

ACCESS SERVICES
BOARD OF DIRECTORS MEETING
MONDAY, JANUARY 14, 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

		<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) Shawana Rodriguez v. All Yellow, Global, Access Services	
	(b) 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) <i>CALIFORNIA GOV. CODE §54957 – PERSONNEL ISSUES</i>	
4.	SUPERIOR SERVICE AWARDS	PRESENTATION
5.	REVIEW & APPROVAL OF MINUTES FROM THE BOARD MEETINGS OF OCTOBER 22, 2007, NOVEMBER 8, 2007 AND NOVEMBER 26, 2007 (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

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| 8. | CONSENT CALENDAR | ACTION
[Vote Required: majority of quorum by roll call] |
| | <ul style="list-style-type: none"> a. Approval of Palos Verdes Peninsula Transit Authority Membership (page 28) b. Authorization to Extend Terms-RTP Group Telephone Maintenance Service Contract No. ASI-1307 (page 30) <p style="margin-left: 40px;">[Staff Recommendation: Approve Consent Calendar]</p> | |
| 9. | AUTHORIZATION TO INCREASE FUNDS AND EXTEND TERMS-MV PUBLIC TRANSPORTATION, INC. OVERFLOW SERVICE CONTRACT NO. ASI-1591 (page 31) | ACTION
[Vote Required: majority of quorum by roll call] |
| | <p>[Staff Recommendation: Extend the term of the contract for one year through June 30, 2009. As is prescribed in its contract with ASI, the rate per hour paid to MV for this fourth option year will change from \$35.39 to \$36.45. Increase the not-to-exceed amount of ASI-1591 by \$393,660.00 and change the total contract amount to read not-to-exceed \$1,467,404 in lieu of \$1,073,744.00.]</p> | |
| 10. | 2008 LEGISLATIVE PROGRAM (page 33) | ACTION
[Vote Required: majority of quorum by roll call] |
| | <p>[Staff Recommendation: Approve the 2008 Legislative Program.]</p> | |
| 11. | RELATIONSHIPS BETWEEN THE BOARD, COMMUNITY ADVISORY COMMITTEE AND THE TRANSPORTATION PROFESSIONAL ADVISORY (page 36) | INFORMATION |
| | <p>[Staff Recommendation: Staff recommends that board members review the status and provide feedback and direction to enable PBS Inc. (consultant) to complete the review.]</p> | |
| 12. | BOARD MEMBER COMMUNICATION | INFORMATION |
| 13. | EXECUTIVE DIRECTOR'S REPORT | INFORMATION |
| 14. | NEW BUSINESS SUBSEQUENT TO THE POSTING OF THE AGENDA | DISCUSSION/
POSSIBLE ACTION |
| 15. | 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: ASI board meetings are held pursuant to the Ralph M. Brown Act [Cal. Gov. Code §54950] and are open 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
OCTOBER 22, 2007**

CALL TO ORDER

The Access Services Board of Directors meeting convened at 12:02 p.m. on Monday, October 22, 2007, 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, Teddie-Joy Remhild, Michael Greenwood, Hugh Hallenberg, Theresa De Vera, Jano Baghdanian, Ex-Officio's Shawn Solomon, Joseph Stitche and Jim Jones, Access Services Legal Counsel.

Access Services' staff members present included: Shelly Verrinder, John Helm, Donna Cisco, Araceli Rocha, Lance Sweitzer, Andre Colaiace, David Foster, Matthew Avancena, Joe King, Arun Prem, Erik Washington, Sean Frye, Steve Chang, Geetu Banerjee, Kandy Kuo, Brian Selwyn, Linda Ross, Nicole Leiva, 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 1:00 p.m. at which time Mr. Shawn Solomon, Ex-Officio CAC and Mr. Joseph Stitche, Ex-Officio TPAC joined the general session. Chairperson Nason asked Mr. Jones, Access Services Legal Counsel, to brief the audience on the outcome of closed session.

Mr. Jones reported that the Board discussed the following pending litigation as set forth in the agenda: United Independent Transit Services, Inc. vs. Access Services, United Independent Transit Services, Inc. vs. Shelly Verrinder, Shawana Rodriguez vs. All Yellow Cab, Global Paratransit, and Access Services, no reportable action was taken with respect to the three 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 which 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. Nakia Ward, a driver from Global Paratransit Inc. and Ms. Tina Salcedo, a call taker from Global Paratransit, Inc. were both the recipients of the Superior Service Awards for the month of September 2007 but were unavailable to attend the meeting to receive their award.

Mr. Larry Falls, a dispatcher from Global Paratransit, Inc. and Ms. Margarita Valle a driver manager from Global Paratransit, Inc. were also recipients of the Superior Service Awards for the month of October 2007 but they were unavailable to attend to receive their awards. Director Baghdanian suggested that staff hold off on presenting the awards until the next meeting in January 2008.

REVIEW & APPROVAL OF THE MINUTES FROM THE BOARD MEETING OF SEPTEMBER 24, 2007

Director Greenwood stated that he provided staff with a few typographical errors that were not substantive.

Motion: Director Greenwood moved approval of the September 24, 2007 Board of Directors Meeting minutes as corrected.

Second: Director Heidt seconded the motion.

Discussion: None.

Vote: Via Voice Vote.

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

Opposed: None.

Abstention: None.

Pass/Fail: The motion carried.

REPORT FROM EX-OFFICIO BOARD MEMBERS

Mr. Shawn Solomon, Chair of the Community Advisory Committee submitted his report. Access Services CTSA Program Analyst Mrs. Geetu Banerjee, read his report to the Board. Mr. Solomon stated in his report that Director Theresa DeVera was unfortunately ill last month but had recovered and felt well enough to provide the latest report from the Board of Directors.

He also stated in his report that Access Services Director of Strategic Planning Mr. Arun Prem was out of town so Mr. Matthew Avancena provided the staff report. Mr. Avancena stated that Ms. Sharon Gamble, a recently resigned CAC member, was unable to attend her final meeting to bid farewell, so she asked that staff read her comments to the CAC. He also mentioned in his report that there was discussion regarding the newsletter and the new centralized call-in phone numbers that would be available soon. He added that staff came up with a new way for the CAC members to commend drivers, provider staff and Access Services staff with an "I Make a Difference" pin that staff designed.

Mr. Solomon concluded his report by stating that Access Services Director of Customer Support Services, Mr. Sean Frye provided an update on the Complaint Process Modification Sub-committee's progress. He stated that the Call Outs as Reasonable Modification or Rider Accommodation item that was referred back to the CAC for further discussion was voted on and was unanimously approved to leave the policy as is with no further action taken.

Mr. Joseph Stitcher, Chair of the Transportation Professionals Advisory Committee reported that the committee met on Thursday, October 11, 2007 and for those individuals that were able to arrive early they were treated to F Scott Jewell's presentation on the Rider 360 program. He added that the promising thing about the Rider 360 program was that the rider would be able to log on and check the

status of their customer service complaints. Mr. Stitcher added that Mr. Arun Prem provided an update on the consultant (Peter Barron Stark) progress on conducting the telephone and on site interviews.

Access Services Project Administrator, Mr. Steve Chang discussed the excessive travel time penalties that were proposed and were still pending Board approval for riders that experience excessive travel time aboard an Access Paratransit vehicle. He also provided an overview of the time frame and penalties that would be assessed, which the TPAC committee voted on and passed unanimously in support of moving forward. Mr. Chang updated the committee on the CAC's recommendations for the call outs as reasonable modification or rider accommodations and the TPAC committee approved their recommendations unanimously and requested that the staff review the entire process to ensure that the equipment was working properly and that there were no other operational issues that would affect the program negatively.

He concluded his report by stating that Mr. Colaiace presented the proposed bylaw amendments related to eliminating the Nominating committees and requiring Member Agencies to delegate a voting representative and an alternative, since no action was required, no action was taken.

GENERAL PUBLIC COMMENT

Mr. Gary Jansen thanked Access Services for a job well done with picking him up at the Los Angeles County Fair on-time. He also stated that call outs on cell phones worked because he had requested a few and received them when he was away from home.

CONSENT CALENDAR

Director Barnes requested that item 8-e (Extension of Pilot Program Service For The Santa Clarita Area Contract ASI-1227) be voted on separately and he would recuse himself from the item being that his employer Veolia Transportation could be financially impacted by the item.

