

access

REVISED

BOARD OF DIRECTORS MEETING
MONDAY, SEPTEMBER 26, 2011
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 and safe 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. Pending Litigation: Gov. Code §54956.9 (a)	
(i) Chroman v. Access Services, et al. LASC # BC 425475	
(ii) Arun Prem v. Access Services, USDC # CV11-01358 -ODW	
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	
4. SUPERIOR SERVICE AWARDS	PRESENTATION

- | | | |
|-----|--|---|
| 5. | REVIEW & APPROVAL OF MINUTES FROM THE BOARD MEETING OF AUGUST 29, 2011 (page 4)
[Staff Recommendation: Approve] | ACTION
[Vote Required: majority of quorum by voice vote] |
| 6. | REPORT FROM EX-OFFICIO BOARD MEMBERS | INFORMATION |
| 7. | GENERAL PUBLIC COMMENT | INFORMATION |
| 8. | CONSENT CALENDAR
a) Approval of Access Services Public Records Act Guidelines (page 15)
[Staff Recommendation: Approve Consent Calendar] | ACTION
[Vote Required: majority of quorum by roll call] |
| 9. | ACCESS SERVICES COMMUNITY ADVISORY COMMITTEE/TRANSPORTATION PROFESSIONAL ADVISORY COMMITTEE RESTRUCTURING - <i>Amended Item</i> (page 27)
[Staff Recommendation: Approve, see item for details] | PRESENTATION/
ACTION |
| 10. | TAP CARD | PRESENTATION |
| 11. | EXECUTIVE DIRECTOR'S REPORT | INFORMATION |
| 12. | BOARD MEMBER COMMUNICATION | INFORMATION |
| 13. | NEW BUSINESS SUBSEQUENT TO THE POSTING OF THE AGENDA | DISCUSSION/
POSSIBLE ACTION |
| 14. | ADJOURNMENT | 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: Access Services 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 3449 Santa Anita Avenue, El Monte 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.

["Alternative accessible formats available upon request."](#)

MINUTES
ACCESS SERVICES
BOARD MEETING
AUGUST 29, 2011

The Access Services Board of Directors meeting convened at 12:00 p.m. on Monday, August 29, 2011, in the third 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 Jano Baghdanian, Chairperson. Board Members present included: Dolores Nason, Vice Chairperson, Kurt Hagen, Treasurer, Theresa DeVera, Secretary, Roman Alarcon, Angela Nwokike, Martin Gombert, Doran Barnes, Ex-Officio's, Michael Williams, Kathryn Engel, and Jim Jones, Access Services Legal Counsel. Director Joe Stitcher was excused from the meeting.

Access Services' staff members present included: Mark Maloney, Donna Cisco, Araceli Camuy, F Scott Jewell, Luis Garcia, David Foster, Sean Frye, Galen Hale, Steve Chang, Andre Colaiace, Brian Selwyn, Louis Burns, Geetu Banerjee, Linda Ross, Evie Palicz, Hamilton Franco, Cynthia Perkins-Stevenson, Ruben Prieto, Gina Breceda, Giovanna Gogreve, Susanna Cadenas, Alfredo Torales, Matthew Avancena, Geoffrey Okamoto, Erik Washington, Eric Haack, and Charace Thompson.

PUBLIC COMMENT WITH RESPECT TO CLOSED SESSION ITEMS

No public comments were heard regarding the closed session items.

BOARD OFFICER ELECTION

Access Services Legal Counsel Jim Jones announced the nominees for the new officers of the Board for Fiscal Year 2011-2012 by stating that Director Jano Baghdanian was nominated as Chair, Director Dolores Nason for Vice Chair, Director Kurt Hagen for Treasurer, Director Theresa DeVera for Secretary and Shelly Verrinder for Executive Director of Access Services. Mr. Jones asked if there were any nominations from the floor, hearing none he asked for a motion and second to approve the slate.

Motion: Director Hagen moved approval of slate as announced by Mr. Jones.

Second: Director Nwokike seconded the motion.

Discussion: None.

Vote: Via Voice Vote.

In Favor: Directors Nason, Barnes, DeVera, Gombert, Hagen, Alarcon, and Nwokike.

Opposed: None.

Abstention: None.

Pass/Fail: The motion carried.

CLOSED SESSION REPORT

The Board met in Closed Session and reconvened the general portion of the meeting at 1:00 p.m. at which time Michael Williams, Chair of the CAC, and Kathryn Engel, Vice Chair of TPAC, joined the general session.

Chairperson Baghdanian thanked the Board for nominating him as the new Chair of the Board of Directors. He also thanked Director Barnes the previous Chair of the Board for doing an exceptional job while he served as Chair.

Chairperson Baghdanian also announced that there were three new members of the Board, Director Angela Nwokike the Systems Change Advocate for the Services Center for Independent Living in Claremont. He also added that she was a CAC member for the last two years and was appointed by Vice Chair Dolores Nason. Chairperson Baghdanian introduced Director Martin Gombert, from Palos Verdes Peninsula Transit Authority who was appointed by the Local Fixed Route Operator and stated that he had known Director Gombert for a number of years and served with him on the LTSS. Chairperson Baghdanian also introduced Director Roman Alarcon the Service Operations Superintendent for Metro who was recently appointed by Metro's Board of Directors and filled the seat of one of our previous Board members Michael Greenwood. He added that Director Alarcon came from a background of operations and manages Metro's Contract Services Department.

Chairperson Baghdanian asked Mr. Jones, Access Services Legal Counsel, to brief the audience on the outcome of the closed session.

Mr. Jones reported that prior to taking the dais, the Board met in closed session to discuss pending litigation involving Chroman vs. Access Services et al., and Arun Prem vs. Access Services, no reportable action was taken by the Board with respect to the two aforementioned cases.

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

Pedro Alfaro, a Driver from MV Transportation, was the recipient of the Superior Service Award for the month of June 2011.

Access Services Project Administrator for the West Central and Eastern Regions, David Foster introduced another runner up for the 2010 Jerry Walker Commitment to Quality Service award Mr. Ruben Prieto, the Systems Analyst for Access Services.

Access Services Chief Operations Officer, Mark Maloney presented Sandy Varga with a token of appreciation for her service and efforts on behalf of the disabled community and riders of Access Services. Ms. Varga thanked staff and the Board for the award and also thanked the Board for the pleasure of working with them. She also stated that she learned to be an advocate the hard way and if she or someone else had spoken up for her in April 2004, she would not be here before the Board in a wheelchair because she would still be walking.

Ms. Varga stated that advocacy to her was very personal and essential and she also felt making the needs and rights of the riders known could prevent problems. Ms. Varga concluded her comment by stating that she was very pleased to be heard.

REVIEW & APPROVAL OF THE BOARD MEETING MINUTES FROM JUNE 27, 2011

Motion: Director Nason moved approval of the June 27, 2011 Board meeting minutes.

Second: Director DeVera seconded the motion.

Discussion: None.

Vote: Via Voice Vote.

In Favor: Directors Nason, Barnes, DeVera, and Hagen.

Opposed: None.

Abstention: Directors Gombert, Nwokike, Alarcon.

Pass/Fail: The motion carried.

REPORT FROM EX-OFFICIO BOARD MEMBERS

Kathrin Engel, Vice Chair of the Transportation Professionals Advisory Committee (TPAC), reported that the committee met on Thursday, August 11, 2011 and discussed three issues with the first being the TAP card implementation. She stated that the committee had been providing feedback to staff on the process of how the TAP card would work from different user prospective and how it would work with the Free Ride program. Ms. Engel added that the committee also reviewed their bylaws and went through a process to update the bylaws based on the Boards recommendation to do so. The committee was now ready to offer some changes with the first being that the Board ratify the elected officers rather than select them because the committee wants to ensure that there was very little separation between the TPAC and the Board as far as the appointments and their status as an advisory group.

Ms. Engel stated that the final item of discussion was the Free Fare program. She stated that the Municipal Operators and the Local transit operators transport about 2.7 million passengers per year as part of the free fare program. She added that they were able to divert some trips from Access Services to the local transit systems, which saved Access Services about \$64 million a year in direct operating cost, so all of the members of TPAC were very excited and supportive of providing the free fare program.

