwetz replied that it would be included as a system improvement, and a level of BRT would be tested, maybe in conjunction with some strategic road improvements.

Mr. Viggiano suggested that the Board hold a work session on TransPlan separate from the Planning Commission's work session. The Board could see how the modeling worked in combination with land use issue, TDM strategies, etc. After that, the Board members could begin advocating for the District's position on BRT. Ms. Hocken suggested that staff let the Board know the appropriate time for such a work session.

BRT Update: Mr. Viggiano discussed the five alternatives for BRT corridors, and said that selection of the first corridor, or at least the preferred alternative, would be scheduled for the May Board meeting. A key issue for selection was route length, and the two corridors would be between seven and eight miles in total length. Current ridership, or boardings per mile for each corridor, also was considered, with Springfield, Franklin, and Main having the highest number of boardings because of the University ridership. Another consideration was population per mile, and staff were working with preliminary data regarding population within one-fourth of a mile on each side of the corridor. Willamette Street had the largest population per mile, with more housing than the other more commercial corridors.

Mr. Montgomery asked if population in the UO dorms had been included. Mr. Viggiano said he had just received the information that day and was still checking it. He was not sure how the UO residences had been treated.

Employees per mile also were considered. Mr. Viggiano said that the Franklin/Main corridor did not include the University of Oregon, so that would add approximately another 1,000 employees per mile for four miles. Also, students were not counted as employees, and may or may not have been counted as residents. Mr. Viggiano said that they clearly were commuters and affected the number of riders per mile.

Mr. Viggiano said that information also was collected on how fast the buses traveled on the corridors and how fast (miles per hour) cars traveled. The bus average was 10 to 14 miles per hour. Total trip time was divided by mileage and included signals, bus stops, etc. The average automobile traveled 17 to 24 miles per hour along the corridors. Information was gathered on actual bus travel time (including how long a bus stopped at signals, etc.); the amount of time spent at bus stops (five seconds to over a minute), amounting to plus or minus 20 percent of total trip time; time spent waiting at signals, which amounted to about 20 percent; and time the bus actually was moving, which was 50 percent to 70 percent of total trip time. That did not mean moving at the optimum speed, since all data was taken during peak time.

The question, then, was what BRT could do to improve bus travel time. Staff believed that BRT could reduce passenger stop time by 50 percent by using low-floor buses, different fare collection methods, more doors, and fewer stops. Also, signal priorities and queue jumpers could reduce signal delays by 30 percent to 40 percent. Some exclusive bus lanes would allow buses to travel faster, as well. With all those changes, bus and auto speeds could be much closer, and staff expected that the BRT system should be able to hold the line on bus travel time as congestion increased for cars and auto speeds were reduced. The goal would be that bus travel time would be faster than the auto in the long term, and much more competitive in the short term.

Mr. Viggiano said that staff were concerned about a BRT corridor on Willamette. It was a short corridor, right-of-way options were limited, and the travel time savings would amount to only a minute or two. A long-term solution for Willamette might be to shift some auto traffic to Amazon Parkway.

Staff also studied the number of buses per hour on the corridors, the number of existing lanes, the existing feet of right-of-way, etc., and some potential problems for implementing BRT.

Mr. Bennett asked about the possibility of providing a Park and Ride facility for BRT on Willamette Street. Mr. Viggiano said it would be a little tougher on Willamette because it was already all developed, but a Park and Ride did provide a larger "capture" area. Any corridor would have Park and Ride facilities located along them and a large one at the end, to increase the capture area for that corridor. Some assumptions could be made about what that capture area would be.

Mr. Viggiano said that the easiest pilot corridor might be an east-west corridor along West 11th in Eugene to Main Street in Springfield. Coburg Road was being developed rapidly, and the Ferry Street Bridge would be under construction for three years, beginning in 1997. He suggested that the District might not want to implement BRT on that corridor

while the bridge was under construction, but might want to move up the implementation of the second corridor to include Coburg Road before it was developed much more.

Mr. Viggiano said that an east-west corridor would connect Springfield and Eugene. The Springfield staff working with the District were interested in BRT.

Ms. Murphy was concerned about the Gateway and Sony area being viable. Mr. Viggiano said that currently the BRT route was planned to end in downtown Springfield, probably with a station relocated to Main Street. Then the corridor could go farther east, so it could cover a good part of the main business district. Conceivably, it could extend to the new 58th and Main Park and Ride. Service to the Gateway area probably would be by connecting bus, until a future BRT corridor to that area was designated. Mr. Montgomery mentioned the old railroad right of way along Pioneer Parkway, where buses might be able to run to Main Street.

Mr. Bergeron showed the latest version of a draft BRT brochure. No particular name or color scheme were yet associated with BRT. When the brochures were finished, they would be available in large quantities as a piece to leave behind during the Board's walkabout visits. He asked the Board members to call with feedback about the draft brochure.

Land Acquisition Specialist: Staff briefly explained the plan to contract with a land acquisition specialist to help with potential Park and Ride lots, land acquisition for rights of way, etc. This service would be on a fee-for-service basis with a commercial broker.

Creswell Payroll Tax Analysis: Ms. Loobey said that the best estimate given the data available was that payroll tax revenues from the Creswell area would amount to approximately \$95,000 per year. Mr. Bennett commented that this would be nearly a break-even proposition, because initial service estimates were that service would cost approximately that amount. Ms. Loobey stated that the decision to fund a demonstration project would be made by the Creswell votes at the May 14 election.

Governor's Transportation Initiative: Ms. Loobey stated that Ms. Hocken would be testifying at the April 18 meeting of the Governor's Transportation Initiative regional advisory committee in Eugene.

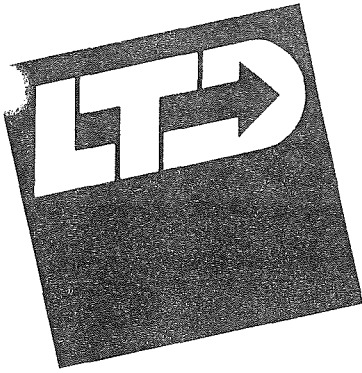
Deferred Compensation Quarterly Report: Ms. Loobey said that there had been no diminution of Hartford's rating from the last reporting period. Mr. Bennett re-raised his concerns about financial consulting for employee investment decisions. Ms. Loobey said she had talked with a number of financial planners and was continuing to gather information. Because LTD was the employer and the sponsor of the program, the District had a fiduciary responsibility for the program. Because the District was a public agency offering a deferred compensation program to employees, there was a limited number of places that money could be invested. Hartford did not have a financial planner to meet with employees, and Ms. Loobey did not know if other companies did.

Finance Manager Tamara Weaver said that the District's deferred compensation program offered an excellent range of investment options in mutual funds. She thought it might be valuable to provide more encouragement to employees to use the deferred compensation program that was available.

ADJOURNMENT: The meeting was unanimously adjourned at 10:00 p.m.


Board Secretary

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Lane Transit District

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

(541) 741-6100
Fax (541) 741-6111

**CONSENT CALENDAR ITEM:
FISCAL YEAR 1996-97 DISADVANTAGED BUSINESS ENTERPRISE (DBE) GOALS**

**Prepared by Jeanette Bailor, Purchasing Administrator
May 15, 1996**

On October 20, 1981, the LTD Board of Directors established by resolution an affirmative action program for disadvantaged business enterprise participation in Department of Transportation or other federal agency financial assistance projects. Since that time, the Board has adopted revised Disadvantaged Business Enterprise (DBE) Policies and DBE Affirmative Action Programs on an annual basis. Attached are the revised FY 96-97 DBE Policies and Programs. DBEs are defined as women- and minority-owned enterprises.

LTD must update its DBE program annually to reflect the current-year budget. The program is based on the actual annual budget for the capital improvements program, with subtractions for non-eligible items, such as buses. The budget is then categorized by professional services, construction, and materials/supplies/equipment. These figures are shown in Attachments 1, 2, and 3. LTD's overall goal for FY 96-97 is 14 percent DBE participation. While the overall goal remains at 14 percent, the dollar value of DBE participation is budget-driven.

LTD's Board of Directors is being asked to approve the FY 96-97 program. After Board approval, staff will publish the entire program, showing how LTD administers the program, program requirements, and anticipated expenditures for public comment. This entire packet will be submitted to the Federal Transit Administration (FTA) for final approval.

- Attachments:**
- (1) Resolution Revising DBE Policies and DBE Affirmative Action Program
 - (2) Revised DBE Policies and Programs

Staff Recommendation: Staff recommend that the Board adopt the attached Resolution Revising DBE Policies and DBE Affirmative Action Program.

Consequences of Recommended Action: The revised DBE Policy and DBE Affirmative Action Program will be submitted to the FTA for approval.

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LANE TRANSIT DISTRICT

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 Disadvantaged Business Enterprise (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 previously were amended to FY 1993-94 DBE Policies and DBE Affirmative Action Program;

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

That the FY 1996-97 DBE Policies and DBE Affirmative Action Program, copies of which are attached to and hereby made a part of the Resolution, are adopted.

5-15-96

Date

Patricia R. Hocken

Board President

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**FTA FUNDING BASE
PROJECTED AWARDS FOR FISCAL YEAR 1996-97**

1) Applicant: Lane Transit District 3) Months Covered: July 1996 to
2) Address: PO Box 7070, Eugene, OR 97401 June 1997

| (4) Contract/ Procurement Category | (5) Total FTA Capital Funds | (6) Total FTA Operating Funds | (7) Total FTA Planning Funds | (8) Total Other FTA Funds | (9) FTA Funds With Contracting Opportunities |
|---|--------------------------------------|--|---------------------------------------|------------------------------------|---|
| (10) Non-Contracting Opportunities | 0 | 0 | 0 | 0 | 0 |
| (11) Construction | 5,305,840 | 0 | 0 | 0 | 5,305,840 |
| (12) Professional Services | 769,210 | 0 | 0 | 0 | 769,210 |
| (13) Materials/ Supplies/ Equipment | 1,575,504 | 0 | 0 | 0 | 1,575,504 |
| (14) Other | 0 | 0 | 0 | 0 | 0 |
| (15) Totals | 7,650,554 | 0 | 0 | 0 | 7,650,554 |

(16) Prepared by: Jeanette Bailor
(17) Certified by: Jeanette Bailor

Phone #: (503) 741-6100
Date: 5/15/96

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CALCULATION OF ANNUAL GOALS FOR FISCAL YEAR 1996-97

1) Applicant: Lane Transit District (3) Months Covered: July 1996 to June 1997
 2) Address: PO Box 7070, Eugene, OR 97401 (4) Prepared by: Jeanette Bailor

| (4) Contract/ Procurement Category | (5) FTA Funds With Contracting Opportunities | (6) FTA Adjusted Dollars Credit | DBE | (7) Total FTA Dollars DBE | (8) Percentages DBE |
|---|---|--|-----------|---------------------------------|---------------------------|
| (9) Construction | 5,305,840 | 100.00% | 5,305,840 | 823,354 | 15.51% |
| (10) Professional Services | 769,210 | 100.00% | 769,210 | 115,382 | 15% |
| (11) Materials Supplies Equipment | 1,575,504 | 60.00% | 945,302 | 132,342 | 14% |
| (12) Other | 0 | 100.00% | 0 | 0 | 14% |
| (13) Totals | 7,650,554 | | 7,020,352 | 1,071,078 | 14% |

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

(15) Prepared by: Jeanette Bailor
 (16) Certified by: Jeanette Bailor

Phone #: (503) 741-6100
 Date: 5/15/96

**LANE TRANSIT DISTRICT
PROJECTED FTA FUNDED CONTRACT AWARDS
FY 96-97**

ATTACHMENT 3

PAGE 1

| OPERATING FUNDS | PERSONAL SERVICES | MATERIALS & SVCS | CONTRACT SVCS | TOTAL |
|-------------------------------------|-------------------|------------------|------------------|------------------|
| TRANSPORTATION DEMAND | 50,000 | 0 | 0 | 50,000 |
| MANAGEMENT | | | | |
| OPERATING COSTS | | | | |
| GRANT-ELIGIBLE COST | 50,000 | 0 | 0 | 50,000 |
| | 50,000 | 0 | 0 | 50,000 |
| NONCONTRACTING OPPORTUNITIES | | | | |
| PERSONAL SERVICES | (50,000) | | | (50,000) |
| NET CONTRACTING | | | | |
| OPPORTUNITIES | 0 | 0 | 0 | 0 |
| FTA FUNDED 89.73% | 0 | 0 | 0 | 0 |
| DBE REQUIREMENT 14% | 0 | 0 | 0 | 0 |
| CAPITAL FUNDS | | | | |
| ADP SOFTWARE/HDW - 80% | | 177,100 | | 177,100 |
| MISC. EQUIPMENT - 80% | | 28,600 | | 28,600 |
| IO EQUIPMENT | | 1,525,000 | 75,000 | 1,600,000 |
| MAINTENANCE EQUIPMENT - 80% | | 6,180 | | 6,180 |
| PASSENGER BOARDING IMPR - 80% | | | 269,000 | 269,000 |
| PASSENGER BOARDING IMP - 89.73% | | | 526,250 | 526,250 |
| EUGENE STATION - 80% | | | 7,500,000 | 7,500,000 |
| REVENUE VEHICLES - 80% | | 1,477,470 | 0 | 1,477,470 |
| REVENUE VEHICLES - 89.73% | | 102,530 | | 102,530 |
| BUS RELATED EQUIPMENT - 80% | | 47,500 | | 47,500 |
| SUPPORT VEHICLES - 80% | | 85,000 | | 85,000 |
| FACILITY - 80% | | | 30,000 | 30,000 |
| CONTINGENCY - 80% | | 100,000 | | 100,000 |
| | | | | 0 |
| LESS EUGENE STATION LAND PURCHASE | | | (938,000) | (938,000) |
| LESS BUSES (REVENUE VEHICLES) | | (1,580,000) | | (1,580,000) |
| NET CONTRACTING | | | | |
| OPPORTUNITIES | 0 | 1,969,380 | 7,462,250 | 9,431,630 |
| FTA FUNDED - 80% | 0 | 1,575,504 | 5,548,800 | 7,124,304 |
| STP FUNDED - 89.73% | | 0 | 526,250 | 526,250 |
| TOTAL FTA FUNDED | | 1,575,504 | 6,075,050 | 7,650,554 |
| DBE REQUIREMENT 14% | 0 | 220,571 | 850,507 | 1,071,078 |

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

POLICY STATEMENT FISCAL YEAR 1996-97

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 FTA 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 FTA 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 Administrator for all internal and external program components. The Purchasing Administrator reports to the Finance Administrator.

The policy statement will be published in a newspaper of statewide (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 or 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 a.m. 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 information purposes only and can be sent to Jeanette Bailor, Purchasing Administrator, P.O. Box 7070, Eugene, Oregon 97401

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**LANE TRANSIT DISTRICT
DBE GOALS/FY 1996-97**

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

The estimated total of federally-funded contracting activities is:

| | |
|-----------------------------|------------------|
| Construction | \$5,305,840 |
| Professional Services | 769,210 |
| <u>Materials, Equipment</u> | <u>1,575,504</u> |
| Total | \$7,650,554 |

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 that 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 DBEs 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 establishment of 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; and
7. Submission of goals to DOT/FTA 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 FTA circular 4716.1A, as amended.

CONTRACTORS. To ensure that prime contracts are awarded to competitors who 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 Administrator at 3500 E. 17th Avenue, Eugene, Oregon, 97403, (541) 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 DBEs that their interest in the contract is solicited;
4. Efforts made to select portions of the work to 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 contracted;
 - 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 contracted 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; and

- 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 DBEs.

