

RESOLUTION NO. 4145

A RESOLUTION ACCEPTING THE 1999-2000 CITY OF CORVALLIS INTERGOVERNMENTAL AGREEMENT FOR THE LINN-BENTON LOOP TRANSIT SYSTEM FUNDING.

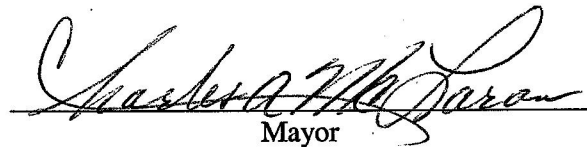
WHEREAS, the City of Corvallis has submitted the 1999-2000 annual funding support agreement for the Linn-Benton Loop Transit System; and

WHEREAS, the City of Albany is the service provider for the Linn-Benton Loop Transit System.

NOW, THEREFORE, BE IT RESOLVED that the City of Albany accepts the City of Corvallis funding support agreement in the amount of \$11,900 for operating expenses for the Linn-Benton Loop Transit System for fiscal year 1999-2000; and

BE IT FURTHER RESOLVED that the City Council of the City of Albany, Oregon, accepts these funds and authorizes the City Manager to execute the agreement and conditions for their acceptance.

DATED THIS 14TH DAY OF JULY 1999.



Mayor

ATTEST:



City Recorder Clerk

INTERGOVERNMENTAL AGREEMENT

THIS AGREEMENT is entered into this 14 day of July, 1999, by and between the CITY OF CORVALLIS, hereinafter referred to as "Corvallis", and the CITY OF ALBANY, hereinafter referred to as "Albany", the promises of each being given in consideration of the promises of the other.

WHEREAS, Albany is the operator of the Linn-Benton Loop Transit System, which provides an economical, effective, and responsive public transit system between Albany and Corvallis; and

WHEREAS, the Linn-Benton Loop is a cooperative effort of Albany, Corvallis, Linn-Benton Community College, Benton County, and Linn County; and

WHEREAS, Corvallis desires to continue to participate in this cooperative effort to provide a transportation alternative for Corvallis residents desiring to travel to Albany and Linn-Benton Community College;

NOW, THEREFORE, the parties agree as follows:

1. Corvallis shall pay \$11,900 to CITY OF ALBANY in twelve equal monthly payments of \$991.67 each beginning July 1, 1999 and continuing during the term of the contract.

2. Albany shall use these funds to offset operating expenses of the Linn-Benton Loop Transit System.

3. The period of this Agreement is from July 1, 1999 through June 30, 2000.

4. Corvallis through this payment becomes a member of the Linn-Benton Loop Transit Commission; and the rules for that Commission are attached hereto as Exhibit A and by this reference are incorporated into and made a part of this agreement.

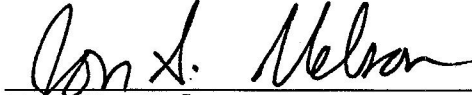
5. Each party shall indemnify and hold harmless the other from any suits or damages caused by the negligent actions or omissions of its employees or agents. Nothing in this hold harmless condition shall be deemed to create a liability in excess of the Oregon Tort Claims limits for either party. Albany shall maintain general and automobile liability insurance meeting or exceeding the amounts stated in ORS 30.260 through 30.300 as now exists or as may be hereinafter amended. Such insurance shall name the City of Corvallis and Linn-Benton Transit Loop Commission as additional insureds, but only with respect to Albany's services to be provided under this Agreement.

6. The parties shall not discriminate on the basis of race, religion, sex, color, age, source of income, sexual orientation, or national origin in the performance of this contract.

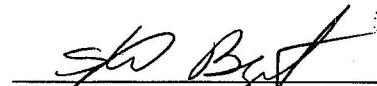
In witness whereof the parties hereto affix their signatures below.

CITY OF CORVALLIS, OREGON

CITY OF ALBANY, OREGON



Jon S. Nelson
City Manager



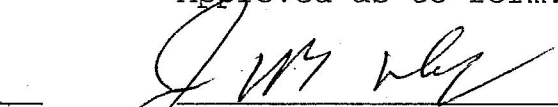
Steve Bryant
City Manager

Approved as to form:

Approved as to form:



Scott A. Fowle
Corvallis City Attorney



Albany City Attorney

OPERATING RULES
FOR THE
LINN-BENTON LOOP TRANSIT COMMISSION

The Rules of the Linn-Benton Loop Transit Commission are comprised of four (4) Articles.

