

Special Board of Directors Meeting

Umpqua Public Transportation District

Thursday, August 29, 2024, 12:00 PM

3076 NE Diamond Lake Blvd, Roseburg, OR 97470

AGENDA

1. Call to Order

2. Roll Call

Mike Baker

Janice Baker

Doug Mendenhall

Michaela Hammerson

Natasha Atkinson

John Estill

Cathye Dewhirst Curerri

3. Pledge of Allegiance

4. Discuss General Manager Contract

5. Discuss Emergency Assessment Contract

6. Review Disciplinary Policy

7. 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)(h)** To consult with your attorney regarding your legal rights and duties in regard to current litigation or litigation that is more likely than not to be filed.

8. Adjournment

UPTD public meetings available virtually: Special Board Meeting

Join Zoom Meeting

<https://us02web.zoom.us/j/86853274621?pwd=pSpUDI1mApbC0EvNNnxqd2Gq5uBf6y.1>

Meeting ID: 868 5327 4621

Passcode: 430771

One tap mobile

+17193594580,,86853274621#,,,,*430771# US

+12532050468,,86853274621#,,,,*430771# US

AUDIENCE PARTICIPATION INFORMATION

All may attend to listen only at this Special Meeting.

CITIZEN PARTICIPATION – ON AGENDA ITEMS & NON-AGENDA ITEMS

All may attend to listen only at this Special Meeting.

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” (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

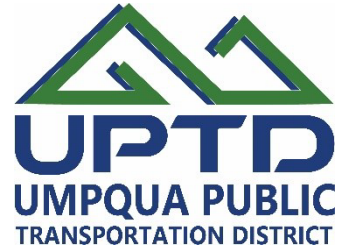
and orderly conduct of a meeting. If public participation is to be a part of the meeting, the presiding officer may regulate the order and length of appearances and limit appearances to presentations of relevant points. Any person who fails to comply with reasonable rules of conduct or who causes a disturbance 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).

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.



August 29, 2024

UPTD Special Board Meeting

AGENDA ITEM COVERSHEET

Agenda Item 4

Agenda Item Title: Discuss General Manager Contract

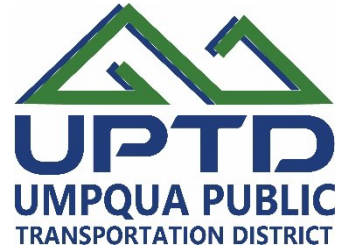
During the 8/23/2024 Special Board Meeting, hiring a consultant for interim General Manager position was discussed and it was determined that although the District views this as an emergency situation, ODOT does not concur that this meets the "Emergency" level that would allow a sole source procurement and it would be in the best interest of the District to conduct a an RFP process and receive a minimum of three bids.

Discussion needs to define what the RFP should include.

Requested Action: Provide direction to start the RFP process or other actions the Board may deem appropriate.

In Favor _____ Opposed _____ Abstained _____ Absent _____

By: UPTD Board of Directors



August 29, 2024

UPTD Special Board Meeting

AGENDA ITEM COVERSHEET

Agenda Item 5

Agenda Item Title: Discuss Emergency Assessment Contract

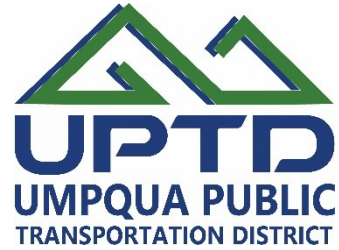
During the 8/23/2024 Special Board Meeting, hiring a consultant to provide an emergency assessment, identify opportunities to increase efficiency that would support financial stability and make recommendations to the Board for possible reorganization was discussed. It was determined that although the District views this as an emergency situation, ODOT does not concur that this meets the "Emergency" level that would allow a sole source procurement and it would be in the best interest of the District to conduct a an RFP process and receive a minimum of three bids.

Discussion needs to define what the RFP should include.

Requested Action: Provide direction to start the RFP process or other actions the Board may deem appropriate.

In Favor _____ Opposed _____ Abstained _____ Absent _____

By: UPTD Board of Directors



August 29, 2024

UPTD Special Board Meeting

AGENDA ITEM COVERSHEET

Agenda Item 6

Agenda Item Title: Review Disciplinary Policy

During the 4/22/2024 Special Board Meeting, the Board adopted an Interim Policy Regarding Management Conduct. Revising this Interim Policy has been discussed during recent meetings. Removing the second paragraph may be appropriate. Current policy reads as follows:

Interim Policy Regarding Management Conduct

Senior management, which includes the General Manager, Operations Manager, HR Manager, and Finance Manager, will take complaints directly to the Umpqua Public Transportation District Executive Committee for investigation. The Executive Committee will bring recommendations to the Umpqua Public Transportation District Board of Directors.