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

Second: Director Greenwood seconded the motion.

Discussion: None.

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

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

Opposed: None.

Abstention: None.

Pass/Fail: The motion carried.

Item 8-e Extension of Pilot Program Service for Santa Clarita Area Contract ASI-1227

Motion: Director Baghdanian moved approval of items 8-e (Extension of Pilot Program Service for Santa Clarita Area Contract ASI-1227).

Second: Director Rooney seconded the motion.

Discussion: None.

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

- In Favor:** Directors Heidt, Remhild, Rooney, Hallenberg, Baghdanian, De Vera, and Greenwood.
- Opposed:** None.
- Abstention:** Director Barnes.
- Pass/Fail:** The motion carried.

LOS ANGELES CONUTY ACTION PLAN

Access Services Director of Strategic Planning, Mr. Arun Prem provided a brief presentation on the Los Angeles County Action Plan.

Questions &

Clarification: Director Heidt asked if Access Services designated to prepare the Action Plan, did staff receive any funds to do this. Mr. Perm replied “yes,” but there were no special funding identified for this plan. The funding for the Action Plan with an approximate cost of \$140,000, was included in the Access Services budget.

Director Baghdanian asked if the Action Plan had specific timelines that would outline certain actions to be taken. Mr. Perm replied that the Action Plan was required by the start of the federal fiscal year 2007, which was the first year that the plan was required in order to disburse the New Freedom and JARC funds. Last year there was an informal requirement and this year it had to begin in October and for those agencies that did not have an adopted plan they could not go any further with the grants.

Director Heidt stated that the Board had not seen the plan but the agenda item was asking for a voice vote and to receive and file. Ms. Verrinder replied that the document was well over 200 pages and generally when a document was that large, the item refers everyone to a website to review the plan online and if requested a copy would be mailed out to them. Staff was only requesting a voice vote to receive and file the local plan (SB826) that had no money attached and no competitive selection that only provided a framework to get other transportation providers such as non-profit faith based or social services involved in coordinating services.

Motion: Director Greenwood moved approval of item 9 (Los Angeles County Action Plan).

Second: Director Baghdanian seconded the motion.

Vote: Via Voice Vote.

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

Opposed: None.

Abstention: None.

Pass/Fail: The motion carried. [as a general comment, these minutes illustrate the vice in narrative minutes as opposed to summary action based minutes.]

ACCESS SERVICES BYLAW AMENDMENTS

Access Services Director of Governmental Services, Mr. Andre Colaiace provided a brief presentation on the Access Services bylaw amendments.

Questions &

Clarification: Director Rooney asked Mr. Colaiace how many members vote in the municipal operator category and how many vote in the local operator category and what was the member agency count. Mr. Colaiace replied that there were a total of 44 member agencies with 14 Municipal Fixed Route operators and 30 Local Fixed Route operators.

Ms. Verrinder added that there were a few operators that could have been in either category, which staff discovered during the last election. She stated that staff officially classified those few operators in the proper category Municipal or Local. Mr. Verrinder also stated that this item and the next were being presented to the Board because they were scheduled to be topics discussed at the Annual meeting in November.

Director Rooney stated that one of her concerns, especially with the Local operators, was that there are so many member agencies involved in the election process that it was often difficult to have a current listing of who was actually participating much less who the identified person to vote was. She stated that she was concerned about the level of bureaucracy particularly for the member representative section. She added that it was difficult for the local operators to know who the other member agencies were and who the contacts were.

Director Rooney recommended if there were going to be any changes to any of the categories, staff needed to maintain an updated membership list and provide the list to all the member agencies. She also added that the list should include the primary contact person, the person authorized to vote and it should be verified for accuracy no less than one month prior to an election.

Chairperson Nason stated that she was also concerned and felt that the Board should really think about the issue of eliminating the nominating committee. She added that she had never been involved with an organization that did not have a nominating committee and she felt that if a fellow Board member was calling people to ask if they were interested in running for office, it would be a lot different than a staff person calling. She concluded by stating that she felt that the Board would lose something by eliminating the nominating committee, she asked that the Board really think about this issue.

Mr. Colaiace stated that he had heard similar discussion and he felt that the issue could have been resolved by having an advisory committee replace the nominating committee. He explained that the advisory committee would have the same functions but not the same powers as the nominating committee under Roberts Rule of Order. Staff could organize an advisory committee that would perform the same role by interviewing the candidates and recommending them to staff for membership.

Director Baghdanian asked if the advisory committee would be subject to nominating only the number of seats that were available. Ms. Verrinder stated that one issue from a recent election was that the nominating committee had to narrow down the slate to two seats and was uncomfortable doing that, they would have preferred sending out a ballot, so they proposed having an advisory committee versus calling on a nominating committee for that process.

Director Baghdanian stated for example, if there were three good candidates and only two seats available, could the advisory committee recommend the three candidates. Ms. Verrinder replied "yes" that was her understanding.

Director Barnes asked if proxy votes were allowed under Roberts Rules of Order. Mr. Jones replied “yes” with respect to membership voting which was anticipated by Access Services bylaws. Director Barnes also asked if the vote would occur by a mail ballot process or would there be a meeting where a vote would occur for the open seats. Mr. Colaiace replied that proxy votes have only been used at the annual meetings not for an election for open seats.

Director Barnes asked if the issue of the proxy vote related to this process was relevant or would staff just mail out the ballots. Mr. Jones stated that he realized that the proposal was confusing because there could be proxy voting at the annual meeting by the membership, but this process was to select the individuals that were going to be in a position that were currently elected by the local and fixed route operators. Director Barnes also asked who would be an eligible candidate.

Mr. Jones replied that the bylaws established eligibility requirements and if someone was going to represent the fixed route operators, then that would mean that you were among the fixed route operators, which was also stated in the bylaws. Director Barnes stated that he felt that there should be ground rules that were understandable and can be followed.

Ms. Verrinder asked Mr. Colaiace if it was ever decided where or how the ballots were going to be processed, she asked if they were they going to be processed via U.S. mail. Mr. Colaiace replied, staff e-mails them out and they are sent back in various formats, e-mail, fax, and U.S. mail. Ms. Verrinder suggested, how the ballots are sent back to staff should be mentioned somewhere, maybe in the bylaws. She also stated that staff could continue to call it the nominating committee but the Board or the members would need to adopt a different definition into the bylaws. The nominating committee would ensure that candidates were minimally qualified but they would not just forward the number of candidates for the number of seats that were open.

Mr. Jones replied “correct” the members can adopt amendments to the bylaws that would specify the role and function of the nominating committee in detail that does not have to conform with Roberts Rules at all. Mr. Jones reminded the Board that this item was on the agenda as an information item, but in order to bring this issue before the members for a vote it would require that 10 percent of the members act and call it up and recommend that the Board approve it.

Director Rooney stated that one of her concerns with the nominating committee was up until the last election, the nominating committee consisted of local operator representative and other people who were not directly involved in local operator issues and local operator committees. She stated that she was not comfortable with recommendations made by Board members, nonparticipating individuals on a nominating committee because they may not be aware of some of the candidates and their long term participation in regional issues for the local operators.

Director Rooney concluded her comment by stating that she felt that a nominating committee was a good thing to have and it was a good idea to allow the committee to have the ability to recommend more candidates than there were seats. She stated that a section of the nominating committee item was not clear as to who was going to be initiating the nomination process, would it be the Board members going to people to solicit candidates or would it be staff, the local operators or the municipal operators, who would be involved in the nomination process.

Mr. Colaiace stated that it was his intention that the process would not be in the bylaws and would be more of a staff process that was based on the bylaws. He stated that he would be happy to bring back a more concrete staff process at some point in the future that would be based on the bylaws.

Director Barnes stated that he realized that there was a question of time being that staff was up against the annual meeting in early November and the local and municipal operators just held their elections. He asked in terms of timing would it be possible not to deal with this issue this year to allow the Board to address some of these questions fully and bring the issue up next year at the annual meeting.

Ms. Verrinder concurred with Director Barnes because there were no nominating committees to be set at the annual meeting. Generally nominating committees are set each year when the municipal and local operator seats are up. Ms. Verrinder stated that she felt that staff should work with legal counsel as to exactly what needed to be in the bylaws, what is a bylaw and what is a procedural issue. Staff did not want to be the one that mediates or interprets what the answer should be, staff would like the procedures stated clearly in the bylaws that this is how an election works, this is how the ballots are cast, this is how a nominating committee is selected and this is how a Board member is elected to serve on the Board.