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. The 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; and
3. Continued and increased personal contracts 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 DBEs 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 DBEs. LTD will provide DBEs twenty (20) days' notice prior to letting a contract. The specifications and RFPs 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 subcontracts and potential subcontractors;
4. Review standards for technical and financial prequalifications to ensure that DBEs are invited into the process; and
5. Initiate discussions with other governmental agencies to reduce duplication and the paperwork involved for DBEs 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; and
3. Potential DBEs, 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:

1. Internal - Department and Divisions:
 - Review of policies, practices and procedures relating to contractors, subcontractors, consultants, and vendors, including minority business enterprises; and
2. External
 - Review of contractors, subcontractors, consultants, and vendors, including minority business enterprises; and
 - Review of private, non-profit organizations.

The 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:

1. Internal - First with the supervisor in charge of the activity, project, or program, then with the Affirmative Action Officer; and
2. External - For complaints about 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 informal resolution of the complaint. 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, monitoring and evaluation are an integral part of the DBE Affirmative Action Plan.

Following the review of the various DBE Affirmative Action Program aspects in all the entities that 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; and

2. Aware of progress being made in the 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 set 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; and
3. Minority, non-minority, 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. 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; and
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:

1. Capital expenditures; and
2. 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:

1. Assure that provisions of this policy are adhered to be all District organizational units, by employees and supervisory personnel, and by all recipients of financial assistance from or through the District;
2. Initiate and maintain efforts to increase participation by disadvantaged business enterprises in District programs;
3. Strengthen already known disadvantaged business enterprises through training and/or technical assistance;
4. Seek out and assist in developing additional disadvantaged business enterprise resources; and
5. 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 Administrator for all internal and external program components. The Purchasing Administrator reports to the Finance Administrator.

The DBE officer has the responsibility for carrying out technical assistance for DBEs and for timely dissemination of information on available business opportunities that DBEs 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 Administrator 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 shall have my endorsement and my personal commitment for implementation.

Date

Phyllis Loobey
General Manager

**See: 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 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 Americans - 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 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 DBEs (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 the 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 11 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 (USDOT) 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, age, sex, color, religion, national origin, mental or physical handicap, political affiliation, or marital status in the award and performance of Department of Transportation-assisted contracts.

DBE APPLICABILITY: This applies to all projects and contracts financed by the Federal Transit Administration (FTA) or through the Oregon Department of Transportation (ODOT or 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 by 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 by and take all necessary and reasonable steps to comply with the following goals.
- IV. Contractors are encouraged to investigate the services offered by women- 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 DBEs only. Set-asides will be used only where at least three (3) DBEs with the capabilities consistent with contract requirements exist so as to permit competition.
- VI. DBE GOALS - In order to increase participation by DBEs 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 a 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 performance, management, and supervision of the work involved. They 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 of 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 Oregon Department of Transportation-assisted contracts as a DBE will remain in effect until a final determination that negates this presumption is made.

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 it has 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 Oregon 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; or
 - b. Denial of certification to participate in ODOT-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 DBEs 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 Administrator, 3500 E. 17th Avenue, Eugene, Oregon, 97403, or P.O. Box 7070, Eugene, Oregon, 97401.
- C. If the low 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 Administrator, 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 were 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 responsible bid meets or exceeds the assigned goal, that bidder will be recommended for the contract award;
 - B. If the low bidder offering a responsible 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; and
 - C. If the low bidder offering a responsible 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 DBEs 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 Oregon Department of Transportation's Certified DBE Directory;
 - D. Written notification to DBEs 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 portion 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; and
 - 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 has been encouraged by the Federal Transit Administration to allow the Oregon Department of Minority and Emerging business to certify and provide a listing of all Disadvantaged Business Enterprises. LTD strongly encourages contractors to assist in this effort. The current Certified DBE Directory can be viewed at the LTD Purchasing Office.

AGENDA ITEM SUMMARY

DATE OF MEETING: May 15, 1996

ITEM TITLE: FY 95-96 BUDGET TRANSFER FOR RIDESOURCE

PREPARED BY: Micki Kaplan, Transit Planner

ACTION REQUESTED: That the Board pass a resolution authorizing a budget transfer.

BACKGROUND: At the February Board of Directors' meeting, staff mentioned they may request a Budget Transfer for RideSource for FY 95-96. Staff request the budget transfer primarily due to an unanticipated increase in RideSource ridership and ride refusals. Staff are optimistic that RideSource will complete FY 95-96 within budget. However, the budget is very close, and rather than begin turning down more rides than necessary, staff request that the Board transfer \$8,000 from the LTD General Fund Operating Contingency to RideSource operations to be used for an operating contingency. The \$8,000 contingency represents slightly less than 1 percent of the RideSource FY 95-96 operating budget. No contingency was budgeted this fiscal year. A 2 percent contingency is budgeted for FY 96-97 for RideSource.

Staff recommend that the Board authorize a budget transfer for RideSource for the following reasons:

Ride refusals, although still within the community goal of 1 percent, already have increased over 100 percent compared with the same period as last year. In order to effectively manage the program and maintain good customer relations and quality service, it is important to prevent sudden "spikes" in ride refusals. The FY 95-96 budget included only a modest ridership growth projection and increase for inflation, but staff now anticipate that RideSource may grow at a rate of 5 percent per year. In addition, staff are concerned about the sudden increases in ride refusals, particularly during this fourth quarter. Staff are supportive of increasing ride refusals; however, it is recommended that significant increases in ride refusals should be implemented in a planned manner, phased in slowly over time, and should include public discussion with the Special Transportation Fund Advisory Committee, as well as RideSource riders, and include a public education component. Staff already have begun discussions about ride refusals with the STF Advisory Committee.

Also, in an effort to control costs, operate within budget, and maintain customer confidence, LCOG and LTD staff already have directed the RideSource provider to proceed with a slight increase in ride refusals (up to 5-7 per day) through June 1996. Staff recommend that the Board approve an \$8,000 contingency for RideSource in order to minimize sudden increases in ride refusals for the remainder of the fiscal year and allow some flexibility for RideSource to continue to operate through June 30 without serious disruptions to service or customers.

ATTACHMENTS: Memorandum from LCOG
Budget Transfer Resolution

PROPOSED MOTION: I move that the Board adopt the Resolution transferring \$8,000 from the General Fund Operating Contingency account to the Transfer to Special Transportation Fund account in the General Fund and increasing the Direct Support - RideSource account and the Transfer from the General Fund account in the Special Transportation Fund by \$8,000.

Lane Council of Governments

125 East Eighth Avenue Eugene, Oregon 97401 (503) 687- 4283 Fax: (503) 687- 4099 TDD: (503) 687- 4567

May 6, 1996

TO: Micki Kaplan, LTD

FROM: Terry Parker, LCOG

SUBJECT: FY95-96 Budget Update for **RideSource** Services

After the first quarter of this fiscal year, you and I met with Tamara Weaver, LTD's Finance Administrator, and spent some time carefully reviewing the budget for the **RideSource** program in light of continued increases in service demand and a decrease in the anticipated Special Transportation Fund (STF) revenue. LTD's *Special Transportation* base budget for the year originally included a \$400,000¹ allocation from STF. Last year \$305,000 of the STF allocation was dedicated to **RideSource** operations. The actual STF revenue for the **RideSource** program in FY95-96 is \$282,000; a 7.5% decrease from the previous year. Therefore, in the Fall when reviewing the budget transfer request for LTD's restructuring, the LTD Board also accepted a budget transfer of \$28,000 for **RideSource** to offset the loss in STF revenue.

We agreed to continue to monitor service demand and program expenditures closely. There was a 2.9% increase in wages, materials and services built into the base budget for this year but with little allowance for additional driver time to help address the need for more service. In February, we again met with Tamara and decided to approach the LTD Board for a budget transfer after completion of the third quarter of the fiscal year, in order to get an up-to-date projection of expenditures through the end of the year. A summary of the ride demand and service costs for **RideSource** from July 1, 1995 through March 31, 1996 indicate:

- The total number of rides increased by 8.7% compared to the same period during the previous year (an additional 5,249 rides)².
- While the overall number of rides increased there has been a drop in the least costly of those rides. Most of the additional rides are in the **RideSource** general paratransit program with a 10.1% increase over last year (3,386 rides).

¹ The \$400,000 STF allocation includes both metro and rural allocations.

² The total number of rides includes **RideSource**, **RideSource** Shopper and In-District **RideSource** Escort .

- The ride refusal rate went from turning down **132** requests in FY94-95 to **325** ride refusals within the comparable period this year. The ride refusal rate for last year represented .22% of total rides while this year the rate is at .54%³ (through the end of March 1996).
- There has been an increase in non-peak hour service, more costly service to provide due to reliance on taxis and the low volume of rides. For example, weekend service went from 6.0% in FY94-95 to 8.8% so far this year.

In an effort to maintain costs and to maximize current **RideSource** driver time without adding more hours, LCOG instructed SMS in mid-April to increase the number of ride refusals by cutting back on mid-day taxi rides, the most expensive rides within the **RideSource** program. Although the ride refusals rates are still quite low this change has caused some concern and has created a peak in the ride refusals that is unsettling to both riders and staff. Attached is a chart that compares the monthly ride refusals from this year to last (Refer to **RideSource Ride Refusals by Month for FY94-95 and FY95-96.**)

At the end of the third quarter, total **RideSource** expenses were 76% of the revised annual budget. However, there are some additional revenues from fares and agency contributions that have helped offset a possible budget shortfall. If program expenditures continue at the current rate, **RideSource** will be very close to the revised budget although the rate of ride refusals will have increased over last year. Something else to consider is that fourth quarter expenses for last year were slightly higher than in previous quarters (about 2%).

I am recommending an additional allocation of \$8,000 to serve as a contingency to get **RideSource** through the end of the fiscal year without a serious disruption in service. This is slightly less than 1% of the annual cost. I make this suggestion only because I think that having this kind of flexibility at the end of the year is extremely important in order to avoid a peak in ride refusals as well as not having to spend additional staff time addressing rider complaints and concerns about service dependability. Already we are hearing from disgruntled riders that have been turned away. We are taking steps to educate riders about funding issues and increases in ride demand. A contingency of \$8,000 would provide assurance that we can get through the end of the year without having to further increase the number of rides that are denied.

Please let me know if you need additional information.

³ The operating goal has been to try to keep ride refusals at or below 1% of total rides.

**LANE TRANSIT DISTRICT
RESOLUTION**

WHEREAS, there has been an unanticipated increase in RideSource ridership in FY 1995-96 that may exhaust budget resources, resulting in higher ride refusals; and

WHEREAS, it is necessary to transfer funds from Contingency to cover the increased costs; and

WHEREAS, there are funds available in Contingency to be transferred for this purpose;

NOW, THEREFORE, BE IT RESOLVED that budget appropriations for the Fiscal Year 1995 - 96 are hereby revised as follows:

GENERAL FUND

REDUCTION IN APPROPRIATIONS

| | |
|-----------------|----------------|
| Contingency | \$8,000 |
| Total Reduction | <u>\$8,000</u> |

INCREASE IN APPROPRIATIONS

| | |
|---|----------------|
| Transfer to Special Transportation Fund | \$8,000 |
| Total Increase | <u>\$8,000</u> |

SPECIAL TRANSPORTATION FUND

INCREASE IN REVENUES

| | |
|--------------------------------|----------------|
| Transfer from the General Fund | \$8,000 |
| Total Increase in Revenues | <u>\$8,000</u> |

INCREASE IN APPROPRIATIONS

| | |
|----------------------------------|----------------|
| Direct Support - Ride Source | \$8,000 |
| Total Increase in Appropriations | <u>\$8,000</u> |

5-15-96
Date Adopted

Patricia R. Hocken
Board President

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AGENDA ITEM SUMMARY

- DATE OF MEETING:** May 15, 1996
- ITEM TITLE:** SECOND READING AND ADOPTION -- FOURTH AMENDED ORDINANCE NO. 35, AN ORDINANCE SETTING FARES FOR USE OF DISTRICT SERVICES
- PREPARED BY:** Stefano Viggiano, Planning and Development Manager
- ACTION REQUESTED:** That the Board read Fourth Amended Ordinance No. 35 by title only, and then adopt the ordinance.
- BACKGROUND:** The first reading of the Fourth Amended Ordinance No. 35 was held last month. The second reading and adoption of the ordinance are scheduled for the May 15, 1996, meeting
- The Board can vote to read the ordinance by title only. Staff will have additional copies of the ordinance available for anyone in the audience who desires a copy.
- CONSEQUENCES OF REQUESTED ACTION:** A copy of Fourth Amended Ordinance No. 35 will be filed with the County Clerk and made available for public inspection.
- ATTACHMENT:** Fourth Amended Ordinance No. 35, An Ordinance Setting Fares for Use of District Services
- PROPOSED MOTIONS:**
1. I move that Fourth Amended Ordinance No. 35 be read by title only. (Following an affirmative vote, the ordinance title should be read: **Fourth Amended Ordinance No. 35, An Ordinance Setting Fares for Use of District Services.**)
 2. I move that the Board adopt Fourth Amended Ordinance No. 35, An Ordinance Setting Fares for Use of District Services, effective July 1, 1996.

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**LANE TRANSIT DISTRICT
FOURTH AMENDED ORDINANCE NO. 35**

An ordinance setting fares for use of District services.

The Board of Directors of Lane Transit District does hereby ordain that Ordinance No. 35 of said District is hereby amended to read as follows:

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

- (1) "District" means Lane Transit District.
- (2) "Service Area" means the area designated in Ordinance No. 22 of Lane Transit District entitled "An Ordinance Altering the Territorial Boundaries for Lane Transit District and Repealing Ordinance No. 17," adopted January 19, 1992, as such area is now constituted and as it may be altered from time to time hereafter by ordinance of this District.

1.02 Fares.

- (1) Fares on the District transit system shall vary according to the status of the rider and method of payment and shall be in accordance with the following schedule:

(a) Cash Fare (Effective 9/01/96).

| | <u>Monday-Friday</u> | <u>Evenings***</u> |
|----------------------------|----------------------|--------------------|
| Adult (ages 12 and older) | 80¢ | 50¢ |
| Child* (ages 5-11) | 40¢ | 25¢ |
| Reduced Fare** | 40¢ | 25¢ |
| Senior (ages 62 and older) | 40¢ | 25¢ |

* Child fare applies to ages 5-11. Up to two children under age five ride free with parent or guardian. All additional children pay child fare.

** Reduced fare applies to all persons who meet the Federal Transit Administration-approved definition of persons with disabilities.

*** Evening fare reduction begins at 7:00 p.m.

(b) Monthly or 3-Month Passes.

| <u>Pass Type</u> | <u>9/01/95</u> | <u>9/01/96</u> | <u>9/01/96</u> |
|------------------------|----------------|----------------|----------------|
| | <u>Monthly</u> | <u>Monthly</u> | <u>3-Month</u> |
| Adult | \$24.00 | \$26.00 | \$60.00 |
| Child, Senior, Reduced | \$12.00 | \$13.00 | \$30.00 |
| Youth | \$18.00 | \$19.50 | \$45.00 |

(c) Day Pass (Effective 9/01/94). \$ 2.00

(d) Tokens.

Regular (large) tokens are worth 80¢ toward any LTD ride. Tokens are sold in lots of 5 for \$3.25. Small tokens are worth 40¢ toward any LTD ride. Small tokens are sold in lots of 5 for \$1.60.