Michael Williams, Chair of the Community Advisory Committee (CAC), began his report by stating that the current 17 members of the CAC met during the month of July and August 2011. The members met for their regular scheduled meeting and the following month they met for a bylaw focus review meeting. Mr. Williams also reported that during the last bylaw focus review meeting, one of the members spoke out of turn and because of that incident he felt the urgency to request the immediate removal of that member. Mr. Williams concluded his report by stating that when the issue of reconstructing the CAC and TPAC came up he spoke to Access Services Executive Director, Shelly Verrinder and asked if he would be allowed the opportunity of providing his list of candidates for the new CAC committee.

Chairperson Baghdanian stated that the revised CAC bylaws will be presented to the Board at their next meeting for review and approval so any issues related to the revised CAC bylaws regarding changes or questions would be taken up at the next Board meeting.

GENERAL PUBLIC COMMENT

Valerie Phillips stated in her public comment to the Board that she had a scheduled pick-up and when she was picked-up the driver was out of control, speeding at 90 miles an hour and almost got into an accident several times, other riders in the vehicle complained about his driving skills as well. The driver changed lanes without signals, the car smelled of cigarette smoke, and the driver dropped them off away from the drop-off point and told her to walk the rest of the way.

Lisa Anderson stated that the problems she experienced with a shared ride were when the vehicle zig zags on the road and she was in the vehicle for long periods of time with other riders. She also mentioned that on the second and last Tuesday of the month she had to be at a certain destination at 5:45 and when she realizes that she is not going to make it there on time she had to call the other provider 15 minutes ahead of time, which made it impossible if she was on the vehicle. She added that this was very frustrating to her and she felt it was not right.

Hugh Hallenberg stated that he was concerned with the possibility that the Board of Directors and the CAC may have to move from a central location in Downtown Los Angeles to El Monte. He added that he was unaware of what Access Services was trying to hide by moving away from its based riders and having them try and get to El Monte particularly if they were not Access riders. Mr. Hallenberg concluded his public comment by asking if the Board and CAC planned to continue meeting in Downtown Los Angeles.

Chairperson Baghdanian replied that as far as he and the Board were aware there have been no mention of changing the meeting location for CAC and Board meetings.

Mary Griffieth welcomed all the new Board members and stated that this past Friday she had a ride scheduled from El Monte to Covina which started a little after 7:00 p.m. She stated that she did not get home until 11:50 p.m. the same evening and she had to wait for almost three hours on the 190 bus and had to transfer to the Foothill bus which she was not aware that it ran that late. Ms. Griffieth continued to express her frustration with Access Services not giving her eligibility and that fact that she should not be out in the sun with her medical conditions for long periods of time. Ms. Griffieth concluded her public comment by wishing Mr. Jones a Happy Birthday.

Chairperson Baghdanian stated that there were a few public comments related to service issues, he requested that staff look into these matters. Mr. Maloney replied that staff would follow-up with each of the individuals.

CONSENT CALENDAR

Director DeVera pulled Item 9-c, for purposes of discussion.

Motion: Director Nason moved approval of Items 9-a, 9-b and 9-d on the consent calendar.

Second: Director Hagen seconded the motion.

Discussion: None.

Roll Call: Chairperson Baghdanian asked for a roll call.

In Favor: Directors Hagen, Alarcon, Nwokike, Nason, Barnes, DeVera, and Gombert.

Opposed: None.

Abstention: None.

Pass/Fail: The motion carried.

DISCUSSION: *Item 9-c (Approval to Directly Contract With Los Angeles County Service For Freeway Emergencies (LASAFE) For 511 Traveler Information Services)*

Director DeVera asked if the 511 information system would be TTY accessible. Access Services Chief Operations Officer, Mark Maloney replied "yes," it was currently accessible and will continue to be accessible as part of this program.

Motion: Director DeVera moved approval of Item 9-c on the consent calendar.

Second: Director Gombert seconded the motion.

Discussion: None.

Roll Call: Chairperson Baghdanian asked for a roll call.

In Favor: Directors Gombert, Hagen, Alarcon, Nwokike, Nason, Barnes, and DeVera.

Opposed: None.

Abstention: None.

Pass/Fail: The motion carried.

ONE YEAR UPDATES – MILES OF SMILES

Access Services Project Administrator for the Eastern/West Central regions, David Foster provided a brief presentation on Access Services Miles of Smiles program.

Board Questions &

Comments: Director Nason stated that Mr. Foster provided a wonderful presentation but it was a little hard to read because the font was a little too small, she reminded staff that their goal was to make things accessible for the riders and a lot of riders were visually impaired and elderly and needed large print.

Director Nwokike agreed with Director Nason's comment regarding larger font and/or large print and added that the font should be at least 14. She also added that staff should include sensitivity training for some of the drivers because she noticed that 100% of the taxi cab drivers need sensitivity training.

Director DeVera stated that if you visit Access Services website, there was a location that states "Complements or Miles of Smiles," she asked if they both counted as the same. Mr. Foster replied "yes they do" although they are categorized under different names they are the same thing. Mr. Foster explained that over the last three years Miles of Smiles kind of took over commendations.

Chairperson Baghdanian thanked Mr. Foster for his presentation on the Miles of Smiles program and reminded the Board that this was an information item only.

ONE YEAR UPDATES – HELPING HAND CUSTOMER RECOGNITION PROGRAM

Access Services Dispatch Coordinators Cynthia Perkins - Stevenson, Gina Brededa, and Hamilton Franco provided a brief presentation on the Helping Hand Customer Recognition program.

Chairperson Baghdanian stated that the Dispatch Coordinators did a great job with their presentation and he wanted to commend Ms. Verrinder and Mr. Maloney for letting the Board see more of the other staff members that they usually don't get to see. Chairperson Baghdanian added to keep up the good work and the Board looked forward to seeing more presentations from other staff members in the future.

ONE YEAR UPDATES – PERFORMANCE REVIEW FISCAL YEAR 2010/2011

Access Services Director of Contract Administration, Steve Chang provided a brief presentation and video presentation on the Operations Performance Review for Fiscal Year 2010/2011.

Public Comment on Item 10 (Performance Review FY 2010/2011)

Terri Lantz stated that people in the community have heard that there have been a lot less complaints and she felt that it was due to the providers improving their service. She added that service in certain geographical areas have improved tremendously, she thank Access Services for their efforts in getting out materials in a timely manner, improving the website so that customers could actually use it, and for continuing to provide an accessible centralized place for the CAC and the Board of Directors to meet where riders could actually attend. Ms. Lantz concluded her public comment by thanking the Board for their leadership, staffs leadership and making the meetings accessible to everyone.

ONE YEAR UPDATES – EMERGENCY PREPAREDNESS PLAN UPDATE

Access Services Manager of Safety, Training, Emergency Preparedness, Evie Palicz provided an update on Access Services Emergency Preparedness plan. Ms. Palicz also introduced Mr. Gary Gleeson from NUSURA.

Board Questions &

Comments: Director Nason stated that Ms. Palicz had mentioned in her presentation that staff was reaching out to their partners and the Red Cross Director Nason stated that the agency she worked for Disabled Resources Center had an MOU with the Red Cross for Disaster Preparedness. Director Nason asked if Access Services had an MOU with the Red Cross. Ms. Palicz replied “not yet,” staff was in the process of developing one but staff did have some sample MOU’s that were submitted for approval but they were currently in a development stage.

Chairperson Baghdanian stated that given that a disaster could happen at any moment, at what point would a paper plan be completed, he asked if Ms. Palicz would provide a timeline. Ms. Palicz replied if that question was asked back in October 2010 her reply would have been in about 10 years but she added that staff was pretty prepared already if something was to happen today but as far as the drivers and frontline staff it would take about another six months to a year to be fully prepared with everyone.

Director DeVera thanked Ms. Palicz for the presentation she presented to the City Commission, she also requested clarification on a question that Daniel Garcia asked, “if his friend was unable to get out of his apartment during an emergency or disaster, would Access Services

come to get him out.” Director DeVera stated that it was her understanding that the Board approved this only for trips that were scheduled or in the system, she requested clarification.

Ms. Palicz replied that riders in the system would be taken care of but it was Access Services first priority to first take care of the riders that were on a vehicle at the time of an emergency or disaster. Ms. Palicz explained that for someone in a residence and disabled Access would work together with Metro to get someone to assist that individual, so if Access was asked to go and get someone in their residence then they would find a way to make it happen.

ACCESS SERVICES FINANCIAL YEAR END REVIEW

Access Services Deputy Executive Director of Administration, F Scott Jewell provided a brief presentation on Access Services financial year end review. No questions were asked following the presentation.

