



Salem Area Mass Transit District
Board of Directors

~ EXECUTIVE SESSION ~

Thursday, April 26, 2018

Courthouse Square – Salem Conference Room
555 Court Street NE, Salem, Oregon 97301

MINUTES

No information shall be disclosed by the Board, staff or media present in executive session except to state the general subject of the session pursuant to ORS 192.660(4)

Meeting Called to Order - 5:48 PM **Adjourned -** 6:06 PM

PRESENT: BOARD

- x President Robert Krebs
- x Director Steve Evans
- x Director Marcia Kelley
- x Director Colleen Busch
- Director Kathy Lincoln
- x Director Doug Rodgers
- x Director Jerry Thompson

STAFF

- x Allan Pollock, General Manager
- x David Trimble, Chief Operating Officer
- x Paula Dixon, Director of Administration
- x Ben Fetherston, SAMTD Legal Counsel
- x Adam Collier, SAMTD Labor Counsel

Under the Authority of:

- x 192.660(2)(d) Labor Negotiations pursuant to ORS 192.660(2)(d) and (4)
(No media was present)

Specific Issues Discussed: _____

Tentative labor agreement between Salem Area Mass Transit District and the Amalgamated Transit Union Local 757

Paula Dixon, Director of Administration

RECORDING SECRETARY



Salem Area Mass Transit District
BOARD OF DIRECTORS

April 26, 2018

Index of Board Actions

<u>Action</u>	<u>Page</u>
Moved to approve the Consent Calendar:	3-4
1. <u>Approval of Minutes</u>	
a. Minutes of the March 12, 2018 Board Work Session	
b. Minutes of the March 22, 2018 Board Meeting	
2. <u>Routine Business</u>	
a. Briefing on May 2018 Service Changes	
 Move to approve a three year labor agreement with the Amalgamated Transit Union Local 757 for the period July 2018 through June 2021.	 4
 Moved to adopt Resolution No. 2018-02 authorizing Salem Area Mass Transit District to acquire by purchase or by the exercise of the power of eminent domain certain real property necessary for construction of the South Salem Transit Center project.	 5
 President Krebs appointed Director Colleen Busch and Director Steve Evans and himself as the primary members of the Board’s subcommittee dealing with the Hwy 99E corridor planning project. Directors Jerry Thompson, Marcia Kelley and Kathy Lincoln were named as alternates.	 6

Regular Board meetings are video recorded and are available for viewing on the CCTV website at www.cctvsalem.org.



Salem Area Mass Transit District
BOARD OF DIRECTORS MEETING

April 26, 2018
Courthouse Square – Senator Hearing Room
555 Court Street NE, Salem, Oregon 97301

MINUTES

PRESENT Board	President Robert Krebs; Directors Doug Rodgers, Colleen Busch, Jerry Thompson, Marcia Kelley, and Steve Evans ABSENT: Director Kathy Lincoln
Staff	Allan Pollock, General Manager; David Trimble, Chief Operating Officer; Paula Dixon, Director of Administration; Al McCoy, Director of Finance/CFO; Patricia Feeny, Director of Communication; Chip Colby, Information Technology Manager; Chris French, Senior Planner; Matt Berggren, Transit Planner II; Linda Galeazzi, Executive Assistant; Ben Fetherston, SAMTD Legal Counsel
Guests	SAMTD Legislative Advocates - Dale Penn II, Partner and Zack Reeves, State Affairs Associate, CFM Strategic Communications; Boy Scouts from Troop 187 – Eli Kemble, Jaryd Clifton, Joseph Nasset, and Ben Stanley; and Scout leaders – Tim Reedy and Jay Holt

- A. CALL TO ORDER 6:30 PM**
President Robert Krebs called the meeting to order and noted the attendance. A quorum was present.
- B. PLEDGE OF ALLEGIANCE** led by Eli Kemble, Jaryd Clifton, and Joseph Nasset from Boy Scout Troop 187.
- C. ANNOUNCEMENTS AND CHANGES TO THE AGENDA 6:37 PM**
Mr. Pollock stated that Resolution 2018-03 to Adopt Bylaws for the Statewide Transportation Improvement Fund Advisory Committee will be pulled from the agenda under Item #H.3.
- D. PRESENTATION**
 - 1. FY2016-17 CAFR and Federal Compliance Report 6:39 PM**
Staff report: Pages 1-14 of the agenda and the supplemental agenda packet
Presenter: Ryan Pasquarella, CPA, Grove, Mueller & Swank P.C.
Mr. Pasquarella advised the Board of the material weaknesses and types of changes needed to be aware of that were included in the District’s audit report. He explained



the audit findings and what it means going forward. He provided a recap of the District's Balance Sheet, the Statement of Net Position-Audited and the Income Statement in his presentation. The 2016-2017 Comprehensive Annual Financial Report, the federal compliance report and the governance letter were included in the agenda packet.