- (2) Group Pass Program. The General Manager, or her designated representative, is authorized to sign contracts on behalf of the District to provide transit service to groups of riders at reduced rates pursuant to policies established by the Board at its May 2, 1990, meeting, as amended, or pursuant to such policies as the Board may hereafter adopt by resolution or ordinance.
- (3) Special Event Discounts. The promotional distribution of free tickets from time to time is necessary or convenient for the provision of a public transit system. The General Manager, or her designated representative, is authorized to reduce or eliminate fares, or to approve the distribution of free tickets for use of District facilities during special events, or a specified times, on a finding by the General Manager or her designated representative that the fare reduction or elimination will promote increased use of the District's public transit system or will otherwise further the provision of a public transit system.
- (4) Reduced Fares for Low-Income Persons. The General Manager, or her designated representative, is authorized to sign contracts with local non-profit agencies whereunder the District may agree to provide transit tokens at reduced prices to such agencies, for distribution to low-income persons within the service area who need transportation assistance. Definitions of those who are "low-income persons" and "who need transportation assistance" shall be part of such contracts, verbatim or by reference.
- (5) Paratransit. Fare structure (*Effective 9/01/94*):

| | |
|--|-------------------|
| <i>RideSource</i> | 80¢ one-way |
| Escort* | 80¢ one-way |
| <i>RideSource</i> Shopper (ADA eligible)** | \$1.10 round-trip |
| <i>RideSource</i> Shopper (Non-ADA eligible) | \$1.35 round trip |
| Social Service Agencies*** | 100 percent |

* Subscription service is for ongoing guaranteed rides.

** *RideSource* Shopper is specialized transportation service for grocery shopping. *RideSource* Shopper fares are based on round-trip rides. All other fares are one-way rides.

*** Social service agencies will contract for service and pay 100 percent of the marginal cost of service.

2.01 Transfers. A passenger may transfer from one regularly-scheduled District route to another without paying additional fares as follows:

- (1) The holder of a pass or a transfer may transfer to another regularly-scheduled route at any time during the period for which the pass or transfer is valid.
- (2) Transfers are not transferable to another person.

3.01 Large-quantity Token and Pass Purchases. The District will provide a discount to individuals or organizations who have been authorized by the District to sell tokens and passes to the general public in accordance with the following schedule. The discount will be applied to the approved retail price.

| | | |
|-------------|---------|-------|
| (1) Passes | 0-9 | 0.0% |
| | 10-24 | 2.5% |
| | 25-100 | 5.0% |
| | 101-500 | 10.0% |
| | 501 | 20.0% |
| (2) Tokens* | 0-49 | 0.0% |
| | 50-99 | 2.5% |
| | 100-249 | 5.0% |
| | 250+ | 10.0% |

* Quantities listed are for individual packages; each package contains five tokens.

4.01 Effective Date. This ordinance shall take effect on June 1, 1996, at which time this Fourth Amended Ordinance will stand in the stead of Ordinance No. 35 in all particulars and all previous amendments, and will govern all fares charged by the District.

ADOPTED this _____ day of _____, 1996.

President and Presiding Officer

ATTEST:

Board Secretary

Recording Secretary

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AGENDA ITEM SUMMARY

DATE OF MEETING: May 15, 1996

ITEM TITLE: SIXTH AMENDMENT OF ORDINANCE NO. 1, AN ORDINANCE PROVIDING RULES FOR MEETINGS OF LANE TRANSIT DISTRICT

PREPARED BY: Mark Pangborn, Assistant General Manager

ACTION REQUESTED: Approval of first reading of amended ordinance

BACKGROUND: Attached for your review and approval is an Amended Ordinance No. 1. This is the ordinance that establishes the meeting procedures for the LTD Board of Directors. These changes update and simplify the ordinance, and were made in cooperation with LTD's legal counsel, Greg Skillman, who has reviewed and approved this amended ordinance.

PROPOSED CHANGES

Section 2 - The specific time of the meetings has been changed to more general language to allow the Board to change its regular meeting date and time by resolution instead of actually amending the ordinance.

Section 3 - Redundant language has been removed.

Section 6 - This section and Section 12 (e) have been amended to make the language more general. Where the original language actually repeated Oregon State law for executive sessions, this language states that LTD will conform to current laws on executive sessions. This means that LTD will not have to change this ordinance every time the state law is amended. Irrespective of what LTD's ordinance may say concerning executive sessions, we are obligated to follow current state law on the matter.

Section 11 - In the past, the LTD Board has taken action by both resolution and motion. These proposed changes clarify that either resolution or motion are appropriate and legal methods for the Board to take action. State law does not specify a required form for most Board action except in a few unique situations.

Section 12 - The language addition for 12 (c) has been added to clarify the meaning of quorum. The addition of the word "members" clarifies that the

requirements for a quorum will change if two or more members of the Board resign and have not been replaced at the time a Board vote requiring a quorum is taken.

12(e) - This section has been amended and moved to Section 6.

Section 13 - The election of officers has been changed to July on even-numbered years. January election of officers has sometimes presented problems because that is when the Governor appoints or reappoints Board members. Often the process is delayed, so new Board members are not confirmed until two or three months later. This change allows for the appointment process to take place and gives the Board members time to become acquainted before electing officers. Since officers are elected for two-year terms, this specifies when the two-year terms begin.

Sections 16 & 17 - These are two state law requirements that were repeated in the ordinance. They have been removed to simplify the ordinance.

**CONSEQUENCES OF
REQUESTED ACTION:**

The ordinance will be scheduled for the second reading and adoption at the June 19, 1996, regular Board meeting, and will take effect 30 days after adoption by the Board.

ATTACHMENT:

Sixth Amended Ordinance No. 1

PROPOSED MOTION:

I move the reading of the Amended Ordinance No. 1 by title only.

(Following an affirmative vote, the title should be read: "**Sixth Amended Ordinance No. 1, An Ordinance Providing Rules for Meetings of Lane Transit District.**")

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SIXTH AMENDED ORDINANCE NO. 1
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SIXTH AMENDED ORDINANCE NO. 1

AN ORDINANCE PROVIDING RULES FOR MEETINGS OF LANE TRANSIT DISTRICT

The board of directors of Lane Transit District does hereby ordain that Ordinance No. 1 of said district is hereby amended so as to read as follows:

Section 1. Meetings to Be Public.

All meetings of the board of directors shall be open to the public and all persons shall be permitted to attend, except that the public may be excluded from executive sessions.

Section 2. Regular Meetings.

a. Time.

The board of directors shall hold regular monthly meetings at the time and day to be designated by Board Resolution. When the day fixed for any regular meeting falls upon a day designated by law as a legal or national holiday, such meeting shall be held at the same time on the next succeeding day not a holiday.

b. Place.

Regular meetings shall be held in the Board Room at the District's Glenwood-area facility, or at such other location as the board of directors may by resolution specify from time to time and cause to be included in the notice of meeting.

c. Notice.

Public notice shall be given, reasonably calculated to give actual notice to interested persons of the time and place for holding regular meetings. The notice also shall include a list of the principal subjects anticipated to be considered at the meeting, but this requirement shall not limit the ability of the board of directors to consider additional subjects, provided, however, that if any ordinance is to be considered or voted upon at the meeting, in such event, the notice shall comply with the provisions of Section 10.

Section 3. Adjourned Meetings.

Meetings may be adjourned to a specific time and place before the day of the next regular meeting. A meeting may be adjourned by the vote of the majority of the members present, even in the absence of a quorum.

Section 4. Special Meetings.**a. Call.**

The president of the board or a majority of the directors may call special meetings.

b. Notice.

Five days' written notice of special meetings shall be given to each director not joining in the call of the meeting, specifying the time, place and purpose of the meeting. At least 24 hours' notice of special meetings shall be given to the public.

Section 5. Emergency Meetings.**a. Call.**

The president of the board or a majority of the directors may call emergency meetings.

b. Notice.

In case of an actual emergency, a meeting may be held upon such notice as is appropriate to the circumstances both to the directors and to the public, but the minutes for such a meeting shall describe the emergency justifying less than 24 hours' notice. The notice shall state the time, place, and purpose of the meeting.

Section 6. Executive Sessions.

The board of directors may hold executive sessions during a regular, special, or emergency meeting after the presiding officer has identified the authorization under ORS 192.610 to 192.690 for the holding of such executive session.

If an executive session only will be held, notice shall be given to the members of the board of directors and to the general public, stating the specific provision of law authorizing the executive session.

Section 7. Telephone or Other Electronic Communication.

Any meeting of the board of directors, including an executive session, may be held through the use of telephone or other electronic communication, provided it is conducted in accordance with all applicable statutes and with this ordinance. When telephone or other electronic means of communication is used and the meeting is not in executive session, the board of directors shall make available to the public a place where the public can listen to the communication at the time it occurs by means of speakers or other devices. The place provided may be a place where no board member is present, but said place shall be located within the geographic boundaries of the district.

Section 8. Place of Meetings.

All meetings shall be held within the geographic boundaries of the district, and shall be in a place accessible to the persons with disabilities. A meeting of the board of directors that is held through the use of telephone or other electronic communication shall be deemed held within the geographic boundaries of the district if the place provided for the public to listen to the communication is located within the geographic boundaries of the district.

Section 9. Conduct of Meetings.**a. Presiding Officer.**

The president, and in the president's absence the vice president, and in the absence of both, a director selected by the directors present to act as chairman pro tem, shall preside at meetings of the district directors.

The presiding officer shall be entitled to vote on all matters and may make and second motions and participate in discussion and debate.

b. Minutes.

The secretary, or a person designated by the board of directors as recording secretary, shall keep a record of the proceedings and prepare minutes of the district board meetings. neither a full transcript nor a recording of the meeting is required, except as otherwise provided by law, but the written minutes must give a true reflection of the matters discussed at the meeting and the views of the participants. All minutes shall be available to the public within a reasonable time after the meeting, and shall include at least the following information:

- b-1. All members of the board of directors present.
- b-2. All motions, proposals, resolutions, orders, ordinances and measures proposed and their disposition.
- b-3. The results of all votes and the vote of each member by name.
- b-4. The substance of any discussion on any matter.
- b-5. Minutes of executive sessions shall be kept the same as the minutes of regular meetings, except that instead of written minutes, a record of any executive session may be kept in the form of a sound tape recording which need not be transcribed unless otherwise provided by law. Material, the disclosure of which is inconsistent with the purpose for which an executive session is authorized to be held, may be excluded from disclosure unless otherwise ordered by court in any legal action.

c. Quorum.

A majority of the members of the directors constitutes a quorum.

d. Rules.

Roberts' Rules of Order shall be the parliamentary procedure for meetings of the district board, except when a specific rule is provided by statute or this ordinance, or by a resolution of this board.

e. Matters to be Considered.

- e-1. At regular meetings and adjourned sessions of regular meetings, the board of directors can consider any matters that they desire to consider, whether in the published agenda or not, except that an ordinance can be considered only at a regular meeting or an adjourned session of a regular meeting if consideration of that ordinance appeared in the published agenda for the regular meeting.
- e-2. At special meetings, only those matters that were specified in the notice of the meeting shall be considered.
- e-3. At emergency meetings, only the emergency matters shall be considered.

Section 10. Notices.

a. Notices to Directors.

Notice to directors shall be deemed given when delivered in person or when deposited in the United States mail with postage fully prepaid, directed to the address last specified by the director in the records of the district office for the mailing of communications to the director.

b. Public Notice.

All public notices shall be given in one or more newspapers of general circulation within the district and in such other and additional manner as the board of directors shall from time to time direct.

c. News Media.

Notice of all meetings must be given to news media which have requested notice.

Section 11. Ordinances.

a. Publication of Agenda.

a-1. Except in an emergency, an ordinance adopting, amending, or repealing a regulation shall not be considered or voted upon by a district board unless the ordinance is included in a published agenda of the meeting. The agenda of a meeting shall state the time, date, and place of the meeting, give a brief description of the ordinances to be considered at the meeting, and state that copies of the ordinances are available at the office of the district board.

a-2. The presiding officer shall cause the agenda to be published not more than ten days nor fewer than four days before the meeting, in one or more newspapers of general circulation within the district.

b. Adoption.

Except as provided by subsection b-3 of this section, before an ordinance is adopted, it shall be read during meetings of the district board on two different days at least six days apart. If the ordinance as initially read is substantially amended prior to adoption, it shall be read as amended during meetings of the district board on two different days at least six days apart, the first of which may be the meeting at which it is amended.

b-1. The reading of an ordinance shall be full and distinct unless at the meeting:

b-1.1. A copy of the ordinance is available for each person who desires a copy; and

b-1.2. The board directs that the reading be by title only.

b-2. Except as provided by subsection b-3 of this section, the affirmative vote of a majority of the members of the district board is required to adopt an ordinance.

b-3. An ordinance to meet an emergency may be introduced, read once and put on its final passage at a regular or special board meeting, without being described in a published agenda, if the reasons requiring immediate action are described in the ordinance. The unanimous approval of all members of the board at the meeting, a quorum being present, is required to adopt an emergency ordinance. No emergency ordinance shall be adopted imposing an income tax nor changing the boundaries of the district.

c. Signing and Filing.

c-1. Within seven days after adoption of an ordinance, the enrolled ordinance shall be:

c-1.1. Signed by the presiding officer;

c-1.2. Attested by the person who served as recording secretary of the district board at the session at which the board adopted the ordinance; and

c-1.3. Filed in the records of the district.

- c-2. A certified copy of each ordinance shall be filed with the county clerk, available for public inspection.
- c-3. Within 15 days after adoption of an emergency ordinance, notice of the adoption of the ordinance shall be published in one or more newspapers of general circulation within the district. The notice shall:
 - c-3.1. Briefly describe the ordinance;
 - c-3.2. State the date when the ordinance was adopted and the effective date of the ordinance; and
 - c-3.3. State that a copy is on file at the district office and at the office of the county clerk of the county, available for public inspection.

d. Effective Date.

- d-1. Except as provided by subsection d-2 of this section, an ordinance shall take effect on the 30th day after it is adopted, unless a later date is prescribed by the ordinance. If an ordinance is referred to the voters of the district, it shall not take effect until approved by a majority of those voting on the ordinance.
- d-2. An emergency ordinance may take effect upon adoption.

e. Petition to Adopt, Amend, or Repeal an Ordinance.

Any interested person who is a landowner within the district or an elector registered in the district may petition the board of directors to adopt, amend, or repeal an ordinance. Any such person may appear at any regular meeting of the board and shall be given a reasonable opportunity to be heard.

Section 12. Resolutions and Motions

- a. All matters other than legislation coming before the district board and requiring board action shall be handled by resolution or motion.
- b. A resolution may be adopted by the vote of the majority of the directors present at any meeting at which a quorum is present.
- c. A motion approved by the vote of the majority of the directors present at any meeting at which a quorum is present shall have the same force and effect as a resolution and shall be characterized and recorded in the minutes as the passage of a resolution.

Section 13. Officers.

The board shall choose from among its members, by majority vote of the members, a president, vice president, treasurer, and secretary to serve for terms of two years. Terms of office shall begin and end on the first day of July in even-numbered years. In case of a vacancy in any office other than by expiration of the officer's term, the vacancy shall be filled by election by the board of directors when the need arises and the newly-elected officer shall take office immediately upon the occurrence of such vacancy to fill the balance of the unexpired term.

Section 14. Committees.