Chairperson Baghdanian thanked Mr. Jewell for his presentation on Access Services financial year end review and reminded the Board that this was an information item only.

ACCESS SERVICES 2ND ANNUAL ROADEO OVERVIEW

Access Services Project Administrator for C.A.R.E Evaluators, Geoffrey Okamoto provided a brief presentation on Access Services 2nd Annual Roadeo Overview.

Board Questions &

Comments: Director Gombert asked what the hours of the event were. Mr. Okamoto replied that the event would be on Saturday, September 24, 2011 from 8:00 a.m. to 2:30 p.m. at Santa Anita Park and if any of the Board members would like to attend the continental breakfast they were welcomed to join and it will start at around 7:00 a.m.

Chairperson Baghdanian thanked Mr. Okamoto for his presentation on Access Services 2nd Annual Roadeo overview and reminded the Board that this was an information item only.

CUSTOMER SUPPORT CENTER UPDATE

Access Services Director of Customer Support Services, Sean Frye provided and update on the Customer Support Center. No questions were asked following the presentation. No questions were asked following the presentation.

Chairperson Baghdanian thanked Mr. Frye for his presentation on Access Services Customer Support Center update and reminded the Board that this was an information item only

EXECUTIVE DIRECTOR'S REPORT

Access Services Chief Operations Officer, Mark Maloney announced some late breaking news by stating that Access Services had won two first place awards in the APTA Ad Wheel marketing competition, Access Services won first place for the "Spirit of Accessibility" video and first place for the Access Services "Annual Report." Mr. Maloney congratulated the Access Services staff.

Mr. Maloney provided the operations statistics by stating that ridership decreased slightly from July over June 2011 due to the usual trend of school getting out but if you looked at July of 2010 versus July of 2011 staff actually saw a 5.5% increase in ridership. On-time performance remained above the standard which came in at 92.6% which was well above Access Services 91.0% standard. Mr. Maloney stated that Mike Fricke and his staff at California Transit Inc. had done something that no other provider had done in the metropolitan area in the history of Access Services they actually had a month with zero late 4's. Mr. Maloney congratulated them and stated that the customers appreciated that and it was quite a statement for all of Access Services providers to be able to achieve that.

Mr. Maloney continued to report that Access Services new identification cards were in the process of being distributed, all the contractors and member agency staff had all been trained, marketing materials had been distributed on the new Access TAP cards, letters were sent to all of our riders last Friday, the website was updated to allow the rider to order the new card via the website. Seat drops and on-hold messaging were being implemented and staff was expecting the new cards to be mailed in the next couple weeks. The TAP cards would be distributed beginning with the free fare riders and all the applicants participating in new eligibility interviews or recertification's effective back to August 1, 2011.

Mr. Maloney concluded his report by stating that the booklet that was provided to each Board member "Frequently Asked Questions" would be mailed out to all the riders that received a new card.

BOARD MEMBER COMMUNICATION

Director Nwokike congratulated staff for winning the awards and added to keep up the good work because it was not easy but we would get there eventually.

Director Alarcon stated that he wanted to ensure that staff and the Board stayed focused on Customer Service which was our primary concern, he added that he was a hands-on type of person and he looked forward to visiting all of the provider sites including the customer service centers to ensure that the customers were receiving the best service possible. Director Alarcon concluded his comment by stating that he looked forward to working with everyone and providing the service that the customers deserve.

Director Nason expressed how nice it was for Chairperson Baghdanian serving as Chair, she also thanked Director Barnes for his leadership over the last two years as Chair. Director Nason stated that she along with a few others was fortunate enough

to attend the APTA Transit Board Member Seminar in Jersey City, New Jersey in July and attending these seminars helped her be a better Board member. Director Nason reported that some discussion was on the subject of there being a 30% reduction in federal support, the national campaign to reduce the 30% and discussion on ways to control the cost of paratransit by training individuals with disabilities to take public transportation with the knowledge that some individuals were unable to do that. Director Nason concluded her comment by stating the seminar also provide ways to become better Board members with trainings on what type of leader they were.

Director Gombert stated that he looked forward to serving on the Access Services Board of Directors over the next two years. He added that staff provided some wonderful presentation and like Director Alarcon he too would be visiting some of Access Services provider sites and had already arranged with staff to tour the C.A.R.E. Evaluators site in the next several weeks. Director Gombert also mentioned that he attended a CAC meeting a few weeks ago and talked with Mr. Williams which was an interesting experience.

Director Hagen welcomed the three new members of the Board and stated that it was a very exciting time to have new members join the Board of Directors which he felt was very critical for the continued success of the agency. He also thanked Director Barnes for his great service as Chair over the last couple of years and stated that he looked forward to the coming years with Chairperson Baghdanian taking over.

Director Barnes welcomed the new Board members and stated that it was great to have some new members with new ideas. He also congratulated the new officers of the Board and added that it was his honor and pleasure to serve as the Chair over the past couple of years and he looked forward to being able to vote again.

Director Barnes concluded his comment by stating that he was also fortunate enough to attend the APTA Transit Board Member Seminar in Jersey City, New Jersey which was not as scary as he feared, he added that it was a very vibrant transit oriented community and the workshop provided many great ideas.

Director DeVera stated that she also wanted to reiterate what everyone had mentioned regarding the new Board members, the new officers of the Board and she thanked Director Barnes for his years of service as Chair of the Board of Directors. Director DeVera also congratulated California Transit for having no late 4's, she added that they were a new provider and having no late 4's in one month showed how dedicated and committed they are to the riders. Director DeVera concluded her comment by thanking California Transit for the service they provide.

Mr. Williams stated that he would also like to reiterate what everyone had mentioned regarding welcoming the new Board members, the new slate of officers, and thanking Director Barnes for his years of service as Chair of the Board of Directors. Mr. Williams also thanked the entire Board of Director and stated that the Board had always been very supportive of him and he looked forward to working with the new slate of officers.

Chairperson Baghdanian stated that he also had the opportunity to attend the APTA Transit Board Member Seminar in Jersey City, New Jersey which he found very

interesting. He added that as a Transportation Planner professional there were some areas discussed from a Board prospective that he should be aware of and he found very helpful.

Chairperson Baghdanian added that one of the areas that was discussed was the future projections of ridership for paratransit services with the baby boomers aging, what would we be looking at in the next five to ten years and how were we all going to deal with the challenges of providing service to the aging public, this topic was something that the Board should be looking into. Chairperson Baghdanian concluded his comment by encouraging all the Board member to put the date of Access Services 2nd Annual Roadeo on their calendar and to try to attend.

NEW BUSINESS SUBSEQUENT TO THE POSTING OF THE AGENDA

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

ADJOURNMENT

Motion: Director Nason moved to adjourn the meeting.

Second: Director DeVera seconded the motion.

Vote: Via Voice Vote.

Pass/Fail: All were in favor and the meeting adjourned at 3:08 p.m.

Approval

Theresa DeVera, Secretary

Date

SEPTEMBER 16, 2011

TO: BOARD OF DIRECTORS

FROM: ANDRE COLAIACE, DEPUTY EXECUTIVE DIRECTOR OF PLANNING
AND GOVERNMENTAL AFFAIRS

RE: APPROVAL OF ACCESS SERVICES PUBLIC RECORDS ACT
GUIDELINES

ISSUE:

Access Services needs to revise its written policies regarding the California Public Records Act.

RECOMMENDATION:

Approve the attached Guidelines and Public Records request form.

IMPACT ON BUDGET:

None.

BACKGROUND:

The purpose of these Guidelines is to implement the California Public Records Act and other applicable statutes and case law by setting forth the procedures to be followed when making records available to the public.



Access Services
 PO Box 5728
 El Monte, CA 91734
 213.270.6000
 asila.org

Access Services Public Records Request Order Form

Instructions and Costs

This form can be used for Public Records Requests pursuant to the California Public Records Act, Govt. Code Section 6250. Written requests for public records can be submitted in person, by mail or fax. For additional information about Agency policies, please consult the Access Services Public Records Act Guidelines.

You will be responsible for the direct cost of duplication for any documents requested over ten (10) pages as well as shipping charges. Documents will not be produced until payment has been received. We will notify you of any special charges or other additional charges authorized by state law or regulation before processing your request. Payment shall be made by cash, check or money order payable to "Access Services."

