



## Regular Board of Directors Meeting

Umpqua Public Transportation District

Monday, July 15, 2024, 5:30 p.m.

3076 NE Diamond Lake Blvd, Roseburg, OR

97470

### APPROVED MEETING MINUTES

#### Meeting Called to Order at 7:35 PM

#### Roll Call

Mike Baker - P

Janice Baker - P

Doug Mendenhall - P Michaela Hammerson -

Natasha Atkinson - P

John Estill - P

Cathye Dewhirst Curreri - P

#### Pledge of Allegiance was recited.

#### Consent Agenda

**4.1** June 17, 2024, Draft Regular Meeting Minutes

**4.2** July 8, 2024 Special Meeting Minutes

**4.3** June 2024 Preventive Maintenance Report

MOTION: Mike Baker reminded Board Members that if there is ever anything they would like to discuss separately from the consent agenda, they can request it be pulled out of the consent calendar and talk discussed. Doug Mendenhall made a motion to approve the consent agenda, seconded by Natasha Atkinson. No further discussion.

Motion carries. Vote: 6 – Aye, 0 – Nay, 0 – Abstain, 1 - Absent.

#### Financial Report was presented by Sheri Bleau, Finance Manager.

June Financial Report – Mike Baker asks where are we in relation to the budget. Sheri states we are still meeting our budget. STIF that came in for this quarter was considerably less than we received previously. Natasha questions whether there was follow through to determine what the difference was and why? Sheri states Jennifer Boardman might be able to speak to it. Difference is about \$50,000. Cathye asks about liabilities and equities. Doug asks about the Profit and Loss for FY23-24. Confirms that we were negative for the year.

Natasha Atkinson made a motion to approve the consent agenda, seconded by Cathye Dewhirst Curerri. No further discussion.

Motion carries. Vote: 6 – Aye, 0 – Nay, 0 – Abstain, 1 - Absent.

#### Public Comment for On Agenda Items Only – There was no public comment.

#### Old Business

**7.1** Update on Operations Simme-Seat Project provided by Randy Biles, Operations Manager. Randy received another quote for \$900 for just the pad or \$1,000 to complete the whole project.

Recommendation is, if there is money in the budget and the Board still wants it installed, we should move forward.

Natasha Atkinson made a motion to approve Bid Quote #1 for \$1,000, seconded by Janice Baker seconds. No further discussion.

Motion carries. Vote: 6 – Aye, 0 – Nay, 0 – Abstain, 1 - Absent.

#### New Business

**8.1 New Action Plan Adoption** – Jennifer updated Action Plan to incorporate the pieces of the final RLS Report. Review and discussion started with audit findings. Confirmed that the expectation is for staff to review audit findings with the Board and report on corrective actions with a timeline. It is then the Board's responsibility to ensure that the finding are closed in a timely manner. Discussion followed regarding

Doug Mendenhall made a motion to adopt 8.1 Action Plan with modifications, seconded by Cathye Dewhirst Curerri. No further discussion.

Motion carries. Vote: 6 – Aye, 0 – Nay, 0 – Abstain, 1 - Absent.

**8.2 Update on Financial Software Search** update provided by Sheri Bleau. Sheri has had demos of Caselle, MIP and Sage. So far Sage is her preferred choice, but she has not received quotes for MIP or Sage. Discussion followed. Informational only, no action required.

**8.3 Drug & Alcohol Policy Review and Adoption** presented by GM. GM states that she sent the policy that the Board adopted in March to RLS along with the FTA employee friendly version of the policy that is built with a policy builder, online. Both are compliant. GM states that she was wrong, they have asked for it to come back to the Board for re-review as Attachment A was not updated with all of the positions and the General Manager was still listed under FTA testing authority. Resolution passed back in November which removed GM from the FTA pool should have reflected on Attachment A. ODOT compliance has stated, after reviewing the Resolution that was passed in November and comparing that with the recommendation made by RLS in the D&A Site Review, they felt that the GM had not provided all of the information necessary for the Board to make an informed decision. GM clarifies that during the D&A Program Manager training, there was interaction between trainer and the audience. I questioned trainer as it sounded as if I should be removed. He also questioned me. When it was all said and done, it was stated that if I was in the pool, it taints the pool and the cleanest resolution is to remove me from the pool. The resolution references the site review where we have the same kind of conversation and alternatives were provided but the one that is cited in the D&A report says an option would be to find an alternate to accept the draw if the GM were drawn in the draw. The conversation with compliance indicated they thought I was not in the pool at all but I still fall under the non-safety sensitive pool. David Campbell added his thoughts to the conversation. Further discussion followed.