The president, on the president's own motion, or the directors by resolution, may appoint committees to make investigations, to study problems and to make recommendations to the board of directors. Advisory committees may include persons who are not directors. The appointment shall include a designation of a chairperson of the committee. All provisions of this ordinance shall apply to committees and their meetings to the extent relevant, substituting "committee" for "board of directors," "committee members," for "directors," and "committee chairperson" for "president."

Section 15. General Manager.

The general manager shall attend all meetings and may participate in such meetings, but has no vote.

Adopted this _____ day of _____, 19_____.

Board President

ATTEST:

Recording Secretary

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AGENDA ITEM SUMMARY

DATE OF MEETING: May 15, 1996

ITEM TITLE: APPOINTMENTS TO BOARD COMMITTEES

PREPARED BY: Phyllis Loobey, General Manager

ACTION REQUESTED: None

BACKGROUND: Board President Pat Hocken has been waiting for Senate confirmation of the seventh Board member before making Board committee assignments for the current year. Now that the Board has a full complement of seven members, assignments will be made to the standing and ad hoc Board and community committees and task forces.

ATTACHMENT: LTD Board of Directors Committees and Special Assignments

PROPOSED MOTION: None

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**LTD BOARD OF DIRECTORS
COMMITTEES AND
SPECIAL ASSIGNMENTS**

(As of January 1995)

BOARD OFFICERS

President - Pat Hocken
Vice President - Kirk Bailey
Secretary - Thom Montgomery
Treasurer - Dave Kleger

EUGENE STATION COMMITTEE

Kirk Bailey
Pat Hocken
*Dave Kleger

COMPENSATION COMMITTEE

*Rob Bennett
Thom Montgomery
Roger Saydack

FINANCE COMMITTEE

Rob Bennett
Thom Montgomery
Roger Saydack

METROPOLITAN POLICY COMMITTEE (MPC) REPRESENTATIVES

Rob Bennett
Pat Hocken

**WILLAMETTE VALLEY POLICY ADVISORY COMMITTEE ON
TRANSPORTATION (V-PACT) REPRESENTATIVE**

Pat Hocken

TRANSPLAN SYMPOSIA PROCESS REPRESENTATIVES

Kirk Bailey--TDM Task Force
Roger Saydack--Land Use Planning Task Force
Dave Kleger--TSM Task Force

FSB NORTH BANK CORRIDOR STUDY

Rob Bennett

* denotes Committee Chair

**LTD BOARD OF DIRECTORS
COMMITTEES AND
SPECIAL ASSIGNMENTS**

(As of May 1996)

BOARD OFFICERS

President - Pat Hocken
Vice President - Kirk Bailey
Secretary - Thom Montgomery
Treasurer - Dave Kleger

EUGENE STATION COMMITTEE

Kirk Bailey
Pat Hocken
*Dave Kleger

COMPENSATION COMMITTEE

* Rob Bennett
Thom Montgomery
Roger Saydack

FINANCE COMMITTEE

Pat Hocken
Dave Kleger
*Roger Saydack

COMMUNITY OUTREACH COMMITTEE

* Kirk Bailey
Rob Bennett
Mary Murphy

**METROPOLITAN POLICY COMMITTEE
(MPC) REPRESENTATIVES**

Rob Bennett
Pat Hocken

**FSB NORTH BANK
CORRIDOR STUDY**

Rob Bennett

TRANSPLAN SYMPOSIA PROCESS REPRESENTATIVES

Kirk Bailey--TDM Task Force
Roger Saydack--Land Use Planning Task Force
Dave Kleger--TSM Task Force

* denotes Committee Chair

AGENDA ITEM SUMMARY

DATE OF MEETING: May 15, 1996

ITEM TITLE: BOARD MEMBER REPORTS

PREPARED BY: Jo Sullivan, Executive Secretary

ACTION REQUESTED: None

BACKGROUND: Board members have been appointed to the Metropolitan Policy Committee (MPC), the TransPlan Update Symposia process, the Ferry Street Bridge North Bank Citizen Advisory Committee, and the High-Speed Rail Siting Committee. Board members also will present testimony at public hearings on specific issues, as the need arises. After meetings, public hearings, or other activities attended by individual Board members on behalf of LTD, time will be scheduled on the next Board meeting agenda for an oral report by the Board member. The following activities have occurred since the last Board meeting:

- a. **MPC:** MPC meetings generally are held on the second Thursday of each month; however, the May MPC meeting was canceled due to lack of action items. Board MPC representatives Pat Hocken and Rob Bennett can provide a brief MPC update of a general nature at the May 15 Board meeting if the Board desires.
- b. **TransPlan Update Symposia:** Board members Dave Kleger, Kirk Bailey, and Roger Saydack represent LTD in the TransPlan Update Symposia and task force process. At the April Board meeting, the Board representatives will provide an update on the activities of the Transportation Systems Management (TSM) task force, the Land Use task force, and the Transportation Demand Management (TDM) task force.
- c. **Ferry Street Bridge North Bank Committee:** At the January 1995 Board meeting, Rob Bennett was appointed to represent LTD on the citizen advisory committee discussing the north bank of the Ferry Street Bridge corridor. The committee developed a recommendation that was presented to the City, and later began work on refinements to that initial recommendation. At the May Board meeting, Mr. Bennett will provide an update on the committee's activities.

- d. **High-Speed Rail Siting Steering Committee:** In September 1994, the Metropolitan Policy Committee (MPC) created an ad hoc steering committee for issues related to high-speed rail in the Eugene/Springfield area. Later, the Joint Planning Commission Committee (JPCC) added additional stakeholders to the committee to provide more public oversight for a site selection study. On March 27, 1995, the JPCC appointed Board member Kirk Bailey to the High-Speed Rail Station Siting Steering Committee. At the May 15 Board meeting, he will report to the Board about this committee's activities.

- e. **Governor's Transportation Initiative:** On April 18, Board President Pat Hocken presented testimony before the Governor's Transportation Initiative Regional Advisory Committee. At the May Board meeting, she will provide a brief report on that committee's activities.

ATTACHMENTS: None

PROPOSED MOTION: None

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AGENDA ITEM SUMMARY

DATE OF MEETING: May 15, 1996

ITEM TITLE: EUGENE STATION UPDATE

PREPARED BY: Stefano Viggiano, Planning and Development Manager

ACTION REQUESTED: None. Information only.

BACKGROUND: **Phase 1 Construction:** The Phase 1 construction package, which includes demolition and site preparation, has been submitted for a building permit. Work is scheduled to begin this July. Bids from contractors are due June 13, 1996. The major construction work is still scheduled to begin in November 1996.

Mitigation of Temporary Parking Shortage: The District is required to mitigate the parking shortage that will occur between the start of Phase 1 construction and the completion of the new parking garage at 10th and Pearl. The mitigation will include a shuttle bus from the Fairgrounds and discounted monthly bus passes for downtown employees. These programs will begin on July 1, 1996. The new parking garage is scheduled to be completed in December 1996.

Alley Vacation: The required consents from nearby property owners have been received, allowing the District to submit an application for vacation of the alleys. Alley vacations require City Council action and should be completed within 30 to 45 days.

ATTACHMENT: None

PROPOSED MOTION: None

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AGENDA ITEM SUMMARY

DATE OF MEETING: May 15, 1996

ITEM TITLE: DOWNTOWN SHUTTLE AND PASS PROGRAM

PREPARED BY: Andy Vobora, Service Planning & Marketing Manager

ACTION REQUESTED: None

BACKGROUND: At the April 17, 1996, Board meeting, staff discussed a proposal to provide shuttle service and offer a discounted pass to employees within the Downtown Eugene, Incorporated (DEI) district. Downtown construction has given LTD an opportunity to attract new transit riders within a small window of time. While new parking structures are being erected, LTD will be offering employees within the DEI boundaries an alternative to finding a new parking space. This program offers employees a number of commuting options.

Free Parking - A Park and Ride lot at the Lane County Fairgrounds will offer employees a free parking space and a short trip into the downtown core.

Construction Shuttle - A specially marked bus will operate along a circulator route through downtown. The shuttle will not serve the Eugene Station, but will travel north on Oak Street, west on 5th, and south on Charnelton, stopping at designated stops. This service will operate between 7:00 a.m. and 9:00 a.m., and again from 4:00 p.m. to 6:00 p.m., Monday through Friday. This service, coupled with regular fixed-route service, will provide six trips per hour into downtown.

Discounted Bus Pass - A \$12.00 monthly pass will be available to any employee in the DEI boundaries and to any student, faculty, or staff member at the LCC Downtown Center. Employees will be able to purchase their passes directly from DEI. DEI will offer sales through their office and through a retail center on the Mall. Additionally, fax orders will be an option. DEI will deliver the passes to employers who purchase five or more passes. The LCC Downtown Campus will use a voucher system, allowing interested parties to purchase their passes from the LTD Customer Service Center. The pass will allow customers to use the construction shuttle, park and ride from any of the nineteen

LTD Park and Ride lots, or ride directly from home on the regular system.

It is our goal to reach a greater part of the downtown market through this project. We will incorporate a survey into the process, which will measure how many new riders we attracted through the program. We realize there will be a number of current riders who will benefit financially from this project; however, the opportunity to reach new riders outweighs the short-term losses we will incur.

ATTACHMENT: None

PROPOSED MOTION: None

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AGENDA ITEM SUMMARY

DATE OF MEETING: May 15, 1996

ITEM TITLE: RADIO SYSTEM PURCHASE

PREPARED BY: Jeanette Bailor, Purchasing Administrator

ACTION REQUESTED: None. Information only.

BACKGROUND: Staff are ready to proceed with the award to Gandolf Mobile Systems, Inc., for the purchase and installation of a radio communication system to monitor and control bus operations. Final evaluation of the submitted specification and references on the contractor and subcontractors have been successfully completed. The contract amount will be \$1,468,437. The initial startup meeting will occur during the week of May 27, 1996; the total time line after contract award is 18 months for system customization; installation, system startup, testing, and employee training.

ATTACHMENT: None

PROPOSED MOTION: None



AGENDA ITEM SUMMARY

DATE OF MEETING: April 17, 1996

ITEM TITLE: CORRESPONDENCE

PREPARED BY: Phyllis Loobey, General Manager

ACTION REQUESTED: None

ATTACHMENTS: The attached correspondence is included for the Board's information:

- Letter from City of Eugene Human Rights Commission Accessibility Committee

At the May meeting, staff can respond to any questions the Board may have regarding this correspondence.

PROPOSED MOTION: None

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**Human Rights
Commission**

City of Eugene
777 Pearl Street, Room 105A
Eugene, Oregon 97401
(503) 687-5177
TDD (503) 687-5045

April 24, 1996

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

Dear MS. Loobey,

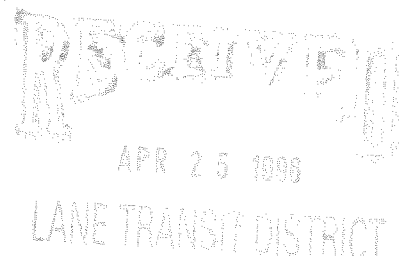
The City of Eugene Human Rights Commission Accessibility Committee wants to acknowledge that LTD was nominated for the 1996 Barrier Awareness Leadership Award. Each year in recognition of Barrier Awareness Day in May, the committee selects a business and an individual for their contributions to improving accessibility in Eugene. We received several nominations this year and were pleased that a number of community members were recognized as having made significant contributions to the removal of barriers to the full participation of people with disabilities.

Although you were not selected for this year's award, the committee felt you should be aware that you have been recognized for your leadership in making Eugene a more inclusive and accessible city. We hope you'll be able to attend the Barrier Awareness Day open house on May 7 at 7 p.m. in the McNutt Room at City Hall. This will be a great opportunity for people interested in disability issues to meet and talk to each other about accessibility in Eugene.

Thank you for contributing your time and energy toward the betterment of our community.

Sincerely,

Scott Seibert
Accessibility Committee Chair



AGENDA ITEM SUMMARY

DATE OF MEETING: May 15, 1996

ITEM TITLE: LIVABLE OREGON'S ANNUAL CONFERENCE

PREPARED BY: Phyllis Loobey, General Manager

ACTION REQUESTED: None

BACKGROUND: Livable Oregon, a non-profit charitable organization that builds livable communities through downtown revitalization, education, and advocacy for good development, will be holding its annual conference on June 13-15, 1996, in Seaside, Oregon. The conference focus is on "Creating Collaborative Communities." A conference schedule, which includes registration information, is attached. Any Board members wishing to attend this conference should contact Jo Sullivan or Chris Thrasher at LTD as soon as possible to make conference and lodging reservations.

ATTACHMENT: Livable Oregon's Annual Conference

PROPOSED MOTION: None

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**CREATING
COLLABORATIVE
COMMUNITIES**

As Oregon approaches the next century, communities will be challenged to renew and reinvent themselves to ensure that they grow better, not just bigger, in the years ahead. Creating Collaborative Communities is about making connections to build livable communities for Oregon's future.

**LIVABLE OREGON'S
Annual Conference**

June 13-15 1996

Oceanview Resort, Seaside

Featured Speakers:

ADELE FLEET BACOW

Author, *Designing the City:
A Guide for Advocates and Public Officials,*
and Senior Vice President,
Policy Management Associates, Boston

CAROL WHITESIDE

Director, The Governor's Office on
Intergovernmental Affairs, State of California

DAVID SUCHER

Author, *City Comforts,
How to Build an Urban Village*

THURSDAY, JUNE 13, 1996

9:00-11:00 AM EARLY-BIRD SESSIONS

Developing Action Plans for Main Street Organizations

This hands-on, interactive session will teach participants how to create comprehensive action plans for main street programs and develop board and committee member ownership of the plan. Speaker Susan Kempf with Washington State's Revitalization Services will address the needs of start-up communities and more experienced programs.

Surf's Up on the Internet

Find out how to access resources on the internet and the best surfing spots for livability and downtown issues.

American Graffiti

Learn about the causes of graffiti and successful programs to prevent and clean up graffiti in Oregon communities from Chris Gorsek, author of Livable Oregon's new publication, American Graffiti.

9:00-11:00 AM MOBILE WORKSHOPS

Renewing Seaside's Downtown District

Walk through downtown Seaside and learn how the city and the downtown association created an urban renewal district, revitalized area businesses and improved the streetscape to enhance the district. (Tour begins at the Oceanview Resort)

Exploring Downtown and Waterfront Challenges in Astoria

See what Astoria is doing to strengthen its downtown and enhance its waterfront area for use by both residents and visitors, and learn how Astoria promotes itself as a Hollywood location. (Tour begins at the Columbia River Maritime Museum)

Collaborative Communities: Essential Skills

An overview of basic techniques and processes that individuals and organizations can use to establish a collaborative climate in the community and create partnerships with organizations to work together on specific projects from Lynn Youngbar and Mary Bosch of Rural Development Initiatives.

5:30-7:00 PM WELCOMING RECEPTION

FRIDAY, JUNE 14, 1996

9:00-10:15 AM GENERAL SESSION: KEYNOTE

Designing the City

A look at how design affects the livability of the places we live, and how we can enhance the design of our communities through public-private collaborations.

SPEAKER: Adele Fleet Bacow, Author, Designing the City: A Guide for Advocates and Public Officials, and Senior Vice President, Policy and Management Associates, Boston

10:30-12:00 noon CONCURRENT SESSIONS

Creating Exciting Festivals and Events

A complete how-to for community festival planning from idea to reality, including how to decide which type of event will best fit with your needs and goals, and when to create new events or breathe new life into old festivals, led by experienced event planners Vicki Hilliard and Patti Pierce.