Ms. Verrinder stated that staff could wait until the next annual meeting to continue this issue but at the next annual meeting there will be an item to approve the bylaw changes and then acting upon those bylaw changes immediately with the selection of the nominating committee.

Director Remhild stated that she was in favor of the idea of postponing the issue. She added that she really liked the comments that Director Rooney made about the nominating committee regarding having a choice rather than finding someone that was willing to run for a seat then voting to see if everyone was willing to accept that person. She liked the idea of having choices and more nominees than seats that were open.

Mr. Colaiace asked if the Board was interested in forming an Ad-Hoc sub-committee to work on the issue. Director Baghdanian suggested that staff work with the Chairs from the municipal and local operators in creating an Ad-Hoc sub-committee to review the issue.

Motion: Director Baghdanian moved to table the issue and again take it up at the next annual meeting after a process in which the staff would work with the municipal and local operator Chairpersons to formulate the bylaw changes, present it to other committees (TPAC, BOS and LTSS) to review and submit their input and then bring it back to the Board for action.

Second: Director Rooney seconded the motion.

Vote: Via Voice Vote.

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

Opposed: None.

Abstention: None.

Pass/Fail: The motion carried.

ACCESS SERVICES BUSINESS PLAN

Access Services Director of Strategic Planning, Mr. Arun Prem provided a brief presentation on the Access Services Business Plan.

Questions &

Clarification: Director Heidt stated that under the goals and objectives staff should add something regarding alternative fuel sources due to the increasing gas prices. Ms. Verrinder stated that within the goals and objectives that Mr. Prem discussed, there were specific sections. The sections include things that were going to affect the cost of delivering ADA paratransit service and one issue was driver wages but part of the driver wages included fuel and how staff was going to handle the increasing cost.

Ms. Verrinder added that in the past the Business Plan had always just contained the passenger projections but this time staff was going to try to alleviate any surprises and add the cost projections for implementing reasonable accommodation. She added that another issue that would be in the plan was that Access Services building lease would expire in three years and staff felt that they would be priced out in Downtown Los Angeles, because the rate increases are in the 30 to 40 percent range which was much higher than staff can absorb or handle.

Ms. Verrinder stated that there were different things that were being added into the Business Plan currently, staff recently added fuel and could add a section on alternative fuel. She stated that the Business Plan was a document that in the past was not fully approved by the METRO Board but had gone to the planning and program committee. Ms Verrinder added that during discussions with Mr. Mark Maloney regarding the plan, he would like to submit it to the full Board to alleviate the surprise factor even further.

BOARD MEMBER COMMUNICATION

Director Remhild stated that she had a concern regarding disaster preparedness and particularly on the state level for people with disabilities. She stated that since disaster was becoming a normal occurrence in our lives maybe Access Services should become a part of something that would involve preparedness to avoid some of the terrible things that we all heard about regarding disabled people becoming victims even more so than the rest of the population. She concluded by stating that she wanted to bring the issue up and possibly make it a topic for discussion on a future agenda.

Ms. Verrinder replied that the issue was recently addressed by staff and staff was aware that a security plan and a disaster preparedness plan needed to be in place. Staff recently participated in a local disaster preparedness meeting group and there was also a state group that was lead by Richard Devylder but it was found that confidentiality was a huge obstacle with each one of those meeting groups. She concluded by stating that as an agency Access Services needs to address this issue further.

Director Rooney informed the Board that she attended the last Community Advisory Committee (CAC) meeting on Tuesday, October 9, 2007 and she noticed there seemed to be several Board members present. She stated that she realized that there was not enough Board members present to be a Brown Act violation but asked if there was something that staff and the Board should be paying attention to. Mr. Jones replied that there can not be a majority (5) of the Board members present in one place or one of those meetings because it would become a Brown Act meeting.

Director De Vera stated that she had a statement to read from the Department on Disability. Director De Vera read that on behalf of the Los Angeles County Department on Disability, they extended their

humbled and heart felt gratitude to Access Services for having a display at their 8th Annual Accessible Expo held on October 10, 2007 and secondly in having the most organized communication between the dispatch, riders and supervisors. She continued to state that many riders scheduled their trips for a long length of time, longer than the length of the expo. Global Paratransit was able to accommodate several shared rides to accommodate all the riders to ensure that no one was left behind or stranded. On behalf of the department and the commission they thanked Access Services with a special thank you to Giovanna Gogreve and Global Paratransit for recognizing that the passenger's needs are a priority in circumstances such as these.

Director Barnes stated that he was pleased to report the results of the election for the California Transit Association Executive committee, he stated that he was reelected to serve another two year term representing transit Board members through out the state. He also stated that he had mentioned last month and wanted to remind everyone again that November 12 – 14th the Association would be holding their fall conference in Anaheim, California. He concluded by encouraging everyone to attend.

Chairperson Nason stated that she attended along with several other Board members and staff, the Los Angeles County Commission on Disability Annual Award Luncheon on October 15, 2007. She stated that it was very impressive and very well done. She mentioned that they did a tribute to Ernest Hamilton who was a commissioner that passed away in July 2007, who was a long time friend of hers, the disabled community and the Disabled Resource Center. She also stated that one of the Access award winners was Mr. Ben Rockwell who was from Long Beach, California.

Chairperson Nason added that Mr. Rockwell called her a few months ago requesting that she inform the reservationists at the contractors that he had a power wheelchair not an electric chair. She also informed the Board that one of her appointees Deanna Brauns resigned from the CAC. She added that Deanna was a very dedicated committee member and a strong advocate for individuals with disabilities. Chairperson Nason stated that she would be looking for a replacement, so if anyone was interested they could send their resume to her through Access Services staff and she would consider them for the seat.

EXECUTIVE DIRECTORS' REPORT

Access Service Executive Director Ms. Shelly Verrinder reported that during early October 2007 the Federal Transportation Authority's (FTA) office of Civil Rights closed the final finding of the ADA Assessment that was done on METRO but looked at Access Services. The assessment started in 2003 and was now officially closed. Ms. Verrinder read part of the report to the Board that stated that the Office of Civil Rights commended LACMTA and Access Services for their recent achievements and they recognized that every transit provider and paratransit service faced logistical and financial challenges and there was no region of the country that faced greater inherent challenges than Southern California. Ms. Verrinder congratulated all the service providers in the audience and stated that the final findings would have not been closed out without their dedication. She also mentioned that since June 2007 there had been excellent average initial hold times across the board.

Ms. Verrinder also reminded the Board that on November 8, 2007 there would also be a Board meeting before the annual meeting, which was going to be held at Luminarias Restaurant in Monterey Park in a different room from the annual meeting at 10:30 a.m. She also mentioned that it was going to be a very short agenda with three items and no closed session.

Ms. Verrinder mentioned that some time last year when Mr. Marlon Perry was still working at Access Services, he was working with a Peer Review Group that consisted of ADA paratransit professionals from Dispatchers all the way up to Project Managers. There were twelve individuals that got together

last year in Atlanta, and Mr. Perry volunteered Access Services to host the next peer group meeting. On Wednesday and Thursday, October 24th and 25th Access Services would be hosting the Peer ADA Paratransit Roundtable.

Ms. Verrinder turned the floor over to Mr. Joe King who provided updates on the West/Central transition, the Phone Tree transition and the Rancho Los Amigos Shuttle. After Mr. King's updates, he opened the floor for questions.

Director Hallenberg stated that he thought that the Rancho Shuttle was also going to run from the station at the 605 freeway. Mr. King replied that there were several designs and different variations of the Rancho Shuttle and since it was a pilot project Access Services was going to start with this particular model first.

Director Remhild asked, by what date was the West/Central transition going to be fully completed. Mr. King replied that at this point staff was taking a more flexible approach and staff anticipates it being within the next couple weeks. Ms. Verrinder added, starting on Saturday, October 27, 2007 the reservation calls would not be answered by Global Paratransit, they would be answered by Southland and the way the system is set up in terms of a technology, trips can be shared without losing anything.