ARTICLE I - GENERAL
ARTICLE II - ORGANIZATION
ARTICLE III - BUDGET AND FINANCE
ARTICLE IV - AMENDMENTS AND UPDATING PROCESS

The Name of the Organization shall be the Linn-Benton Loop Transit System.

The Linn-Benton Loop Transit Commission herein after shall be referred to as the "COMMISSION."

ARTICLE I - GENERAL

Six (6) Sections introduce the Rules of the Linn-Benton Loop Transit Administrative and Advisory Committee:

- Section 1. Membership
- Section 2. Purpose-Goals-Objectives
- Section 3. Transit Commission Rules
- Section 4. Voting Process
- Section 5. Meetings
- Section 6. Equipment ownership and use

Section 1. Membership

Member Agencies shall be limited to those local governmental agencies contributing prorata financial support to the operations and maintenance of the Transit System.

The COMMISSION shall be made up by two (2) people from each Member Agency who shall represent their respective Agency.

- One (1) Elected or Appointed Official or Citizen-at-Large from each Member Agency
- One (1) Staff Person from each Member Agency

Section 2. Purpose-Goals-Objectives

- a. The Purpose of the Linn-Benton Loop Transit System is to provide a public transit system linking the citizens of participating local governments.
- b. The Purpose (Mission) of the COMMISSION is to establish and implement policies and procedures, and to administer the contract to operate the Linn-Benton Loop Transit System. The COMMISSION oversees operations issues.
- c. The Goals for the COMMISSION are to provide an economical, efficient, and responsive regional transit service.

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- d. The Specific Objectives of the COMMISSION are to:
1. Refine operations.
 2. Encourage more ridership.
 3. Expand services as resources become available.
 4. Improve present financial program.
 5. Identify and secure new funding sources.

Section 3. Loop Transit Rules

The Transit System Rules, as approved or modified, shall be reviewed bi-annually before the first of July, or as needed. Necessary changes to accommodate changed conditions will become effective on July 1, or at the appropriate date during the fiscal operating year.

Section 4. Voting Process

All Members of the Loop Transit COMMISSION representing the Member Agencies shall be eligible to vote. Fifty percent (50%) of the official membership shall be a quorum. Motions shall be passed by an affirmative vote of fifty percent (50%) of the official membership.

Section 5. Meetings

The Loop Transit COMMISSION shall hold regular quarterly meetings (January, April, July, and October) during the second week of that month. Special meetings may be conducted at any time a specific need arises by order of the Chairperson or Vice Chairperson. Ten days written advance notice shall be given for required and special meetings. An emergency meeting may be called by the Chairperson or Vice Chairperson upon 24-hour notice.

Section 6. Vehicle/Equipment Ownership and Use

- a. As defined in the Interagency Cooperative Agreement, vehicles and equipment purchased with Transit money and titled to the designated System Operator, shall remain the personal property of the Linn-Benton Loop Transit System.
- b. Vehicles and equipment purchased with Transit money shall be used only for the Linn-Benton Loop Transit System unless special use permission is granted by the COMMISSION.

ARTICLE II - ORGANIZATION

Five (5) Sections describe the Organization for the Linn-Benton Loop Transit System:

- Section 1. Member Agencies
- Section 2. Loop Transit COMMISSION
- Section 3. Loop Transit System Operator
- Section 4. System Operator Agreement
- Section 5. Election of Officers

LINN-BENTON LOOP TRANSIT SYSTEM

Section 1. Member Agencies

Each Member Agency shall:

- a. Authorize Member Agency participation
- b. Appoint Members to the COMMISSION
- c. Authorize Agency financial involvement

Section 2. Loop Transit COMMISSION

The Linn-Benton Loop Transit COMMISSION shall:

- a. Establish and administer the policies of the Linn-Benton Loop Transit System.
- b. Establish Agency financial obligation.
- c. Conduct meetings.
- d. Seek and consider input that will improve transportation services to the public.
- e. Review operation reports.
- f. Review and approve system budget.
- g. Review and approve system operation standards.
- h. The COMMISSION may terminate operations at any time there is insufficient funds for continued operation without incurring a deficit. Operating Deficit shall mean the actual deficiency of system operating funds from all sources.

Section 3. Loop Transit System Operator

The System Operator shall be that Agency or Organization, designated by the COMMISSION, to operate and maintain the Linn-Benton Loop Transit System.

The Loop Transit System Operator shall provide or cause to be provided the personnel, facilities, vehicles, and resources necessary for operations, maintenance, and management of the Transit System.

