# FLORENCE TRANSIT ADVISORY COMMITTEE MINUTES March 15, 2017

### **CALL TO ORDER:**

The meeting was called to order at 1:34 pm by Vice Chair Patton.

### **ROLL CALL:**

Committee members: Jane Ashley, Chairperson; Don Patton, Vice Chairperson; Stan Easter;

Nan Harvey; and Ivy Medow

<u>Ex-officio members</u>: John Ahlen, LTD <u>City Councilors</u>: Councilor Ron Preisler

Support Staff: Glen Southerland, Florence Planning Department, and Kelli Weese, Florence

City Recorder

**APPROVAL OF AGENDA:** Ashley moved to approve, second by Harvey. By voice, all ayes. Agenda approved.

### **APPROVAL OF MINUTES:**

<u>February 15, 2017</u>: Ashley motioned to approve the minutes of February 15, 2017. Harvey seconded the motion. Patton noted that the minutes should read "free service for Veteran's Day Parade."

Easter moved to approve the minutes of February 15, 2017 with the addition of the word "free" prior to "service for Veteran's Day Parade," second by Harvey. By voice, all ayes. Minutes of February 15, 2017 approved.

#### **PUBLIC COMMENTS:**

Barbara Nicholson, Florence resident, proposed a twice daily run to/from Eugene to facilitate work, shopping and leisure activities for all, including people with limited resources and/or disabilities. She noted the added potential benefit of lessening commuter congestion on Hwy 126. She also proposed providing homeless people with a ticket to Eugene in order that they might receive some comprehensive services not available yet in Florence.

### TAC MEMBERSHIP UPDATE:

<u>Selection of Chair/Vice-Chair:</u> Ashley was nominated to become Chairperson by Patton, seconded by Easter. By voice, all ayes.

Patton was nominated to be Vice-Chairperson by Ashley, second by Easter. By voice, all ayes.

### **COMMITTEE TRAINING:**

City Recorder Weese presented a training on ethics and conflicts of interest (attached).

#### ROUTE CHANGE UPDATE/OPERATIONS:

Ridership: Southerland distributed ride counts (attached) for the month of February.

### PROMOTION AND MARKETING:

<u>Advertising</u>: Ahlen discussed advertising policy and stated that LTD would be willing to work with any potential advertisers.

<u>Ride Free Days Sponsorship:</u> Patton announced that Greentrees would like to sponsor May 18<sup>th</sup> and 19<sup>th</sup>, the two days before Rhody Days. He asked that Southerland and Haring discuss the signage needed for the event and begin planning for promotion.

### OTHER ITEMS:

<u>Coastal Connectivity Update</u>: Ahlen stated that the first stakeholder meeting would be held on March 31<sup>st</sup> from 1:00 to 3:00 p.m. in the Florence City Hall Council Chambers. He added that there would also be other meetings and opportunities to provide input. Ahlen stated that he would keep the Committee informed throughout the process.

<u>Florence/Eugene Connection</u>: Ahlen stated that LCOG applied for an Intercity Network Grant (formerly 5311F) to study service between Florence and Eugene. LTD offered technical assistance and they are currently waiting to hear back from ODOT.

### **SET FUTURE AGENDA:**

The Committee proposed discussion of Ride Free Days, the Rhody Days Parade, service on the Friday of Rhody Days between 6:00 p.m. and 9:00 p.m., and the hiring of a third qualified driver.

Next meeting: April 19, 2017 at 1:30 p.m., Florence City Hall Council Chambers.				
Meeting adjourned at 3:08 p.m.				
APPROVED E	BY THE TAC ON THE	DAY OF	, 2017.	
	Jane Ashle	ey, Chairperson		



# THE ROLE OF THE TRANSIT ADVISORY COMMITTEE, PUBLIC MEETINGS LAWS & OREGON ETHICS LAWS

### **ROLE OF THE COMMITTEE**

- Advise Council concerning City's transit system
  - Provide dispute resolution for issues concerning transit system
  - Advise on the financial resources available for transit service and ways to increase efficiency

### **AUTHORITY**

- There is <u>only</u> power in numbers
  - A quorum (3) members must be present for the Committee to hold a meeting, and
  - A majority vote is required for all decisions
- Committee only has authority to deliberate / make recommendations on topics allocated to it by the City Council, which include...
  - Items within the Council's established work plan
  - Promotion of the City's Transit Resources
- · Council is the final decision maker