Director De Vera stated, knowing that the Southland contract would not begin on Friday, when would information be mailed out to the riders regarding the sudden change. Mr. King replied that staff was avoiding a sudden change by making a gradual change. Everyone that has taken trips into or out of the West/Central area would be receiving something via US mail this week. Ms. Verrinder added that the phone numbers and everything would all stay the same and the only thing that would change is that there would not only be Global Paratransit drivers there also going to be Southland drivers.

Director Remhild stated that she heard a rumor that there was going to be an increased use of Cutaway vehicles, she asked if the rumor was true. Ms. Verrinder replied "no, it was not true," staff cut down the Cutaway fleet tremendously and staff was now down 10 cutaway vehicles from a total of 29. She also added that primarily cutaway vehicles were used in Santa Clarita and Antelope Valley and they were not used often in the urbanized areas of Los Angeles County.

NEW BUSINESS SUBSEQUENT TO THE POSTING OF THE AGENDA

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

ADJOURNMENT

Motion: Director Heidt 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 2:35 p.m.

Approval

Joyce Rooney, Secretary

Date

**MINUTES
ACCESS SERVICES
BOARD MEETING
NOVEMBER 8, 2007**

CALL TO ORDER

The Access Services Board of Directors meeting convened at 10:32 a.m. on Thursday, November 8, 2007, in the Grandballroom South, Luminarias Restaurant located at 3500 West Ramona Boulevard, Monterey Park, California 91754. The presiding Board Member was Dolores Nason, Chairperson. Board Members present included: Doran Barnes, Vice Chair, Jan Heidt Treasurer, Joyce Rooney, Secretary, Teddie-Joy Remhild, Michael Greenwood, Hugh Hallenberg, Theresa De Vera, Jano Baghdanian, Jim Jones, Access Services Legal Counsel and Ex-Officio Shawn Solomon. Ex-Officio Joseph Sticher was not in attendance.

Access Services' staff members present included: Shelly Verrinder, Donna Cisco, Araceli Rocha, Lance Sweitzer, Andre Colaiace, F Scott Jewell, John Helm, Phillip Rice, William McCullough, Ruben Prieto, Rycharde Martindale, David Foster, Matthew Avancena, Joe King, Arun Prem, Sean Frye, Steve Chang, Geetu Banerjee, Brian Selwyn, Linda Ross, Nicole Leiva, Charace Thompson, Elisa Sanchez, and Luis Pacheco.

GENERAL PUBLIC COMMENT

Mr. Gary Jansen thanked staff for including his name in the Annual report. He stated that he was very proud to have been mentioned.

Ms. Barbara Pike thanked Access Services for the service they provide and stated that without Access Services, she would not be able to get around. She also offered a few suggestions such as maintenance of the vehicles. She stated that the suspension on the older vehicles were very painful for her and other riders with back problems, she recommended that during maintenance inspections that the providers examine the suspension and shock absorbers. She also added that during the months of November and December and over the holidays, would it be possible for the providers to be better organized because the dispatchers were not aware where everything was in the Valley and she would have to allow at least 2 hours for a half hour trip. She concluded her comment by requesting that staff educate the police that sometimes disabled individuals need to jaywalk.

**SELECTION OF RESERVATION/SCHEDULING SYSTEM AND SERVICE CONTRACT
ASI-2366**

Access Services Manager of Procurement & Contracts, Mr. Brian Selwyn and Director of Information Technology Mr. F Scott Jewell, provided a brief presentation detailing the background behind the contract, the RFP process leading up to, and the selection of the reservation/scheduling system and service contract ASI-2366.

Public Comment on Item 3 (Selection of Reservation/Scheduling System and Service Contract ASI-2366)

Mr. Jeff Lougheed a representative from Trapeze stated that he was present to highlight Trapeze's merit for their protest of the award to Digital Dispatch Systems (DDS) for this particular project. Mr. Lougheed read the description of the RFP and highlighted some of Trapeze's concerns related to the RFP. He concluded his comment by stating that the decision that the Board was making at today's meeting would impact the core of the organization for years to come, he urged the Board to discuss the evaluation with their consultants.

Questions &

Clarification: Director Remhild asked if it was appropriate to request a response from staff regarding Mr. Lougheed's public comment. Access Services Manager of Procurement and Contracts Mr. Brain Selwyn, replied that there were certain things that could be discussed but staff would not be able to compare the different vendors. Mr. Selwyn stated that the process had four different evaluation criteria and five people were on the evaluation committee. He also stated, as he mentioned earlier that the voting was close but DDS had the highest points in each of the five categories.

Mr. Jewell added that in terms of the technical aspects and in reviewing the software that was provided and proposed by DDS, staff found that the application itself was used on very large systems such as New York City which provides 18,000 trips per day and the City of Boston that provides almost 6,000 trips per day. Both of these agencies were very pleased with the packages that they were using and were committed to staying with the company. Furthermore, the integration associated with what Access Services used in terms of DDS and StrataGen Systems, DDS interfaces with a number of different scheduling platforms. Staff had also felt that DDS proposed an integration scenario that made the best sense considering the way Access Services operates. Florida, another DDS customer was currently operating almost identical to what Access Services was moving toward.

Director Barnes stated that there seemed to be an issue with the pricing. There was also a statement made during public comment that one vendor had a lower price than what was included in the staffs report. Director Barnes asked for clarification on the pricing. Mr. Selwyn replied that the price that was listed was the initial software licensing cost and DDS was in fact the lowest bidder.

Director Barnes asked if it was appropriate to ask for identification of the panel members. Mr. Jones pointed out that it was not policy to disclose the identity of the committee members, but in the case of a protest they were included in the documents provided to the Board. Mr. Jewell also pointed out that the members were selected for their expertise. Director Barnes asked for clarification and whether there were any violations of the procurement process. Mr. Jones explained that after the review and appeal, he felt comfortable that there were no violations of the process.

Mr. Solomon asked if there were any providers or riders on the panel. Mr. Jewell stated that riders and providers were involved in the needs analysis and there was a rider representative on the panel for procurement.

Director Baghdanian raised the concern that time constraints limit the decision process. He was also concerned based on the accusations in the protest that Access Services not be the first users of this product and asked for staff response.

The representative from DDS addressed the questions by explaining that Detroit was integrating with StrataGen currently and Chicago was operational. There were several successful StrataGen installations and he was comfortable and confident that the process would be smooth and successful.

Ms. Verrinder clarified that there were two forms of integration that had been brought into question. StrataGen and the IVR for reservations and DDS as dispatching. Currently there are two other software platforms that are integrated well with DDS. She stated that the more complicated process appeared to be the first with IVR. DDS had integrated their system into Unified Systems, the IVR piece in many areas throughout the country.

Director Remhild asked how critical the timing of this decision was. Ms. Verrinder replied that the timing constraint would be the limitation on the bid prices which are valid up to 120 days from bid.

Director Baghdanian asked what Access Services timing was to go live. Mr. Jewell replied that the first contractor was scheduled to go live in July of 2008.

Director Remhild asked how the integration would work with staff's current provider in the valley. Mr. Jewell replied that the contract would be up for renewal and the new provider would need to be able to accommodate the new software. The proposal would incorporate the new software requirements.

Motion: Director Remhild moved approval to table the item until the next Board of Directors meeting.

Second: Director Hallenberg seconded the motion.

Discussion: Director Barnes stated that it was important that the Board be very cautious of the procurement process and what the Board was asking staff. He also added that different vendors were going to have different opinions of the procurement process.

Director Greenwood asked if the pricing would still be valid if the Board decided to have a special Board meeting in early December to make a decision on this item. Mr. Selwyn replied that if it was a 120 day period then maybe, but if it was a 90 day period then staff may have passed it. He was not clear as to which it was without the RFP in front of him.

Director Baghdanian stated that he did not have a problem with approving the contract he just wanted to raise some issues and ensure that the software implementation was done right.

After reviewing the RFP, Mr. Jewell clarified that the RFP stated that the pricing was good for 180 days from date of bid which would be January 15th, but by delaying the RFP until January, this would significantly delay Access Services start up time.

Director Baghdanian requested an amendment to the first motion. Mr. Jones replied that the first motion needed to be voted on before there could be a modification.

Second: Director Hallenberg withdrew his second to the first motion.

**No subsequent Second.
First Motion was withdrawn.**

Secondary

Motion: Director Baghdanian moved to authorize staff to award the reservation/scheduling system and service contract ASI-2366 to Digital Dispatch Systems on terms no less favorable to Access Services than those recommended by staff, contingent upon the successful implementation of the system that was in process in the City of Detroit as discussed at today's meeting.