Doug Mendenhall made a motion to rescind the Resolution 23-05 that took the GM out of the pool, Natasha seconds.

Motion carries. Vote: 6 – Aye, 0 – Nay, 0 – Abstain, 1 - Absent.

Becky states she has two comments. One is her title is incorrect, she is HR Director not Manager. Second is the job position, Transit Trainer. This is a job title she's never heard of. The supervisors duties are listed on the job description as Transit Supervisor/Trainer as one and she does not know why it's listed separately on here and she does not understand UTrans in front of UPTD drivers. GM responds, UTrans Drivers all have CDLs. Becky argues that we don't go by UTrans. GM states UTrans is on all of our buses and UTrans is our fixed route bus system. UTrans drivers are our UPTD CDL Drivers that drive our fixed route bus system. UPTD non-CDL drivers are the Demand Response drivers that are our Umpqua Rides drivers. Other differences were discussed. Sending GM for pre-employment test was discussed as she has been out of the D&A Pool for more than 90 days.

Reference:

Attorney General Rosenblum, E. F. (2019). *State of Oregon Department of Justice Attorney General's Public Records and Meetings Manual*. Salem, OR: Department of Justice.

David Campbell interrupts. Cites one of the findings. Natasha clarifies that it is the Board sending her.

**8.4 Charging Stations – Grant 35395 –** Michaela asked that I put this on the agenda as we have three charging stations were delivered in October and a lot has happened since. There are other agencies that might be interested in purchasing these charging stations but the grant is open, we have utilized funds from the grant and it is an open grant until 12/31/2026. This gives us time to determine whether the Transportation package goes through. My direction was to slow roll the process until we knew whether there would be more funding, before we order the buses. Although this is a decision that may need to be made in the future, it is not necessarily one that has to be made now. Jennifer Boardman shares her thoughts on when additional funding might actual be received if the transportation package goes through. Mike Baker suggests we review in March or April. Cathye is interested in pursuing now. Jennifer states the chargers might be obsolete. Sheri asks if we sell them, pay back the money, would it then be available later. Jennifer states, probably not. GM adds that these vehicles are supposed to be replacement vehicles and speaks to how old the Internationals are and the preventive maintenance costs that are increasing. We don't have any other grants in process to replace these vehicles and we don't qualify to apply for a grant. We don't have a backup plan. John Estill mentions there is also the possibility of a political change. Audit findings also prevent us from

**Project Updates – Cheryl Cheas**

**9.1 STIF Project Updates –** No update on this one. Financial challenge was identified, primarily the 20% plus up of the STIF funding. There's an additional piece in that the former STF funding was built into the plan but was expended before the plan went into effect. It's entirely possible when we have these numbers that we are going to have to cut more.

**9.2 Action Plan Updates –** We covered this in Action Plan adoption

**9.3 General Manager Report –** Partnership with Thrive Umpqua and Umpqua Valley Arts for contest to decorate the shelters with the kids. Just saw the submissions for the shelters and there were some really good submissions. We will be doing both of the library shelters, Madrone Street, the Employment Department and Washington and Rose. Ribbon cutting will be sometime in September. Ridership numbers – seem to be dropping although they are still higher than they were this time last year.

**ODOT Update – Provided by Jennifer Boardman.**

STIF Discretionary Grants just opened. Audit results will determine whether you qualify to apply. 5310 and 5311 will be opening in August. STIF Formula fund solicitation will open in August and training will happen in August also. Classes will be available in Seaside. Transit Provider meeting will be at RVTD on 7/31 from 9:00 until 2:30. Melissa Metz has been doing work on marketing. They hired an intern who is working on the marketing.