Records Duplication Cost:

Letter Size 8.5" X 11"	.20 cents Per Copy
11" x 17"	.20 cents Per Copy
Color Copies 8.5" X 11"	1.00 Per Copy
Color Copies 11" X 17"	1.00 Per Copy
Oversize Documents 22 x 34	5.00 Per Copy
Cassettes Duplication	5.00 Per Cassette
Compact Disk Preparation	5.00 Per Disk

Fees for programming and computer services will be based on the cost of the staff performing the work. The level of staff needed to fulfill the request for electronic information could vary depending on the intricacies and complexity of the request. For significant efforts, the requestor may be required to pay a portion or all of these costs in advance of commencing the work.

Please send your request to:

Public Records Unit, c/o Elisa Diaz, Access Services,
 PO Box 5728
 El Monte, CA 91734



Access Services
PO Box 5728
El Monte, CA 91734
213.270.6000
asila.org

Public Records Order Form

Requestor Name _____

Date Requested _____

Company Name _____

Address _____

City _____

State _____

Zip Code _____

Phone Number _____

Fax Number _____

E-mail _____

Description of Records Requested

Access Services
Public Records Act Guidelines
September 7, 2011

access

I. DEFINITIONS

- A. "Agency" means Access Services or any employee authorized to act on its behalf.
- B. "Person" includes any natural person, corporation, partnership, limited liability company, firm, or association.
- C. "Public Record" includes any writing containing information relating to the conduct of the public's business prepared, owned, used, or retained by the Agency, regardless of physical form or characteristics.
- D. "Writing" means handwriting, typewriting, printing, photostating, photographing, and every other means of recording upon any form of communication or representation, including letters, words, pictures, sounds, or symbols, or a combination thereof, and all papers, maps, magnetic or paper tapes, photographic films and prints, magnetic or punched cards, discs, drums, and other documents.
- E. "Data" means information disclosing the actual quantity of material used to produce an article having commercial value, as well as information disclosing the actual quantity produced.

II. PURPOSE

The purpose of these Guidelines is to implement the California Public Records Act, commencing at Section 6250 of the Government Code, and other applicable statutes and case law, by setting forth the procedures to be followed when making records available to the public. It is the policy of this Agency that public records are open to inspection at all times during the Agency's office hours. Any reasonably segregable portion of a record shall be made available for inspection after deletion of the portions that are exempted by law. It is also the policy of this Agency that except for public records exempt from disclosure by express provisions of law, a request for a copy of reasonably-described identifiable records shall be made available with minimal delay to the requesting party. An exact copy shall be provided unless impracticable to do so.

III. EXAMPLES OF RECORDS AVAILABLE TO THE PUBLIC

- A. Agendas and Minutes of Open Session Board and Committee meetings;
- B. Board Box Items;
- C. Published statistical abstracts.

IV. RECORDS NOT AVAILABLE TO THE PUBLIC

- A. Preliminary drafts, notes, or interagency or intra-agency memoranda which are not retained by the Agency in the ordinary course of business, provided that the public interest in withholding those records clearly outweighs the public interest in disclosure. [Gov. Code Sec. 6254(a)].
- B. Records pertaining to pending litigation to which the Agency is a party, or to claims made pursuant to Division 3.6 (commencing with Section 810) of Title 1 of the Government Code, until the pending litigation or claim have been finally adjudicated or otherwise settled. [Gov. Code Sec. 6254(b)].
- C. Personnel, medical, or similar files, the disclosure of which would constitute an unwarranted invasion of personal privacy. [Gov. Code Sec. 6254(c)].
- D. Records the disclosure of which is exempted or prohibited pursuant to federal or state law, including, but not limited to, provisions of the Evidence Code relating to privilege. [Gov. Code Sec. 6254(k)].
- E. Confidential communications between the Agency and its attorneys. [Ev. Code Sec. 954].
- F. Records of documents covered by the attorney work product privilege, or any other judicially recognized privilege, including but not limited to, the deliberative process privilege.
- G. Records which relate to Grand Jury testimony.
- H. Documents which are privileged under Section 1040 of the Evidence Code which provides:
 - (a) As used in this section, 'official information' means information acquired in confidence by a public employee in the course of his duty and not open, or officially disclosed, to the public prior to the time the claim of privilege is made;
 - (b) A public entity has a privilege to refuse to disclose information and to prevent another from disclosing such information, if the privilege is claimed by a person authorized by the public entity to do so; and:
 - 1) Disclosure is forbidden by an act of the Congress of the United States or a statute of this state; or
 - 2) Disclosure of the information is against the public interest because there is a necessity for preserving the confidentiality of the information that outweighs the necessity for disclosure in the interest of justice; but no privilege may be claimed under this paragraph if any person authorized

to do so had consented that the information be disclosed in the proceeding. In determining whether disclosure of the information is against the public interest, the interest of the public entity as a party in the outcome of the proceeding may not be considered."

- I. Trade secrets, which may include, but are not limited to, any formula, plan, pattern, process, tool, mechanism, compound, procedure, production data, or compilation of information which is not patented, which is known only to certain individuals within a commercial concern who are using it to fabricate, produce, or compound an article of trade or a service having commercial value, and which gives its user an opportunity to obtain a business advantage over competitors who do not know or use it. [Gov. Code Sec. 6254.7(d)].
- J. Computer software, which includes computer mapping systems, computer programs, and computer graphics systems, developed by a state or local agency including the Agency. [Gov. Code Sec. 6254.9(a) and (b)].
- K. Records in which the Agency determines that on the facts, the public interest served by not making the record public clearly outweighs the public interest served by disclosure of the record. [Gov. Code Sec. 6255]. The cost and burden to the Agency are relevant factors in determining the public interest in not making the record public.
- L. A memorandum submitted to a state body or the Agency's Governing Board by its legal counsel pursuant to subdivision (q) of Government Code Section 11126 or 54956.9 until the pending litigation has been fully adjudicated or otherwise settled. The memorandum shall be protected by the attorney work-product privilege until the pending litigation has been finally adjudicated or otherwise settled. [Gov. Code Sec. 6254.25].

V. PROCEDURE

A. Requesting Copies of Public Records

All requests for copies of public records must be made in writing addressed to the Public Records Unit. The public may use the Public Records Request Form on the Agency's web page at www.asila.org. Requests may be sent by facsimile to the Public Records Unit at (213) 270-6043 or by mail to PO Box 5728, El Monte, CA, 91734. All requests must be made with sufficient clarity so as to reasonably describe an identifiable record. [Gov. Code Sec. 6253]. Requests not meeting these criteria may be returned. Reasonable restrictions may be imposed upon general requests for voluminous classes of documents. Copies will be provided unless, 1) disclosure would infringe a copyright, 2) the records are exempt from disclosure by express provisions of the law, or 3) the volume of requested records would be impracticable for the Agency's day to day operation. Computer data will be provided in a form determined by the Agency. [Gov. Code Sec. 6253(b)]. Records held by the Agency in electronic format may be requested in accordance with provisions specified in Gov. Code Sec. 6253.9.

B. Response Time

The Agency shall determine within 10 days from receipt of the public records request if the request, in whole or in part, seeks copies of discloseable public records in the possession of the Agency. In unusual circumstances, additional time up to 14 days may be warranted. The Agency shall promptly notify the requestor of its determination and the reasons therefor. [Gov. Code Sec. 6253(c)]. If there is a large amount of material to compile, or if there is a question regarding the status of the requested records, the requestor will be notified by Agency staff of the approximate time frame involved in filling the request.

C. Exempt Records and Trade Secrets

Records that are exempt from the Public Records Act will normally not be released. Records claimed by a facility or entity to be trade secrets or otherwise exempt from disclosure will not be immediately released unless the Agency determines they are clearly public records. Only information claimed to be a trade secret at the time of submittal to the Agency may be treated as a trade secret. [Masonite Corp. v. County of Mendocino A.Q.M.D., 49 Ca1.Rptr.2d 639 (1996)].

The Agency will mail a notice, by certified mail, to the facility or entity claiming exempt or trade secret status. The facility or entity is responsible for providing its current mailing address to the Agency. The notice shall include a copy of the request, and a request for a detailed and complete justification of the bases for exempt or trade secret status, as defined in Section IV. The facility or entity must make an appointment with Public Records Staff, within 15 calendar days of the date of the letter, to come in and review the records and highlight the portion exempt or trade secret. If no justification is timely received, the subject records shall be released as specified herein.