Responsibilities include:

- a. Supervise and direct transit operations.
- b. Maintain complete and accurate fiscal and program records for the Transit System.
- c. Prepare and submit operation reports quarterly to the COMMISSION.
- d. Pursue funding from all potential sources including Federal, State, and Local Funding.
- e. Provide for collecting revenues and for the distribution of funds for the Transit System.

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- f. Prepare and submit an Operating Budget to the COMMISSION for review and approval (see Article III - Budget and Finance).
- g. Prepare and submit Operational Standards to the COMMISSION for their approval:
 1. Fares
 2. Routes
 3. Schedules
 4. Marketing
 5. Others as appropriate
- h. Promptly notify the COMMISSION of revenue (financial) shortfall and work with the COMMISSION to prepare a financial action plan.
- i. The Loop Transit System Operator shall designate one person on their full-time staff to be their Transit System Manager.

Section 4. System Operator Agreement

A System Operating Agreement shall be prepared and submitted to the Loop Transit System Operator. The agreement shall contain an Agreement Statement identifying the Loop System Operator, the Member Agencies, and the COMMISSION. The Agreement shall refer to these Rules and contain the following:

- a. Effective date
- b. Term
- c. Designation of System Operator
- d. Responsibility of System Operator
- e. Responsibility of Member Agencies
- f. Budget and Financial Plan
- g. Termination
- h. Amendment/Modification
- i. Insurance
- j. Insolvency
- k. Disputes
- l. Waiver
- m. Witness and signatures
- n. Financing

Section 5. Election of Officers

- a. The Officers for the COMMISSION shall be a Chairperson and Vice Chairperson.
- b. Annual Elections shall be held at the October Quarterly Meeting. The term of office shall be for one year beginning January 1.
- c. Eligibility to hold office shall be limited to Members of the COMMISSION.
- d. The term of office shall be limited to two (2) consecutive terms.
- e. The Chairperson shall arrange for secretarial services.
- f. A vacancy in either office may be filled by an appointment of the COMMISSION to serve out the term.

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- g. New officers or subcommittees can be created at any time to meet a special need. Terms shall be determined to accomplish the task. Subcommittees may include non-members.

ARTICLE III - BUDGET AND FINANCE

Two (2) Sections describe the budget and finance program:

Section 1. System Operating Budget

Section 2. Billing

Section 1. System Operating Budget

- a. The System Operator shall prepare an Annual System Financial Plan projecting funding resources based on anticipated grant and funding programs, fare box revenues, fees, and other sources.
- b. The System Operator shall prepare an Annual Operating Budget based on anticipated resources and expenses. A tentative System Operating Budget shall be submitted to the COMMISSION for review at the regular January meeting. Expenses, as listed in the System Operating Budget, shall be the expenses necessary to effectively operate the Loop Transit System.
- c. Member Agency financial obligation shall be submitted to the Member Agencies in the form of an Agreement for Financial Participation early in February.
- d. Tentative System Operating Budget shall be adopted at the April regular COMMISSION meeting, subject to final adoption by Member Agencies of their financial obligation as referenced in Article III, Section 1, b and c above.
- e. Any revisions to the System Operating Budget shall be acted upon at the regular July COMMISSION meeting.

Section 2. Billing

- a. An Annual System Operating Financial Agreement will be prepared for each Member Agency indicating financial obligation.
- b. A Billing Statement will be sent to each Member Agency after July 1. Fees shall be due and payable before September 1, or as agreed upon between the System Operator and the individual Member Agency.

ARTICLE IV - AMENDMENTS AND UPDATING PROCESS

This Article will identify those objectives and tasks necessary to evaluate the efforts of the COMMISSION and the System Operator to keep these rules up-to-date and effective.

Section 1. Evaluation

Section 2. Revision and Updating

LINN-BENTON LOOP TRANSIT SYSTEM

Section 1. Evaluation


Periodic evaluation will provide better utilization of time, talent, and resources. The evaluation process involves a measure of actual accomplishments. Evaluation will reveal problems encountered, potential solutions, and recommended future action. Evaluation shall include, but not limited to:

- a. Period of evaluation
- b. Specific objectives
- c. Accomplishments
- d. Problems encountered
- e. Potential solutions
- f. Recommended actions

Section 2. Revision and Updating

These Rules may be changed by a simple majority vote of the full COMMISSION Membership. A COMMISSION-appointed Subcommittee shall prepare a plan of action for revisions and updating the Article and Sections of these Rules and determine the time necessary and establish a date of completion.

Accepted this 22nd day of January 1998, by a majority vote of the Linn-Benton Loop Transit Commission members.



Ralph Reid, Jr., Chairperson
Linn-Benton Loop Transit Commission