

**ACCESS SERVICES
BOARD OF DIRECTORS MEETING
MONDAY, AUGUST 25, 2008
Closed Session: 12:00 - 1:00 P.M.
General Session: 1:00 - 3:00 P.M.
Los Angeles County MTA
One Gateway Plaza, 3rd Floor
729 Vignes Street, Los Angeles CA 90012**

MISSION STATEMENT

*Access Services promotes access to all modes of transportation
and provides quality ADA paratransit service
on behalf of public transit agencies in Los Angeles County.*

	<u>DISPOSITION</u>
1. CALL TO ORDER	ACTION
2. PUBLIC COMMENT WITH RESPECT TO CLOSED SESSION ITEMS	
3. CLOSED SESSION	DISCUSSION/ POSSIBLE ACTION
A) CONFERENCE WITH LEGAL COUNSEL: CAL. GOV. CODE §54956.9	
I. <u>Existing Litigation:</u> Gov. Code §54956.9 (a)	
(a) United Independent Transit Services v. Access Services	
II. <u>Anticipated Litigation:</u> Gov. Code §54956.9 (b)	
(i) Significant exposure to litigation pursuant to subdivision (b) of Gov. Code §54956.9	
(ii) Initiation of Litigation pursuant to subdivision (c) of Gov. Code §54956.9	
B) CALIFORNIA GOV. CODE §54957 – PERSONNEL ISSUES	
4. SPECIAL RECOGNITION: WILLIAM MCCULLOUGH	PRESENTATION
5. SUPERIOR SERVICE AWARDS	PRESENTATION
6. REVIEW & APPROVAL OF MINUTES FROM THE BOARD MEETING OF JUNE 23, 2008 (page 4)	ACTION [Vote Required: majority of quorum by voice vote]

[Staff Recommendation: Approve]

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| 7. | REPORT FROM EX-OFFICIO BOARD MEMBERS | INFORMATION |
| 8. | GENERAL PUBLIC COMMENT | INFORMATION |
| 9. | CONSENT CALENDAR
a. Approval of Overall Annual Disadvantaged Business Enterprise (DBE) Goal For Fiscal Year 2008/09 (page 16)
b. Extension of Commercial Business Package Insurance (page 18)
c. Authorization to Exceed Aggregate Procurement Limitation with American Micro Technologies (page 19)
d. Fuel Expense Reimbursement for Non-ASI Owned 100% Dedicated Vehicles Southern Area Contract, No. ASI-2017 (page 20)
e. Purchase Authorization for Metro Design Studio (page 23)

[Staff Recommendation: Approve Consent Calendar] | ACTION
[Vote Required: majority of quorum by roll call] |
| 10. | REAPPOINTMENT OF TRANSPORTATION PROFESSIONAL ADVISORY COMMITTEE (TPAC) MEMBERS (page 24)

[Staff Recommendation: Staff requests the Board to reappoint the following seven (Group B) members: refer to list on item] | ACTION
[Vote Required: majority of quorum by voice vote] |
| 11. | REVIEW OF OPERATIONS REPORT | PRESENTATION |
| 12. | STATUS UPDATE OFFICE OF THE INSPECTOR GENERAL'S AUDIT RECOMMENDATIONS (page 26)

[Staff Recommendation: Receive and file the attached status report on the implementation of the audit recommendations from the "Report on the Evaluation of the Paratransit Eligibility Process; Administration, Performance, and Management of Paratransit Operations; and Compliance with Memorandum of Understanding."] | RECEIVE/ FILE |
| 13. | BOARD MEMBER COMMUNICATION | INFORMATION |
| 14. | EXECUTIVE DIRECTOR'S REPORT | INFORMATION |
| 15. | BOARD OFFICER ELECTIONS (page 34)

[Staff Recommendation: Elect officers to the Board of Directors as per the requirement of the ASI Bylaws for approximately one-year terms beginning August 25, 2008 and ending June 30, 2009 or the election of their successor, whichever last occurs.] | ACTION
[Vote Required: majority of quorum by roll call] |
| 16. | NEW BUSINESS SUBSEQUENT TO THE POSTING OF THE AGENDA | DISCUSSION/
POSSIBLE ACTION |

Access Services does not discriminate on the basis of disability. Accordingly, Access Services seeks to ensure that individuals with disabilities will have an equal opportunity to participate in the range of Access Services events and programs by providing appropriate auxiliary aids and services to facilitate communication. In determining the type of auxiliary aids and services for communication that will be provided, primary consideration is given to the request of the individual with disabilities. However, the final decision belongs to Access Services. To help ensure availability of those auxiliary aids and services you require, please make every effort to notify Access Services of your request at least three (3) business days (72 hours) prior to the meeting in which you wish to utilize those aids or services. You may do so by contacting (213) 270-6000.

Note: ASI board meetings are held pursuant to the Ralph M. Brown Act [Cal. Gov. Code §54950] and are open to the public. The public may view and obtain all written information supporting this agenda provided to the board both initially and supplementally prior to the meeting at the agency's offices located at 707 Wilshire Blvd., 9th Floor, Los Angeles California and on its website at <http://asila.org>. Documents, including Power Point handouts distributed to Board Members by staff or Board members at the meeting will simultaneously be made available to the public. Three opportunities are available for the public to address the board during a board meeting: (1) before closed session regarding matters to be discussed in closed session, (2) before a specific agenda item is debated and voted upon regarding that item and (3) general public comment. The exercise of the right to address the board is subject to restriction as to time and appropriate decorum. All persons wishing to make public comment must fill out a yellow Public Comment Form and submit it to the Secretary to the Board. Public comment is generally limited to three (3) minutes per speaker and the total time available for public comment may be limited at the discretion of the Chairperson. Persons whose speech is impaired such that they are unable to address the board at a normal rate of speed may request the accommodation of a limited amount of additional time from the Chair but only by checking the appropriate box on the Public Comment Form. Granting such an accommodation is in the discretion of the Chair.

The Board of Directors will not and cannot respond during the meeting to matters raised under general public comment. Pursuant to provisions of the Brown Act governing these proceedings, no discussion or action may be taken on these matters unless they are listed on the agenda, or unless certain emergency or special circumstances exist. However, the board may direct staff to investigate and/or schedule certain matters for consideration at a future Board of Directors Meeting and the staff will respond to all public comment in writing prior to the next board meeting.

**MINUTES
ACCESS SERVICES
BOARD MEETING
JUNE 23, 2008**

CALL TO ORDER

The Access Services Board of Directors meeting convened at 12:01 p.m. on Monday, June 23, 2008, in the 3rd Floor Board Room of the Los Angeles Metropolitan Transportation Authority (Metro) Building located at One Gateway Plaza in the City of Los Angeles. The presiding Board Member was Dolores Nason, Chairperson. Board Members present included: Doran Barnes, Vice Chair, Jan Heidt, Treasurer, Joyce Rooney, Secretary, Michael Greenwood, Hugh Hallenberg, Theresa De Vera, Jano Baghdanian, Ex Officios, Shawn Solomon, Joseph Stitche and Jim Jones, Access Services Legal Counsel. Director Teddie-Joy Remhild was not in attendance.

Access Services' staff members present included: Shelly Verrinder, Donna Cisco, Kristine Helin, Andre Colaiace, David Foster, F Scott Jewell, Joe King, Evie Palicz, Sean Frye, Lance Sweitzer, Cynthia Perkins, Steve Wrenn, Louis Burns, Nicole Leiva, Arun Prem, Steve Chang, Erik Washington, Linda Ross, Charace Thompson, Kandy Kuo, Brian Selwyn, and Luis Pacheco.

PUBLIC COMMENT WITH RESPECT TO CLOSED SESSION ITEMS

No public comments were heard regarding the closed session items.

CLOSED SESSION REPORT

The Board met in Closed Session and reconvened the general portion of the meeting at 1:10 p.m. at which time Shawn Solomon, Chair of the CAC, and Joseph Stitche, Chair of TPAC, joined the general session. Chairperson Nason asked Mr. Jones, Access Services Legal Counsel, to brief the audience on the outcome of the closed session.

Mr. Jones reported that the Board discussed the status of United Independent Transit Services vs. Access Services. The Board took no reportable action with respect to this matter. The Board also discussed personnel issues.

Mr. Jones explained the right for public comment and how it could be exercised. He mentioned the general 3 minute limitation on public comment and that anyone who by reason of a specific disability which prevented them from speaking with normal rapidity and who wished to request an accommodation should so indicate on the speaker request form so that the Chairperson could consider and potentially grant additional time to make their statement.

SUPERIOR SERVICE AWARDS

Ms. Susana Carrillo a Customer Service Representative for MV Transportation was the recipient of the Superior Service Award for the month of June 2008.

REVIEW & APPROVAL OF THE MINUTES FROM THE BOARD MEETING OF MAY 19, 2008

Motion: Director Greenwood moved approval of the May 19, 2008 meeting minutes with the correction to the title on page four, which read “April 28, 2008 Meeting Minutes” and should have been “May 19, 2008 Meeting Minutes.”

Second: Director Barnes seconded the motion.

Discussion: None.