Any justification claiming trade secret status must include a sworn declaration that should address the following six factors (Restatement of Torts Sec. 757.):

- 1) the extent to which the information is known outside of the person's business;
- 2) the extent to which it is known by employees and others involved in the person's business;
- 3) the extent of measures taken by the person to guard the secrecy of the information;
- 4) the value of the information to the person's business and to the person's competitors;
- 5) the amount of effort or money expended by the person in developing the information; and
- 6) the ease or difficulty with which the information could be properly acquired or duplicated by others.

In addition, any justification must be specific enough so as to identify which specific information in a document constitutes a trade secret or is exempt so that it may be blocked out in a document, with the remaining information to be released. As a result, all documents subject to the request should be reviewed by the facility or entity claiming exempt or trade secret status before submitting its justification to enable it to specifically segregate information contained in those documents that may or may not be released. Failure to so segregate may result in the release of all information.

The Agency shall evaluate the justification, and any other information at its disposal and shall determine if the justification supports the claim that the material is in fact exempt or is a trade secret under Government Code Section 6254 and Section 6254.7, or otherwise privileged. If the Agency determines that the claim is bona fide and that the material is exempt or a trade secret, the Public Records Coordinator shall notify the requestor that the data sought is exempt or a trade secret and therefore cannot be released. The requestor shall be advised of its right to bring appropriate legal action to compel disclosure. Any such action should name the facility or entity claiming an exemption from disclosure as a real party in interest.

If the Agency determines that the claim of exemption or trade secret is not meritorious or is inadequately supported by the evidence, the Agency shall promptly notify, by certified mail, the facility or entity who claimed exempt or trade secret status that the justification is inadequate, and that the information shall be released after 10 calendar days from the date of receipt of such notice.

Such facility or entity shall also be advised of its right to bring appropriate legal action to prevent disclosure, and of its right to further respond. In the event the facility or entity cannot be reached at its last listed address with the Agency, the information shall be released after 15 calendar days of the date of such notice.

Any legal action brought by the facility or entity should name the requestor as a real party in interest. The above procedures regarding exempt records and trade secrets may not apply to requests made by other governmental agencies for purposes of carrying out their official responsibilities, if such agencies agree to treat the disclosed material as confidential pursuant to a written confidentiality agreement with the Agency. The confidentiality agreement shall designate those persons authorized by the requesting governmental agency to obtain the information. [Gov. Code Sec. 6254.5].

The above procedures are also inapplicable if the requestor and the facility or entity enters into an agreement waiving any objections to the Agency's release of the requested information. A signed copy of the agreement must be provided to the Agency.

D. Subpoenas

The Public Records Act is not applicable in situations where subpoenas have been issued to the Agency for document production. Any such subpoenas shall be referred to the Agency Counsel's Office, unless otherwise directed by that office.

E. Requests for Access to Inspect Specific Files

It is the policy of the Agency that all records open for public inspection shall be available with the least possible delay and expense to the requesting party.

Public records are open to inspection at all times during the office hours of the Agency, and every citizen has a right to inspect any public record as defined herein. To permit sufficient time for the Agency to compile the records for review, an appointment to view the records should be made by the requestor. A request to inspect public records in the custody of the Agency must be in writing and must describe the records with sufficient specificity to enable the Agency to identify the information sought.

Records that are exempt from the Public Records Act and records claimed to contain trade secrets will be handled in the manner described in Subsection C. If a delay occurs, the requestor will be notified of the reasons and offered the option of either viewing that portion of the record that is available, or waiting until the complete record is available.

A designated Agency representative will be available to assist the requestor during the inspection. The requestor will be provided with the records and a work space. A designated Agency representative will ensure that no records are removed or altered. If the requestor asks for photocopies of certain records, the Public Records Unit will arrange for the copies to be made and mailed within 10 business days. The following requirements regarding fees will be applicable.

VI. FEES

The Public Records Act requires "payment of fees covering direct costs of duplication, or a statutory fee, if applicable." [Gov. Code Sec. 6253(b)]. In addition, when records are requested in electronic format, the requestor shall bear the cost of producing a copy of the record, including the cost to construct the record and the cost of programming and computer services necessary to produce a copy of the record. [Gov. Code Sec. 6253.9] The Public Records Unit will provide an invoice for charges due. These charges are due and payable before the release of the copied records. Nonpayment of invoices could result in a requirement that requests for records be pre-paid in person before releasing the requested documents.

A. Fees for Copies of Public Records

The Finance Division shall set the rate to be charged for the direct cost of duplication. Currently, there is no charge for copies totaling less than 10 pages. For 10 or more pages, the fee is currently 20 cents per page for all standard size pages, including the first 9 pages.

Records duplication cost:

11" x 17"	.20 cents Per Copy
Color Copies 8.5" X 11"	1.00 Per Copy
Color Copies 11" X 17"	1.00 Per Copy
Oversize Documents 22 x 34	5.00 Per Copy
Cassettes Duplication	5.00 Per Cassette
Compact Disk Preparation	5.00 Per Disk

The requestor may arrange for a private copying service to come to the Agency to photocopy the records after an appointment has been made with the Public Records Unit Staff. The Public Records Unit Staff, or a designated representative, will ensure that no records are removed or altered. If the records are contained in a form other than hard copies, i.e., computer diskette or microfiche, the following charges are applicable:

Fees for programming and computer services will be based on the cost of the staff performing the work. The level of staff needed to fulfill the request for electronic information could vary depending on the intricacies and complexity of the request. For significant efforts, the requestor may be required to pay a portion or all of these costs in advance of commencing the work.

VII. RESPONSIBILITIES

A. Public Records Unit

The Executive Director will designate the Agency staff member that will have primary responsibility for coordinating the Agency's compliance with the California Public Records Act. That responsibility includes:

- 1) Receiving, logging, and tracking all requests for public records;
- 2) Determining the possible location of the records, and routing copies of requests to the appropriate organizational unit to obtain copies of records requested and following up to meet return date deadlines;
- 3) Assisting the public in understanding what information is available, and what must be done to obtain access to, or copies of, public records;
- 4) Ensuring that the Agency Counsel's Office reviews any material subject to confidentiality of data or trade secret status and provides their comments as to whether the requested records may be released;
- 5) If a record has been identified as a trade secret or appears to be confidential, follow the procedures outlined above dealing with trade secrets;

- 6) Providing the necessary notices and public records within the appropriate period of time as outlined in these guidelines;
- 7) Ensuring that all records are safeguarded while in the possession of the office in charge of Public Records Requests;
- 8) Making sure that all originals of records are returned to the appropriate organizational units as soon as possible;

B. Organizational Units in Custody of Records

The Agency's organizational units are custodians of their own records created as a result of their activities, whether or not they are storing the records. The custodial units will be responsible for retrieving, gathering, and copying the records requested of them. These records are to be reviewed by the organizational unit manager for information that is a trade secret or otherwise exempt from disclosure. Such information, if reasonably segregable, shall be redacted under the guidance of the Agency Counsel's Office.

The custodial unit must determine if they are, or are not, in possession of the records requested and notify the Public Records Unit so they may comply with the response time specified in Section V.B of these guidelines [Gov. Code Sec. 62S3(c)]. If there are records in response to the request, the properly reviewed records will be promptly provided to the Public Records Unit.

C. Records Management Unit

The Records Management Unit of the Agency is not considered to be the custodian of records. Any requested records in its possession will be provided to the Public Records Unit, who will send the requested records to the custodial unit to review for confidentiality.

D. Agency General Counsel

Requests for records pertaining to documents which may not be released due to pending litigation or pending Civil Cases will be provided to the Agency General Counsel who will be responsible for the timely identification and review of those records and will determine which records may be released.

The Agency Counsel is also responsible for providing legal guidance in determining which records may be released under the Public Records Act. The Public Records Unit shall provide Counsel with those documents that are alleged to be trade secrets or exempt from the Public Records Act. In addition, the Public Records Unit will immediately provide Counsel with all correspondence relating to the justification of exempt or trade secret status. The Public Records Unit will then be responsible for maintaining in a separate file those records which may not be released, and for releasing the remaining records pursuant to these guidelines, in compliance with the California Public Records Act.