Senior management will not take disciplinary action upon other senior management without prior Board of Directors approval.

This interim policy will expire upon the Board of Directors adopting updated bylaws.

Requested Action: Determine changes, if any, and adopt revised policy if changed.

In Favor _____ Opposed _____ Abstained _____ Absent _____

By: UPTD Board of Directors

State of Oregon
EXECUTIVE SESSION CHECKLIST

Prior to the meeting:

- Provide notice of an executive session in the same manner you give notice of a public meeting. **The notice must cite the specific statutory provision(s) authorizing the executive session.**

At the meeting:

- Announce that you are going into executive session pursuant to ORS 192.660 and **cite the specific reason(s) and statute(s)** that authorize the executive session for **each subject** to be discussed.
- If you intend on coming out of executive session to take final action, announce when the open session will begin again.
- Specify if any individuals other than the news media may remain.
- Tell the media what may not be disclosed from the executive session. **If you fail to do this, the media may report everything!** If you discuss matters other than what you announce you are going to discuss in the executive session, the media may report those additional matters. *A member of the news media must be excluded from executive session held to discuss litigation with legal counsel if he or she is a party to the litigation or is an employee, agent or contractor of a news media organization that is a party.
- Come back into open session to take final action.** If you did not specify at the time you went into executive session when you would return to open session, and the executive session has been very short, you may open the door and announce that you are back in open session. If you unexpectedly come back into open session after previously announcing you would not be doing so, you must use reasonable measures to give actual notice to interested persons that you are back in open session. This may require postponing final action until another meeting.
- Keep minutes or a sound, video, or digital recording of executive sessions.

Statutory Provisions for Executive Session

<p>To consider the employment of an officer, employee, staff member or agent if: (i) the job has been publicly advertised, (ii) regularized procedures for hiring have been adopted, and (iii) in relation to employment of a public officer, there has been an opportunity for public comment. For hiring a chief executive officer, the standards, criteria and policy to be used must be adopted in an open meeting in which the public has an opportunity to comment. This reason for executive session may not be used to fill vacancies in an elective office or on any public committee, commission or other advisory group, or to consider general employment policies</p>	<p>ORS 192.660(2)(a) ORS 192.660(7)</p>
<p>To consider dismissal or discipline of, or to hear charges or complaints against an officer, employee, staff member or agent, if the individual does not request an open meeting.</p>	<p>ORS 192.660(2)(b)</p>
<p>To consider matters pertaining to the function of the medical staff of a public hospital licensed pursuant to ORS 441.015 to 441.063, 441.085 and 441.990(3).</p>	<p>ORS 192.660(2)(c)</p>
<p>To conduct deliberations with persons you have designated to carry on labor negotiations.</p>	<p>ORS 192.660(2)(d)</p>
<p>To conduct deliberations with persons you have designated to negotiate real property transactions.</p>	<p>ORS 192.660(2)(e)</p>
<p>To consider information or records that are exempt from disclosure by law, including written advice from your attorney.</p>	<p>ORS 192.660(2)(f)</p>
<p>To consider preliminary negotiations regarding trade or commerce in which you are in competition with other states or nations.</p>	<p>ORS 192.660(2)(g)</p>
<p>To consult with your attorney regarding your legal rights and duties in regard to current litigation or litigation that is more likely than not to be filed.</p>	<p>ORS 192.660(2)(h)</p>
<p>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.</p>	<p>ORS 192.660(2)(i) ORS 192.660 (8)</p>
<p>To carry on negotiations under ORS Chapter 293 with private persons or businesses regarding proposed acquisition, exchange or liquidation of public investments.</p>	<p>ORS 192.660(2)(j)</p>
<p>For a health professional regulatory board to consider information obtained as part of an investigation of licensee or applicant conduct.</p>	<p>ORS 192.660(2)(k)</p>
<p>For the State Landscape Architect Board or its advisory committee to consider information obtained as part of an investigation of registrant or applicant conduct.</p>	<p>ORS 192.660(2)(l)</p>
<p>To discuss information about review or approval of programs relating to the security of any of the following: (A) a nuclear-powered thermal power plant or nuclear installation; (B) transportation of radioactive material derived from or destined for a nuclear-fueled thermal power plant or nuclear installation; (C) generation, storage or conveyance of (i) electricity (ii) gas in liquefied or gaseous form (iii) hazardous substances as defined in ORS 453.005(7)(a), (b), and (d), (iv) petroleum products, (v) sewage, or (vi) water; (D) telecommunications systems, including cellular, wireless or radio systems; or (E) data transmissions by whatever means provided.</p>	<p>ORS 192.660(2)(m)</p>