Vote: Via Voice Vote.

In Favor: Directors Rooney, Greenwood, Heidt, Barnes, Hallenberg, and De Vera.

Opposed: None.

Abstention: Director Baghdanian abstained.

Pass/Fail: The motion carried.

REPORT FROM EX-OFFICIO BOARD MEMBERS

Shawn Solomon, Chair of the Community Advisory Committee (CAC), submitted his report. Access Services Senior Administrative Assistant, Kristine Helin read his report to the Board. Mr. Solomon recommended that the Operations Monitoring Center phone number be added to the reservation phone tree. Mr. Solomon added that this topic would be added to next month’s CAC agenda for discussion.

Mr. Solomon also mentioned in his report that during the Outreach Sub-committee report, Mr. Chin-Ho Liao discussed problems related to Access Services. Mr. Liao suggested that Access Services develop an Earthquake Disaster Plan for the CAC’s current meeting location. He also suggested that the CAC’s meetings be held at a new location in San Moreno, California.

Access Services Project Administrator, David Foster provided a report from the Service Animal Sub-committee. He stated that at the last meeting they discussed using already published videos for training versus actual Access riders.

Access Services Director of Finance, Lance Sweitzer provided a report on the 2008/2009 budget and briefly discussed the high cost of fuel and how it was affecting the budget.

Mr. Solomon also reported that an election sub-committee was created with four CAC volunteers to contact committee members to determine who was interested in running for various committee positions. Mr. Solomon concluded his report by stating that Tommy Johnson, a committee member, presented a report that provided details on the Vehicle Ramp Deployment Policy and whether or not a service animal user could request that a ramp not be deployed for fear of scaring their service animal. He added that the committee felt that at the request of the rider the ramp not be deployed.

Joseph Sticher, Chair of the Transportation Professionals Advisory Committee (TPAC), reported that the committee met on Thursday, June 12, 2008 and Director Hallenberg was present to provide a report on behalf of the Board of Director. Director Hallenberg’s report highlighted the revision to the Paratransit Plan that involved the change to the recertification policy that was approved at the May 19, 2008 Board meeting. Mr. Prem also provided an update on the status of the Inspector General’s audit recommendations. He stated that five of the recommendations were completed and the rest were estimated to be complete by the fall of 2008.

Mr. Stitcher added that Mr. Sweitzer also provided a presentation on the DRAFT 2008/2009 budget and the fluctuating cost of fuel. Mr. Sweitzer also mentioned that as a result of the cost of fuel it was anticipated that up to \$4 million would be required to address the increase in ridership and projected fuel usage in the up-coming fiscal year.

Mr. Stitcher also mentioned that Michelle Moore from Metro Design Studio presented a preliminary design for the proposed Access Services logo and other marketing materials. He added that Director Hallenberg expressed his reservations regarding the proposed logo not including the word Paratransit.

He concluded his report by announcing that he was re-elected the Chair of the TPAC committee and Jesse Valdez, from the East Los Angeles Regional Center, was re-elected as Vice Chair of the committee.

GENERAL PUBLIC COMMENT

Sandy Varga stated that she was present at today's meeting to speak on behalf of Teddie-Joy Remhild and the incident that recently occurred. She briefly expressed her feelings regarding the situation.

Gary Jansen requested that staff consider creating a coupon for a \$1.50 for rides after 9:00 p.m. He stated that with the current coupon amount \$1.90 was hard for him to make change at night. He requested that staff make both amounts available for purchase.

John Mavis stated that on May 21, 2008 he made a reservation with Global Paratransit for a 3:45 a.m. pick up to go to LAX. He stated that they wanted to charge him a \$1.80 for a ride before 5:00 a.m. that should have cost \$1.50. He stated that they told him that his ride had been booked for 3:45. He stated that they kept giving him different pick-up times and the vehicle never showed. He finally received a shared ride and arrived at the airport at 5:50 a.m.

Mr. Mavis stated that Southwest Airlines Customer Service managed to get him on a plane two minutes before it took off. Mr. Mavis concluded his comment by stating that the order takers need to pay more attention to their a.m. and p.m.'s. He also added for the last six months he has not received any materials from Access Services such as the Board agenda, financial information, etc.

Daniel Garcia stated that he was present to speak on behalf of Hortencia Ontiveros who was abandoned by Access Services. He mentioned that he submitted a letter describing the incident to a few staff members, the CAC and the Los Angeles City Department on Disabilities. He concluded his comment by stating that the issue was troublesome because a situation like this should not happen to anyone.

Chairperson Nason asked Mr. Garcia if Ms. Ontiveros submitted a formal complaint regarding this issue. Mr. Garcia replied that she did not submit a formal complaint. Chairperson Nason replied that Ms. Ontiveros would need to submit a formal complaint to Access Services and staff would follow-up.

Michael Arrigo stated that he was very discouraged and saddened to find out that Michelle Moore from Metro Design Studio did not provide a presentation on the new Access Services design and Logo. He asked if everyone was aware of how many white minivans were on the street from many different companies. He concluded his comment by stating that the committee had many different ideas and suggestions for the new design and logo.

Arnold Sachs stated that it was very difficult to file a complaint and when you do file one, you do not have any information to back your complaint up. He added that the providers had documentation that

makes someone run the risk of losing your Access eligibility. He also made a few comments regarding the minutes from the last meeting.

He stated that Ms. Verrinder mentioned consolidating the names between Access Services and Access Services Incorporated. He added that according to the transportation library, Access Services was established in 1994 thereafter incorporated as a private entity. He talked about the difference between the organizations name and concluded his public comment by asking who United Independent providers were. He asked if they were affiliated with United Independent Taxi Drivers or United Independent Taxi.

Access Services Legal Counsel, Jim Jones replied “yes” they were affiliated with both and provided a brief explanation.

CONSENT CALENDAR

Director Rooney pulled item 8-a (Renewal of Employee Health and Benefit Insurance Contracts), for purposes of discussion.

Motion: Director Heidt moved approval of items 8-b, 8-c, 8-d, on the consent calendar.

Second: Director Baghdanian seconded the motion.

Discussion: None.

Roll Call: Chairperson Nason asked for a roll call.

In Favor: Directors Rooney, Heidt, Greenwood, Hallenberg, Barnes, Baghdanian, and De Vera.

Opposed: None.

Abstention: None.

Pass/Fail: The motion carried.

DISCUSSION: *Item 8-a (Renewal of Employee Health and Benefit Insurance Contracts).*

Director Rooney asked if staff looked into any consortiums when they reviewed health plan cost, or did they just ask for rates from the selected health insurance provider?

Access Services Manager of Human Resources, Linda Ross replied that staff’s broker Nelson and Associates conducted a comprehensive market analysis that they do every year. The broker gathered quotes, and evaluates not only the current provider Aetna but also Kaiser, Blue Cross and Cigna.

After reviewing the rates and plans, staff recommended to stay with Aetna. Director Rooney stated that she knows of other organizations that have similar issues with obtaining health insurance costs at a reasonable price, did staff look into that at all?

Ms. Ross replied that she did not look into it this year but she will develop relationships with other brokers and hopes to branch out to other health insurance companies. She also added with the high cost of benefits, staff needed to take a closer look at all their options.

Director Rooney asked how many employees were on the PPO plan and how many were on the HMO plan. Ms. Ross replied that there were 18 to 20 employees on the PPO plan and about 16 to 17 on the HMO and the remainder were on the Kaiser plan.

Director Rooney added that she noticed that staff was incorporating a cash out option. She asked what the \$250.00 was based on. Ms. Ross replied that the cost for a single employee on the HMO plan had a cost to ASI of \$350.00 to 400.00 per person. Their offer of \$250.00 to opt out would be cost effective to the organization and to the employee.

Motion: Director Rooney moved approval of items 8-a, with the exclusion of passing the co-payment increases on to the employee.

Second: Director Baghdanian seconded the motion.

Discussion: Director Greenwood asked if staff knew what the impact on the budget was and were there discretionary funds in the budget to do this. Ms. Verrinder replied that the dollar amount was very small \$30,000 to \$40,000.00 from a \$92 million budget. She also added that staff's proposal was to charge premium shares for HMO of 3%, which has never been done before and to double to premium share for PPO from 5% to 10%. She stated that staff could work within the budget to find the money to cover this. She also stated that there had been some interest in the opt-out program, which would decrease the overall cost.

Roll Call: Chairperson, Nason asked for a roll call.

In Favor: Directors Greenwood, Hallenberg, Barnes, Baghdanian, De Vera, and Rooney.

Opposed: None.

Abstention: Director Heidt abstained.

Pass/Fail: The motion carried.

APPROVAL OF SERVICE CONTRACT FOR SANTA CLARITA REGION

Director Barnes recused himself from Item 9 stating that his employer Veolia Transportation works for Santa Clarita.

Access Services Manager of Procurement and Contracts, Mr. Brian Selwyn and Project Administrator, Mr. Steve Chang provided a brief presentation on Item 9 "Approval of Service Contract for Santa Clarita Region."