In response to Director Kelley's comment, Mr. Pasquarella said he could investigate whether it is the County that collect taxes and not the District according to new audit rules. He said the discrepancies noted in the audit were attributed to staff turnover.

2. 2018 Legislative Session Review

Staff report: Pages 15-26 of the agenda

Presenter: Dale Penn II and Zack Reeves, SAMTD Legislative Advocates

Mr. Penn and Mr. Reeves reported on the end of the season 2018 legislative session highlighting the Bills that passed to include the implementation of the transportation package with House Bill 4059, and the District's governance change with the approval of Senate Bill 1536; and the bills that failed to change the law surrounding the transfer of existing and expiring Energy Incentive Tax Credits.

E. PUBLIC COMMENT

7:32 PM

Ken Richens, Executive Officer, ATU Local 757

Mr. Richens thanked the management staff for a positive negotiation experience and noted that the bargaining unit met and ratified the three-year labor contract that the Board had on the agenda for action.

Greg Hathaway, Hathaway Larson LLP, 1331 NW Lovejoy St, Suite 950, Portland, OR 97209 – Mr. Hathaway, a legal representative for Walmart, requested that the Board delay action for 30 days on agenda item H.2. Resolution 2018-02 Property Designation for South Salem Transit Center Project. He sent a letter to the Board and the District's legal counsel on April 16, 2018 conveying Walmart's concerns that the project will affect their customers, the truck deliveries, the removal of parking spaces, and safety.

F. CONSENT CALENDAR

7:47 PM

Motion: **Moved to approve the Consent Calendar on pages 27-36 of the agenda:**

3. Approval of Minutes

- a. Minutes of the March 12, 2018 Board Work Session**
- b. Minutes of the March 22, 2018 Board Meeting**

4. Routine Business

- a. Briefing on May 2018 Service Changes**



Motion by: Director Jerry Thompson
Second: Director Marcia Kelley
Discussion: No items were deferred from the Consent Calendar.
Vote: Motion passed (6) / Absent: Director Lincoln

G. ITEMS DEFERRED FROM THE CONSENT CALENDAR - None

H ACTION ITEMS

1. Approval of Amalgamated Transit Union Local 757 Labor Contract 7:48 PM

Staff report: Pages 37-38 of the agenda
Presenter: Paula Dixon, Director of Administration

Ms. Dixon reported that District staff and union representatives met in mediation on March 29, 2018 where the parties reached a tentative three-year labor agreement for the period July 1, 2018 through June 30, 2021. The bargaining unit ratified the agreement on April 9, 2018, and the Board met in Executive Session to review the negotiated agreement with the District’s labor counsel prior to the regular board meeting. There will be no financial impact in fiscal year 2018. Future yearly impacts will be incorporated through the District’s budget process.

Motion: Move to approve a three year labor agreement with the Amalgamated Transit Union Local 757 for the period July 2018 through June 2021.

Motion by: Director Marcia Kelley
Second: Director Steve Evans
Vote: Motion passed (6) / Absent: Director Lincoln

2. Resolution 2018-02 Property Designation for South Salem Transit Center Project 7:52 PM

Staff report: Pages 39-44 of the agenda
Presenter: Chris French, Senior Planner

Mr. French reported that the District is proceeding with the development and completion of South Salem Transit Center (SSTC) project. As part of this project there is a need to acquire property from the current property owner. The District must first declare by resolution that the parcel is critical to the success and function of the project. Resolution No. 2018-02 provides the legal basis for making this declaration to acquire by purchase or by the exercise of the power of eminent domain certain real property necessary to construct the South Salem Transit Center project.

Reflecting on the comments made by Greg Hathaway during Public Comment, there were questions from board members about voting on the Resolution or waiting. Mr. Pollock said he would schedule time during the next work session to review the



conceptual drawing of the project, the assessment, ridership, next steps and deadlines. Mr. Pollock advised that a no vote will delay the project and will require a new appraisal of the property. The District will also need to work with ODOT to renew the funding granted for the project. It is a long process. If the resolution is passed, the District and Walmart can work together concurrently to resolve any issues that need to be dealt with through legal counsel.