Second: Director Rooney seconded the motion.

Discussion: Director Remhild stated that the motion had a lot of contingencies and none of the contingencies were in writing, so the Board would not be aware if the motion would materialize into a legal document because they were just words.

Director Baghdanian stated that he would expect staff to draft the language as part of their contract that would specifically state the contingencies.

Mr. Jones stated that it was to his understanding that the motion was to authorize a conditional award as stated and if the condition did not occur, the authority to go forward with the contract would not exist. This meant that there would have to be language negotiated into the contract.

Director Barnes asked, by putting this contingency in the contract, does this mean that the contract would not be executed until the conditions were fulfilled. Mr. Jones replied "no" the contract would have the contingency added.

Director Barnes added that if the contingencies were not met could the contract be terminated. Mr. Jones replied "yes." Director Barnes asked if it would allow the timeline to continue as proposed. Mr. Jewell replied "no," staff would need to change the timeline.

Director Barnes added that it was important to remember that there would be a timeline impact.

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

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

Opposed: None.

Abstention: None.

Pass/Fail: The motion carried.

ELIGIBILITY DETERMINATION CONTRACT EXTENSION ASI-1557

Access Services Director of Contract Services, Mr. Joe King provided a brief presentation on the eligibility determination contract extension ASI-1557.

Public Comment on Item 4 (Eligibility Contract Extension ASI-1557)

Ms. Lillibeth Navarro spoke on behalf of Cindy Soto, Jdelas Cahigas and herself. She stated that on the behalf of the constituents of the Communities Actively Living Independent & Free (CALIF), she would like to oppose this contract extension very strongly. She pointed out that the Mayor's office called for an audit of the CARE evaluators due to constituents protesting at the mayor's office. She stated that it was offensive to extend the contract that was being protested. She questioned the timing

and asked why the procurement process could not wait until the findings of the audit were released. She stated that she found fault with the contract process in general. There was discussion about the validity of Ms. Navarro speaking on behalf of others. It was found not to be valid. She was asked to relinquish the microphone.

Questions &

Clarification: Director DeVera asked why the contract renewal was being requested so soon with the audit still in progress.

Mr. King replied that the procurement process took approximately 8 months and if the Board elected not to renew the CARE contract an RFP would need to be released immediately to meet the contract deadline. He stated that the current scope of work for a current RFP would have to incorporate the current eligibility policies and because of the timing, would not include any recommended changes.

Chairperson Nason asked what would happen if the audit findings reflected poorly upon the CARE evaluators. Mr. King replied that the clauses in the contract allowed staff to change the scope of work so long as such changes were not material. He also clarified that the audit was looking at the eligibility process and not CARE specifically since CARE was only implementing Access Services current policies. Ms. Verrinder also stated that staff had the ability to terminate any of the contracts for cause or convenience.

Director Heidt asked if staff could possibly extend the contract for a shorter period rather than the one year period. Mr. King replied that CARE's lease on the facility limited the options to a one year extension.

Director Remhild asked if there was something in the contract that obligated staff to be concerned about their lease. Ms. Verrinder stated that CARE would need a facility to operate. Mr. King pointed out that CARE could not possibly agree to a shorter extension because they had already inquired of their existing landlord if the lease could be extended for a shorter period and found that it could not.

Director Remhild asked if staff was prepared to go out to bid. Mr. King replied "yes."

Director DeVera asked if there could be a 6 month follow-up of the CARE evaluators when the Audit findings are completed. Ms. Verrinder replied that any audit findings will be presented to the Board, any recommendations to change Access Services policies would need the Board's approval and any substantial change may require changes to the Paratransit Plan which can be a 6 month process. If the audit does not result in recommendations the Board wishes to adopt and which do not materially change the scope of work or the paratransit plan, staff may be able to negotiate those changes into the extension of the existing contract with CARE.

Director Heidt asked if there were preliminary findings available from the Inspector General's office. Ms. Verrinder replied that no such preliminary information had been received.

Director Baghdanian asked if staff extended the contract could it be terminated at any point. Ms. Verrinder replied that the contract could be terminated for cause or convenience at some cost to Access Services. Mr. Jones clarified that the contract could be terminated if there were material violations of policy and if the findings were less onerous and staff could adjust their procedures, then CARE would need to comply. If they did not comply, staff could terminate for cause. Mr. Jones also pointed out that the

potential for a new contract would be a three-year exposure, but with CARE and the proposed extension the exposure would be only for one year.

Director Remhild stated what was not being addressed was the cause for the audit in the first place.

Mr. Solomon also added to his belief the CARE evaluators were the source of the problem. He stated that in a presentation to the CAC by the Inspector General's office, it was the view of the members of the CAC that this investigation was not going to get to the root of the problem which was Access Services eligibility policies and procedures. CARE was following Access Services procedures, or those set by this Board and even if we wait for the findings we will still have unhappy riders because the issue is the policy.

Motion: Director Heidt moved that we extend the contract for 90 days, which would allow time to incorporate the audit results into the RFP.

Second: Director De Vera seconded the motion.

Discussion: Director Remhild asked for an amendment to that motion with the RFP being issued at this time.

Mr. Jones pointed out that there is an option in the contract to extend for 1 year. There are no provisions for shorter extensions and as a consequence the contract will have to be renegotiated.

Director Rooney stated that staff had already stated that they cannot extend for a shorter period. Ms. Verrinder indicated that staff could negotiate, but there would be significant costs involved because they would likely have to renew their lease for a year and Access Services would incur the lease costs in excess of the extension period.

Director Rooney asked if they could provide the service elsewhere. Mr. King replied that there were no funds for building a new location, the location was specifically designed for this type of service and they could not provide the service just anywhere.

Director Barnes asked for an estimate of the monthly rental cost. David Lee from CARE replied that it was approximately \$11,000.00 per month.

Director Baghdanian asked if staff had any idea when the audit would be completed. Ms. Verrinder replied that it was due to METRO's Board in February or March 2008 and staff may have access as soon as it becomes public but would not have access to METRO's Board comments until March 2008.

Director Remhild asked if this motion was legal. Mr. Jones replied that it would require a renegotiation but that it was within the power of the Board to adopt the motion.

Roll Call: Chairperson Nason asked for a roll call.

In Favor: Directors Heidt, Remhild, Hallenberg, De Vera and Nason.

Opposed: Directors Rooney, Greenwood, Barnes and Baghdanian.

Abstention: None.

Pass/Fail: The motion carried.

**MINUTES
ACCESS SERVICES
BOARD MEETING
NOVEMBER 26, 2007**

CALL TO ORDER

The Access Services Board of Directors meeting convened at 12:35 p.m. on Monday, November 26, 2007, 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, Teddie-Joy Remhild, Michael Greenwood, Hugh Hallenberg, Theresa De Vera, Jano Baghdanian, Ex-Officio's Shawn Solomon, Joseph Stitche and Jim Jones, Access Services Legal Counsel.

Access Services' staff members present included: Shelly Verrinder, Donna Cisco, Elisa Sanchez, F Scott Jewell, Lance Sweitzer, Andre Colaiace, David Foster, Matthew Avancena, Joe King, Arun Prem, Sean Frye, Steve Chang, Geetu Banerjee, Erik Washington, Rycharde Martindale, Brian Selwyn, and Linda Ross.

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 Mr. Shawn Solomon, Ex-Officio CAC and Mr. Joseph Stitche, Ex-Officio TPAC joined the general session. Chairperson Nason asked Mr. Jones, Access Services Legal Counsel, to brief the audience on the outcome of closed session.

Mr. Jones reported that the Board discussed the following pending litigation as set forth in the agenda: Shawana Rodriguez vs. All Yellow Cab, Global Paratransit, and Access Services, no reportable action was taken with respect to this matter.

Mr. Jones explained the right for public comment and how it would 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 which to request an accommodation should so indicate on the speaker request form so that the Chairperson could consider an potentially grant additional time to make their statement.

GENERAL PUBLIC COMMENTS

No general public comments were made.

SELECTION OF WEBSITE SERVICE CONTRACT ASI-2420

Access Services Director of Information Technology, Mr. F Scott Jewell provided a brief presentation on the Selection of Website Service Contract ASI-2420.