Director Heidt asked if MV was going to provide the vehicles for the Access Services contract. Mr. Chang replied that Access Services has provided the City of Santa Clarita with vehicles for ADA paratransit and the City of Santa Clarita provides the Dial-a-Ride vehicles.

Director Heidt asked if MV Transportation was going to have Access staff stationed at the transit center or was it going to be operated through MV Transportation. Mr. Chang replied MV Transportation would have their own management staff to manage the Paratransit operations, Dial-a-Ride and fixed route.

Ms. Verrinder added that the contract Access Services was going to award was not a contract to MV Transportation; it was a contract with the City of Santa Clarita. Access phone calls would be separated from their service because Access Services requirements on average initial hold times were much more stringent than those for the Dial-a-Ride system.

Ms. Verrinder also added that three or four years ago staff issued a bid for this service in conjunction with the San Fernando Valley, when staff evaluated the proposals, the best option was to continue to

utilize the City of Santa Clarita. She stated that this would not change the service model that currently existed in Santa Clarita particularly the transfer at Olive View and the three points riders can travel to/from directly. Approval of the item does not open the service area to the entire San Fernando Valley and does not change the issue of transfers.

Director Greenwood asked if staff could explain the 15% administrative fee and asked if it was equivalent to a contract administrator or a field supervisor. Mr. Chang replied that the City of Santa Clarita was required to provide all of the monitoring for Access Services rides and they had to invest in purchasing equipment software and staff to perform these duties. They also have to submit billing and statistical information to Access Services.

Motion: Director Rooney moved approval of Item 9.

Second: Director Baghdanian seconded the motion.

Discussion: Director De Vera stated that she recalled when Kurt Baldwin was on the Board of Directors, he had mentioned because Dial-a-Ride and Access were all separate entities the Access riders did not know who to call when there was a problem. She asked if MV Transportation would take care of the different entities.

Adrian Aguilar, Administrative Analyst for the City of Santa Clarita replied that the reservation process would stay the same, a rider would call the 800-reservation number and the call would be routed to their call center that would be staffed with MV Transportation employees. As far as the Complaint process, complaints would still be routed through the Access Services Customer Services Center.

He added that the City of Santa Clarita also maintained their own call center with staff that monitored and took complaints on their fixed route, commuter and the Dial-a-Ride service and any calls that came through that center would be forwarded to Access Services.

Public Comment on Item 9 (Approval of Service Contract for Santa Clarita Region)

Mr. Danial Garcia thanked Access Services for the service they provided in the Santa Clarita area. He stated that he was going to a job interview in Santa Clarita and realized that there was no transportation available during the hours he wanted to travel, and now that MV Transportation was going to provide service in the Santa Clarita area everyone would have an opportunity to work in that area. He concluded his public comment by thanking staff, MV Transportation and the Board for providing the service in the Santa Clarita area.

Ms. Verrinder reiterated that this did not change the transfer policy and did not open the service area up. Access Services has a contract with MV Transportation in the Valley, which is operated out of Van Nuys and that was a completely separate contract. This was an MV Transportation contract with the City of Santa Clarita and would operate out of their new facility in Santa Clarita.

Director Heidt asked if there would still be pink buses. She added that this was an example of why the Access Services logos on the vehicles were still needed, to differentiate the Dial-a-Ride vehicles from the Access Services vehicles. Mr. Aguilar stated that the Access Services vehicles currently operated were white with the Access Services logos on them and the rest of the Cities fleet was Red and Pink or the new color scheme of blue and green.

Roll Call: Chairperson, Nason asked for a roll call.

In Favor: Directors Hallenberg, Baghdanian, De Vera, Rooney, Heidt and Greenwood.

Opposed: None.

Abstention: None.

Pass/Fail: The motion carried.

AMENDMENT OF ASI-2492 – SAN FERNANDO VALLEY REGION SERVICE PROVIDER CONTRACT

Access Services Manager of Procurement and Contracts, Mr. Brian Selwyn provided a brief presentation on Item 10 “Amendment of ASI-2492 – San Fernando Valley Region Service Provider Contract.”

Public Comment on Item 10 (Amendment of ASI-2492 – San Fernando Valley Region Service Provider Contract.)

Mr. Aronald Sacks asked who would handle the complaints from the service provider. He stated that according to the City of Santa Clarita they were providing the vehicles. Was Access Services providing or was MV Transportation providing the vehicles. He also asked if there were any private or independent contractors that used sedans to provide transportation for Access Services and was it included in their contracts.

Director Rooney asked how many vehicles were part of this service and were the remaining vehicles all minivans. Mr. Jewell replied that there were a total of 139 Access Services owned vehicles assigned to this contract. The MV Transportation contract proposed an additional 15 Prius’ - hybrids that they were going to supply and the 15 vehicles that Access Services was going to replace were included in the 139 vehicles and they were non-accessible. In terms of the percentage of accessible vehicles, there was no change to what was currently available in the Valley.

Director Barnes stated within the contract under the mutual termination clause, would 150 days be sufficient time if the clause were exercised for staff to re-procure the contract. Mr. Jewell replied staff felt that 150 days was enough time. He added that there was a substantial amount of technical resources that Access Services owned for that particular contract that would enable staff to make changes to a contractor quickly if needed.

Motion: Director Baghdanian moved approval of staff recommendation on Item 10 (Amendment of ASI-2492 – San Fernando Valley Region Service Provider Contract.”

Second: Director Heidt seconded the motion.

Discussion: Director Baghdanian stated that he was a little uncomfortable with the two-year option for the contractor to opt-out of the contract. He recommended that staff stay on top of this option because if a contractor opts-out after a two-year term and with everyone knowing the price of the contract, staff may face increases to the contract in the future with other contractors trying to negotiate for more money.

Director Barnes stated that he concurred with Director Baghdanian’s comment and stated that there might be some risk to the agency with the two-year opt-out option. He also added that he felt that 150 days was enough time to make some changes and it may work but staff needed to keep a close eye on things.

Roll Call: Chairperson, Nason asked for a roll call.

In Favor: Barnes, Baghdanian, De Vera, Rooney, Heidt, Greenwood and Hallenberg.

Opposed: None.

Abstention: None.

Pass/Fail: The motion carried.

APPROVAL OF PROPOSED BUDGET FOR FISCAL YEAR 2008/2009

Access Services Director of Finance Mr. Lance Sweitzer provided a brief presentation on Item 11 “Approval of Proposed Budget for Fiscal Year 2008/209.”

Director Baghdanian asked if staff assumed a cost of \$4.35 per gallon for fiscal year 2008/09. Mr. Sweitzer replied, “That was correct.” Director Baghdanian stated although the price of fuel was higher than what staff assumed was that the amount Access Services was able to purchase fuel at.

Mr. Sweitzer replied staff started out with the cost of fuel being at \$4.25 per gallon and when the rates started increasing with the average for May being at \$3.98 per gallon he was hoping that the rate would decrease. Director Baghdanian added that he felt the rate was going to increase.

Ms. Verrinder added that staff budgeted fuel cost to the maximum that could be submitted with the revenue that was allocated to Access Services. She asked the Board to keep in mind that the contractors are exempt from paying state taxes, which amounted to \$0.06 per gallon. She explained that fuel cost were definitely an issue but not as big of an issue as the ridership numbers. Ridership numbers were having a bigger impact than the fuel cost because ridership numbers have increased from 1% to 8% in June 2008.

Public Comment on Item 11 (Approval of Proposed Budget for Fiscal Year 2008/2009.)

Daniel Garcia stated that he was concerned for our environment and Access Services budget. He recommended next time Access Services purchased vehicles they should purchase fuel-efficient vehicles such as hybrids that could easily be converted to alcohol, ethanol or whatever conversions were available to save on fuel cost.

Counsel’s Recommendation

Mr. Jim Jones Access Services Legal Counsel, stated that since the Board voted affirmatively not to approve staff’s recommendation to increase or add the co-payment to staff health benefits and since the budget already considered the payment, the motion would have to remove from the budget the fiscal allocation for co-payments of health premiums so that it was consistent with the Boards earlier action.

Motion: Director Baghdanian moved approval of item 11 with the change recommended by Counsel.

Second: Director De Vera seconded the motion.

Discussion: Director Baghdaian suggested that staff submit a few concepts to the Board on how they could strategically deal with wage, fuel and the increased ridership issues within the next fiscal year and beyond.

Ms. Verrinder added that the Board along with staff was going to have to make some tough decisions and trade-offs over the coming fiscal year because with fuel costs and increased ridership they would be facing a budget issue in the near future.

Director Barnes concurred with both Director Baghdanian and Ms. Verrinder regarding the budget issue. He stated that staff and the Board were in a period of great

uncertainty. He encouraged staff to ensure that they communicate with their funding partners and member agencies, because they need to know the issues that Access Services was facing.

Director Rooney stated that she recalled MV Transportation proposing a fixed rate for fuel because they were purchasing fuel futures that was below \$4.00. She asked if it could be expanded since they were going to be operating service in Santa Clarita.

Ms. Verrinder stated that she believed that Santa Clarita had their own fuel pumps and Santa Clarita was not eligible for fuel reimbursement from Access Services. Ms. Verrinder added that part of the negotiations with MV Transportation was having them lock in on the fuel future issue. Staff was looking to partner with some of the member agencies to find places to fuel.