SEPTEMBER 16, 2011

AMENDED ITEM

TO: BOARD OF DIRECTORS

FROM: SEAN FRYE, DIRECTOR OF CUSTOMER SUPPORT SERVICES
MATTHEW AVANCENA, MANAGER OF PLANNING AND
COORDINATION

RE: ACCESS SERVICES ADVISORY COMMITTEE/TRANSPORTATION
PROFESSIONAL ADVISORY COMMITTEE RESTRUCTURING

ISSUE:

At the June, 2011 Access Services Board of Directors meeting, the Board discussed the current function and makeup of Access Services two advisory committees: the Community Advisory Committee (CAC) and Transportation Professionals Advisory Committee (TPAC). Initially, Access staff recommended dissolution of the current CAC and TPAC and the subsequent formation of ad hoc working groups.

The Board felt that the contributions of the Advisory Committees to the Access Board could be improved by taking a new look at how the committees are organized and their members appointed. However, after a lengthy discussion, the Access Board decided against immediate dissolution of the current CAC and TPAC. The Board instead assigned current CAC and TPAC members the task of restructuring Access' advisory committees. The Access Board of Directors further instructed CAC and TPAC to undertake the following:

- Draft new CAC and TPAC by-laws;
- Draft a new CAC and TPAC application process;
- Draft a new CAC and TPAC application form;

The Board also asked that these items be brought to the Board for consideration no later than the September meeting of the Access Board of Directors.

RECOMMENDATION:

Staff requests that the Access Board review and approve the following recommendations concerning the structure of CAC and TPAC:

CAC

Approve the new CAC By-Laws, Application Process and Application Form (attached), which include the following proposals:

- The new Community Advisory Committee shall have no more than fifteen (15) committee members appointed by the Access Board of Directors.

Membership will be appointed by the Board in two groups which will be appointed for two year terms. There shall be eight (8) members in Group A and seven (7) members in Group B. The terms of the Group A members will expire in odd numbered years and the terms of Group B members will expire in even numbered years.

- Initially, staff recommends that a Board subcommittee comprising of two Board members and a staff member review potential applicants for the new advisory committee and then propose a slate (as described above) to the Board.
- The CAC Officers - a Chairperson and a First Vice-Chairperson -- will be appointed by the Access Services Board of Directors.
- After this initial process to reestablish the CAC, the new CAC Application Process would be conducted as follows:
 1. Prospective candidates for membership must have attended at least two advisory committee meetings within a recent six month period;
 2. Initial review of all prospective candidate applications shall be conducted by a Nominating Subcommittee comprising of two CAC committee members with the assistance of an Access staff liaison;
 3. Prospective candidates must participate in one in-person meeting with a Nominating Subcommittee of the advisory committee, which will include two voting members and the assistance of an Access staff liaison;
 4. As mentioned above, Access Board approval shall be required for all advisory committee officers and members.

TPAC

Approve the new TPAC By-Laws which include the following proposals:

- The Committee consists of 15 voting members comprised of transit, paratransit, and social service transportation professionals representing all regions of Los Angeles and surrounding counties.
- Membership will be appointed by the Board in two groups which will be appointed for two year terms. The terms will expire in alternating (even and

odd) years. There shall be eight (8) members in Group A and seven (7) members in Group B. 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.

- Initially, staff recommends that member agency staff be brought in to assist in reviewing potential applicants for the new advisory committee. A slate will be proposed to the Board. Members serve at the pleasure of the Board of Directors and may be removed at any time.
- Committee members nominate a Chairperson and Vice-Chairperson for consideration by the Board Chair. If approved by the Board Chair, those so nominated shall be appointed to serve for a term of one year from September through October.
- After this initial process, applications to TPAC will be submitted to staff for review. A membership subcommittee comprising of two to three TPAC committee members will review and consider the application and may forward to the Board for approval. If the membership subcommittee receives applications from potential members and there are no vacancies in the committee, the applicant will be placed on a waiting list.

ALTERNATIVES CONSIDERED:

CAC

The current CAC recommends that its current roster of members be grandfathered into the membership of the new Access advisory committee. The CAC also requests the ability to select its own committee officers. In the case of membership vacancies on the advisory committee, current members would like the opportunity to recommend persons directly to the Board for possible consideration and appointment.

IMPACT ON BUDGET:

No impact.

BACKGROUND:

The Access Services Community Advisory Committee (CAC) was formed to provide input and advice to Access Services concerning operational and policy issues for the Access Services transportation program and to make recommendations to the Access Services Board (and staff) concerning said transportation program. CAC members are currently appointed directly by individual Directors of the Access Board. At the moment, each Access Board Director is permitted to appoint three (3) committee members, which gives the CAC a maximum membership of 27 persons. The CAC meets the second Tuesday of each month.

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 is scheduled to meet monthly and is comprised of representatives from social service, community transportation and fixed-route transportation providers.

Access Services Community Advisory Committee (CAC) By-laws

ARTICLE 1 - NAME

Section 1 - The name of the committee shall be the Access Services Community Advisory Committee (CAC).

ARTICLE 2 - PURPOSE

Section 1 - The CAC provides community input and advice to Access Services Board of Directors and staff concerning operational policy issues to impact and improve the Access Services transportation program.

Section 2 - While CAC is not intended to be a complaint resolution or appeals board, it does allow for public input at the regularly scheduled CAC meeting.

ARTICLE 3 - REPRESENTATION

Section 1 - The Access Services Board of Directors shall appoint a slate of fifteen (15) Los Angeles County residents comprised of persons with disabilities or, where needed, persons with knowledge of specific disabilities to the CAC following receipt of an application for CAC membership and a personal interview by the Access Services staff liaison. Representatives shall be appointed to ensure that the committee reflects both diversity across various types of disabilities and regional diversity across the geographic area being served by Access Paratransit.

Section 2 - Removal of Representatives

2.1 - Representatives serve at the pleasure of the Access Services Board of Directors and may be removed at any time.

2.2 - A representative who misses three (3) meetings during each year of their term may be subject to removal from the CAC.

2.2.1 - The Access Services Board of Directors shall be notified in writing after the third absence.

2.2.2 - The representative shall be requested to provide justification for continued service.

2.2.3 - The CAC shall review such justification and shall recommend to the Access Services Board of Directors whether the representative should continue to serve on the CAC.

2.2.4 - The Access Services Board of Directors will then make the final determination whether or not to remove the representative.

ARTICLE 3.1 - MEMBERSHIP APPLICATION PROCESS

- Section 1 - All applications will receive an initial review by a subcommittee of the CAC and the Access Services staff liaison.
- Section 2 - Applicants will be required to have attended at least two (2) meetings of the CAC as a member of the general public within a recent six-month period.
- Section 3 - Applicants must participate in an in-person meeting with a nominating subcommittee of the CAC, which include two-to-three voting CAC members plus the Access Services staff liaison.
- Section 4 - Following this in-person meeting, CAC application(s) may be presented to the Board of Directors for potential review and approval.

See Exhibit A for detailed explanation.

ARTICLE 4 - TERMS

- Section 1 - There shall be eight (8) representatives appointed to a two-year term (known as Group A) and seven (7) representatives appointed to a one year term (known as Group B). Group A terms will expire on _____ and every two years thereafter on the date of the Board of Directors meeting; Group B terms will expire on _____ and every two years thereafter on the date of the Board of Directors meeting.
- Section 2 - Representatives who are unable to complete their terms may submit their resignations to the Committee through the Access Services staff liaison. The Access Services staff liaison and the Committee will recommend any new members as vacancies occur. Access staff will provide nominations to the Board of Directors for all vacancies. There shall be no limit to the number of terms an individual may serve.

ARTICLE 5 - OFFICERS

- Section 1 - The CAC will have a Chairperson and a First Vice-Chairperson.
- Section 2 - The term is for one year from _____ through _____.
 - 2.1 - Officers will be appointed by the Access Services Board of Directors.
 - 2.2 - Officer seats will be limited to two consecutive terms served by any one individual.

Section 3 - Duties of the Chairperson

- 3.1 - Preside at the CAC meetings.
- 3.2 - Represent the CAC at meetings of the Access Services Board of Directors and Board of Directors committees when appropriate.
- 3.3 - Reports, at a minimum, concerns and actions taken by the CAC, including the establishment of subcommittees, as well as potential agenda items for the next CAC meeting.

Section 4 - Duties of the First Vice-Chairperson

- 4.1 - Perform the duties of the Chairperson in the absence of the Chairperson.

Section 5 - Vacancies of Officer Positions

- 5.1 - A Vacancy of an Officer position shall exist in the following circumstances:
 - The resignation or death of an officer;
 - The removal of an officer as a representative on the CAC by the Board of Directors as provided in Article 3 of these Bylaws.