Public Comment on Item 5 (Selection of Website Service Contract ASI-2420)

Ms. Donna Pomerantz stated that she was pleased to hear Mr. Jewell mention that the contractor had been informed that everything would be in compliance with Section 508 standards. Ms. Pomerantz asked if the specific language from the Section 508 standards were in the contract that the vendor signed. Mr. Jewell replied “yes” that the requirements were part of the proposal and would be part of the contract.

Motion: Director Greenwood moved approval of item 5 (Selection of Website Service Contract ASI-2420).

Second: Director Barnes seconded the motion.

Discussion: None.

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

In Favor: Directors Rooney, Heidt, Remhild, Greenwood, Hallenberg, Barnes, and Baghdanian. Director De Vera left the room and was not present to vote on this item.

Opposed: None.

Abstention: None.

Pass/Fail: The motion carried.

ELIGIBILITY DETERMINATION CONTRACT EXTENSION ASI-1557

Access Services Manager of Procurement and Contracts, Mr. Brian Selwyn provided a brief presentation on the Eligibility Determination Contract Extension.

Public Comment on Item 6 (Eligibility Determination Contract Extension ASI-1557)

Ms. Sandy Varga stated that she was an Access Services rider and wanted to share her experience with the CARE Evaluators. She stated that one thing that was not factored into the cost of using CARE, was the cost to the rider. Ms. Varga stated that she had to spend 4 hours of her care takers time during her evaluation process. She also added that during the course of the CARE evaluator’s procedures to determine her eligibility she was sent to speak to a young lady that wanted to know what medication she was taking. She stated that she asked the young lady what her medical qualifications were and the lady replied that she had none. Ms. Varga asked the young lady if she was a CNA and the young lady replied “no,” then Ms. Varga proceeded to state, “why should I tell you what medication I’m on and what did that have to do with her eligibility.” The young lady stated that if she did not tell her what medication she was taking she would not be recertified.

Ms. Varga stated that she informed the young lady that she took anti-spasmodic medication and the young lady asked “how do you spell that.” Ms. Varga concluded her comment by stating that she felt that this person was not qualified to determine her eligibility to ride anything.

Mr. Carlos Singer from the office of the Mayor, Antonio Villaraigosa stated that he was present at today’s meeting to express some concerns on behalf of the Mayor regarding the Board meeting on

Thursday, November 8, 2007, and what had transpired at that meeting. He stated from the Mayor's prospective it would not be sensible to consider a contract renewal at this early date, eight months before the contract expires and while an audit was pending. He also stated that he was curious as to how Access Services got to this point because to his understanding the Board approved a 90 day contract extension pending the outcome of the audit of Access Services and CARE Evaluators. He asked what happened after the vote, he stated that he understood that some Board members expressed concern over their votes and possible interest in changing their original vote.

Mr. Singer also asked what happen and what was it that caused these Board members to change their minds. Had something like this happened before, where a Board would take action and then reconsider the action. Furthermore, whatever action the Board took today, how would Access Services propose to incorporate any recommendations made by the audit regarding the eligibility determination process?

Ms. Kim Hudson stated that she was one of the first original riders of Access Services and she served on the Community Advisory Committee and had been evaluated several times to continue her eligibility. She added that her evaluation with CARE Evaluators was the most demeaning and terrible experience she ever had. She stated that her evaluator asked her questions and then turned to her PCA, who was not there as her advocate or as her representative, and asked her in Spanish if every answer I gave was correct. Ms. Hudson also stated that as the evaluation continued she had difficulty completing the course because she had difficulty with the perceptual navigation which was not explained to her. She concluded her comment by stating that during any type of evaluation process she had never been treated this way being that she was a professional social worker. If this was the practice that CARE Evaluators were going to continue, they should not receive the contract and should undergo significant re-training on how to address people and treat them with respect.

Ms. Donna Pomerantz stated that she had a great deal of concern regarding this item. She also informed the Board of the many Board of Director seats she served on with different organizations. She also mentioned that she did not mention this to state that she was present on behalf of those organizations but to let the Board know that she was an individual that was very involved in the community. Ms. Pomerantz stated that there have been repeated issues with the CARE evaluators and the riders were told over and over again that those issues would be dealt with.

Ms. Pomerantz added that she was recently contacted by a person that was blind who had recently gone through the evaluation process. She stated that this individual was not treated with dignity after she announced several times that she was totally blind. There were photographs thrown in front of her and the evaluator kept insisting that she could see and read the material. Ms. Pomerantz stated that if an advocate that was well known in the community accompanied individuals to their evaluation, those individuals would be treated better because the evaluator would put their best foot forward. She concluded her comment by stating that she was concerned that people were being pressured to overturn a vote that was done reasonably and with thought to extend the CARE Evaluators contract for only 3 months and now it was being stated that they have no choice but to extend for one year.

Questions &

Clarification: Director Rooney stated that the Boards vote at the November 8, 2007 Board meeting was to authorize staff to negotiate with CARE Evaluators for a 3 month extension and based on the determination the issue would go back to the Board for approval.

Ms. Verrinder stated that the item would need to go back to the Board because the Board had to authorize the rates for the 90 day extension.

Chairperson Nason asked Jim Jones, Access Services legal counsel to instruct the Board as to how they could vote on this item. Mr. Jones stated that there were a few things that the Board could do with different vote requirements. He explained that this was not

a motion to reconsider the item, if there was going to be any changes in what the Board voted on, that change would have to be made by a motion, seconded and approved by a majority vote. He also stated that the Board could do one of three things; 1) authorize the extension of 90 days based upon the numbers that were now available by a majority vote, 2) upon a proper motion being made and seconded and adopted by a majority vote, determine to amend or rescind the prior motion and adopt the staff recommendation for a one year extension upon the terms that were previously stated at the last meeting, or 3) the Board could elect not to accept the terms that were negotiated with CARE Evaluators for any extension. The result of the later determination would be that staff would immediately need to go through the public procurement process even before staff receives the IG's audit findings and based upon the current eligibility policy and procedures because of the timing issues and the mandatory requirement to have an eligibility process in place at the end of the current CARE contract term. Mr. Jones stated that these were the three things that could be done by a majority vote; anything else with respect to this item would require a $\frac{2}{3}$ vote because it would have not been part of the agenda for the meeting.

Director Remhild asked what sequence of events transpired between November 8th and November 14th when a special meeting was called. She stated that it was not clear as to what actually transpired but she received an e-mail from legal counsel requesting the Board's view as to whether the 90 day extension authorization was intended to authorize staff to negotiate and accept the best possible terms for the extension or whether it required the terms to be brought back to the Board for approval. Director Remhild added that the agenda item stated that three Board members wrote letters to rescind their vote, she asked how and when did this happen. She stated that it presented an appearance of some kind of manipulation or unethical conduct behind the scenes, she asked for clarification on the sequence of those events.

Mr. Jones clarified that there were no letters submitted by Board members and there were two members not three who had independently of each other requested that the matter be taken up again. He added that they had some questions concerning their prior votes with respect to this item and that was one of the reasons why this item was added to the agenda again. He emphasized that there was no basis known to him for Director Remhild's speculations.

Director Heidt stated as she listened to Mr. Jones explain of what CARE Evaluators was requesting for the extension but did they understand what staff and the Board expected from them, are they aware of the dissatisfaction that the riders have experienced with their services?

Mr. Selwyn replied that he was aware that they had attended all of the staff meetings where issues were taken up regarding their service and he was also aware that they were in communication with staff but he could not speak specifically as to what they knew and what they didn't know. Director Heidt asked if CARE Evaluators understood what staff needed from this process.

Ms. Verrinder stated that she believed they did and it may be a good idea to have David Lee the principal from CARE Evaluators address Director Heidt's issues. She added that many of the concerns related to CARE Evaluators were outside of customer service related issues but were policy and procedures issues. The policy and procedures were those of Access Services, they were not those of CARE.

Ms. Verrinder stated while moving forward and regardless of whom the contractor was the rider evaluation process needed to be actively connected with the ridership so that the contractor can respond quickly to issues related to how their evaluators were relating to their applicants.