Roll Call: Chairperson, Nason asked for a roll call.

In Favor: Directors Baghdanian, De Vera, Rooney, Heidt, Greenwood, Hallenberg, and Barnes.

Opposed: None.

Abstention: None.

Pass/Fail: The motion carried.

EXECUTIVE DIRECTOR COMPENSATION

Access Services Legal Counsel, Mr. James Jones provided a brief presentation on item 12 “Executive Director Compensation.”

Motion: Director Baghdanian moved approval of the compensation committee’s recommendation to the Board.

Second: Director Hallenberg seconded the motion.

Discussion: None.

Roll Call: Chairperson, Nason asked for a roll call.

In Favor: Directors Rooney, Heidt, Greenwood, Hallenberg, Barnes, Baghdanian and De Vera.

Opposed: None.

Abstention: None.

Pass/Fail: The motion carried.

STATUS UPDATE OFFICE OF THE INSPECTOR GENERAL’S AUDIT RECOMMENDATIONS

Chairperson Nason stated that Item 13 was a standing agenda item related to the implementation of the recommendations in the OIG Audit.

Public Comment on Item 13 (Status Update Office of the Inspector General's Audit Recommendations)

Mr. Aronald Sacks stated that it mentioned in the item "approval of gasoline price adjustments for independent contractors." He asked if staff audits independent contractors, he also asked staff to define independent contractors. He briefly talked about when he was a cab driver.

Director Heidt stated that she appreciated that staff provided this information on a monthly basis, which showed that staff was working on the Inspector General's audit recommendations. She concluded her comment by stating that she was proud of staff for providing this information and keeping the Board informed.

BOARD MEMBER COMMUNICATION

Director Barnes stated that the California Transit Association had been very active with working on the state budget initiatives. He stated that the good news was that they were getting a little bit of traction in the assembly and senate for additional funding for transit above and beyond what the governor had proposed. He added that the bad news was that there was less than what transit should have been getting, so now would be a good time to contact your local representatives and advocate that they support whatever additional funding may be available.

He also added that the American Public Transportation Association (APTA) annual nominating committee would be announced today. He concluded his comment by thanking the Board for their support.

Director Greenwood stated that he attended the last CAC meeting on June 10, 2008 and provided an update on the Board's activities from the previous Board meeting. He stated that he agreed with CAC member Michael Arrigo's comment made at the meeting that requested that the CAC receive a presentation on the new marketing schemes and logo prior to the Board making any final decisions.

He also informed the Board that he like Mr. Stitcher took an Access ride on June 5, 2008. He stated that he booked a ride between Los Angeles Union Station and the City of Norwalk. He added that he was given a shared ride in a taxi and on the positive side, the driver was very courteous, knew his way around the streets and freeways, and drove safely. On the negative side, the ride was 20 minutes longer than fixed route and the driver did not ask him for his ID card or for him to pay his fare.

Director Heidt stated that she had not taken her Access trip because she wanted it to be a real life experience. She stated that she now had an opportunity to do so with a dental appointment on July 11, 2008 in the Santa Clarita Valley.

Director De Vera thanked her CAC appointee for being present at today's meeting and for making his public comment. She also thanked Chairperson Nason for honoring her at the Disabled Resource Center Awards Dinner this coming Thursday, June 26, 2008.

Mr. Solomon informed the Board that he worked for an oil company, a solar energy company and an alternate energy conversion company and it occurred to him that we all needed to get out of the business of consuming oil.

Mr. Stitcher stated that he used his Access ride to attend today's meeting and was somewhat similar to Director Greenwood's experience. He stated that they picked him up from his office and everything with the reservation went like clockwork, he was on and off the phone in less than three minutes. He added that the shared ride was interesting and he would give more details in his ride experience report.

Mr. Stitcher asked if the driver should have accepted the LA DOT coupon tickets. He concluded his comment by stating that he was very impressed with the phone service and the ride was complete and speedy.

Chairperson Nason informed the Board that she was very pleased that most of the Board had taken their rides and reported their ride experience. She stated that she had just completed one of her rides, which was very similar to what Director Greenwood, and Mr. Stitcher mentioned.

Chairperson Nason also informed the Board that she was in Sacramento last Monday, June 16, 2008 and was informed that the governor may not sign the budget until October 2008. She stated that it was very upsetting to her because she had many people on her payroll that may not be paid until the budget was signed. She also announced that on July 19th thru 22nd she would be attending the APTA Transit Board member seminar in Seattle, Washington. She stated that she would specifically enjoy the conference because it would give her the opportunity to see all the other Board members from all over the United States and because that was where she was born.

Chairperson Nason concluded her comment by reminding the Board members if they have not taken their rides to please do so and submit their ride experience forms to staff. She reminded everyone that there was not going to be a Board meeting in July.

EXECUTIVE DIRECTORS' REPORT

Access Service Executive Director Ms. Shelly Verrinder informed the Board that Director Remhild who had served six years on the Access Services Board of Directors term ends on June 30, 2008 and she had decided not to seek reappointment. She added that last week the County Commission on Disability elected her replacement Mr. Kurt Hagen who was present. Everyone welcomed him aboard.

Ms. Verrinder informed the Board that Mr. Hagen worked for the Los Angeles County Office of Affirmative Action, the Disability Civil Right Compliance section as a Deputy Compliance Officer. Ms. Verrinder stated that Mr. Hagen was very familiar with Access Services because many years ago, he served on the Community Advisory Committee and he participated in some of the Ad Hoc working groups. She added that staff looked forward to him serving on the Board and working with him. Director Hagen would be joining the Board at the August 25, 2008 Board meeting.

Ms. Verrinder also informed the Board that Customer Service, Operations Monitoring Center and Access Services main lines had been down since Saturday, June 21, 2008 but the phone systems were now up and running. She stated that staff would like to thank San Gabriel for taking on the Customer Service and Operations Monitor Centers calls.

Ms. Verrinder reported that May's ridership numbers were 6% over budget and on-time performance decreased. April's on-time performance was 91.8% and now on-time performance was at 90.75%. Average Initial Hold Times looked really good and the cost per trip increased by \$0.90 in April, which may have been related to the cost of fuel.

Ms. Verrinder concluded her report by stating that staff also mentioned that they were going to work with TPAC to leverage off some of the fuel costs and lastly, there will not be a Board meeting in July.

NEW BUSINESS SUBSEQUENT TO THE POSTING OF THE AGENDA

No new business was heard subsequent to the posting of the agenda.

ADJOURNMENT

Motion: Director Hallenberg moved to adjourn the meeting.

Second: Director De Vera seconded the motion.

Vote: Via Voice Vote.

Pass/Fail: All were in favor and the meeting adjourned at 3:20 p.m.

Approval

Joyce Rooney, Secretary

Date

AUGUST 15, 2008

TO: BOARD OF DIRECTORS

**FROM: ANDRE COLAIACE, DIRECTOR OF GOVERNMENTAL SERVICES
GILBERT GARZA, GRANTS MANAGEMENT ADMINISTRATOR**

**RE: APPROVAL OF OVERALL ANNUAL DISADVANTAGED BUSINESS
ENTERPRISE (DBE) GOAL FOR FISCAL YEAR 2008/2009**

ISSUE:

Development of Access Services Overall Annual DBE Goal for Federal Fiscal Year (FFY) 2008/2009 is required as a condition of federal financial assistance and Board approval is being requested.

RECOMMENDATION:

Staff recommends that the Board approve the Overall Annual DBE Goal of 2% for FFY 2008/2009, developed in conformance with revised Title 49 CFR Part 26 provisions; *Participation by Disadvantaged Business Enterprises in U.S. Department of Transportation (DOT) Programs and New Policy Race Neutral Directives*, for submission to the funding operating administration, the Federal Transit Administration (FTA).

IMPACT ON BUDGET:

No impact on budget.

BACKGROUND:

As a direct recipient of federal funds, Access Services Incorporated (ASI) has developed its Overall Annual Goal for DBE participation in its Federal Fiscal Year 2008/09 DOT-assisted contracts. In response to new policy race neutral directives issued by the Department of Transportation, ASI will implement its DBE Overall Annual Goal race neutrally. In a wholly race-neutral program, the recipient does not set contract goals on any of its DOT-assisted contracts for which DBE subcontracting possibilities exist.

Therefore, effective April 24, 2006, ASI implemented a wholly race-neutral DBE program based upon the absence of readily available evidence of discrimination or its effects on ASI's marketplace to sufficiently support the use of race-conscious measures in the implementation of its DBE Program.

The application of race neutral measures is in direct response to the Ninth Circuit U.S. Court of Appeals decision in the Western States Paving Co. v. United States & Washington State Department of Transportation, whereby the FTA issued a NOTICE (guidance) (Docket No. FTA-2006-24063) on March 23, 2006 stipulating a Policy implementation and requests for comments to Public Transportation Providers regarding DOT's DBE Program. As such, each recipient is requested to do the following:

- If a recipient does not currently have sufficient evidence of discrimination or its effects, then the recipient would submit an all race-neutral overall DBE goal for FFY 2006/07.
- The recipient submission shall include a statement concerning the absence of adequate evidence of discrimination and its effects and a description of plans to either conduct a disparity/availability study or other appropriate evidence gathering process to determine the existence of discrimination or its effects on the recipient's marketplace.
- An action plan describing the study and timeline for its completion should also be included.