### COMMITTEE MEMBERSHIP

- · Consists of 6 members, of which...
  - 3 shall be residents of the City
  - · 2 may be residents of Urban Service Area
  - · I shall be high school student
- In addition, there may be 1 ex-officio member from each of the City-funded transit organizations (i.e. River City)

# **MEETINGS HELD**

- Third Wednesday of every month at 1:30 p.m.
- Dates/Times can be adjusted depending on schedules
- Committee may meet more / less often depending on work load.
- Note: Standard meeting date/times established and meetings set in advance to allow public notification

# ROLE OF CHAIRPERSON & VICE-CHAIRPERSON

- First meeting in February
- Chair presides over meeting
  - Responsible for making sure meeting proceeds in a fashion conducive to rational decision making
  - Sets tone for meeting, keeps discussions on track, encourages fairness, moderates and contributes to discussions

### ROLE OF CHAIR CONTINUED...

- · Chair will...
  - Open the meeting
  - Moderate discussion
  - · Ask speakers (if any) to identify themselves & sign in
  - · Lead deliberations...
    - Summarize the issues, Ask for input from the committee as a whole, Make sure
      motions are understandable before full vote is taken, encourage the meeting to move
      in a timely manner
  - Official Signature on Decisions

# **PUBLIC MEETINGS LAW**

- Regulated by State of Oregon Department of Justice
  - From ORS 192
  - Attorney General's Public Meetings and Open Records Manual



### WHO MUST FOLLOW?

- The City governing body and any committee or sub-group tasked with making decisions or deliberating toward a decision on any matter
  - Aka the Transit Advisory Committee

### WHAT IS THE LAW?

- ORS 192.620: "The Oregon form of government requires an informed public aware of the <u>deliberations</u> and <u>decisions</u> of governing bodies and the <u>information</u> upon which such decisions were made. It is the <u>intent</u> of ORS 192.610 to 192.690 that <u>decisions of</u> governing bodies be arrived at openly."
- 'A quorum of a governing body may not meet in private for the purpose of deciding on or deliberating toward a decision on any matter except as otherwise provided by ORS 192.610 to 192.690"
- Note: Public Participation does not always mean public conversation

# WHAT IS A MEETING?

- Any instance where a quorum (3 or more) members are discussing / deliberating toward a decision:
- This includes:
  - Standard meetings where a quorum is present (3 or more)
  - Electronic meetings (Emails, IMs, Texts, Social Media)
  - Serial Discussions
- Does NOT include Social Gatherings:
   If possible, staff publishes agenda noting the social nature of event

# PROCEDURAL REQUIREMENTS FOR MEETINGS

- Public Notice at least 24 hours in advance (Agenda)
- Space, Location, Accessibility and Attendance (Meeting location must be accessible to all public)
- Voting (Decisions must be made and recorded)
- Records (Digital Recording / Minutes, Public Records Law)

# PRACTICAL TIPS

- Avoid replying to emails when City business information is shared
  - To request more information on item ask Staff Rep. Glen Southerland, who will prepare for all agency members
  - To request agenda item ask Chairperson to add to future agenda
- Avoid conversations (in person or via email) between directors where the views of fellow directors are shared
- Avoid sharing opinions on items the Agency would need to vote on

### **PUBLIC RECORDS**

- What is a public record?
  - Any document that contains public business information that is prepared, owned, used or retained by a public body <u>regardless of physical form or characteristics</u>
  - All items before the TAC are public records
    - Emails, formal letters, photos, handwritten napkin drawings, etc.
  - Must be available to the public
  - Records used for decision deliberation (i.e. distributed at meeting)
     Permanent Retention



# OKAY – SO HOW DOES THE CITY COMPLY WITH THESE LAWS?

- Agendas & Meeting Materials are prepared in advance
  - Posted Online and at City Hall
  - Distributed to all interested parties
- Public Hearing notices published as required by state law
- Public records for body retained according to records law, including...
  - Agenda
  - Meeting Materials
  - Items Distributed at Meeting
  - Digital Recording / Minutes

### AGENDA PREPARATION

- Agenda prepared by staff and approved by Chairperson
- If you would like to request something on the agenda:
  - Notify chairperson who will determine best timeline for discussion
- Can always bring things up at end of meeting for further discussion later on
- All items (pertinent to body) can be <u>discussed</u> at meeting, all <u>decisions</u> need to be specified on agenda
- The Point: To allow the public enough information to understand what the agency will discuss and decide whether or not to attend the meeting

# PREPARING FOR THE MEETING

- Agenda & Meeting materials distributed to agency:
  - Friday before the meeting (goal earlier)
- Note:
  - If possible if you have questions about information provided, ask Staff (Glen) prior to the meeting.
  - This allows staff to address thoughts in advance, and relay information to all agency members at the meeting.
  - Saves everyone time!