Smart Development: Astoria's U.S. Coast Guard Housing

See one of the 1995 Governor's Livability Award-winning projects and hear about this collaborative effort to build a neighborhood-friendly residential development that is compatible with the local architecture and connects to existing streets, schools and services. (Tour begins at Astoria City Hall)

11:00 AM-1:30 PM LUNCH (on your own)

Take this opportunity to eat in one of downtown Seaside's many restaurants and acquaint yourself with the downtown community.

1:30-3:00 PM GENERAL SESSION: KEYNOTE

Livability Through Collaboration

A look at the elements which shape livability and how to create a collaborative environment to promote more livable places.

SPEAKER: Carol Whiteside, Director, The Governor's Office on Intergovernmental Affairs, State of California

3:15-5:00 PM CONCURRENT SESSIONS

Creating the Downtown Community

Creating a sense of community downtown requires new programs and services for workers and residents that reinforce downtown as a neighborhood for living and working. Learn new ideas for programs and services to enhance your downtown as a full community.

City Comforts: How to Build an Urban Village

Learn what physical elements make up a comfortable downtown or neighborhood center and the role of both the public and private sector in providing the details that build a vital and prosperous district from David Sucher, the author of City Comforts.

Regional and Downtown Centers in the Marketplace

A look at the market dynamics and economic issues that contribute to or hinder the development of commercial/retail centers in a city or region.

Collaborative Communities: Having a Seat at the Table

Community-wide projects often require several partners to be a success. Ethan Seltzer, Director of the Institute for Portland Metropolitan Studies will discuss how and when to bring the appropriate partners to the table, using examples from communities which have done it.

12:15-1:45 PM LUNCH AND KEYNOTE ADDRESS

The State of Livability in Oregon

What does livability mean for Oregon's communities? How do we measure it? How are we doing? What steps can we take to ensure livability in Oregon's future?

SPEAKER: Brian D. Scott, President and Executive Director, Livable Oregon, Inc.

2:00-3:30 PM CONCURRENT SESSIONS

Beyond 9 to 5: Entertainment and Tourism Downtown

This session will cover strategies and techniques to develop and enhance the appeal of your downtown district as a hub for entertainment and a destination for visitors.

Renewing and Reinventing the Community Center

The center of a community is a key element of its livability. This session will highlight the plans and accomplishments of communities which are renewing or reinventing their civic heart, including Gresham, Beaverton and Tualatin.

Collaborative Communities: Creating Innovative Residential Choices

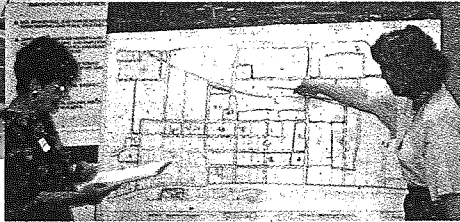
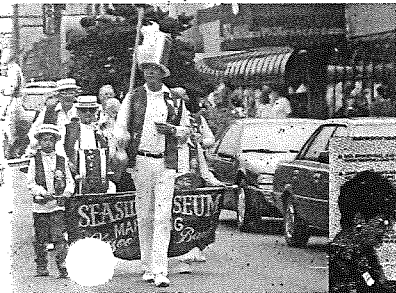
Creating new types of residential development doesn't always happen by itself. Often it takes several partners to make it work. Learn how new residential developments are shaping up around the state, from the developers of Fairview Village and West Bend Village.

- 9-5:00 PM BOARD PRESIDENT'S MEETING
- 6:00-7:00 PM RECEPTION
- 7:00-9:00 PM BANQUET & AWARDS PRESENTATION
 - Governor's Livability Awards
 - Livable City Center Awards
- 9:00 PM AFTER-BANQUET MIXER

SATURDAY, JUNE 15, 1996

- 9:00 AM TOURNAMENT OF COMMUNITY PLAYERS VIII GOLF TOURNAMENT
Highlands Golf Course, Gearhart
- 9:00 AM FAMILY FUN ON THE BEACH

Attend this year's conference and learn more about projects and processes throughout Oregon which are creating more livable places, from concept to action, from planning to reality.



LODGING

The Oceanview Resort will hold a block of rooms until May 13, 1996. Reservations requested after May 13 will be available at the conference rate on a first-come, first served basis. To reserve your room, call the Oceanview Resort 1-800-234-8439. Room rates are:

- Mountain View/Standard Queen \$73
- Partial Ocean View Queen \$99
- Ocean Front Queen \$111

(Rates do not include 7% local lodging tax.)

CONFERENCE CANCELLATION POLICY

All cancellation requests must be made in writing and received by May 30, 1996 to receive a full refund. Written requests received between May 31 and June 10 will receive a refund of one-half the registration fee paid. No refunds will be made after June 10, 1996.

DEADLINES

Discounted Conference Registration Deadline: May 21, 1996
Hotel Reservation Deadline: May 13, 1996

FOR MORE INFORMATION



Call Livable Oregon at (503) 222-2182

REGISTRATION

Register by May 21 to take advantage of discounted rates. Please copy this form for additional registrants.

NAME _____
 ORGANIZATION _____
 ADDRESS _____
 CITY/STATE/ZIP _____
 TELEPHONE (____) _____ FAX (____) _____

Conference registration includes all program materials, 1 lunch, 1 continental breakfast, 2 receptions, breaks and Friday banquet.

Members

(Main Street Members may register local members and spouses at this rate.)

| | BEFORE MAY 21 | AFTER MAY 21 | AMOUNT |
|---|------------------|-----------------|----------|
| BEST DEAL! Full Conference Registration (2 days) | \$120 | \$145 | \$ _____ |
| Full Conference Registration w/o Banquet | \$100 | \$125 | \$ _____ |
| One-Day Registration w/o Banquet: | | | |
| <input type="checkbox"/> Thursday | \$50 | \$65 | \$ _____ |
| <input type="checkbox"/> Friday | \$65 | \$80 | \$ _____ |
| Banquet Only | \$25 | \$30 | \$ _____ |

Non-Members

| | | | |
|--|-------|-------|----------|
| Full Conference Registration (2 days) | \$145 | \$170 | \$ _____ |
| Full Conference Registration w/o Banquet | \$125 | \$150 | \$ _____ |
| One-Day Registration w/o Banquet: | | | |
| <input type="checkbox"/> Thursday | \$65 | \$80 | \$ _____ |
| <input type="checkbox"/> Friday | \$80 | \$95 | \$ _____ |
| Banquet Only | \$30 | \$35 | \$ _____ |

Additions

| | | | |
|-----------------------|------|------|----------|
| Friday Guest Luncheon | \$15 | \$20 | \$ _____ |
| Golf Tournament | \$12 | \$15 | \$ _____ |

Livable Oregon Membership

Yes, I would like to join Livable Oregon or renew my membership.
 My gift of \$25 or more qualifies for the member conference discount: \$ _____
 new renewing

Total Amount Enclosed \$ _____

Remember to include fee with registration.
 Please make checks payable to Livable Oregon, Inc.

Return this form to: Livable Oregon, Inc., 921 SW Morrison, Suite 508, Portland, OR 97205. For more information, call (503) 222-2182.

Help Us Meet Your Needs at the Conference

Please let us know if you need special accommodations for disabilities or dietary needs:
 Vegetarian meals Other special needs _____

Please indicate which sessions you are most likely to attend:

Thursday Morning

- Developing Action Plans for Main Street Organizations
- Surf's Up on the Internet
- American Graffiti
- Renewing Seaside's Downtown District
- Exploring Downtown and Waterfront Challenges in Astoria
- Smart Development: Astoria's U.S. Coast Guard Housing

Thursday Afternoon

- Creating the Downtown Community
- City Comforts: How to Build an Urban Village
- Collaborative Communities: Essential Skills

Friday Morning

- Creating Exciting Festivals and Events
- Regional and Downtown Centers in the Marketplace
- Collaborative Communities: Having a Seat at the Table

Friday Afternoon

- Beyond 9 to 5: Entertainment and Tourism Downtown
- Renewing and Reinventing the Community Center
- Collaborative Communities: Creating Innovative Residential Choices

CREATING COLLABORATIVE COMMUNITIES

Livable Oregon's Annual Conference

June 13-15¹⁹⁹⁶

Oceanview Resort, Seaside

As Oregon approaches the next century, communities will be challenged to renew and reinvent themselves to ensure that they grow better, not just bigger, in the years ahead. Creating Collaborative Communities is about making connections to build livable communities for Oregon's future. This conference offers:

- ideas and information on building livable communities from those who are doing it
- techniques to enhance the vitality and viability of downtowns and neighborhood commercial districts
- examples of successful collaborations and appropriate development for Oregon communities

WHO SHOULD ATTEND

Anyone with an interest in building and enhancing the livability of Oregon's communities, downtowns and neighborhood centers, including:

- community and business leaders
- downtown and economic development professionals and volunteers
- elected officials and commissioners
- developers, builders, lenders, designers and architects
- planners and government managers
- non-profit agency staff, volunteers and members
- community volunteers and interested citizens

LIVABLE OREGON, INC.

921 SW Morrison, Suite 508

Portland, OR 97205

FEATURED SPEAKERS

Adele Fleet Bacow, author, *Designing the City: A Guide for Advocates and Public Officials*, and senior Vice President, Policy Management Associates, Boston

A look at how design affects the livability of the places we live, and how we can enhance the design of our communities through public-private collaborations.

Carol Whiteside, Director, The Governor's Office on Intergovernmental Affairs, State of California

Ms. Whiteside will examine the elements which shape livability and discuss how to create a collaborative environment to promote more livable places.

David Sucher, author, *City Comforts, How to Build an Urban Village*

Mr. Sucher will share his ideas on how we can make communities more livable: creating places where people can meet, taming cars, making buildings good neighbors, and other details that create vital places.

FEATURED EVENTS

Governor's Livability Awards

Livable City Center Awards

Mobile Workshops in Seaside & Astoria

LIVABLE OREGON'S Annual Conference

June 13-15¹⁹⁹⁶

Oceanview Resort, Seaside

Livable Oregon is a non-profit charitable organization that builds livable communities through downtown revitalization, education and advocacy for good development.

Non-Profit Org.
U.S. Postage
PAID
Portland, OR
Permit No. 3358

810. 0179 0226 0229 229A 0155
Phyllis Loobey
Executive Director
Lane Transit District
PO Box 7070
Eugene OR 97402

3

AGENDA ITEM SUMMARY

DATE OF MEETING: May 15, 1996

ITEM TITLE: 1996 PACIFIC PROGRAM

PREPARED BY: Phyllis Loobey, General Manager

ACTION REQUESTED: None

BACKGROUND: The 1996 Pacific Program for State and Local Government and Nonprofit Executives will be held October 5-12 in Bend, Oregon. Board members and staff have attended this conference in the past and found it to be a valuable experience. According to the Program organizers:

An eight-day, intensive residential training seminar, the Pacific Program is offered annually for men and women who have been elected, appointed, or promoted to leadership positions in public and nonprofit agencies. The Program provides the critical continuing education needed by elected and appointed public-sector executives in an era that requires increasing policy leadership at state and local levels.

The curriculum of the Pacific Program emphasizes development of both the analytical skills and the interpersonal skills required for effective policy leadership and public management, including the emerging context for leadership; strategic planning and management; collaboration and negotiation; group leadership and conflict resolution; and awareness of individual leadership skills.

Board members who might be interested in attending the Pacific Program this year are asked to mark the dates on their calendars and to let staff know of their interest. Applications must be submitted by July 15, 1996. Additional information about the Program and presenters is available from LTD staff.

ATTACHMENT: None

PROPOSED MOTION: None

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AGENDA ITEM SUMMARY

DATE OF MEETING: May 15, 1996

ITEM TITLE: OREGON TRANSIT ASSOCIATION ANNUAL CONFERENCE

PREPARED BY: Phyllis Loobey, General Manager

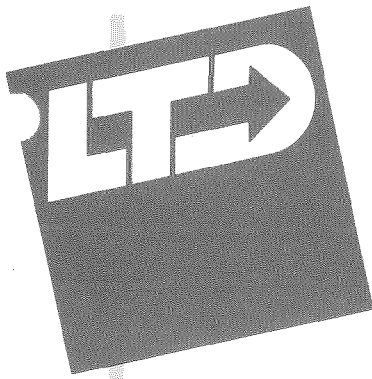
ACTION REQUESTED: None

BACKGROUND: The Oregon Transportation Conference 1996, the annual conference of the Oregon Transit Association (OTA), will be held in Seaside, Oregon, beginning Sunday, October 27, and ending Tuesday, October 29. Board members who might be interested in attending this conference are asked to mark the dates on their calendars. Information about the agenda and the reservations process will be available closer to the time of the conference.

ATTACHMENT: None

PROPOSED MOTION: None

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Lane Transit District
P.O. Box 7070
Eugene, Oregon 97401-0470

(541) 741-6100
Fax (541) 741-6111

MONTHLY STAFF REPORT

May 15, 1996

TRANSIT OPERATIONS

Prepared by Patricia Hansen, Transit Operations Manager

EUGENE STATION SECURITY PLAN

A draft Eugene Station security plan has been distributed for internal review and comment. The draft will then be forward to the Board Eugene Station Committee and to the Eugene Station Design Review Committee, as required be the conditional use permit issued by the City of Eugene.

WSTA OPERATIONS COMMITTEE MEETING

Transit Operations Manager Patricia Hansen will attend the operations committee meeting of the Washington State Transit Association in Port Angeles, Washington, May 22 - 24. A number of timely and relevant transit operations issues are on the agenda for this three-day conference.

SUMMER BID

Operators will be bidding their summer work assignments June 3 - 6, and the summer bid service changes will be implemented on June 16.

NCAA TRACK MEET

LTD will be operating shuttle service to the NCAA track meet at Hayward Field May 29 - June 1.

OPERATOR INSTRUCTOR MEETING

All eleven bus operator instructors will meet with administrative staff for a half day on May 28. Topics for discussion will be the operator hiring and probationary review

process, eliminating any training inconsistencies that may be occurring, and recommended changes and updates to the new operator training program. This will be the first opportunity for all of the instructors to get together since six new instructors were appointed last August.

HUMAN RESOURCES

Prepared by Ed Rutledge, Human Resources Manager

RECRUITMENT AND SELECTION

The selection processes for the positions of general service worker, marketing representative, and finance manager were completed during April.

During the month of April, the District began preparing for recruiting an owner's construction representative. This person will be responsible for overseeing the construction of the new Eugene Station. Although full-time employment for this position is not expected to begin until November 1996, the position will need to be filled by July 1996 to enable the owner's construction representative to attend occasional meetings in preparation for the construction.

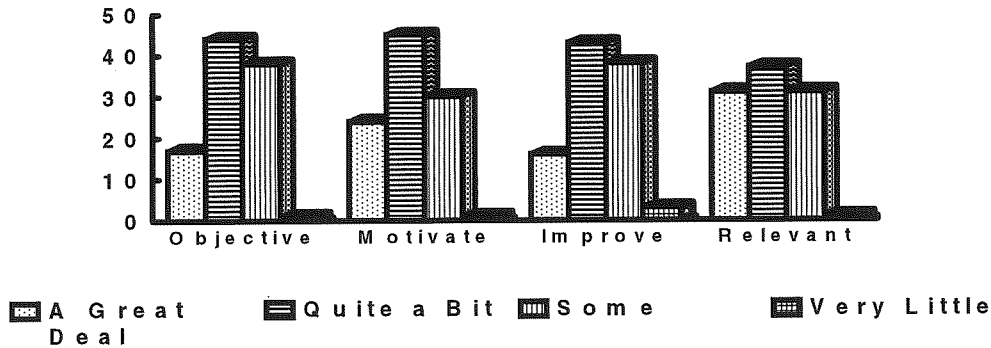
The human resources specialist represented the District at a job fair held at Willamette High School on April 16, 1996. She spoke with many high school students, informing them of the career opportunities available at the District.