Based upon ASI's review of the new policy requirements, ASI has determined that it is not feasible to conduct its own independent disparity study. However, it is ASI's understanding that the California Department of Transportation (Caltrans) and the Los Angeles County Metropolitan Transportation Authority (MTA) will be conducting disparity studies to assess the existence of discrimination or its effects in the corresponding marketplace. Caltrans' study is anticipated to be completed July 2009. Upon completion of the study, ASI will review and utilize all relevant results in its application of future goal setting analysis.

Overall Annual DBE Goal

The recommended Overall Annual DBE Goal for ASI's DOT-assisted contracting program for FFY 2008/2009 is 2%. The goal was established utilizing the federal two-step goal setting methodology as prescribed by regulation, and represents the level of DBE participation that could reasonably be expected on federal-aid contracts. The overall annual DBE goal for FFY 2008/09 is the same as in FFYs 2007/08, 2006/07, 2005/06 and 2004/2005. Based on the current data available, ASI's current average goal attainment on its Specialized Transportation Service Providers contracts of 2% is consistent with the Overall Annual DBE Goal.

ASI will utilize strictly race-neutral measures to foster DBE attainment, including unbundling of contracts, technical assistance, capital and bonding assistance, proactive, targeted outreach to all small businesses to increase its contracting base of capable and interested firms with potential for DBE certification.

As per FTA requirements a Public Notice advertising the FFY 2008/2009 Overall Annual DBE Goal for public comment was published on July 1, 2008. The 45-day comment period recently expired with no comments being received.

AUGUST 15, 2008

TO: BOARD OF DIRECTORS

FROM: LANCE SWEITZER, DIRECTOR OF FINANCE

RE: EXTENSION OF COMMERCIAL BUSINESS PACKAGE INSURANCE

ISSUE:

On September 1, 2008, the insurance policies consisting of Business Auto for revenue service vehicles, staff vehicles, Property, Crime, Comprehensive General Liability, Commercial Umbrella liability, Professional Liability, and Directors and Officers for ASI will expire. Board approval is required to extend the expiring policies for a two-month period.

RECOMMENDATION:

Approve an extension of the above referenced insurance policies at a premium cost equivalent to a prorata amount of the current year's policy period costs for a 60-day period at a cost not to exceed \$100,800.00.

IMPACT ON BUDGET:

It is anticipated that the amount budgeted for FY 2008/09 will be adequate to cover the cost of the insurance premiums.

BACKGROUND:

Access Services staff and legal counsel have been working with AON, the ASI insurance broker, and the transportation service providers on a comprehensive revision of the current insurance program. In order to allow adequate time to evaluate all options a 60-day extension on all existing policies was requested and granted. Staff is planning on bringing a final recommendation on a revised insurance program to the board of directors in September for approval.

AUGUST 15, 2008

TO: BOARD OF DIRECTORS

FROM: F SCOTT JEWELL, DIRECTOR ADMINISTRATION AND INFORMATION TECHNOLOGY

RE: AUTHORIZATION TO EXCEED AGGREGATE PROCUREMENT LIMIT WITH AMERICAN MICRO TECHNOLOGIES

ISSUE:

Board approval is required for aggregate contracts to a single vendor exceeding \$75,000.00 in a fiscal year.

RECOMMENDATION:

Authorize staff to exceed the \$75,000 aggregate procurement limit with American Micro Technologies for an amount not to exceed \$170,000.00

IMPACT ON BUDGET:

The costs associated with this action have been allocated to the Centralized Reservation project and the capital budget.

ALTERNATIVES CONSIDERED:

None, as the purchase of this type of equipment is critical to the business operations of Access.

EFFECT OF APPROVAL OF STAFF RECOMMENDATION

If this staff recommendation is approved by the board, the staff would be authorized, but not required, to negotiate and enter into a purchase agreement with American Micro Technologies for the acquisition of computer equipment upon terms and conditions set forth in the request for quotations and no less favorable to Access than those proposed above.

BACKGROUND:

Access uses a Request for Quotations (RFQ) as a competitive proposal method of procurement for goods or services. An RFQ is generally issued to a list of vendors who have the requisite abilities to respond to a particular type of RFQ. Occasionally when similar RFQs are issued over a fiscal year and subsequently awarded to the same vendor the aggregate total exceeds \$75,000.00 and hence requires Board approval.

In July 2008, staff issued a RFQ (ASI-2619) for computer equipment related to the requirements of the centralized reservation system. Through this process, American Micro Technologies was determined to be the responsive lowest cost bid at a total of \$155,403.13. This amount, coupled with two previous RFQs awarded to American Micro Technologies, requires Board approval.

AUGUST 15, 2008

TO: BOARD OF DIRECTORS
FROM: BRIAN SELWYN, MANAGER OF PROCUREMENT AND CONTRACTS
RE: FUEL EXPENSE REIMBURSEMENT FOR NON ASI- OWNED 100% DEDICATED VEHICLES SOUTHERN AREA CONTRACT, NO. ASI-2017

ISSUE:

While Global Paratransit, Inc. (ASI-2017) receives compensation for fuel utilized in the provision of ASI revenue service in ASI-owned vehicles and non dedicated vehicles driven by independent contractors, it does not receive such compensation for fuel consumed in the performance of ASI trips in its own fleet of 100% dedicated vehicles. Board approval is required in order to address this discrepancy.

RECOMMENDATION:

Authorize the reimbursement of fuel expenses for Global Paratransit-owned vehicles that are 100% dedicated to the provision of ASI revenue service, utilizing the methodology outlined in Exhibit "A", for the period July 1, 2008 through September 1, 2009. Authorize an increase in the not-to-exceed contract amount to cover anticipated expenses related to the proposed reimbursement from \$57,567,458.00 to \$57,772,458.00.

IMPACT ON BUDGET:

This action is consistent with Access Services' proposed budget for fiscal year 2009 and anticipated budget for fiscal year 2010.

ALTERNATIVES CONSIDERED:

Staff has considered maintaining the status quo by continuing to not reimburse the Contractor for fuel consumed by their own dedicated vehicle fleet. However, given the rising price of fuel and the fact that another service provider receives reimbursement for their dedicated, non-ASI owned vehicles, this alternative has been rejected.

EFFECT OF APPROVAL OF STAFF RECOMMENDATION:

If this staff recommendation is approved by the board, the staff would be authorized, but not required, to negotiate and amend the written contract with Global Paratransit Inc. for the specialized transportation services upon terms and conditions set forth the existing contract modified as in this item proposed. Access Services would not be legally bound to the revised terms or the extension period unless and until they are incorporated into a formal written amendment to the contract executed by all parties thereto and approved as to form by this entity's legal counsel.

BACKGROUND:

GPI performs approximately 12% of its ASI trips in vehicles, which it owns and utilizes solely for ASI service. GPI currently operates a fleet of 23 sedans that are 100% dedicated to ASI revenue service. During the period July 1, 2008 through September 1, 2009 it is anticipated that GPI's ASI-dedicated vehicles will travel over 1.8 million miles and use over 140,000 gallons of gasoline in the performance of approximately 83,000 ASI trips.

Exhibit A

Gasoline Price Adjustment:

1. The Gasoline Price Adjustment shall be computed quarterly through the remaining term of this contract. The first quarter to be computed shall be for the period beginning September 1, 2008 through November 30, 2008. If the contract term ends prior to the end of the quarter then the adjustment will be adjusted appropriately.
2. Any adjustments will be made in concurrence with the payment of the last submitted billing of the particular quarter.
3. The Baseline Cost (BC) per gallon of gasoline for this contract shall be \$2.90 per gallon.
4. The State Average Cost (SAC) per gallon of gasoline shall be determined by taking the three-month average cost of Los Angeles, CA Regular Reformulated Retail Gasoline Prices (Cents per Gallon) less the \$0.06 Motor Vehicle Use tax. This information will be obtained from the Energy Information Administration (EIA), a statistical agency of the U.S. Department of Energy.
5. If the SAC is greater than 15% of the BC, Access Services shall reimburse the Contractor the difference (between the SAC and BC) multiplied by the number of gallons purchased by the Contractor for Access Services' owned revenue vehicles in that quarter.
6. If the BC is greater than 15% of the SAC, Access Services shall deduct from the Contractor the difference (between the BC and SAC) multiplied by the number of gallons purchased by the Contractor for Access Services' owned revenue vehicles in that quarter.
7. The Contractor is hereby required to provide on a monthly basis the total number of gallons of gasoline purchased for each Access Services' owned revenue vehicle. The format of this requirement shall be as an Excel Spreadsheet that clearly identifies the following: Month, Year, ASI Vehicle Number, and Total Gallons Purchased. This data shall be submitted concurrently with the second half of a calendar's month billing.
8. Access Services reserves the right to compare the submitted data with the estimated Miles per Gallon average of the Access Services' owned revenue vehicles (as determined by Access Services' Fleet Administrator). If the comparison results in a variance of more than 10% (submitted data Miles per Gallon average being less than the estimated Miles per Gallon), Access Services shall compute the Gasoline Price Adjustment based upon the estimated Miles per Gallon Average.