Section 6 - Filling Vacancies of Officer Positions

- 6.1 - Vacancies of an Officer position shall be filled by approval of the affirmative roll call of Access Board of Director representatives present at a regularly scheduled or special meeting of the Board of Directors.
- 6.2 - In the event of a vacancy of the officer position of Chair, the presiding First Vice-Chair Officer will automatically assume the role of Chair.

ARTICLE 6 - SUBCOMMITTEES

Section 1 - The CAC may establish subcommittees which will be charged with a specific purpose or task.

- 1.1 - Subcommittee membership will be appointed by the CAC.
- 1.2 - Members will include CAC members.
- 1.3 - Members may include non-CAC members who have expertise, insight, knowledge, or specific interest in the specific purpose or task.

- 1.4 - Subcommittees will encourage open discussion and dialogue with all persons attending their meetings.
- 1.5 - All meeting locations shall be posted according to the Brown Act. An Access Services staff person will be assigned to each subcommittee and will attend subcommittee meetings.
- 1.6 - Subcommittees shall report their activities to the CAC on a regular basis. The CAC shall take recommendations under advisement and determine further action, if appropriate.

Section 2 - The CAC shall have a standing subcommittee called the Quality Services Subcommittee (QSS).

- 2.1 - The purpose of the Quality Services Subcommittee (QSS) is to monitor the quality of service of Access Paratransit and to make comment and recommendations.
- 2.2 - Composition -
 - 2.2.1 - One Access Paratransit rider from each existing service region appointed by the CAC.
 - 2.2.2 - One additional appointment from each existing service region appointed at the discretion of the CAC.
 - 2.2.3 - Access Services staff from Operations and Customer Service appointed by Access Services Executive Director (non-voting members).
 - 2.2.4 - A representative from each transportation contractor appointed by Access Services Executive Director.
 - 2.2.5 - A member of the Board of Directors of Access Services appointed by the Board of Directors.
 - 2.2.6 - At least one member from the CAC appointed by the CAC.
- 2.3 - Terms shall be for one year commencing in _____ with a _____ appointment.
- 2.4 - The Quality Services Subcommittee shall meet at least quarterly.

ARTICLE 7 - MEETINGS

Section 1 - The CAC shall meet once a month on the second Tuesday of every month at a location as centralized to the County of Los Angeles as possible in a fully Americans with Disabilities Act (ADA)-compliant venue.

- Section 2 - CAC meetings are subject to the Ralph M. Brown Act (Government Code Section 54952.3), requiring that all meetings involving CAC deliberations are open to the public, with advance posting of agenda(s).
- Section 3 - CAC meetings shall be conducted under Roberts Rules of Order, except where these Bylaws provide other provisions.
- Section 4 - Special meetings of the CAC may be called by Access Services staff or at the request of the Chairperson.
- Section 5 - To facilitate full discussion of issues by the CAC, discussion of items will first involve CAC representatives.
 - 5.1 - Public comment will be limited to brief comments, as directed by the Chairperson, on each agenda item after the items have been discussed. As appropriate, the Chairperson may suggest persons contact staff directly regarding specific questions.
- Section 6 - Change in meeting location, date or special meeting requires representatives to be notified at least seven (7) days in advance and follows the required posting procedure.
- Section 7 - Alternative formats are available, upon request, by contacting Access Services three (3) business days prior to the date of a meeting to assure availability.
- Section 8 - Minutes of the Committee shall be recorded by Access Services staff and returned to the Committee for review and approval. Minutes of the Committee shall be forwarded to the Access Services Board of Directors by an agreed upon method.

ARTICLE 8 - VOTING/QUORUM

- Section 1 - A majority of the representatives currently appointed must be present at a meeting for a quorum.
- Section 2 - An affirmative vote of a majority of the representatives present is required for any action items.
- Section 3 - A representative must be present at the time of a vote to vote on a particular issue.
- Section 4 - An absent representative cannot authorize a proxy vote.
- Section 5 - Representatives are expected to actively participate in regularly scheduled CAC meetings and Subcommittee meetings.

ARTICLE 9 - COMPENSATION AND REIMBURSEMENT

- Section 1 - Per the Access Services Board of Directors, CAC Representatives may receive such compensation, if any, for their services as committee representatives or officers, and such reimbursement of expenses.
- Section 2 - Per the Board of Director's action, CAC Representatives are provided stipend FOR EACH meeting in which their attendance is requested by Access Services staff or Board of Directors.
- Section 3 - Compensation is limited to two (2) stipends monthly for CAC Representatives.

ARTICLE 10 - AMENDMENTS

- Section 1 - These Bylaws may be amended at any regularly scheduled Committee meeting as defined by Articles 7 and 8 above, subject to final approval of the Access Services Board of Directors.

(Exhibit A)

Application Process for Membership to the
Access Services Community Advisory Committee (CAC)

1. Community Advisory Committee applicants may obtain an application form either at a formal meeting of the CAC or by contacting Access Customer Service at (800) 827-0829.
2. Completed CAC membership applications should be submitted to Access Services by any of the following means:
 - o Mail: P.O. Box 5728, El Monte, CA 91734
 - o Email: cserv@asila.org
 - o Fax: (213) 270-6057
3. All applications will receive an initial review by the Community Advisory Committee and the Access Services staff liaison.
4. Applicants will be required to have attended two-to-three meetings of the CAC within the past (most recent) six month period.
5. Applicants must participate in an in-person meeting with a nominating subcommittee of the CAC, which will include two-to-three voting CAC members plus the Access Services staff liaison.
6. Following this in-person meeting, CAC application(s) will be presented to the Board of Directors for review and potential.

Access Services Community Advisory Committee (CAC)

APPLICATION FOR MEMBERSHIP

Contact Access Services for further application details

The CAC was formed to provide community input and advice to Access Services Board of Directors and staff concerning operational policy issues to impact and improve the Access Services transportation program. While CAC is not intended to be a complaint resolution or appeals board, it does allow for public input. The Access Services Board of Directors shall appoint a slate of fifteen (15) Los Angeles County residents comprised of persons with disabilities or, where needed, persons with knowledge of specific disabilities to the CAC following receipt of an application for CAC membership and a personal interview by the Access Services Director of Customer Service. CAC members are also expected to serve on subcommittees and appeals boards as needed. The CAC currently meets on the second Tuesday of every month.

#1. Contact Information

Are you a resident of Los Angeles County? Yes No

Name:

Mailing Address:

City and Zip Code:

County:

Provide Preferred Telephone Contact Below: Home Work

Preferred E-Mail Address:

Employer Name (if applicable):

Your Job Title:

#2. If you are a customer of Access please provide your Access ID number.

#3. Please check each disability where you have experience, education, or expertise. For each area checked, indicate years of experience in that area.

	<u>Functional Need:</u>	<u>Years of Experience:</u>
<input type="checkbox"/>	Ambulatory Disabilities (without use of wheelchair)	
<input type="checkbox"/>	Users of Manual Wheelchairs	
<input type="checkbox"/>	Users of Power Wheelchairs or Scooters	
<input type="checkbox"/>	Persons who are Blind	
<input type="checkbox"/>	Persons who are Partially Sighted	
<input type="checkbox"/>	Persons with a Cognitive Disability (i.e., memory)	
<input type="checkbox"/>	Persons with an Intellectual Disability	
<input type="checkbox"/>	Persons with a Psychiatric Disability	
<input type="checkbox"/>	Persons with a Verbal Communication Disability	
<input type="checkbox"/>	Persons who are Deaf or Hearing Impaired	
<input type="checkbox"/>	Please check here for "Other" disability/disabilities that you have experience in but are not listed above	

If "Other" please explain the specific disability that you represent not listed above.

#4. What area of Los Angeles County do you feel that you best represent?

#5. Do you have knowledge about how Access Services operates or are you familiar with the services that Access provides? Yes No

If yes, please explain.

#6. Please summarize your experience with the disability community or with persons with disabilities. Name any community activities in which you regularly participate (or used to participate in) that would be relevant to the work of the Access Community Advisory Committee.

#7. What qualifications make you an ideal Access Community Advisory Committee member and how do you see yourself contributing to the work of this committee? Please give specific examples.

#8. CAC members are asked to attend one (1) two and a half hour committee meeting each month. Additionally, CAC members are also sometimes asked to participate in Subcommittee Meetings, Working Groups and Appeals Boards. Will you be able to make this commitment? Yes No

#9. List any references you would like to provide (optional).