TRAINING

The winter 1996 training course for the bus operators was completed during April. The accessible issues portion of the training included a panel presentation by community members and an opportunity for the trainees to try using a wheelchair or a device to simulate visual impairment and a cane and board a bus. Customer service representatives and several administrative staff members also participated in this portion of the training. All trainees were requested to evaluate how well the workshop:

- met the trainee's learning objectives,
- motivated the trainee to apply what he/she learned in his/her work,
- improved the trainee's ability to do a part of his/her job, and
- appeared to be relevant to the trainee's personal, technical, or professional development in his/her job.

The results of the evaluation follow:



The winter training also included a workshop on “dealing with young riders.” This portion of the training used video tapes demonstrating effective ways of communicating with young riders (teens). Most trainees seemed to feel that the strategies taught in this portion of the training could be utilized immediately in their jobs.

Trainees also were given an opportunity to evaluate the bus operator instructors who facilitated the workshops. Four instructors previously had been chosen to develop and present the winter 1996 training workshops. These four instructors took turns presenting the workshops, with two instructors facilitating each day of training.

Training on the District’s Drug/Alcohol Testing Policy was provided to all three shifts of employees in Fleet Services. This training generated a robust question and answer session each time it was presented.

On April 17, Mary Ellen Holly, a Eugene Fire Marshall, met with the Risk/Safety/Benefits Specialist to offer advice on our emergency procedures. She also conducted a class on work and home safety and evacuation plans.

SAFETY/RISK/BENEFITS

During the month of April, four accidents were reported and two workers’ compensation claims were filed.

As a comparison, on April 14, 1995, the Accident and Route Review Committee reviewed fourteen accidents and three incidents. Of these, four of the accidents and none of the incidents were ruled that the drivers did not use all defensive driving techniques. On April 19, 1996, the committee reviewed fifteen accidents and one incident. Of these, four accidents and the one incident were ruled that the drivers did not use all defensive driving techniques.

On April 12, the risk/safety/benefits specialist and the human resources manager met with Dale Allore of Western Adjusters to discuss billing, reporting procedures, and information exchange. It was agreed to conduct quarterly meetings. Further, Western Adjusters will send LTD a statement every three months on all accounts that have closed and a bill for staff time required for said accounts. The next meeting is scheduled to be convened in July.

Three meetings were held to form a strategy leading to the mitigation of workers compensation claims. These meetings led to the formation of the Risk Management Team (RMT), which met for the first time on May 7. The RMT will be composed of the assistant general manager, the human resources manager, the fleet services manager, the transit projects administrator, LTD's insurance broker for workers' compensation insurance, two representatives from the SAIF Corporation, and one representative appointed by ATU, Local 757.

In preparation for the formation of the RMT, seven categories were identified as target areas of interest for the reduction of workers' compensation claims. These include: training, prevention awareness, communication, accountability, incentives, claims management, and record keeping.

The risk/safety/benefits specialist had an ergonomic evaluation conducted on an employee's work station. Some temporary changes were made to the employee's chair, desk, and computer station. The employee indicated that these changes have helped and is looking forward to the more permanent solutions.

EMPLOYEE RELATIONS

The human resources manager asked the insurer of the bargaining unit Short-Term Disability Insurance Plan to reconsider in a ruling wherein it had denied a death benefit. Because of the policy guidelines, the employee's beneficiaries would have been entitled to the benefit had the employee survived another 72 hours. As the policy also provided for reconsideration of a determination, one was requested. However, the insurer denied the request. The human resources manager is presently pursuing this matter through the District's benefits consultant.

The human resources manager met with a representative of McKenzie-Willamette Hospital to review the first quarter of experience in the drug and alcohol testing procedures. During this first quarter, the program has been conducted with only one employee sharing a concern as to how the tests were being done. A review of the situation revealed that the employee had a legitimate concern, and steps were taken to improve the protocols for all LTD employees.

LABOR RELATIONS

The human resources manager and the human resources specialist attended the annual Public Employment Relations Conference (PERC). This year's conference was attended by more than 500 representatives of public sector employers, public employee labor organizations, and neutrals. This year, the conference focused its attention on the effects of SB 750 and the current status of the Employment Relations Board.

The human resources manager attended other meetings of labor relations and human resource professionals who work within the region's transit industry.

The human resources manager met with a management consultant who thereafter submitted a proposal to assist the District and the Local in non-traditional bargaining. The human resources manager will be seeking other similar proposals, as well as proposals from consultants who provide traditional collective bargaining services, in preparation for forthcoming negotiations.

Local 757 withdrew a grievance over which it had earlier made a demand to arbitrate. This action by the Local left a clear implication as to how the labor contract may be interpreted in instances where abuse of sick leave is reasonably suspected. The human resources manager met with Transit Operations staff to review this case and the implication of the grievance being withdrawn.

The District proposed to Local 757 that a Labor-Management Committee (LMC) be formed. After some consideration, the Local has agreed to join in this effort. A draft Letter of Agreement setting forth protocols for the LMC was forwarded to the Local. The first meeting of the LMC is now scheduled to convene in late May.

LEGAL

The human resources manager participated in a pretrial conference regarding an allegation that the District had violated the Americans with Disabilities Act (ADA). The District continued to assert that the plaintiff has not been determined to be disabled.

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AGENDA ITEM SUMMARY

DATE OF MEETING: May 15, 1996

ITEM TITLE: APRIL 1996 FINANCIAL STATEMENTS

PREPARED BY: Roy Burling, Assistant Finance Manager

ACTION REQUESTED: None

BACKGROUND: The April financial statements continue to reflect the robust financial performance in operating revenues. Passenger fares are 14 percent higher compared with the prior year and total operating revenues reflect a 15 percent increase over the same period. The April statements reflect the collection of \$630,805 of self-employment tax, 84 percent of the total amount budgeted.

With over 83 percent of the fiscal year completed, there are no significant issues with budgeted expenses. Total personnel costs are up 7.4 percent compared with the prior year and materials and supplies have increased less than 2 percent over the prior year.

Overall, the financial picture of the District appears to be on target for the final two months of fiscal year 1995-96, and within the estimated actual amounts projected in the proposed budget.

ATTACHMENTS: Attached are the following financial reports for the Board's review:

1. Analysis report - comparison to prior year
2. Comparative Balance Sheets
 - a. General Fund
 - b. Special Transportation Fund
 - c. Capital Fund
3. Income Statements
 - a. General Fund
 - b. Special Transportation Fund
 - c. Capital Fund

PROPOSED MOTION: None

**LANE TRANSIT DISTRICT
OPERATING FINANCIAL REPORT
FOR THE FISCAL PERIOD ENDING 4/30/96 WITH COMPARISONS TO PRIOR YEAR-TO-DATE**

| | Prior YTD 94-95 | Current year - 95-96 | | | |
|---------------------------------------|--------------------|----------------------|-------------------|--------------|---------------------|
| | | Annual Budget | YTD Actual | % budget | % over last year |
| REVENUE | | | | | |
| Passenger fares | \$ 1,798,816 | \$2,273,320 | \$ 2,050,099 | 90.2% | 14.0% |
| Group pass | 463,296 | 543,020 | 486,280 | 89.6% | 5.0% |
| Special service | 58,853 | 65,000 | 61,699 | 94.9% | 4.8% |
| Advertising | 132,471 | 194,510 | 220,444 | 113.3% | 66.4% |
| Miscellaneous | 44,691 | 5,650 | 54,040 | 956.5% | 20.9% |
| Total operating | 2,498,127 | 3,081,500 | 2,872,562 | 93.2% | 15.0% |
| Payroll tax | 8,595,390 | 11,510,110 | 9,560,352 | 83.1% | 11.2% |
| Self-employment tax | - | 749,380 | 630,805 | | |
| FTA operating grnt | 897,391 | 139,200 | 116,052 | 83.4% | - |
| State-in-lieu | 594,160 | 854,570 | 621,550 | 72.7% | 4.6% |
| Total taxes & grants | 10,086,941 | 13,253,260 | 10,928,759 | 82.5% | 8.3% |
| Interest income | 333,185 | 495,480 | 523,208 | 105.6% | 57.0% |
| Sale of assets | 293,152 | - | - | - | - |
| Total revenue | 13,211,405 | 16,830,240 | 14,324,529 | 85.1% | 8.4% |
| EXPENSES | | | | | |
| Personnel Costs | | | | | |
| Administration wages | 1,749,407 | 2,465,440 | 1,919,483 | 77.9% | 9.7% |
| Adminstration fringe | 452,901 | 578,710 | 448,395 | 77.5% | -1.0% |
| Total administration | 2,202,308 | 3,044,150 | 2,367,878 | 77.8% | 7.5% |
| Contract as administration | - | 41,000 | 43,768 | 106.8% | - |
| Contract wages | 4,765,984 | 6,240,620 | 5,100,835 | 81.7% | 7.0% |
| Contract fringe | 1,350,163 | 1,782,030 | 1,420,473 | 79.7% | 5.2% |
| Total contract | 6,116,147 | 8,063,650 | 6,565,076 | 81.4% | 7.3% |
| Total personnel | 8,318,455 | 11,107,800 | 8,932,954 | 80.4% | 7.4% |
| Materials & Services | | | | | |
| Administration | 130,796 | 268,500 | 102,312 | 38.1% | -21.8% |
| Finance | 25,211 | 32,280 | 27,582 | 85.4% | 9.4% |
| Information Services | 41,276 | 65,800 | 42,701 | 64.9% | 3.5% |
| Human Resources | 86,886 | 159,600 | 113,259 | 71.0% | 30.4% |
| Planning & Development | 44,904 | 42,250 | 17,791 | 42.1% | -60.4% |
| Commuter Solutions | 18,033 | 29,500 | 13,930 | 47.2% | - |
| Service Planning & Marketing | 444,251 | 558,550 | 438,676 | 78.5% | -1.3% |
| Customer Service | 60,961 | 88,370 | 63,304 | 71.6% | 3.8% |
| Transit Operations | 99,814 | 195,610 | 112,549 | 57.5% | 12.8% |
| Fleet Services | 1,090,810 | 1,472,870 | 1,146,781 | 77.9% | 5.1% |
| Facility Services | 245,087 | 374,530 | 237,642 | 63.5% | -3.0% |
| Insurance / Liability Costs | 505,695 | 599,900 | 490,112 | 81.7% | -3.1% |
| Transer - STF | 341,667 | 480,900 | 377,416 | 78.5% | 10.5% |
| Total Materials & services | 3,135,391 | 4,368,660 | 3,184,055 | 72.9% | 1.6% |
| Total expenses | 11,453,846 | 15,476,460 | 12,117,009 | 78.3% | 5.8% |
| Revenue less expenses | 1,757,559 | 1,353,780 | 2,207,520 | | 25.6% |
| Transfer to capital | - | (1,621,540) | - | | |
| Net to fund | 1,757,559 | (267,760) | 2,207,520 | | 25.6% |

LANE TRANSIT DISTRICT
COMPARATIVE BALANCE SHEET
GENERAL FUND
April 30, 1996

| | CURRENT BALANCES | BALANCE 6/30/1995 |
|-----------------------------------|---------------------|----------------------|
| ASSETS | | |
| Cash & short term investments | \$7,185,585 | \$3,433,301 |
| Receivables | 803,636 | 1,327,365 |
| Inventory | 543,903 | 516,758 |
| Prepaid expenses | 7,336 | 94,309 |
| Treasury Bill | 0 | 975,180 |
| Certificate of deposit | 100,000 | 100,000 |
| Deferred compensation | 1,526,135 | 1,215,876 |
| VRC lease | 89,583 | 89,583 |
| Property, plant and equipment | 22,321,881 | 22,321,881 |
| Total Assets | <u>\$32,578,059</u> | <u>\$30,074,253</u> |
| LIABILITIES | | |
| Accounts payable | \$151,360 | \$288,783 |
| Payroll payable | 393,807 | 347,762 |
| Unearned income | 141,755 | 66,415 |
| Liability claims/other payable | 115,061 | 112,996 |
| CAL/sick accrual | 940,461 | 940,461 |
| Deferred compensation | 1,526,135 | 1,215,876 |
| Total Liabilities | <u>\$3,268,579</u> | <u>\$2,972,293</u> |
| FUND BALANCE | | |
| Reserved for long term lease | \$89,583 | \$89,583 |
| Property, plant and equipment | 22,321,881 | 22,321,881 |
| Fund Balance restricted to assets | <u>\$22,411,464</u> | <u>\$22,411,464</u> |
| Fund balance 6/30/95 | \$4,690,496 | \$4,690,496 |
| Change in fund balance | <u>2,207,520</u> | <u></u> |
| Ending fund balance | <u>\$6,898,016</u> | <u>\$4,690,496</u> |
| Total reserves and fund balances | <u>29,309,481</u> | <u>27,101,960</u> |
| Total Liabilities & Fund Balances | <u>\$32,578,060</u> | <u>\$30,074,253</u> |

LANE TRANSIT DISTRICT
 COMPARATIVE BALANCE SHEET
 SPECIAL TRANSPORTATION FUND
 April 30, 1996

| | CURRENT BALANCES | BALANCE 6/30/1995 |
|-----------------------------------|------------------------|-----------------------|
| ASSETS | | |
| Cash & short term investments | \$37,742 | \$3,867 |
| Receivables | 0 | 0 |
| Prepaid expenses | <u>0</u> | <u>0</u> |
| Total Assets | <u><u>\$37,742</u></u> | <u><u>\$3,867</u></u> |
| LIABILITIES | | |
| Accounts payable | <u>\$37,742</u> | <u>\$3,867</u> |
| Total Liabilities | <u>\$37,742</u> | <u>\$3,867</u> |
| RESERVES & BALANCES | | |
| Fund balance | \$0 | \$0 |
| Change in fund balance | <u>0</u> | <u>0</u> |
| Ending fund balance | <u>\$0</u> | <u>\$0</u> |
| Total Liabilities & Fund Balances | <u><u>\$37,742</u></u> | <u><u>\$3,867</u></u> |

LANE TRANSIT DISTRICT
 COMPARATIVE BALANCE SHEET
 CAPITAL FUND
 April 30, 1996

| | CURRENT BALANCES | BALANCE 6/30/1995 |
|-----------------------------------|---------------------|----------------------|
| ASSETS | | |
| Cash & short term investments | \$4,443,526 | \$4,720,261 |
| Receivables | 117,251 | 254,896 |
| Prepaid | 0 | 0 |
| Deposits | 0 | 10,000 |
| Total Assets | <u>\$4,560,777</u> | <u>\$4,985,157</u> |
| LIABILITIES | | |
| Accounts payable | \$119,958 | \$168,566 |
| Retainage payable | 7,811 | 0 |
| Total Liabilities | <u>\$127,769</u> | <u>\$168,566</u> |
| RESERVES & BALANCES | | |
| Fund balance | \$4,816,592 | \$4,816,592 |
| Change in fund balance | <u>(383,584)</u> | <u></u> |
| Ending fund balance | <u>\$4,433,008</u> | <u>\$4,816,592</u> |
| Total Liabilities & Fund Balances | <u>\$4,560,777</u> | <u>\$4,985,157</u> |