# **OREGON GOVERNMENT ETHICS LAW**

- ORS Chapter 244
- Oregon Government Ethics Commission
  - 503-378-5105
  - www.Oregon.gov/ogec



# WILL COVER RULES FOR:

- Public Officials
- · Prohibited use of office
- Gifts
- Conflicts of interest
- Violations & Sanctions

# AM I A PUBLIC OFFICIAL?

- ORS 244.020(14): "Any person who, when an alleged violation of this chapter occurs, is serving the State of Oregon or any of its political subdivisions or any other <u>public body</u> as defined in ORS 174.109 as an <u>elected official</u>, <u>appointed official</u>, <u>employee or agent</u>, <u>irrespective of whether the person is compensated for their services."</u>
- Includes Elected & Appointed Officials, Employees, Members of Boards and Committees and Volunteers



### KELLI'S ETHICS CLIFF NOTES

 Don't use your position on the Committee for personal gain

# PROHIBITED USE OF OFFICE (ORS 244.040(1)

- A public official may not use or attempt to use official position or office to:
  - obtain financial gain or avoidance of financial detriment
- Who applies?:
  - The public official, a relative, or member of the household of the public official, or any business with which the public official or a relative or member of the household of the public official is associated
- · Disclaimer:
  - If the financial gain or avoidance of financial detriment would not otherwise be available <u>but</u> for the public official's holding of the official position or office (The 'But-For' Test)

# RELATIVE (ORS 244.020(15))

- Spouse
- · Children of the Public Official or the Public Official's Spouse
- The following of Public Official or Public Officials Spouse
  - Brother / Sister, Stepbrother / Stepsister, Parent / Step Parent, Son-in-law / Daughter in Law
- Anyone for whom the public official has a legal support obligation or provides employment benefits
- Note: Don't forget member of the Public Officials Household (i.e. anyone living with public official irrespective of relationship)

# SIMPLE QUESTION

 Would I have this opportunity
 if I was NOT a public official?



# **DOES NOT APPLY TO:**

- Compensation or Reimbursement
- Unsolicited awards
- Gifts or Honoraria (within limits)

# GIFTS (ORS 244.020(6)(A)

- Something of value given to a:
  - · Public Official, Candidate, Relative, Or Member of the Household
- Without valuable consideration of equivalent value (i.e. not a trade)
  - Including: Full or partial forgiveness of indebtedness
- Which is not extended to others on the same terms or conditions
- · Gifts are limited to \$50 per year, per giver

### THE GIFT RULE:

- 1. You (your relative or member of household)
- 2. Cannot ask for, receive, or give
- 3. Or even hint at getting / giving
- 4. Gifts over \$50 from any single source in one year
- 5. IF your source has an interest in your official actions: i.e., a decision or vote

# A GIFT IS NOT LIMITED IF IT IS A:

- Campaign contribution
- Present from relatives or household members
- Unsolicited award / token of appreciation with a resale value <\$25</li>
- Discounted registration at a professional education event
- Informational material related to your official duties
- Part of a customary private business practice and not related to your public office
- Incidental food, beverage, entertainment
- · Food, beverage, and entertainment when acting in official capacity (i.e. representing FURA)

# **CONFLICTS OF INTEREST**

- Kelli's Cliff Note Definition:
- Situations that affect your ability to make a decision in an ethical manner



# ORS 244.020(12) DEFINITION:

- Any action or any decision or recommendation by a person acting in a capacity as a public official
- The effect of which would/could
- Be to the private pecuniary benefit or detriment of:
- The person or the person's relative or any business with which the person or relative of the person is associated

# "BUSINESS WITH WHICH PERSON IS ASSOCIATED"

- Any private business in which you or a relative are an owner, director, officer, or employee or in which you or a relative has \$1,000+ worth of interest
- Any publicly held corporation in which you or a relative has \$100,000 of interest or you
  or a relative is an officer / director

# TWO TYPES OF CONFLICTS

- Actual Conflicts
  - Would result in financial benefit or detriment
- Potential Conflicts
  - · Could results in financial benefit or detriment