#10. What is your preferred format for receiving information?

Print Copies: (regular font size)

Large Print Copies:

- 14-Point Font (standard large size)
- 18-Point Font (extra-large size)

E-Mail:

CD-ROM:

Braille:

Cassette:

I have read and understood the enclosed information and do hereby submit this application for membership to the Access Services Community Advisory Committee. I further understand that this application will expire one year after its submission.

Print Your Name:

Sign Your Name:

Enter today's Date:

Please MAIL or FAX your completed application to:

Access Services
Community Advisory Committee
Post Office Box 5728
El Monte, California 91734

Fax Number: (213) 270-6055

Access Services Transportation Professionals Advisory Committee (TPAC) By-laws

Article 1 – Name

The name of the committee shall be the *Transportation Professionals Advisory Committee (TPAC)*. The TPAC will be hereafter referred to as the "Committee."

Article 2 – Purpose

The Committee was formed to provide input and advice to the Access Services Board of Directors on operational and policy issues regarding Access Services' ADA and CTSA services.

Article 3 – Membership

The Committee consists of 15 voting members comprised of transit, paratransit, and social service transportation professionals representing all regions of Los Angeles and surrounding counties. Members are approved by the Access Services Board of Directors according to criteria that ensures the committee represents the public transportation community. Members serve at the pleasure of the Board of Directors and may be removed at any time.

Each member may name an alternate member that must attend the Committee meetings in place of the member. The alternate member will have the same voting rights as the member. If the member and alternate member are both in attendance, only the member will have voting privileges. The member and alternate member account for one vote total.

Any member, or alternate member, who misses two meetings during a one-year calendar period, may be subject to removal from the committee. Such members will be notified in writing and may be requested to provide justification for continued membership. The committee shall review such justification and recommend to the Access Services Board of Directors whether the member should continue to serve on the committee. The Access Services Board will then make the final determination whether or not to remove a member.

Applications to TPAC membership are submitted to staff for review. A membership subcommittee comprising of two to three TPAC committee members will review and consider the application and may forward to the Board for approval. If the membership subcommittee receives applications from potential members and there are no vacancies in the committee, the applicant will be placed on a waiting list.

Article 4 - Terms

Membership will be appointed in two groups which will be appointed for two year terms. The terms will expire in alternating (even and odd) years. There shall be eight (8) members in Group A and seven (7) members in Group B. 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.

Group A terms will expire on December 31, 2013 and every two years thereafter on the date of the Board of Directors meeting; Group B terms will expire on December 31, 2012 and every two years thereafter on the date of the Board of Directors meeting.

Members who are unable to complete their terms may submit their resignations to the Committee through the Access Services Administrator. The seat vacated by the primary member may be assigned to the alternate member from the same agency. The membership subcommittee will determine if the primary member seat vacated shall remain with the same agency or allow another agency to fill the vacant seat, based on the transit qualifications of the agency alternate or persons on the membership waiting list.

The Access Services Board of Directors will approve any new members as vacancies occur. Access staff and the membership subcommittee will provide nominations for all vacancies.

Article 5 - Officers

Committee members will recommend a Chairperson and Vice-Chairperson for consideration by the Board Chair. If ratified by the Board Chair, the term is one year from September through October.

Officers will be elected every year at the August meeting by a **ROLL CALL VOICE VOTE** of the majority of the members present. Officer seats will be limited to two consecutive terms served by any one individual, subject to Board chair ratification.

Duties of the Chairperson

The Chairperson will preside at the meetings and will represent the Committee at meetings of the Access Services Board of Directors and Board committees, when appropriate.

Duties of the Vice Chairperson

The Vice-Chairperson shall perform the duties of the Chairperson in the absence of the Chairperson.

Vacancies of Officer Positions

A vacancy of an officer position shall exist in the following circumstances:

- (a) the resignation or death of an officer;
- (b) the removal of an officer by a **ROLL CALL VOICE VOTE** of the majority of the Committee;
- (c) the removal of an officer as a member of the Committee by the Board of Directors as provided in Article 3 of these bylaws.

Filling Vacancies of Officer Positions

Except as otherwise provided in these Bylaws, vacancies of an Officer position shall be filled by approval of the affirmative **ROLL CALL VOICE VOTE** of the members present at a regularly scheduled or special meeting held pursuant to Article 7 of these bylaws. Access staff will provide nominations to the Board of Directors. One (1) or more individuals may be nominated for any Committee vacancy.

In the event of a vacancy of the officer position of Chair, the presiding Vice-Chair officer will automatically assume the role of Chair for the remaining term. There will then be an election conducted for the Vice-Chair position by approval of the affirmative **ROLL CALL VOICE VOTE** of members present at a regularly scheduled or special meeting held pursuant to Article 7 of these bylaws.

Article 6 - Subcommittees

Officer Nomination Subcommittee

The Chairperson may establish a two to three member nominating subcommittee at its June meeting to recommend nominees, preferably two or more, for each officer position. In addition to the slate of officers developed by the subcommittee, nominations may be received from the floor. The nominating subcommittee report shall be presented in writing to the members in August prior to the election of officers.

Other Subcommittees

The Chairperson may establish subcommittees and appoint members to subcommittees, as appropriate. The Chairperson may also request the participation of TPAC members on Access standing subcommittees, as appropriate.

Executive Committee

The Executive Committee consists of the Chair and Vice Chair of the Committee.

Duties of Subcommittees

All meeting locations shall be posted at the Access Services headquarters. An Access Services staff person will be assigned to each subcommittee and will attend subcommittee meetings.

Subcommittees shall report their activities to the Committee on a regular basis. The Committee shall take subcommittee recommendations under advisement and determine further action, if appropriate.

Article 7 – Meetings

Committee meetings are subject to the Ralph M. Brown Act (Government Code Section 54952.3), requiring that all meetings involving Committee deliberations are open to the public, with at least 72 hours advance posting of agenda(s). Special meetings of the Committee may be called by Access Services staff or at the request of the Chairperson.

To facilitate full discussion of issues by the Committee, discussion of items will first involve Committee members. Public comment will be limited to brief comments of three minutes on each agenda item after the items have been discussed. If appropriate, the Chairperson may suggest persons contact staff directly regarding specific questions.

Meetings shall be held at the Access Services corporate offices, unless Access Services staff identify a special location and notify members at least seven (7) days in advance and follow the required posting procedure. Committee meetings are scheduled monthly; taking place on the 2nd Thursday of each month. At the discretion of the Chair, a monthly meeting may be cancelled 2 weeks prior to the meeting date.

Alternative formats are available upon request by contacting Access Services three (3) business days prior to the date of a meeting.

Article 8 – Compensation and Reimbursement

Access Services Transportation Professionals Advisory Committee members may receive parking reimbursement while conducting Committee business at the Access Services corporate offices. Members may also receive mileage reimbursement for personal vehicle use to and from the Committee meetings and when conducting Committee business.

Article 9 - Voting/Quorum

A majority of the members must be present at a meeting for a quorum; an affirmative vote of a majority of the members present is required for any action items.

A committee member, or alternate member, may be present at the time of a vote to vote on a particular issue. The vote of the person chairing the meeting will be counted only in the event of a tie. An absent member cannot authorize a written proxy vote.

Committee members are expected to actively participate in regularly scheduled Committee and Subcommittee meetings.

Article 10 - Amendments

These bylaws may be amended at any regularly scheduled Committee meeting as defined by Articles 7 and 8 and are subject to the approval of the Access Services Board of Directors.

Article 11 - Minutes

Minutes of the Committee shall be recorded by Access Services staff and provided to the Committee for review and approval. Minutes of the Committee shall be forwarded to the Access Services Board of Directors, if requested

**Transportation Professionals Advisory Committee
(TPAC)
Application for Membership**

Please complete the following and fax to Giovanna M. Gogreve at 213-270-6055:

Name: _____

Agency _____

Address: _____ City: _____ Zip: _____

Day Telephone: () _____ Fax: () _____

Email: _____ Evening Telephone: () _____

1. Does your agency provide any form of public transportation?: YES [] NO []

2. Please describe your experience and involvement with accessible transportation issues:

The information listed above may be used by Access Services to create an Access Services Transportation Professionals Advisory Committee Roster. I will hold Access Services and any other persons giving references free of liability for the exchange of this information.

Nominee's Signature

Date