AUGUST 15, 2008

TO: BOARD OF DIRECTORS
FROM: ANDRE COLAIACE, DIRECTOR OF GOVERNMENTAL SERVICES
RE: PURCHASE AUTHORIZATION FOR METRO DESIGN STUDIO

ISSUE:

Access Services has partnered with Metro Design Studio to update the written materials used by Access Services for rider communications. Authorization is needed to continue with formatting, layout and artwork services.

RECOMMENDATION:

Authorize staff to spend an amount not to exceed \$150,000 for Fiscal Year 2008/09 with Metro Design Studio for formatting, layout and artwork services related to ASI rider publications.

IMPACT ON BUDGET:

The cost for these services were included in the approved budget for Fiscal Year 2008/09 thus there will be no budget impact.

ALTERNATIVES CONSIDERED:

Access Services staff could procure vendors to perform the necessary services without the assistance of Metro Design Studio. Due to the large volume of publications published by Metro, they receive a significant discount on formatting, layout and artwork services. The cost to ASI would be significantly less to “piggyback” off of the Metro contracts versus issuing a stand-alone ASI contract.

BACKGROUND:

ASI initiated a partnership with the Metro Design Studio in 2007 to, among other things, update ASI publications to improve clarity and consistency. The current design of the existing rider publications is cumbersome and it is difficult to locate relevant information. Metro Design Studio, using their contractors, will provide formatting, layout and artwork services, including photography, for publications such as the Rider’s Guide, eligibility and appeal packets, Mobility Management, the new ASI website and Rider Alerts. Staff will continue to work with the Quality Services Subcommittee (QSS) on the content of these publications. There has been a very positive response from QSS on the documents that have been reviewed thus far.

AUGUST 15, 2008

TO: BOARD OF DIRECTORS

FROM: MATTHEW AVANCENA, MANAGER OF PLANING AND COORDINATION

RE: REAPPOINTMENT OF TRANSPORTATION PROFESSIONALS ADVISORY COMMITTEE (TPAC) MEMBERS

ISSUE:

Seven Transportation Professionals Advisory Committee (TPAC) members have completed their two-year terms, which will expire on October 25, 2008. The reappointments recommended below are for two-year terms beginning October 2008; these terms will expire on October 25, 2010.

RECOMMENDATION

Staff requests the Board to reappoint the following seven (Group B) members:

Group B - Reappointments:

- Kevin McDonald, Foothill Transit
- Joe Stitche, Santa Monica's Big Blue Bus
- Mannie Thomas, Montebello Bus Lines
- Graham Ridley, Norwalk Transit
- Jesse Valdez, East Los Angeles Regional Center
- Terisa Price, Beach Cities Transit
- Gracie Davis, Orange County Transportation Authority

IMPACT ON BUDGET

None

BACKGROUND

TPAC was created in September 2001 by the Access Services Board of Directors to provide input regarding operational and policy issues. TPAC is comprised of two sets of members, Group A and Group B, which serve two-year terms. Group A members have term expiration dates which occur on odd numbered years. Group B members have term expiration dates which occur on even numbered years.

TPAC meets bimonthly and is comprised of representatives from social service, community transportation and fixed-route transportation providers.

The following TPAC (Group A) members have terms continuing through October, 2009:

Group A:

- John Fong, LADOT
- Kathryn Engel, Glendale Beeline
- Dennis Kobata, Torrance Transit
- George Sparks, Pomona Valley Transportation Authority
- Shirley Hsiao, Long Beach Transit
- Wayne Wassell, Metro
- Amelia Jennings, City of Downey

AUGUST 15, 2008

TO: BOARD OF DIRECTORS

FROM: JOE KING, DIRECTOR OF CONTRACT SERVICES

RE: STATUS UPDATE OFFICE OF THE INSPECTOR GENERAL'S AUDIT RECOMMENDATIONS

ISSUE:

The recent audit of Access Services Incorporated conducted on behalf of the Metro Office of Inspector General (OIG) confirmed Access Services system design and operational compliance with the ADA and funding requirements and the general satisfaction of Access Services riders with that service. The audit contained no negative findings, but the auditors did make sixteen recommendations and the audit report contains Access Services affirmative responses to these recommendations.

This item comprises the monthly update for July 2008. Of the sixteen recommendations, ten have been completed as shown in the attached update.

RECOMMENDATION:

Receive and file the attached status report on the implementation of the audit recommendations from the "Report on the Evaluation of the Paratransit Eligibility Process; Administration, Performance, and Management of Paratransit Operations; and Compliance with Memorandum of Understanding."

BACKGROUND:

One of the early recommendations from the OIG was for Access to develop a procedure to periodically update the Board of Directors on the status of recommendations contained within audit reports performed on Access Services. Reporting on the status of audit recommendations through the Board Agenda should provide the Board and the general public assurance that recommendations/findings contained in audit reports were being addressed.

The majority of the recommendations will be implemented by July 1, 2008 and the remaining few will be addressed by the implementation of the new reservations/scheduling software, beginning in the fall of 2008. A written status report on the recommendations will be on the Board, CAC and TPAC monthly agendas until all recommendations have been implemented.

STATUS REPORT ON THE IMPLEMENTATION OF THE AUDIT RECOMMENDATIONS

Recommendation 1 – CLOSED in July 2008

ASI should reassess its recertification policy and consider a) periodically reviewing its criteria for determining individuals that are allowed to renew without in-person reevaluations, b) increasing the recertification period on a case-by-case basis, and c) adopting a tiered approach for recertifying riders. The tiered eligibility determination approach should include an option to recertify a rider without the need for a face-to-face interview or functional test.

Apr - 08	A modification to the recertification policy to allow for a tiered approach to eligibility without the need for an in person interview or functional test requires a change in the adopted Paratransit Plan Update. The proposed revision will be presented to the Transportation Professionals Advisory Committee (TPAC) on April 10, 2008 and the Quality Services Subcommittee (QSS) on April 17, 2008. A public hearing has been scheduled for April 22, 2008. The Community Advisory Committee (CAC) will discuss the revision at their May 13, 2008 meeting and member agencies will provide their input via electronic mail during the month of May. The final approval for the revision will be placed on the May 19, 2008 Board of Directors Agenda. Assuming Board approval, the revision will be implemented on July 1, 2008.
May - 08	Staff prepared a recommendation for the Board to approve an updated to the Coordinated ADA Paratransit Plan specifying changes to the recertification process, which address Recommendation 1. If approved, the changes will be effective July 1, 2008.
June - 08	At the regular ASI Board of Directors meeting on May 19, 2008, the Board of Directors approved Agenda Item 10 - REVISION OF PARATRANSIT PLAN UPDATE which modified the recertification process to include a tiered approach versus a mandatory in person evaluation. The updated Plan will be mailed to FTA in June 2008.
July - 08	The revised recertification process has been implemented. This item is now considered to be closed.

Recommendation 2

ASI should a) review the narrative comments included on the Eligibility Survey and initiate any appropriate actions or changes, b) consider client comments/concerns when making any future changes or improvements to the eligibility evaluation process or the evaluation facility, and c) evaluate whether ASI can offer more evaluation locations through the use of mobile evaluation units.

Apr - 08	All of the narrative comments from the surveys have been organized into categories of service. ASI staff is in the process of reviewing the comments to identify areas of concern. The narrative comments will be presented at the May 2008 QSS meeting. Any potential recommendations will be forwarded to the CAC and TPAC prior to being presented to the Board of Directors for approval.
May - 08	Narrative comments from the eligibility survey were placed on the May QSS meeting agenda.

June - 08	QSS reviewed the narrative comments at the May QSS meeting and the top concerns raised in the survey will be used as a blueprint for discussion at future meetings.
July - 08	QSS will review the narrative comments from the eligibility survey in August 2008 and include them in the prioritization discussion topics established in July 2008. Any recommendations will be presented to the CAC as appropriate.

Recommendation 3

ASI should evaluate the process for informing individuals who complete the eligibility evaluations of their right to appeal and the process on how to make an appeal.

Apr - 08	ASI will re-evaluate the eligibility determination packet with the help of TPAC and CAC to ensure that appeal information is presented in a manner most likely to be understood by applicants. Staff is anticipating a new brochure to be available in July of 2008.
May - 08	ASI will work with communications professionals and small focus groups to re-evaluate the eligibility determination packet. This will be implemented in July 2008.
Jun - 08	No update to report.
July - 08	On July 17, 2008, the QSS reviewed recommended changes to the eligibility fact sheets. New information sheets detailing the eligibility and appeal process are being formatted by Metro Design Center and will be available in September 2008. Per ASI Policy, alternative accessible formats will be available upon request.