# HOW TO DEAL WITH A CONFLICT (BOTH ACTUAL & POTENTIAL)

### When in doubt: Shout it Out!

- State the nature of your conflict
- Do it **before** voting or discussing the manner
- Do it on the record
- Do it <u>each meeting</u> issue is discussed

# IF **ACTUAL** CONFLICT OF INTEREST

# When in doubt: Shout it Out...and then Shut It Up

In addition to Declaring the conflict:

- No talking and No voting
- Unless Agency cannot act without you (but still no talking)
- We recommend you leave the room during agenda item

# **DISCLAIMERS:**

It is **Not** a conflict if the financial benefit happens because of:

- Membership in a class (any large, distinguishable group of citizens that the Oregon Government Ethics Commission determines is a class)
- Membership in a non-profit (501c status)

# **SANCTIONS**

- Civil penalty = Up to \$5,000 per violation
- Forfeiture = twice the amount of financial benefit realized
- · Letters of reprimand, explanation or education

### **RESOURCES & INFORMATION**

Oregon Government Ethics Commission 3218 Pringle Rd SE, Suite 220 Salem, OR 97302

> (503) 378-5105 (503) 373-1456 - Fax

ogec.mail@state.or.us - E-mail ogec.state.or.us - Web

# CITY'S FRAUD POLICY (RESOLUTION NO. 32, 2012 – 12.17.12)

- What the policy does...
  - Observes procedures for reporting and investigating fraud, theft, waste, abuse, and ethical misconduct.
- Who is it applied to?
  - Employees, Elected Officials, and Volunteers

# FRAUD POLICY - OVERVIEW

- Fraud, Abuse of Position, and Ethical Misconduct are defined in the policy, the following examples being included in one of the definitions
  - Unauthorized use or willful destruction of City Equipment / Supplies
  - Accepting or seeking anything of material value from contractors or vendors
  - · Many More.....
- If you suspect someone is performing a fraudulent act, either notify the City Manager or Mayor

### LOTS MORE INFORMATION ON ALL THESE TOPICS:

- FURA Overview http://www.ci.florence.or.us/urbanrenewal
- Public Meetings / Records Law
  - League of Oregon Cities: Public vs. Private Meetings Training <a href="http://www.orcities.org/Training/LOCTV/tabiod/6768/language/en-US/Default.aspx">http://www.orcities.org/Training/LOCTV/tabiod/6768/language/en-US/Default.aspx</a>
  - Oregon Public Records and Meetings Manual http://www.doj.state.or.us/pdf/public\_records\_and\_meetings\_manual.pdf

# LOTS MORE INFORMATION ON ALL THESE TOPICS:

- Oregon Government Ethics Law
  - League of Oregon Cities: Avoiding Problems Conflicts of Interest http://www.orcities.org/Training/LOCTV/tabiod/6768/language/en-US/Default.aspx
  - League of Oregon Cities: Gifts –
     http://www.orcities.org/Training/LOCTV/tabiod/6768/language/en-US/Default.aspx
  - Oregon Government Ethics Commission "Guide for Public Officials" https://www.oregon.gov/OGEC/pages/training.aspx



# Rhody Express 2017 February

	Elderly	Disabled	General	Companion			
	,				Total		Fare Box
1	16	8	8	_	32	Wednesday	\$21.00
2	21	5	9		35	Thursday	\$29.00
3	12	3	6		21	Friday	\$18.70
4					0	Saturday	
5					0	Sunday	
6	15	5	12		32	Monday	\$24.00
7	15	1	8		24	Tuesday	\$21.00
8	7	6	8		21	Wednesday	\$16.00
9	12	3	1		16	Thursday	\$7.00
10	18	1	11		30	Friday	\$29.00
11					0	Saturday	
12					0	Sunday	
13	14	0	6		20	Monday	\$20.00
14	8	7	6		21	Tuesday	\$15.00
15	6	6	8		20	Wednesday	\$15.00
16	10	4	7		21	Thursday	\$15.00
17	26	2	10		38	Friday	\$33.00
18					0	Saturday	
19					0	Sunday	
20	6	0	5		11	Monday	\$11.00
21	10	4	7		21	Tuesday	\$13.00
22	20	11	5		36	Wednesday	\$29.00
23	9	6	12		27	Thursday	\$21.00
24	19	2	10		31	Friday	\$28.00
25					0	Saturday	
26					0	Sunday	
27	13	4	5		22	Monday	\$14.00
28	13	5	11		29	Tuesday	\$24.00
29					0	Monday	
30					0		
31				-	0		
					=	Total This Month	\$403.70
Total	270	83	155	0	508	Same Total	

wc	comp		
3	2		
	2 2		
4			
	2		
	-		
	-		
	2		
	1		
	2		
L	2 2 2		
	2		
	2		
	+		
	2		
	7 1		
	2 7 1 2		
ļ			
	2		
	2		
	1		
1			





Friday & Saturday March 31 - April 1

HOURS: Friday 2:00 - 8:00 p.m. Saturday 12:00 - 8:00 p.m.

