

# access

## BOARD OF DIRECTORS MEETING

Monday, April 18, 2022

General Session: 12:00 p.m.

Closed Session: Immediately Following

\*Webinar - please see note below

### **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.*

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#### DISPOSITION

1. CALL TO ORDER	ACTION
2. REVIEW & APPROVAL OF MINUTES FROM THE BOARD MEETING ON FEBRUARY 14, 2022 (page 8)  [Staff Recommendation: Approve minutes as written.]	ACTION [Vote Required: majority of quorum by roll call]
3. REVIEW & APPROVAL OF MINUTES FROM THE BOARD MEETING ON MARCH 21, 2022 (page 17)  [Staff Recommendation: Approve minutes as written.]	ACTION [Vote Required: majority of quorum by roll call]
4. REPORT FROM EX-OFFICIO BOARD MEMBERS	INFORMATION
5. GENERAL PUBLIC COMMENT	INFORMATION
6. SUPERIOR SERVICE AWARD	PRESENTATION

## **7. CONSENT CALENDAR**

### **Items reviewed and approved by the Performance Monitoring Committee:**

- a) Consideration to Extend Term and Increase Funds - Language Interpretation Services Contract (AS-4022) (page 19)  
[Staff Recommendation: Authorize a one-year contract extension with Language Line Services from October 1, 2022 through September 30, 2023 and an increase in funds of \$220,000.]
- b) Consideration to Extend Term and Increase Funds - On-Board Vehicle Camera Recording System Contract (AS-3906) (page 21)  
[Staff Recommendation: Authorize a one-year contract extension with SmartDrive Systems, Inc., from September 1, 2022 through August 31, 2023 and an increase in funds of \$579,600.]

### **Items reviewed and approved by the Planning and Development Committee:**

- c) Consideration to Approve Renewals of Employee Health and Benefit Contracts (page 23)  
[Staff Recommendation: Approve the employee benefit insurance policies for the period of July 1, 2022 through June 30, 2023 at a cost not to exceed \$1,152,541.]
- d) Consideration to Approve Renewal of Self-Insured Retention Automobile Liability Program (page 26)  
[Staff Recommendation: Authorize staff to continue a \$100,000 Self-Insured Retention program with estimated liability of \$1,940,000 that will be determined in accordance with GASB Statement No. 10 as required for public entities.]
- e) Consideration to Approve Renewal of Commercial Business Package Insurance (page 28)  
[Staff Recommendation: Please see item for full recommendation.]

**ACTION**  
[Vote Required:  
majority of quorum by  
roll call]

**Item reviewed and approved by the External Relations/Stakeholder Committee:**

- f) Consideration to Approve Community Advisory Committee (CAC) Appointments (page 30)  
[Staff Recommendation: Appoint Jan Johnson and Liam Matthews to the CAC effective April 19, 2022.]

**Items neither reviewed nor approved by any Committee:**

- g) Consideration to Extend Term and Change Rates – Fleet Inspection Services Contract (AS-4104) (page 33)  
[Staff Recommendation: Authorize staff to execute the first option term with TRC effective June 1, 2022 through May 31, 2023 along with a change in rates.]
- h) Consideration to Approve Resolution to Continue Public Meetings through Teleconferencing (page 37)  
[Staff Recommendation: Approve the following resolution – “The Access Board of Directors has reconsidered the circumstances of the state of emergency; and the following circumstances exist: (i) The state of emergency continues to directly impact the ability of the members to meet safely in person; and (ii) State or local officials continue to impose or recommend measures to promote social distancing. Hence, teleconferencing for Access Board and committee meetings will continue for the next thirty (30) days.”]

**[Staff Recommendation: Approve the Consent Calendar]**

**8. CONSIDERATION TO MODIFY KEY PERFORMANCE INDICATORS AND SERVICE STANDARDS (page 39)**

[Staff Recommendation: Authorize staff to modify two of the 13 KPIs – denials and preventable collisions - and their corresponding service standards in both current and future service contracts.]