LANE TRANSIT DISTRICT
GENERAL FUND INCOME STATEMENT
For the period 7/01/95 to 4/30/96

| | Percent of year | | | | | 83.3% |
|------------------------------------|---------------------|---------------------|---------------------|-------------------------|----------------------|-----------------|
| | ORIGINAL BUDGET | AMENDED BUDGET | Y-T-D ACTUAL | APRIL 1996 ACTUAL | BALANCE | YTD % BUDGET |
| REVENUES | | | | | | |
| Passenger Fares | \$2,273,320 | \$2,273,320 | \$2,050,099 | \$224,070 | (\$223,221) | 90.2% |
| Group Pass Payments | 543,020 | 543,020 | 486,280 | 51,530 | (56,740) | 89.6% |
| Special Services | 65,000 | 65,000 | 61,699 | 118 | (3,301) | 94.9% |
| Advertising | 194,510 | 194,510 | 220,444 | 25,777 | 25,934 | 113.3% |
| Miscellaneous Income | 5,650 | 5,650 | 54,040 | 486 | 48,390 | 956.5% |
| Payroll Tax Revenue | 11,510,110 | 11,510,110 | 9,560,352 | 722,246 | (1,949,758) | 83.1% |
| Self-employment tax | 749,380 | 749,380 | 630,805 | 630,805 | (118,575) | 84.2% |
| State In-Lieu-of-Tax | 854,570 | 854,570 | 621,550 | 0 | (233,020) | 72.7% |
| Operating Grants | 139,200 | 139,200 | 116,052 | 19,190 | (23,148) | 83.4% |
| Interest Income | 495,480 | 495,480 | 523,208 | 51,707 | 27,728 | 105.6% |
| Total General Fund Revenues | \$16,830,240 | \$16,830,240 | \$14,324,529 | \$1,725,930 | (\$2,505,711) | 85.1% |
| EXPENSES/TRANSFERS/RESERVES | | | | | | |
| General Administration | 681,360 | 731,460 | \$443,186 | \$46,731 | \$288,274 | 60.6% |
| Finance | 306,930 | 348,280 | 294,009 | 43,415 | 54,271 | 84.4% |
| Information Services | 188,220 | 188,220 | 144,125 | 15,411 | 44,095 | 76.6% |
| Human Resources | 384,240 | 384,240 | 282,499 | 23,906 | 101,741 | 73.5% |
| Planning & Development | 298,860 | 261,900 | 199,408 | 20,901 | 62,492 | 76.1% |
| Service Planning & Marketing | 822,910 | 859,870 | 671,401 | 47,327 | 188,469 | 78.1% |
| Customer Service Center | 433,430 | 429,400 | 324,957 | 29,921 | 104,443 | 75.7% |
| Commuter Solutions Program | 78,790 | 78,790 | 54,817 | 5,265 | 23,973 | 69.6% |
| Transit Operations | 7,451,620 | 7,379,740 | 5,928,708 | 579,612 | 1,451,032 | 80.3% |
| Fleet Maintenance | 3,221,290 | 3,221,290 | 2,559,440 | 261,654 | 661,850 | 79.5% |
| Facility Services | 512,470 | 512,470 | 346,931 | 32,259 | 165,539 | 67.7% |
| Insurance / Liability Costs | 599,900 | 599,900 | 490,112 | 13,688 | 109,788 | 81.7% |
| Total before transfers | \$14,980,020 | \$14,995,560 | \$11,739,593 | \$1,120,091 | \$3,255,967 | 78.3% |
| Special Transportation Transfer | 452,900 | 480,900 | \$377,417 | \$37,742 | \$103,483 | 78.5% |
| Capital Transfer | 1,621,540 | 1,621,540 | 0 | 0 | 1,621,540 | 0.0% |
| Total General Fund Expenses | \$17,054,460 | \$17,098,000 | \$12,117,009 | \$1,157,833 | \$4,980,991 | 70.9% |
| UNRESERVED FUND BALANCE | | | | | | |
| Change to fund balance | (224,220) | (267,760) | 2,207,520 | | | |
| Beginning balance | 4,201,630 | 4,201,630 | 4,690,496 | | | |
| Ending balance | \$3,977,410 | \$3,933,870 | \$6,898,016 | | | |

LANE TRANSIT DISTRICT
SPECIAL TRANSPORTATION FUND INCOME STATEMENT
For the period 7/01/95 to 4/30/96

| | ORIGINAL BUDGET | AMENDED BUDGET | Y-T-D ACTUAL | APRIL 1996 ACTUAL | Percent of year BALANCE | 83.3% YTD% BUDGET |
|------------------------------------|--------------------|--------------------|------------------|-------------------------|----------------------------|-------------------------|
| REVENUES/TRANSFERS | | | | | | |
| State Special Transp Funds | \$400,000 | \$372,000 | \$404,840 | \$134,919 | \$32,840 | 108.8% |
| STF - contingency & capital | 600,000 | 600,000 | \$0 | \$0 | (600,000) | 0.0% |
| State Special Grant | 0 | 0 | \$0 | \$0 | - | - |
| Transfer from general fund | 452,900 | 480,900 | \$377,417 | \$37,742 | (103,483) | 78.5% |
| Total Revenues | \$1,452,900 | \$1,452,900 | \$782,257 | \$172,661 | (\$670,643) | 53.8% |
| EXPENSES/TRANSFERS/RESERVES | | | | | | |
| STF - flow through transfer | 1,000,000 | 972,000 | 404,840 | 134,911 | 567,160 | 41.7% |
| Direct support - Ride Source | 395,500 | 423,500 | 329,583 | 32,958 | 93,917 | 77.8% |
| Direct support - LCOG admin | 57,400 | 57,400 | 47,833 | 4,783 | 9,567 | 83.3% |
| Total Expenses | \$1,452,900 | \$1,452,900 | \$782,257 | \$172,661 | \$670,643 | 53.8% |
| UNRESERVED FUND BALANCE | | | | | | |
| Change to fund balance | 0 | 0 | 0.00 | | | |
| Beginning balance | <u>0</u> | <u>0</u> | <u>0.00</u> | | | |
| Ending balance | <u>\$ -</u> | <u>\$ -</u> | <u>\$ -</u> | | | |

LANE TRANSIT DISTRICT
CAPITAL FUND INCOME STATEMENT
For the period 7/01/95 to 4/30/96

Percent of year 83.3%

| | ORIGINAL BUDGET | AMENDED BUDGET | Y-T-D ACTUAL | APRIL 1996 ACTUAL | BALANCE | YTD % BUDGET |
|--|--------------------|--------------------|--------------------|-------------------------|----------------------|-----------------|
| REVENUES | | | | | | |
| Grant income | \$7,132,530 | \$7,132,530 | \$1,721,098 | \$170,883 | (\$5,411,432) | 24.1% |
| Transfer from General Fund | 1,621,540 | 1,621,540 | 0 | 0 | (1,621,540) | 0.0% |
| Total resources | \$8,754,070 | \$8,754,070 | \$1,721,098 | \$170,883 | (\$7,032,972) | 19.7% |
| EXPENDITURES | | | | | | |
| GRANT PAID CAPITAL | | | | | | |
| Bus related equipment | \$50,200 | \$50,200 | \$49,964 | \$39,413 | (\$236) | 99.5% |
| Bus stations, stops, & terminals | 964,000 | 974,000 | 229,732 | 3,316 | (744,268) | 23.6% |
| Eugene Station | 4,972,000 | 4,972,000 | 1,515,080 | 98,455 | (3,456,920) | 30.5% |
| Facilities | 371,000 | 320,000 | 179,998 | 60,502 | (140,002) | 56.2% |
| Revenue rolling stock | 375,000 | 375,000 | 0 | 0 | (375,000) | 0.0% |
| Support vehicles | 35,000 | 44,000 | 50 | 0 | (43,950) | 0.1% |
| ADP hardware & software | 140,460 | 138,360 | 77,845 | 7,751 | (60,515) | 56.3% |
| Shop equipment | 34,200 | 35,200 | 21,851 | 107 | (13,349) | 62.1% |
| Miscellaneous equipment | 1,680,500 | 1,713,600 | 28,638 | 4,326 | (1,684,962) | 1.7% |
| Budgeted for capital contingency | 80,000 | 80,000 | 0 | 0 | (80,000) | 0.0% |
| Total federal capital purchases | \$8,702,360 | \$8,702,360 | \$2,103,158 | \$213,871 | (\$6,599,202) | 24.2% |
| LOCALLY FUNDED CAPITAL | | | | | | |
| Eugene Station | \$0 | \$0 | \$0 | \$0 | \$0 | 0.0% |
| Other local only | 0 | 0 | 1,524 | 0 | 1,524 | 0.0% |
| | \$0 | \$0 | \$1,524 | \$0 | \$1,524 | 0.0% |
| Total expenditures | \$8,702,360 | \$8,702,360 | \$2,104,682 | \$213,871 | (\$6,597,678) | 24.2% |
| Change in Fund Balance | 51,710 | 51,710 | (383,584) | (42,988) | | -741.8% |
| Beginning Fund Balance | 4,667,305 | 4,667,305 | 4,816,592 | | | |
| Ending Fund Balance | \$4,719,015 | \$4,719,015 | \$4,433,008 | | | |

AGENDA ITEM SUMMARY

DATE OF MEETING: May 15, 1996

ITEM TITLE: APPOINTMENT OF FINANCE MANAGER

PREPARED BY: Phyllis Loobey, General Manager

ACTION REQUESTED: None

BACKGROUND: It is with pleasure that I announce the appointment of Diane Hellekson to the recently-vacated post of Finance Manager. Diane is a Eugene resident most recently holding the position of Associate Executive Director with the Eugene Family YMCA. She is a University of Pennsylvania graduate and earned her MBA at the Stanford Graduate School of Business. Diane has impressive depth in both the private and public sectors and with non-profit agencies. I am confident that with Diane's skills the sophisticated financial planning models and practices at the District will continue to be enhanced and developed.

ATTACHMENT: None

PROPOSED MOTION: None

AGENDA ITEM SUMMARY

DATE OF MEETING: May 15, 1996

ITEM TITLE: ITEMS FOR ACTION/INFORMATION AT A FUTURE MEETING

PREPARED BY: Jo Sullivan, Executive Secretary

ACTION REQUESTED: None at this time

BACKGROUND: The action or information items listed below will be included on the agenda for future Board meetings:

- A. **Adoption of Fiscal Year 1996-97 LTD Budget:** At the June 19, 1996, meeting, the Board will be asked to adopt the FY 96-97 budget, as approved by the Budget Committee in May.
- B. **Community Transportation Grants:** Approval of Community Transportation Grants for special transportation will be scheduled for the June 19, 1996, Board meeting.
- C. **Resolution Reaffirming LTD's Boundaries:** State Law requires that the Board annually determine the territory in the District within which the transit system will operate. This action will be scheduled for the June 19, 1996, Board meeting.
- D. **Revisions to Budget Process:** Staff will be gathering input from Budget Committee members on the budget meeting process, and will make any recommendations for changes at the June 19, 1996, Board meeting.
- E. **Group Pass Policy Amendment:** At the June 19, 1996, meeting, the Board will be asked to approve an amendment to the District's group pass policy.
- F. **Cottage Grove/Creswell Service:** An update on the possible provision of service to Cottage Grove and Creswell will be provided after the May elections in those cities. If the City Councils of Cottage Grove and Creswell request LTD service to their communities, the Board will be asked to review this service request for possible addition of service to the Cottage Grove/Creswell area.

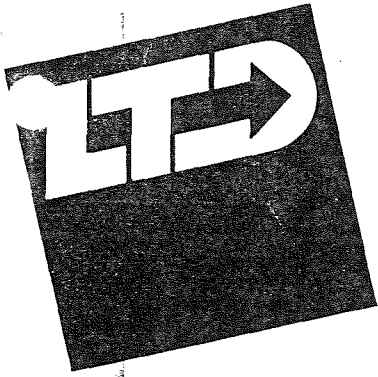
- G. **Eugene Local Street Plan**: Further discussion of the Eugene Local Street Plan will be scheduled for the June 19, 1996, Board meeting.
- H. **Work Session on TransPlan**: As discussed at the April Board meeting, a work session on the TransPlan Update process will be scheduled during June.
- I. **Resolution to Change Board Meeting Time**: Following adoption of Sixth Amended Ordinance No. 1, a resolution to change the time of the Board's regular monthly meetings to 7:00 p.m. will be placed on the August 21, 1996, Board agenda.
- J. **Work Session on Bargaining Goals**: In August or September, the Board will be asked to hold a work session to review and consider possible bargaining goals.
- K. **Work Session on Legislative Issues**: In order to prepare for the 1997 Oregon legislative session, a Board work session on legislative issues will be scheduled for September or October, 1996.
- L. **Work Session on Image and Role in the Community**: Staff recommend that the Board hold a work session on the District's image and role in the community, including a discussion of the Lynx transit system in Orlando, Florida, which recently changed its focus and direction to enhance its role in its community.
- M. **Eugene Station**: Various action and information items will be placed on Board meeting agendas during the design and construction of the Eugene Station.
- N. **Bus Rapid Transit**: As the District develops the Bus Rapid Transit (BRT) system, various action and information items will be placed on Board meeting agendas.

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AGENDA ITEM SUMMARY

- DATE OF MEETING:** May 15, 1996
- ITEM TITLE:** LTD GRANT APPLICATION TO DEPARTMENT OF JUSTICE FOR MIDDLE/HIGH SCHOOL CURRICULUM
- PREPARED BY:** Andy Vobora, Service Planning and Marketing Manager
- ACTION REQUESTED:** Approval of grant application to fund middle/high school transportation-related curriculum
- BACKGROUND:** LTD was unsuccessful in obtaining funding during the first round of Department of Justice (DOJ) grant appropriations. The second round, with \$3,500,000 available, is now underway. The District is submitting a new application, requesting \$55,000 in grant funds, in cooperation with the private, non-profit organization The Center for Appropriate Transport (C.A.T.). We believe joining with C.A.T. will demonstrate that our area is interested in a comprehensive approach to teaching middle and high school students about transportation and land use planning.
- LTD has expertise in transit services, while C.A.T. has tremendous expertise in the area of bicycle use. Local land use planning professionals will be consulted to provide specific information regarding land use applications. Together we can pool our information and work with educators to develop a curriculum that will work well for teachers and be effective in teaching young adults about the choices they need to make.
- LTD has budgeted \$5,000 in the FY 96-97 budget to match the DOJ grant funds, and an additional one hundred hours of staff time will be made available to support the curriculum development. C.A.T. will dedicate a person to oversee the development and will draw upon other staff resources as needed.
- CONSEQUENCES OF REQUESTED ACTION:** Staff will submit the grant application to the Department of Justice. If the grant is approved, LTD and C.A.T. staff will work together to develop and implement the curriculum.
- ATTACHMENT:** None
- PROPOSED MOTION:** I move that the Board authorize the General Manager to submit an application to the Oregon Department of Justice for \$38,000 in grant funds to produce a transportation-related middle/high school curriculum.

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Lane Transit District
P.O. Box 7070
Eugene, Oregon 97401-0470

(541) 741-6100
Fax (541) 741-6111

May 10, 1996

MEMORANDUM

TO: Board of Directors

FROM: Mark Pangborn
Assistant General Manager

RE: Sixth Amended Ordinance #1
Providing Rules for Meetings of LTD

The amended Ordinance #1 is included in the May, 15, 1996, Board packet for approval by the Board. In order to clearly understand the proposed amendments to the ordinance, a copy showing the revisions in color is attached to this memo and being distributed to the members of the Board.