Motion: **Moved to adopt Resolution No. 2018-02 authorizing Salem Area Mass Transit District to acquire by purchase or by the exercise of the power of eminent domain certain real property necessary for construction of the South Salem Transit Center project.**

Motion by: **Director Marcia Kelley**

Second: **Director Jerry Thompson**

Vote: **Motion passed (5) – YES: Directors Thompson, Kelley, Evans, Busch, and President Krebs; NO: Director Rodgers; Absent: Director Lincoln**

3. Resolution 2018-03 Adopt Bylaws for the STIFAC (Pulled) 8:02 PM

Staff report: Verbal

Presenter: Allan Pollock, General Manager

Mr. Pollock advised that Resolution 2018-03 to Adopt Bylaws for the Statewide Transportation Improvement Fund Advisory Committee (STIFAC) had been pulled from the agenda. The state-level proposed STIF rules went out for public comment until April 21, 2018 and included components for both the discretionary and formula funds. These components will both need to be incorporated into the District’s STIFAC Bylaws per legal counsel; so the adoption of the bylaws will be postponed until the rules at the state level have been adopted by the Oregon Transportation Commission. Mr. Pollock advised that this delay will not slow down the District’s process to form the STIF Advisory Committee.

4. Board Subcommittee for the Hwy 99E Corridor Planning Project 8:05 PM

Staff report: Pages 45-46 of the agenda

Presenter: President Robert Krebs

At the April 9, 2018 work session, Senior Planner Chris French presented an overview of the Hwy 99E corridor planning project which began with the City of Canby in November, 2016. The City received a “Transit Network” grant from the Oregon Department of Transportation (ODOT) and the project was awarded discretionary grant funding from the state’s Special Transportation Fund in order to study the viability of a partnership between Canby Area Transit (CAT) and Cherriots to improve transit service along the 99E corridor from Salem to Oregon City. The City awarded a contract to Jarrett Walker and Associates (JWA) to lead this project on June 9, 2017.



A meeting has since been planned with the two governing authorities of the service on the 99E corridor. President Krebs will appoint members of the Board to a subcommittee to meet with members of the Canby City Council, their Transit Advisory Committee and JWA to discuss the transit alternative studied for the project, and report back to the Board. The Board is scheduled to take action on the final plan at the June 28, 2018 Board meeting.

Action: President Krebs appointed Director Colleen Busch and Director Steve Evans and himself as the primary members of the Board's subcommittee dealing with the Hwy 99E corridor planning project. Directors Jerry Thompson, Marcia Kelley and Kathy Lincoln were named as alternates.

I. INFORMATION ITEMS - None

1. Summary of the 2018 Public Engagement Report for A Better Cherrriots 8:10 PM

Staff report: Pages 47-72 of the agenda

Presenters: Chris French, Senior Planner

Matt Berggren, Transit Planner II

On January 25, 2018, the Board directed the District to conduct public outreach to gather feedback on the service changes proposed in Phase 1 for September 2018; and the service change proposal in Phase II for September 2019 in response to House Bill 2017. The outreach was conducted from February 13 to March 16, 2018. The *2018 Public Engagement Report* on pages 49-72 of the agenda provided a high level overview of the responses by 656 riders and community members who filled out a feedback form provided online and at in-person events after they reviewed the service proposals for 2018 and 2019.

The District will finalize the plan for September 2018 service changes in April for Board review and action in May 2018. A timeline to finalize service plans for 2019 will be conducted at a later date.

Mr. Berggren announced that he will be leaving the District at the end of May for a job opportunity in Vancouver, British Columbia. He was thankful for the opportunity to work with Cherrriots and felt very supported by staff.

BOARD AND MANAGEMENT ISSUES

J.1 General Manager

8:22 PM

Mr. Pollock reported on two employee events held at the District in the last week – a celebration of Administrative Professionals Day with a luncheon on April 25, and Take Your Child to Work Day on April 26. Mr. Pollock reported that Governor Brown issued



a press release announcing the appointment of her new Transportation Policy Advisor, Brendan Finn, former Chief of Staff for Portland Commissioner Dan Saltzman.

J.2 Board of Directors

8:29 PM

Staff report: Pages 73-76 of the agenda

Board members are appointed biannually by the President of the Board to local, regional, or national committees. Board members also present testimony at public hearings on specific issues as the need arises. After these meetings, public hearings, or other activities attended by individual members on behalf of SAMTD, time is scheduled during the Board meeting for an oral report or update on the activities that have designated board member representation. Director Lincoln provided a written report since she was at the OMPOC meeting in Grants Pass and would not be at the Board meeting.

President Krebs and Director Busch reported on the American Public Transportation Association's Legislative Conference and meeting with Oregon legislators in Washington D.C. Director Rodgers toured the Del Webb Operations Facility and took a ride on a battery-powered bus. Director Kelley spoke about the City Club meetings and Director Thompson reported on the SEDCOR meeting. Director Evans spoke about the Citizens Advisory Committee meeting on April 24, 2018. John Hammill is the new chair of the Committee and Rick Hartwig will serve as the vice-chair. The next CAC meeting is June 19, 2018.

Boy Scout Troop 187 was thanked for their attendance and participation in the flag salute. Boy Scout Leader Tim Reedy explained that the scouts were working on their Communication and Citizenship in the Community badges.

K. Meeting Adjourned

8:45 PM

Respectfully submitted,

Robert Krebs, President