Recommendation 4 – CLOSED in July 2008

ASI should continue to critically evaluate its eligibility determination policies, general approach, and specific processes to ensure that reasonable eligibility determinations are being made, that the impact on and inconvenience for those seeking eligibility is reasonable, and that the total costs of the eligibility determination process are consistent with the value of the process.

Apr - 08	ASI will continue to evaluate the eligibility processes and policies used in Los Angeles County. ASI will continue to monitor the best practices used in the industry by participating in various forums and seeking out documents and reports published by organizations such as, but not limited to, Easter Seals Project Action, Transportation Research Board Synthesis Studies, National Transit Institute, as well as from advocacy groups like the Disability Rights Education and Defense Fund. In addition, on a local level the eligibility contractor, under the new contract, will form a Community Council as an advisory group to provide feedback. ASI will be a part of that Council. This Council will begin in July 2008.
May - 08	No update to report.
Jun - 08	CARE held its first Customer Care Committee on Thursday June 29, 2008. The group had seven riders attend and discuss their experience with the evaluation process. CARE will use those comments to train staff and modify customer service procedures. The Committee will be meeting once a month.
July - 08	With the implementation of the revised recertification process and the opening of the new eligibility evaluation center in July, this item is now considered closed.

Recommendation 5

ASI should review the narrative comments on the Rider Survey and initiate any appropriate actions or changes.

Apr - 08	All of the narrative comments from the surveys have been organized into categories of service. For instance, comments regarding the order taking process have all been grouped together. ASI staff is in the process of reviewing the comments to identify areas of concern. The narrative comments will be presented at the May 2008 meetings of the transportation service providers and the QSS. Any potential recommendations will be forwarded to the CAC and TPAC prior to being presented to the Board of Directors for approval.
May - 08	Narrative comments from the rider survey were placed on the May QSS meeting agenda, and the May Provider meeting agenda.
Jun - 08	In May 2008, the QSS and Provider groups reviewed the narrative comments from the Rider Survey. Each group agreed that the top concerns would be discussed at future meetings to determine how to improve the service.
July - 08	On July 17, 2008 QSS prioritized the narrative comments from the rider survey into four groups with subtopics to be discussed at future meetings beginning in August 2008. Any recommendations will be presented to the CAC as appropriate.

Recommendation 6

ASI should evaluate whether the service providers are using the most efficient methodology for scheduling vehicles and drivers and whether there are opportunities to shift resources from low demand to peak demand periods.

Apr - 08	Prior to the audit in January 2006, ASI retained the services of the IBI Group to perform a Needs Analysis on ASI's Access Paratransit service. The recommendations from the analysis were presented to the Access Services Board of Directors in March 2007. One of the principal recommendations was the design and implementation of a centralized reservation/scheduling software to be used by all of ASI providers. The Board approved the award for that reservation/scheduling software in November 2007. The first phase of the implementation of this recommendation is scheduled to begin in August 2008. The implementation of the first service region, with phase--in to other regions as contracts renew, is scheduled for fall of 2008.
May - 08	The centralized reservation/scheduling software will be implemented within the first service region in September 2008 and will be phased in by region as contracts are renewed. Staff is anticipating system wide implementation will be completed in 2010.
Jun - 08	A notice to proceed was issued to the software contractor on June 9, 2008 and a kick off meeting was held with Global Paratransit.
July - 08	The project team has begun the implementation period for the software installation in the Southern Region. As the system is implemented relevant ride statistics such as travel times, will be reported monthly in the Operations Report contained in the Board Box.

Recommendation 7 – CLOSED in July 2008

ASI should reinforce to contractor call takers the goal of providing courteous and helpful service to clients. In this regard, ASI should provide call takers with a written document that reinforces the policies and rules of conduct and service to paratransit customers, and ASI’s commitment to quality service.

Apr - 08	A draft of an Order Taker Code of Conduct is scheduled to be presented to the Transportation Service Providers at their meeting in May of 2008. Staff anticipates distribution of an Order Taker Code of Conduct in June of 2008.
May - 08	A draft of the Order Taker Code of Conduct was placed on the May Provider Meeting Agenda.
Jun - 08	The Order Taker Code of Conduct was reviewed at the Provider meeting in May. The Contractors will begin distribution and the document will be posted on the ASI website by June 23, 2008.
July - 08	The Order Taker Code of Conduct has been distributed and can be viewed on the ASI website. This item is now considered closed.

Recommendation 8

ASI should evaluate the scheduling system to minimize or eliminate circuitous routing of share rides and to ensure that the routing/dispatching methodology minimizes wait times and trip times.

See Recommendation 6 above.

Recommendation 9 – CLOSED in July 2008

ASI should reinforce to contractor staff ASI’s policy on call-outs, and the importance of making all call outs that are requested.

Apr - 08	ASI is in the process of redesigning new employee training tests for drivers, call takers, and dispatchers. Questions regarding call out procedures will be included in these tests. The driver, call taker, or dispatcher will be required to pass this test with a score of 90% or greater before they are allowed to work on the ASI contract. This test will be completed no later than July 2008. ASI Road Supervisors and Dispatch Coordinators monitor compliance with currently required continuous training for each contractor. The call-out procedures are a part of that training. Immediately, ASI will instruct the service providers to include this topic in the next rotation of training beginning in May 2008.
May - 08	Service providers were instructed to include “call out procedures” in the rotation of training beginning in May 2008.
Jun - 08	Providers are in the process of updating the tests and training materials.
July - 08	All materials have been updated and the new materials have been implemented. A copy of the revised test is available upon request. This item is now considered closed.

Recommendation 10 – CLOSED in May 2008

ASI should reinforce to service provider contractors ASI’s goal of providing courteous and quality service to clients. In this regard, ASI should provide contractor drivers and call takers with a written document, which reinforces the policies and rules of conduct and service to paratransit customers, and ASI’s commitment to quality service.

Apr - 08	The Driver Code of Conduct will be distributed to all certified drivers by May 1, 2008. The Order Taker Code of Conduct is scheduled for distribution in June 2008.
May - 08	Driver Code of Conduct was delivered to contractors on May 1, for distribution to drivers; it can be viewed at www.asila.org . This item is now considered closed.

Recommendation 11

ASI should reinforce to paratransit applicants and riders that the primary purpose of using Access Paratransit Services is that the individual is unable to use the regular bus and rail service.

Apr - 08	ASI will work with TPAC and CAC to ensure that information on eligibility is consistent with the recommendation and presented in a manner most likely to be understood by applicants. Staff is anticipating new brochures to be available in July of 2008.
May - 08	Staff is anticipating new brochures to be available in July of 2008.
Jun - 08	No update to report.
July – 08	In addition to the information sheets discussed in Recommendation 3, the new eligibility center’s transit theme and presentation should reinforce the connection between Access Paratransit and regular bus and rail service.

Recommendation 12 – CLOSED in April 2008

ASI should:

- a) **Develop a written manual or procedures for processing and inputting complaints, and ensure that the list of complaint type codes and definitions are kept up-to-date.**
- b) **Institute a formal training program for the employees who handle complaints, for both new employees and periodic refresher training for current employees.**
- c) **Record all complaints relevant to the eligibility determination process so that any underlying problems can be trended and solved.**
- d) **Conduct a periodic trend analysis of complaints to identify problem areas to improve customer service.**
- e) **Develop a specific process to mark closed complaints, and incorporate this process into the policy and the staff training materials.**
- f) **Re-evaluate the complaint types used in the performance measure of Complaints per 1,000 Trips.**

- g) **Assure that no sequential complaint numbers are deleted from the database.**
 - a) The Complaints and Customer Service departments have developed a procedures manual with input from the Complaints Process Modification Subcommittee of the CAC. The manual was completed in April 2008. This item is considered closed.
 - b) As of January 12, 2008, formal training now includes Customer Service workshops, as well as follow up and refresher trainings, one-on-one review with all Customer Support Supervisors and management, side-by-side training, and review of completed procedures manual. The Complaint Specialists now attend regular monthly meetings to address any observations and/or needed training refreshers to ensure that procedures remain standardized. New staff members are now required to train with both Customer Service and Complaints and are provided a copy of the procedural manual. This item is considered closed.
 - c) As of February 25, 2008, all complaints related to eligibility have been entered into the complaint database as well as the relevant eligibility or appeal record. This item is considered closed.
 - d) More intense trend analysis of complaints has been in place since January 29, 2008. New complaint procedures have freed up additional time so that staff can dedicate more of their resources to the analysis of information. This item is considered closed.
 - e) The procedures manual has been completed. See item (a) above. This item is considered closed.
 - f) Additional complaint categories have been added to the service complaints per 1,000: Animal, Booking, Conduct, Discourtesy, Routing, Service, Travel time, Urgent and Vehicle. These additional categories will be reflected in the April 2008 operations report to the Board of Directors.
 - g) Sequential complaint numbers were deleted by ASI's Information Technology department in order to avoid combining real complaints with system tests. All complaints that are either duplicated or entered incorrectly are voided out but remain recorded in the database. To ensure that there are no duplications of complaint numbers, and as a security measure, as of January 29, 2008, the current system and Rider 360 does not recycle unused complaint numbers or complaints used for system testing. This item is considered closed.