\$20 pre-sale tickets
available at the
Chamber Visitors Center
or online at
florencechamber.com
\$25 at the door - includes
one full day admission,
commemorative glass and
a free taste at each
of our 12 wineries!

LOCATION:
Florence
Events Center

adults only • 21 & over

a coast radio production

# **OREGON WINERIES**

OFFERING TASTES AND SAMPLES

### Benton - Lane Winery

P.O. Box 99 23924 Territorial Rd. Monroe, OR 97456 541-847-5792 www.benton-lane.com

### **Cathedral Ridge Winery**

4200 Post Canyon Drive, Hood River, Oregon 97031 800-516-8710 www.cathedralridgewinery.com crw@cathedralridgewinery.com

### Hanson Vinevards

34948 S Barlow Road Woodburn OR, 97071 971-338 9760 info@hansonvineyards.com

### Iris Vineyards

82110 Territorial Hwy Eugene, OR 97405 541-242-6588 contact@irisvineyards.com

### J Scott Cellars

520 Commercial St., Unit G Eugene, OR 97402 541-357-5279 146 SW Bay Blvd. Newport, OR 97365 541-272-5222 www.jscottcellars.com

### **Naked Winery**

102 Second St - Tasting Rm. Hood River, OR 97031 541-386-3700 www.nakedwinery.com

### Panache Cellars

3328 Stoneboro Place Philomath, OR, 97370 541-929-2288 info@panachecellars.com

### Poco Collina-Gelardi Winery

92945 Kinser Ln Cheshire, OR 97419 541-998-3435 www.gelardivineyard.com

### River's Edge Winery

1395 River Drive PO Box 539 Elkton, OR 97436 541-584-2357 wines@riversedgewinery.com

### Season Cellars

305 Melrose Rd. Roseburg, OR 97471 541-784-7831 www.seasoncellars.com winery@seasoncellars.com

### Sineann Winery

8400 Champoeg Rd. NE St Paul, OR, 97137 503-341-2698 www.sineann.com

### Youngberg Hill

10660 SW Youngberg Hill Road McMinnville, OR 97128 503-472-2727 info@youngberghill.com

# FEATURED JAZZ BANDS & MUSICIANS

### Friday March 31, 2017

#### 2:00 pm - Michael Anderson Jazz Trio

Hometown: Eugene, Oregon Style: Straight ahead jazz standards – swing, Latin, ballads – vocals by Michael Anderson. Info: www.michael-anderson.net

#### 4:30 pm - Michelle & Dave Van Handel

Hometown: Bend, Oregon
Style: Mixture of standards covers and
contemporary originals with a mix of light rock
jazz and latin-esque motifs.
Info: www.michellevanhandel.com

### 6:30 pm – Tony Glausi & his 9-Piece Funk Band

Hometown: Eugene, Oregon Style: Contemporary original jazz and fusion stylings featuring a 5 piece horn section. Info: www.tonyglausi.com

# Saturday April 1, 2017

#### 12:00 pm – Paul Biondi & Gus Russell Quartet

Hometown: Eugene, Oregon Style: Standard jazz offerings with diverse stylings including swing, latin and funk. Info: www.gusrussell.com

#### 2:30 pm - Miles to Go Quartet

Hometown: Florence, Oregon Style: Mixture of standard to contemporary stylings on straight ahead jazz. Eclectic versions or popular songs performed in a jazz idiom.

### 4:30 pm – Don Latarski & D'Trio

Hometown: Eugene, Oregon Info: www.donlatarski.com

### 6:30 pm - Halie Loren Quintet

Hometown: Eugene, Oregon Style: Original, contemporary jazz/soul/popular. Info: www. halieloren.com



# **ART SHOW & SALE**

Florence Regional Arts Alliance is coordinating the juried art show and sale, conducted by Robert Canaga — artist, appraiser, and gallery owner/curator — will include 47 finalists out of almost 100 entries from Seattle to Bandon, including many Lane County locals. A panel of 3 local artists and gallery owners will select three cash prize winners \$1,000 / \$500 / \$250.