David Campbell wants to make sure that the Board is aware that the contracts have expired with DRTF, Sunrise and Reedsport and this will be addressed at the compliance review in August. He is having trouble trying to find the Board meetings on YouTube and they would like to see them posted again when possible.

**Not on Agenda – Jim –** Says that the posting for the position was posted twice in one paper.

**Public Comment (Limit to 10 minutes total) –** No comments.

**Agenda Build** – Next Regular Meeting July 15, 2024 – Addendum – Executive Committee Policy – Giving bylaws a rest. Old Business, New Business, Financial Report, Vehicle lifecycle report.

Adjourn Regular Session to go into Executive Session at 7:41 – 5 minute break – Begin Executive Session at 7:46.

**Executive Session ORS 192.660(2)(i) ORS 192.660 (8):** To review and evaluate the performance of an officer, employee or staff member if the person does not request an open hearing. This reason for executive session may not be used to do a general evaluation of an agency goal, objective or operation or any directive to personnel concerning those subjects. **ORS 192.660(2)(e)** To conduct deliberations with persons you have designated to negotiate real property transactions.

Return to Regular Session at 8:45 PM. No business to conduct.

**Adjourn regular session at 8:45 PM.**

UPTD public meetings available virtually:

<https://us02web.zoom.us/j/88660795475?pwd=VFVLZkdES21odTNNHK1pWZ1pZb1I4UT09>

Meeting ID: 886 6079 5475      Passcode: 400004

## **AUDIENCE PARTICIPATION INFORMATION**

UPTD welcomes and encourages citizen participation at all meetings. By state law, Executive Sessions are closed to the public. To allow the Board to deal with business on the Agenda in a timely fashion, we ask that anyone wishing to address the Board follow these simple guidelines:

- Persons addressing the Board must state their name for the record.
- All remarks are directed to the entire District Board. The Board reserves the right to delay any action requested until fully informed on the matter.

## **TIME LIMITATIONS**

Each speaker will be allotted a total of 5 minutes. At the 3-minute mark, the Chair will remind the speaker there are only 2 minutes left. All testimony given shall be new and not previously presented to the Board.

## **CITIZEN PARTICIPATION – ON AGENDA ITEMS & NON-AGENDA ITEMS**

We allow the opportunity for citizens to speak to the Board on agenda items and non-agenda matters on this evening's Agenda of a brief nature. A total of 30 minutes shall be allocated for this portion of the meeting. If a matter presented to the Board is of a complex nature, the Chair or a majority of Board members may schedule the matter for continued discussion at a future Board meeting. Board members reserve the right to respond to audience comments after the audience participation portion of the meeting has been closed.

**The Oregon Attorney General's Public Records and Public Meetings Manual states that the Public Meetings Law is a public attendance law, not a participation law.** "The right of public attendance guaranteed by Public Meetings Law does not include the right to participate by public testimony or comment [...] Governing bodies voluntarily may allow limited public participation at their meetings"

Reference:

Attorney General Rosenblum, E. F. (2019). *State of Oregon Department of Justice Attorney General's Public Records and Meetings Manual*. Salem, OR: Department of Justice.

(Attorney General Rosenblum, 2019, p. 155). Additionally, the Oregon Attorney General's Manual states, "The presiding officer has inherent authority to keep order and to impose any reasonable restrictions necessary for the efficient and orderly conduct of a meeting. If public participation is to be a part of the meeting, the presiding officer may regulate the order and length of appearances and limit appearances to presentations of relevant points. Any person who fails to comply with reasonable rules of conduct or who causes a disturbance may be asked or required to leave, and upon failure to do so becomes a trespasser. The law's requirement that 'all persons be permitted to attend any meeting' does not prevent governing bodies from maintaining order at meetings" (Attorney General Rosenblum, 2019, p. 156).

**\*\*\* AMERICANS WITH DISABILITIES ACT NOTICE \*\*\***

The facility used for this meeting is wheelchair accessible. If you require any special physical or language accommodations, including alternative formats of printed materials, please contact the District office/UTrans as far in advance of the meeting as possible, and no later than 48 hours prior to the meeting. To request these arrangements, please call 541-671-3691 (voice) or 7-1-1 (TTY, through Oregon Relay, for persons with hearing impairments).