Recommendation 13 – CLOSED in July 2008

To improve its management and oversight of paratransit service providers, we recommend that ASI a) require all paratransit service providers to perform driver performance evaluations annually and maintain the evaluations in the driver personnel file for periodic ASI review, and b) develop a standard driver code of conduct and require each driver to sign and agree to such conduct.

Apr - 08	<ul style="list-style-type: none"> a) ASI required an annual driver performance evaluation to be maintained in the driver training record in the most recent transportation service provider scope of work. Staff is in the process of negotiating with our existing contractors in order to implement the recommended change system wide effective July 1, 2008. b) See recommendation 10 response.
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May - 08	a) ongoing b) Driver Code of Conduct was delivered to contractors on May 1, for distribution to drivers; it can be viewed at www.asila.org . This item is now considered closed .
Jun - 08	No update to report.
July - 08	All contractors have agreed to implement an annual driver performance evaluation beginning in July of 2008. This item is now considered closed.

Recommendation 14 – CLOSED in April 2008

ASI management should increase its monitoring of average daily phone hold times to ensure compliance with the contractual performance requirement. Increased monitoring should identify the reasons why there are certain instances when daily phone hold times per hour exceed 4 minutes.

The audit recommendations were based upon operating statistics from fiscal year 2007. Average initial hold times after the audit period had dropped considerably and have been less than 1 minute for the last year. This recommendation is considered closed.

Recommendation 15 – CLOSED in April 2008

ASI should consider requesting that back-up providers submit their invoices semi-monthly to be consistent with other paratransit providers. ASI then will be able to concurrently review invoices and supporting documentation from both paratransit providers and back-up providers to determine if payments due are for actual services.

ASI has requested that back up providers submit invoices semi-monthly. The majority cannot comply with the request. This recommendation is considered closed.

Recommendation 16 – CLOSED in April 2008

We recommend that the Accounting Manual, General Accounting Desk Manuals, and other accounting policies and procedures be approved by ASI Senior Management. In addition, the effective dates of the Accounting Manual, General Accounting Desk Manuals, and other accounting policies and procedures should be properly determined. Furthermore, the pages of these accounting documents should be properly numbered and cross-referenced. For accounting procedures that are still in handwritten editing mode, ASI should finalize the procedures as soon as possible.

Updated Accounting Manual and General Accounting Desk Manuals have been approved by ASI Senior Management. Each Manual includes an effective date and is properly numbered and cross referenced. Copies of these manuals are available upon request. This recommendation is considered closed.

AUGUST 15, 2008

TO: BOARD OF DIRECTORS
FROM: DONNA CISCO, EXECUTIVE ASSISTANT
RE: BOARD OFFICER ELECTIONS

ISSUE:

It is necessary to elect new officers of the Board for Fiscal Year 2008-2009. Attached you will find Article VII – Officers of the Corporation which details each officer’s responsibilities and duties on the Board.

RECOMMENDATION:

Elect officers to the Board of Directors as per the requirement of the Access Services Bylaws for approximately one-year terms beginning August 25, 2008 and ending June 30, 2009 or the election of their successor, whichever last occurs. The nominees are:

Slate of Officers:

Chairperson:	Doran Barnes
Vice Chair:	Dolores Nason
Secretary:	Joyce Rooney
Treasurer:	Jan Heidt [incumbent]*
Executive Director:	Shelly Verrinder

* Election of Director Heidt requires the board to waive its term limit policy. Prior to approving the slate of officers, a motion will need to be made and voted on to waive the term limit policy.

ARTICLE VII. OFFICERS OF THE CORPORATION

A. Officers of the Corporation.

The officers of the corporation shall be a Chairperson, Vice Chairperson, Executive Director, Secretary and Treasurer. The corporation may also have, at the Board's discretion, such other officers as may be appointed in accordance with this article of these bylaws. Any number of offices may be held by the same person, except that neither the Secretary nor the Treasurer may serve concurrently as Chairperson.

B. Election of Officers.

The officers of the corporation, except those appointed under Article VII, Section C of these bylaws, shall be chosen annually by the Board and shall serve at the pleasure of the Board, subject to the rights, if any, of any officer under any contract of employment.

C. Other Officers.

The Board may appoint and may authorize the Executive Director to appoint any other officers that the corporation may require, including, without limitation, a Deputy Executive Director. Each officer so appointed shall have the title, hold office for the period, have the authority, and perform the duties specified in the bylaws or determined by the Board.

D. Removal of Officers.

Without prejudice to any rights or an officer under any contract of employment, any officer may be removed with or without cause by the Board and also, if the officer was not chosen by the Board, by any officer on whom the Board may confer that power of removal.

E. Resignation of Officers.

Any officer may resign at any time by giving written notice to the corporation. The resignation shall take effect as of the date the notice is received or at any later time specified in the notice and, unless otherwise specified in the notice, the resignation need not be accepted to be effective. Any resignation shall be without prejudice to the rights, if any, of the corporation under any contract to which the officer is a party.

F. Vacancies in Office.

A vacancy in any office because of death, resignation, removal, disqualification, or any other cause shall be filled in the manner prescribed in these bylaws for regular appointments to that office, provided, however, that vacancies need not be filled on an annual basis.

G. Responsibilities of the Officers.

1. Chairperson of the Board:

The chairperson shall preside at meetings of the Board and at meetings of the members and shall exercise such other powers and duties as the Board of Directors shall assign from time to time. In the absence of an Executive Director or Deputy Executive Director, the chairperson shall become the chief executive officer of the corporation and, subject to such supervisory powers as the Board may give to the chairperson of the Board, if any, and subject to the control of the Board, shall direct, supervise and control the corporation's activities, affairs and officers until such time as an Executive Director is elected.

2. Vice Chairperson of the Board:

If the chairperson is absent or unable to perform the duties of the chair, the vice chairperson shall perform all of the duties of the chairperson. When so acting, the vice chairperson shall have the powers of and be subject to all the restrictions applied on the chairperson. The vice chairperson shall have such other powers and perform such other duties as the Board may prescribe.

3. Executive Director:

The Executive Director shall be the Chief Executive Officer of the corporation and, subject to such limits as the Board may place on the supervisory powers of the Executive Director, if any, and subject to the control of the Board, shall direct, supervise and control the corporation's day-to-day activities, affairs and non-board appointed officers.

4. Deputy Executive Director:

In the absence or disability of the Executive Director, the Deputy Executive Director, if any, shall perform all the duties of the Executive Director, and when so acting shall have all the powers of, and be subject to all the restrictions upon the Executive Director. The Deputy Executive Director shall have such other powers and perform such other duties as from time to time may be prescribed for them respectively by the Board of Directors, the Bylaws or the Executive Director.

5. Secretary:

a. Book of Minutes:

The secretary shall keep, or cause to be kept, at the corporation's principal office or other such place as the Board may direct, a book of minutes of all meetings, proceedings, and actions of the Board, of committees of the Board and of members' meetings.

The minutes of meetings shall include the time and place that the meeting was held, whether the meeting was annual, regular, or special, and, if special, how authorized, the notice given, the names of those present at Board and committee meetings, and the number of members present or represented at members I meetings. The secretary shall keep or cause to be kept, at the principal office in California, a copy of the articles of incorporation and bylaws, as amended to date.

b. Membership Records:

The secretary shall keep or cause to be kept, at the corporation's principal office or at a place determined by resolution of the Board, a record of the corporation's members, showing each member's name, address, and class of membership.

c. Notices, Seal and Other Duties:

The secretary shall give, or cause to be given, notice of all meetings of members, of the Board and of committees of the Board required by these bylaws to be given. The secretary shall keep the corporate seal in safe custody and shall have such other powers and perform such other duties as the Board or the bylaws may prescribe.

6. Treasurer:

a. Books of Account:

The treasurer shall keep and maintain, or cause to be kept and maintained, adequate and correct books and accounts of the corporation's properties and transactions. The treasurer shall send or cause to be given to the members and directors such financial statements and reports as are required to be given by law, by these bylaws, or by the Board. The books of account shall be open to inspection by any director at all reasonable times.

b. Deposit and Disbursement of Money and Valuables:

The treasurer shall deposit, or cause to be deposited, all money and other valuables in the name and to the credit of the corporation with such depositories as the Board may designate, shall disburse the corporation's funds as the Board may order, shall render to the chairperson of the Board and the Board, when requested, an account of all transactions as treasurer and of the financial condition of the corporation, and shall have such other powers and perform such other duties as the Board or the bylaws may prescribe.

c. Disbursement of Funds:

The following signatures shall be required on corporate checks:

- (i) The Board of Directors may from time to time open an account or accounts with banks or other financial institutions and shall designate which officers or other designees shall have the authority to execute checks and other items for an on behalf of the corporation.
- (ii) The Treasurer shall disburse or cause to disburse the funds of the corporation with such banks or the financial institutions as designated by the Board of Directors. The Treasurer shall periodically review or cause to be reviewed the disbursements of funds to ensure that all disbursements are undertaken in a manner consistent with procedures established by or under the authority of the Board of Directors.