Director Hallenberg stated that he had several problems with the policies of Access Services as they relate to CARE Evaluators. He stated that he was very unhappy with the simulation put forth by CARE and he did not feel that it was anywhere close to actually getting out and riding the bus. He added that he also felt that some of the examiners have been rude and as a Board they had no business allowing a contract to continue with a provider that was not doing a reasonably good job. He stated that he faulted Access Services because he knew that the CARE Evaluators were following the lead of Access Services. He stated that it was assumed in his opinion that if an individual uses a power wheelchair and had no apparent cognitive impairment, you were assumed able to ride fixed route. He concluded by stating that he felt that it was wrong and staff should re-bid the contract and to start fresh.

Motion: Director Hallenberg moved that CARE Evaluator's proposal with respect to the 90 day extension be rejected and instead for staff to issue a Request for Proposal (RFP) for the evaluation process to commence July 1, 2008. In addition, a letter be sent to the IG's office requesting that the audit findings be completed as soon as possible so that staff would be able to incorporate any changes into the current scope of work.

Second: Director Remhild seconded the motion.

Discussion: Director Rooney asked if staff issued an RFP today, would it be based on the work previously done and would the Inspector General's audit finding be included in the RFP. Mr. Selwyn replied if staff issued an RFP today staff would not be able to incorporate the findings into the RFP. Ms. Verrinder added that it would depend on what the recommendations were. If they were recommendations for material changes and the Board elected to adopt such changes, that could require staff to amend the Paratransit Plan, which involves a planning process that takes at least 90 days to go through. If the Board elects to make immaterial changes, staff would be able to negotiate them into any scope of work changes as staff moves through the bid process.

Ms. Verrinder informed the Board that the cost of a 90 day extension staff was not budgeted for that money and would need to take it out of other funds. Staff is ready to issue an RFP if need be utilizing current Board approved eligibility policies and procedures.

Mr. Selwyn explained that the RFP process normally took seven months or more and staff was expecting an additional month or two to ensure that bidders have the time to find a suitable facility.

Director Baghdanian asked if it was possible to issue the RFP and secure a new contractor between now and June 30, 2008, but was it practical to state that it would take seven months. Mr. Selwyn replied that in this case staff felt seven months was an adequate period of time. In a best case scenario staff would recommend eight to nine months but a new contractor needs to be in place by July 1, 2008. Director Baghdanian asked if it was a requirement to lease a new facility or was the current facility adequate.

Ms. Verrinder replied that the current facility that CARE Evaluators used was not adequate for a couple of reasons. The facility is warehouse space so there is a lot of

echo inside, there's no air conditioning and it is not heated because it is unfinished space. In a new RFP Access Services will require finished space so that there will be air conditioning and heat. The second part of the change will be the requirement of a larger facility. Staff wants to improve upon the simulations of the accessible fixed route buses and by using real equipment, such as having the front end of a bus for the rider to board the bus, pay the fare and maneuver around the corner.

Ms. Verrinder stated that historically the transportation contractors, and especially in the West Central area, had difficulty locating acceptable space to modify to meet Access Services needs. Staff's time estimate for the RFP process includes additional time for the successful proposer to locate and modify such a facility. Staff's main concern was if there are going to be any material changes or recommendations from the Inspector General's audit that the Board wishes to implement the scope of work could become void and there would not be adequate time to secure another contractor prior to the expiration of the CARE contract.

Ms. Verrinder added that she believed that the I G's audit may be finalized some time before January 2008 but she did not know what if any findings or recommendations regarding the eligibility process would be made in it. Director Baghdanian asked if staff does not make the deadline for the RFP would staff need to go back and do a 90 day extension. Ms. Verrinder replied "yes" staff would need to go back to CARE Evaluators and negotiate some form of an extension because the law does not permit the agency to be without a complaint eligibility determination process.

Director Barnes recommended that the future contract have a shorter initial term with additional option years available.

Director Baghdanian requested that staff prepare a letter to be signed by the Chairperson of the Access Services Board of Directors to the Inspector General outlining the predicament that Access Services was in.

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

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

Opposed: None.

Abstention: None.

Pass/Fail: The motion carried.

APPROVAL TO PURCHASE 15 REPLACEMENT VEHICLES FOR PARATRANSIT SERVICE

Access Services Manager of Procurement and Contracts Mr. Brian Selwyn gave a brief presentation on the purchase of fifteen replacement vehicles for paratransit service.

Director Heidt asked if there was any consideration given to fuel conservation. Ms. Verrinder replied that the vehicles have the standard of flex fuel (ethanol). At this point Access Services has not evaluated alternatively fueled vehicles for the fleet but exploring alternative fueled vehicles was included in the Access Services Business Plan.

Motion: Director Rooney moved approval to purchase 15 replacement vehicles for Paratransit service.

Second: Director Barnes seconded the motion.
Vote: Via Voice Vote.
In Favor: Directors Heidt, Remhild, Greenwood, Hallenberg, Barnes, Baghdanian De Vera, and Rooney.
Opposed: None.
Abstention: None.
Pass/Fail: The motion carried.

NEW BUSINESS SUBSEQUENT TO THE POSTING OF THE AGENDA

Motion: Director Heidt moved that the Board encourage staff to include the option for alternative fueled vehicles in all future procurements and that all future staff reports regarding vehicle purchases include an analysis of alternative fuel options.
Second: Director Greenwood seconded the motion.
Vote: Via Voice Vote.
In Favor: Directors Heidt, Remhild, Greenwood, Hallenberg, Barnes, Baghdanian De Vera, and Rooney.
Opposed: None.
Abstention: None.
Pass/Fail: The motion carried.

ADJOURNMENT

Motion: Director Hallenberg moved to adjourn the meeting.
Second: Director Remhild seconded the motion.
Vote: Via Voice Vote.
Pass/Fail: All were in favor and the meeting adjourned at 2:15 p.m.

Approval

Joyce Rooney, Secretary

Date

JANUARY 3, 2008

TO: BOARD OF DIRECTORS
FROM: ARUN PREM, DIRECTOR OF STRATEGIC PLANNING
RE: APPROVAL OF PALOS VERDES PENINSULA TRANSIT AUTHORITY MEMBERSHIP

ISSUE:

The Board is requested to consider staff’s recommendation regarding an agency that wishes to become a member of Access Services.

RECOMMENDATION:

Staff recommends that Palos Verdes Peninsula Transit Authority (PV Transit) be approved as a new local operator member agency of Access Services Incorporated

IMPACT ON BUDGET:

There will be no impact on the budget with approval of this item. This action will not cause an expansion of the Access Paratransit service area.

BACKGROUND:

ASI Membership Process:

Access Services has three classes of members, designated as Municipal Operators, Local Operators, and individual members of the Board of Directors. If approved, PV Transit would join the Local Operators member class.

PV Transit proposed joining Access Services; the authority is eligible for membership under the requirements of Access Services bylaws. As per Article IV Part C of the Access Service bylaws, “The Board of Directors shall approve any potential new members to the Municipal Operators and Local Operators classes”.

Palos Verdes Peninsula Transit Authority Services:

Palos Verdes Peninsula Transit Authority operates fixed route and Dial-a-Ride services for the cities of Rancho Palos Verdes, Palos Verdes Estates, Rolling Hills Estates and unincorporated Peninsula areas of Los Angeles County. These member cities and Los Angeles County fund the service.

The areas of Palos Verdes and Rolling Hills Estates are located approximately 25 miles south of Downtown Los Angeles. PV Transit operates six routes for the general public and Dial-a-Ride services for eligible Peninsula residents.

Since Access Services currently provides ADA paratransit services in the area to eligible individuals to locations within $\frac{3}{4}$ of a mile of fixed route service operated by PV Transit, this action will not cause an expansion of the Access Paratransit service area.

The PV Transit Board of Directors approved the resolution proposed by authority staff to join Access Services at the regular Board Meeting held on July 19, 2007.

If the ASI Board approves the staff recommendation, the number of member agencies will be at 45.

JANUARY 3, 2008

TO: BOARD OF DIRECTORS

FROM: BRIAN SELWYN, MANAGER OF PROCUREMENT AND CONTRACTS

**RE: AUTHORIZATION TO EXTEND TERMS-RTP GROUP TELEPHONE
MAINTENANCE SERVICE CONTRACT NO. ASI-1307**

ISSUE:

Board authorization is being requested to extend the contract terms for the RTP Group Telephone maintenance service contract for three months, from February 1, 2008 through April 30, 2008.

RECOMMENDATION:

Extend the term of the contract for three months through April 30, 2008 and increase the not to exceed amount by \$35,000.00, from \$536,000.00 to \$571,000.00.