The suggested deletions are designated in green ink, while the suggested additions are designated in red ink.

The final copy that includes all of the proposed changes is being distributed in the May Board packet beginning on page 52.

Mark Pangborn/sjs

Mark Pangborn
Assistant General Manager

MJP:sjh

Please note: This document shows the revisions that were made to Ordinance #1. Additions to text are shown in red, while deletions are shown in green.

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5/17/96

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DRAFT

~~FIFTH-SIXTH~~ AMENDED ORDINANCE NO. 1

**AN ORDINANCE PROVIDING RULES FOR MEETINGS
OF LANE COUNTY MASS TRANSIT DISTRICT**

The board of directors of Lane ~~County Mass~~ Transit District does hereby ordain that Ordinance No. 1 of said district is hereby amended so as to read as follows:

Section 1. Meetings to Be Public.

All meetings of the board of directors shall be open to the public and all persons shall be permitted to attend, except that the public may be excluded from executive sessions.

Section 2. Regular Meetings.

a. Time.

The board of directors shall hold regular monthly meetings ~~on the third at the time and day to be designated by Board Resolution. Tuesday of each month at 7:30 p.m.~~ When the day fixed for any regular meeting falls upon a day designated by law as a legal or national holiday, such meeting shall be held at the same time on the next succeeding day not a holiday.

b. Place.

Regular meetings shall be held in the Board Room at the District's Glenwood area facility, or at such other location as the board of directors may by Resolution specify from time to time and cause to be included in the notice of meeting.

c. Notice.

Public notice shall be given, reasonably calculated to give actual notice to interested persons of the time and place for holding regular meetings. The notice shall also include a list of the principal subjects anticipated to be considered at the meeting, but this requirement shall not limit the ability of the board of directors to consider additional subjects. Provided, however, that if any ordinance is to be considered or voted upon at the meeting, in such event, the notice shall comply with the provisions of Section 10.

Section 3. Adjourned Meetings.

Meetings may be adjourned to a specific time and place before the day of the next regular meeting. ~~A meeting may be adjourned to a specific time and place before the day of the next regular meeting.~~ A meeting may be adjourned by the vote of the majority of the members present, even in the absence of a quorum.

Section 4. Special Meetings.

a. Call.

The president of the board or a majority of the directors may call special meetings.

b. Notice.

Five days' written notice of special meetings shall be given to each director not joining in the call of the meeting, specifying the time, place and purpose of the meeting. At least 24 hours' notice of special meetings shall be given to the public.

Section 5. Emergency Meetings.

a. Call.

The president of the board or a majority of the directors may call emergency meetings.

b. Notice.

In case of an actual emergency, a meeting may be held upon such notice as is appropriate to the circumstances both to the directors and to the public, but the minutes for such a meeting shall describe the emergency justifying less than 24 hours' notice. The notice shall state the time, place and purpose of the meeting.

Section 6. Executive Sessions.

~~e. Executive Sessions.~~

~~e.1 The board of directors may hold executive sessions during a regular, special, or emergency meeting after the presiding officer has identified the authorization under ORS 192.610 to 192.690 for the holding of such executive session.~~

~~If an executive session only will be held, notice shall be given to the members of the board of directors and to the general public, stating the specific provision of law authorizing the executive session.~~

~~If an executive session only will be held, notice shall be given to the members of the board of directors and to the general public, stating the specific provision of law authorizing the executive session. No quorum of the board of directors shall meet in private for the purpose of deciding on or deliberating toward a decision on any matter except as otherwise provided in this ordinance.~~

Section 7. Telephone or Other Electronic Communication.

Any meeting of the board of directors, including an executive session, may be held through the use of telephone or other electronic communication, provided it is conducted in accordance with all applicable statutes and with this ordinance. When telephone or other electronic means of communication is used and the meeting is not in executive session, the board of directors shall make available to the public a place where the public can listen to the communication at the time it occurs by means of speakers or other devices. The place

provided may be a place where no board member is present, but said place shall be located within the geographic boundaries of the district.

Section 8. Place of Meetings.

All meetings shall be held within the geographic boundaries of the district, and shall be in a place accessible to ~~persons with disabilities~~~~the disabled~~. A meeting of the board of directors that is held through the use of telephone or other electronic communication shall be deemed held within the geographic boundaries of the district if the place provided for the public to listen to the communication is located within the geographic boundaries of the district.

Section 9. Notices.

a. Notices to Directors.

Notice to directors shall be deemed given when delivered in person or when deposited in the United States mail with postage fully prepaid, directed to the address last specified by the director in the records of the district office for the mailing of communications to the director.

b. Public Notice.

All public notices shall be given in one or more newspapers of general circulation within the district and in such other and additional manner as the board of directors shall from time to time direct.

c. News Media.

Notice of all meetings must be given to news media which have requested notice.

Section 10. Ordinances.

a. Publication of Agenda.

a-1. Except in an emergency, an ordinance adopting, amending or repealing a regulation shall not be considered or voted upon by a district board unless the ordinance is included in a published agenda of the meeting. The agenda of a meeting shall state the time, date and place of the meeting, give a brief description of the ordinances to be considered at the meeting and state that copies of the ordinances are available at the office of the district board.

a-2. The presiding officer shall cause the agenda to be published not more than ten days nor less than four days before the meeting, in one or more newspapers of general circulation within the district.

b. Adoption.

Except as provided by subsection b-3 of this section, before an ordinance is adopted, it shall be read during ~~regular meetings~~ ~~meetings~~ of the district board on two different days at least six days apart. If the ordinance as initially read is substantially amended prior to adoption, it shall be read as amended during ~~regular~~ meetings of the district board on two different days at least six days apart, the first of which may be the meeting at which it is amended.

- b-1. The reading of an ordinance shall be full and distinct unless at the meeting:
 - b-1.1. A copy of the ordinance is available for each person who desires a copy; and
 - b-1.2. The board directs that the reading be by title only.
- b-2. Except as provided by subsection b-3 of this section, the affirmative vote of a majority of the members of the district board is required to adopt an ordinance.
- b-3. An ordinance to meet an emergency may be introduced, read once and put on its final passage at a regular or special board meeting, without being described in a published agenda, if the reasons requiring immediate action are described in the ordinance. The unanimous approval of all members of the board at the meeting, a quorum being present, is required to adopt an emergency ordinance. No emergency ordinance shall be adopted imposing an income tax nor changing the boundaries of the district.
- c. *Signing and Filing.***
 - c-1. Within seven days after adoption of an ordinance, the enrolled ordinance shall be:
 - c-1.1. Signed by the presiding officer;
 - c-1.2. Attested by the person who served as recording secretary of the district board at the session at which the board adopted the ordinance; and
 - c-1.3. Filed in the records of the district.
 - c-2. A certified copy of each ordinance shall be filed with the county clerk, available for public inspection.
 - c-3. Within 15 days after adoption of an emergency ordinance, notice of the adoption of the ordinance shall be published in one or more newspapers of general circulation within the district. The notice shall:
 - c-3.1. Briefly describe the ordinance;
 - c-3.2. State the date when the ordinance was adopted and the effective date of the ordinance; and
 - c-3.3. State that a copy is on file at the district office and at the office of the county clerk of the county, available for public inspection.

d. Effective Date.

d-1. Except as provided by subsection d-2 of this section, an ordinance shall take effect on the 30th day after it is adopted, unless a later date is prescribed by the ordinance. If an ordinance is referred to the voters of the district, it shall not take effect until approved by a majority of those voting on the ordinance.

d-2. An emergency ordinance may take effect upon adoption.

e. Petition to Adopt, Amend, or Repeal an Ordinance.

Any interested person who is a landowner within the district or an elector registered in the district may petition the board of directors to adopt, amend, or repeal an ordinance. Any such person may appear at any regular meeting of the board and shall be given a reasonable opportunity to be heard.

Section 11. Resolutions and Motions:

a. All matters other than legislation coming before the district board and requiring board action shall be handled by resolution or motion.

b. A resolution may be adopted by the vote of the majority of the directors present at any meeting at which a quorum is present.

c. "A motion approved by the vote of the majority of the directors present at any meeting at which a quorum is present shall have the same force and effect as a resolution and shall be characterized and recorded in the minutes as the passage of a resolution."

Section 12. Conduct of Meetings.

a. Presiding Officer.

The president, and in the president's absence the vice president, and in the absence of both, a director selected by the directors present to act as chairman pro tem, shall preside at meetings of the district directors.

The presiding officer shall be entitled to vote on all matters and may make and second motions and participate in discussion and debate.

b. Minutes.

The secretary, or a person designated by the board of directors as recording secretary, shall keep a record of the proceedings and prepare minutes of the district board meetings. neither a full transcript nor a recording of the meeting is required, except as otherwise provided by law, but the written minutes must give a true reflection of the matters discussed at the meeting and the views of the participants. All minutes shall be available to the public within a reasonable time after the meeting, and shall include at least the following information:

b-1. All members of the board of directors present;

- b-2. All motions, proposals, resolutions, orders, ordinances and measures proposed and their disposition;
- b-3. The results of all votes and the vote of each member by name;
- b-4. The substance of any discussion on any matter.
- b-5. Minutes of executive sessions shall be kept the same as the minutes of regular meetings, except that instead of written minutes, a record of any executive session may be kept in the form of a sound tape recording which need not be transcribed unless otherwise provided by law. Material, the disclosure of which is inconsistent with the purpose for which an executive session is authorized to be held, may be excluded from disclosure unless otherwise ordered by court in any legal action.

c. Quorum.

A majority of the members of the directors constitutes a quorum.

d. Rules.

Roberts' Rules of Order shall be the parliamentary procedure for meetings of the district board, except when a specific rule is provided by statute or this ordinance, or by a resolution of this board.

~~e. Executive Sessions.~~

~~e-1. The board of directors may hold executive sessions during a regular, special, or emergency meeting after the presiding officer has identified the authorization under ORS 192.610 to 192.690 (paragraphs e-1.1. to e-1.7. and e-2 herein) for the holding of such executive session.~~

~~If an executive session only will be held, notice shall be given to the members of the board of directors and to the general public, stating the specific provision of law authorizing the executive session. Executive sessions may be held:~~

~~e-1.1. To consider the employment of a public officer, employee, staff member, or individual agent, but this does not apply to:~~

~~e-1.1.1. The filling of a vacancy on any public committee, commission, or other advisory group.~~

~~e-1.1.2. The consideration of general employment policies.~~

~~e-1.1.3. The employment of the general manager unless the vacancy in that office has been advertised, regularized procedures for hiring have been adopted by the board of directors and there has been opportunity for public input into the employment of such an officer. However, the standards, criteria, and policy directives to be used in hiring or evaluating the general manager shall be adopted by the directors in meetings open to the public.~~

- ~~e 1.2. To consider the dismissal or disciplining of, or to hear complaints or charges brought against, a public officer, employee, staff member or individual agent, unless such public officer, employee, staff member or individual agent requests an open hearing.~~
- ~~e 1.3. To conduct deliberations with persons designated by the directors to carry on labor negotiations.~~
- ~~e 1.4. To conduct deliberations with persons designated by the directors to negotiate real property transactions.~~
- ~~e 1.5. To consider records that are exempt by law from public inspection.~~
- ~~e 1.6. To consider preliminary negotiations involving matters of trade or commerce in which the governing body is in competition with governing bodies in other states or nations.~~
- ~~e 1.7. To consult with counsel concerning the legal rights and duties of a public body with regard to current litigation or litigation likely to be filed.~~
- ~~e 1.8. To review and evaluate, pursuant to standards, criteria, and policy directives adopted by the board of directors, the employment related performance of the general manager, an officer, employee, or staff member, unless the person whose performance is being reviewed and evaluated requests an open hearing.~~

~~The standards, criteria, and policy directives to be used in evaluating the general manager shall be adopted by the board of directors in meetings open to the public in which there has been opportunity for public comment.~~

- ~~e 2. Labor negotiations may be conducted in executive session if either side of the negotiators requests closed meetings. Notwithstanding Sections 2, 4, 5, 6, and 8, subsequent sessions of the negotiations may continue without further public notice.~~
- ~~e 3. Representatives of the news media shall be allowed to attend executive sessions other than those held under paragraph e 1.3. relating to labor negotiations, but the governing body may require that specified information subject of the executive session be undisclosed.~~
- ~~e 4. No executive session may be held for the purpose of taking any final action or making any final decision.~~

ef. Matters to be Considered.

- ~~ef-1. At regular meetings and adjourned sessions of regular meetings, the board of directors can consider any matters that they desire to consider, whether in the published agenda or not, except that an ordinance can only be considered at a regular meeting or an adjourned session of a regular meeting if consideration of that ordinance appeared in the published agenda for the regular meeting.~~

ef-2. At special meetings, only those matters shall be considered that were specified in the notice of the meeting.

ef-3. At emergency meetings, only the emergency matters shall be considered.

Section 13. Officers.

a. Officers to be Elected.

The board shall choose from among its members, by majority vote of the members, a president, vice president, treasurer and secretary, to serve for terms of two years. Terms of office shall begin and end on the first day of ~~July on even numbered years.~~ January. ~~In case of a vacancy in any office other than by expiration of the officer's term, the vacancy shall be filled by election by the board of directors when the need arises and the newly-elected officer shall take office immediately upon the occurrence of such vacancy to fill the balance of the unexpired term.~~

~~***b. Election of Officers.***~~

~~Officers shall be elected at the last regular meeting of the board of directors in each calendar year, to fill all vacancies occurring in the next succeeding January by expiration of the officer's term, and newly elected officers shall take office as of the first day of January in said next succeeding calendar year. In case of a vacancy in any office other than by expiration of the officer's term, the vacancy shall be filled by election by the board of directors when the need arises and the newly elected officer shall take office immediately upon the occurrence of such vacancy.~~

Section 14. Committees.

The president, on the president's own motion, or the directors by resolution, may appoint committees to make investigations, to study problems and to make recommendations to the board of directors. Advisory committees may include persons who are not directors. The appointment shall include a designation of a chairperson of the committee. All provisions of this ordinance shall apply to committees and their meetings to the extent relevant, substituting "committee" for "board of directors," "committee members," for "directors," and "committee chairperson" for "president."

Section 15. General Manager.

The general manager shall attend all meetings and may participate in such meetings, but has no vote.

~~**Section 16. Smoking.**~~

~~Smoking at meetings and hearings of the board of directors or any committee is prohibited when the meeting is held in a building or room owned, leased, or rented by the State of Oregon or by any county, city, or other public subdivision, regardless of whether a quorum is present or is required. The prohibition of smoking begins when the meeting is scheduled to~~

~~start and continues through the entire meeting, including recesses, until the meeting is adjourned.~~

~~**Section 17. Interpreters for Hearing Impaired Persons:**~~

~~a. Upon request of a hearing impaired person, made at least 48 hours prior to any regular or special meeting, the board of directors shall make a good faith effort to have an interpreter for hearing impaired persons provided at the meeting. The person requesting the interpreter shall include in the request the name of the requester, sign language preference, and any other relevant information the board of directors may request.~~

~~b. If a meeting is held upon less than 48 hours' notice, reasonable effort shall be made to have an interpreter present.~~

~~c. The requirement for an interpreter does not apply to emergency meetings.~~

~~d. As used in this Section, "good faith effort" includes, but is not limited to, contacting the Oregon Disabilities Commission or other state or local agency that maintains a list of qualified interpreters and arranging for the referral of one or more such persons to provide interpreter services.~~

Adopted this _____ day of _____, 19_____.

ATTEST: _____
Board President

ATTEST:

Recording Secretary

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