IMPACT ON BUDGET:

This action is consistent with Access Services' budget for fiscal year 2008. The contractor has not requested any changes to the existing rates.

ALTERNATIVES CONSIDERED:

No other alternatives were considered as the period requested is of minimal impact.

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 the RTP Group for telephone maintenance 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:

This contract, which provides continued optimization of Access Services' telecommunication network, was awarded to the RTP Group in January 2003 under a three-year base term plus two one-year options. The last option year was exercised for the period through January 31, 2008, however due to the delay in implementing the toll-free 800 service change staff is recommending a three month extension to cover this transition. The services required for this contract will be put out to bid to coincide with the revised contract end date.

JANUARY 3, 2008

TO: BOARD OF DIRECTORS

FROM: BRIAN SELWYN, MANAGER OF PROCUREMENT AND CONTRACTS

**RE: AUTHORIZATION TO INCREASE FUNDS AND EXTEND TERMS – MV
PUBLIC TRANSPORTATION, INC. OVERFLOW SERVICE CONTRACT NO.
ASI-1591**

ISSUE:

Board authorization is being requested to extend the contract terms from July 1, 2008 through June 30, 2009, and increase the funds for the fourth extension period for backup overflow transportation services. This action would entail an increase in the variable rate per hour of 2.99%.

RECOMMENDATION:

Authorize extension of the term of the contract for one year through June 30, 2009. As is prescribed in its contract with ASI, the rate per hour paid to MV for this fourth option year will change from \$35.39 to \$36.45. Increase the not-to-exceed amount of ASI-1591 by \$393,660.00 and change the total contract amount to read not-to-exceed \$1,467,404 in lieu of \$1,073,744.00.

IMPACT ON BUDGET:

Extension of the contract will be included in the preparation of the fiscal year 2008/2009 budget.

ALTERNATIVE CONSIDERED:

No other alternatives were considered.

BACKGROUND:

MV began operating backup overflow transportation services for the Operations Monitoring Center on July 1, 2004. Backup overflow service trips are dispatched by the OMC unit. The contract term is for one (1) year with up to four (4) one-year options. Proposers were required to bid rates per hour for the base year and each of the option years. This action would allow ASI to exercise the fourth of the one-year options and increase the rate at a level commensurate with the rate bid by MV.

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 MV Public Transportation ASI-1591 for overflow transportation 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 of 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.

JANUARY 3, 2008

TO: BOARD OF DIRECTORS
FROM: ANDRE COLAIACE, DIRECTOR OF GOVERNMENTAL SERVICES
RE: 2008 LEGISLATIVE PROGRAM

ISSUE:

As one of the largest paratransit systems in the country, Access Services must respond to a number of legislative and regulatory proposals from all levels of government.

The 2008 Legislative Program is needed to help guide staff recommendations and actions on local, state and federal proposals during the upcoming year.

The most important initiatives include:

- Continuing our appropriations momentum in Washington, DC for the 2009 appropriations cycle;
- Working with METRO and APTA to develop proposals for the reauthorization of SAFETEA-LU that benefit Access Services and its customers;
- Passing state legislation clarifying Access Services' status as a public agency.

RECOMMENDATION:

Approve the 2008 Legislative Program.

BACKGROUND:

The legislative program seeks to raise Access Services' profile with elected officials and stakeholders; obtain additional funding to fulfill Access Services' mission and to work constructively with legislative and regulatory bodies to ensure that any proposals affecting Access Services benefit the Agency and its clients.

Access Services 2008 Legislative Program

Federal Program

- Work with Federal Advocate Len Simon to develop a proposal for the 2009 appropriations process that supports Access Services' capital program.
- Monitor and track all legislation and regulations that may affect Access Services' funding, administration, and/or operations.
- Work with the Federal Advocate, the American Public Transportation Association (APTA) and other transit agencies to ensure that Access Services' operations or funding is not negatively affected by federal legislation, regulations or guidance. Specifically oppose legislative or regulatory proposals that significantly expand the requirements of ADA transportation without providing necessary funding.
- Meet with elected officials and staff in Washington, DC and locally to discuss Access Services initiatives and to raise the profile of the agency on the federal level.
- Work with METRO staff and the American Public Transportation Association's Legislative Committee to develop proposals that benefit Access Services operations and funding in the next TEA reauthorization. Specifically support general increases in transit funding in addition to a substantial expansion of the New Freedom program, which funds paratransit initiatives that go beyond the requirements of the Americans with Disabilities Act. In addition, advocate for policies that put more "teeth" into transportation coordination.
- Attend the APTA Legislative Conference in Washington, DC in March. Attend other elected officials' events as opportunities present themselves.
- Continue to work constructively with Federal Transit Administration officials both locally and in Washington, DC.
- Ensure that the Executive Board is kept up to date on the federal legislative program through regular communication.

State Program

- Work with State Advocate, Joe A. Gonsalves and Sons, to raise the profile of Access Services with State elected officials and government officials. Develop productive relationships with State-level elected officials and government officials, particularly those that have oversight over transportation agencies.
- Work with the State Advocate to have an Access Services lobby day in Sacramento.
- Monitor and track all legislation and regulations that may affect Access Services' funding, administration, and/or operations.

- Continue to serve on the California Transit Association (CTA) Legislative Committee and attend CTA Legislative events and conferences in Sacramento.
- Amend state law to clarify Access Services' status as a public agency.
- Seek an exemption for Access Services for vehicle registration costs.
- If possible, seek increased funding for Access Services operations and capital costs. Currently, Access Services receives no direct formula funding from the state.
- Work with CALTRANS and Federal Transit Administration officials to influence the rulemaking process for implementation of relevant SAFETEA-LU grants including New Freedoms, Section 5310 and JARC.
- Seek improved availability of non emergency medical transportation (NMET) to qualified beneficiaries and adequate funding to meet that need. Look into the possibility of amending state law to allow Medi-Cal funds to be used for public transit.
- Continue, if necessary, to seek clarification or revision of transportation regulations governing complementary ADA transportation of eligible schoolchildren.
- Provide monthly updates pertinent to ASI's legislative agenda to the ASI Board. Ensure that the Executive Board is kept up to date on state legislative program through regular communication.

Local Program

- Work with local transit stakeholders (Access Services member agencies, METRO Board) to ensure they are kept informed of current Access Services activities.
- Assist Executive Director in working with METRO on annual operating and capital funding.
- Assist Director of Strategic Planning, if necessary, to expand the Free Fare program and to encourage cities with fixed-route transit to join Access Services.
- Address concerns of local elected officials as necessary.
- Attend Bus Operations Subcommittee (BOS) meetings, General Manager's meetings, Local Transit Systems Subcommittee (LTSS) meetings and other local committee meetings as necessary.
- Participate in Mobility-21 activities.

JANUARY 3, 2008

TO: BOARD OF DIRECTORS

FROM: ARUN PREM, DIRECTOR OF STRATEGIC PLANNING

RE: RELATIONSHIPS BETWEEN THE BOARD, COMMUNITY ADVISORY COMMITTEE AND THE TRANSPORTATION PROFESSIONAL ADVISORY COMMITTEE

ISSUE:

The process to review advisory committee and board relationships was initiated in October 2007. Jane Flaherty from PBS Inc., the consultant leading this project, will be providing a verbal update and recommendations for further discussion.

BACKGROUND:

In August 2007, the board approved a review of the relationships relationship between the Community Advisory Committee (CAC), Transportation Professionals Advisory Committee (TPAC), and the Board of Directors. Staff awarded a contract to PBS Inc, to study the relationships in view of the agency's objectives and make recommendations to increase the effectiveness of these relationships.

TPAC and CAC appointed sub-committees comprised of five to six members each, to work with Jane Flaherty, the project manager from PBS. Ms. Flaherty interviewed all the sub-committee members and all the Board members to elicit one-on-one feedback.

Subsequently some CAC members felt that the sub-committee was not representative of the whole committee and they sought to provide more input into the process. At the December 2007 CAC meeting Ms. Flaherty was available to meet with any CAC members who wished to communicate directly with her. Five additional CAC members availed themselves of the opportunity.

At this time PBS feels they have received feedback from all groups and they are prepared to provide an overview of the relationships between the groups.

Board members who had CAC appointees whose terms were expiring during this ongoing process, agreed to extend the terms of the CAC members until the process was concluded.