**ACTION**

[Vote Required:  
majority of quorum by  
roll call]

**9. CONSIDERATION TO APPROVE POLICY TO ESTABLISH A FACILITIES DEVELOPMENT AND CONSTRUCTION FUND (page 43)**

[Staff Recommendation: Authorize the Executive Director to:

- Establish a Facilities Development and Construction Fund and set aside the following funds for the purpose of developing and constructing operating facilities:

- Direct COVID-19 reimbursements received from the Federal Emergency Management Agency (FEMA);

**ACTION**

[Vote Required:  
majority of quorum by  
roll call]

- Direct COVID-19 reimbursements received from the County or the City of Los Angeles;
- Direct reimbursements received from Medi-Cal;
- Any other funds that may be appropriated by the Access Services Board of Directors or the Los Angeles County Metropolitan Transportation Authority (Metro) for this purpose.
- Direct staff to apply for facility construction grants as soon as practicable.]

**10. CONSIDERATION TO APPROVE TITLE VI PLAN (2022-2025)**  
 (page 46)

[Staff Recommendation: Approve Access Services' Title VI Plan which encompasses the following reports:

- 1) Title VI Report;
- 2) Public Participation Plan; and
- 3) Limited English Proficiency]

<b>11. BUDGET UPDATE</b>	ACTION [Vote Required: majority of quorum by roll call]
<b>12. OPERATIONS UPDATE</b>	PRESENTATION
<b>13. UPCOMING BOARD ITEMS</b> (page 49)	PRESENTATION
<b>14. EXECUTIVE DIRECTOR'S REPORT</b>	INFORMATION
<b>15. BOARD MEMBER COMMUNICATION</b>	INFORMATION
<b>16. NEW BUSINESS SUBSEQUENT TO THE POSTING OF THE AGENDA</b>	DISCUSSION/ POSSIBLE ACTION
<b>17. PUBLIC COMMENT WITH RESPECT TO CLOSED SESSION ITEMS</b>	INFORMATION
<b>18. CLOSED SESSION:</b>	DISCUSSION/ POSSIBLE ACTION
A) PUBLIC EMERGENCY (COVID-19), GOV. CODE 54957(a)	
B) CONFERENCE WITH LEGAL COUNSEL: GOV. CODE §54956.9	
1. Anticipated Litigation: Gov. Code §54956.9 (b)	
i. Significant exposure to litigation pursuant to subdivision (b) of Gov. Code §54956.9 (b) a situation where, based on the advice of counsel considering	

"existing facts and circumstances," there exists a "significant exposure to litigation" (two cases).

## 19. 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 for communications. Primary consideration is given to the request of individuals with disabilities. However, the final decision belongs to Access Services. To help ensure the availability of any 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://accessla.org>. Documents, including Power Point handouts distributed to the 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 agendized 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 goldenrod Public Comment Form and submit it to the Secretary of 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 an 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 at 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 may respond to all public comments in writing prior to the next Board meeting.

Alternative accessible formats are available upon request.

**\*NOTE**

**NOTICE OF ALTERNATIVE PUBLIC COMMENT PROCEDURES**

Pursuant to temporary revised Brown Act requirements, Board members will be participating via webinar. The public may submit written comments on any item on the agenda - 1) through email by addressing it to - board@accessla.org or 2) via US Postal mail by addressing it to - Access Services Board Comments, PO Box 5728, El Monte CA 91734. Please include your name, item number and comments in the correspondence. Comments must be submitted/received no later than 10:00 am on Monday, April 18, 2022 so they can be read into the record as appropriate.

The public may also participate via the Zoom webinar link, or by teleconference. Please review the procedures to do so as follows -

**How to Provide Public Comment in a Board Meeting via Zoom**

**Online**

1. Click the Zoom link for the meeting you wish to join. Meeting information can be found at: [https://accessla.org/news\\_and\\_events/agendas.html](https://accessla.org/news_and_events/agendas.html). Make sure to use a current, up-to-date browser: Chrome 30+, Firefox 27+, Microsoft Edge 12+, or Safari 7+. Certain functionality may be disabled in older browsers including Internet Explorer. You may also use this direct link -  
<https://us06web.zoom.us/j/83465845248>
2. Enter an email address and your name. Your name will be visible online while you are speaking.
3. When the Board Chair calls for the item on which you wish to speak, click on "raise hand." Speakers will be notified shortly before they are called to speak. Mute all other audio before speaking. Using multiple devices can cause audio feedback.
4. Please note that the "Chat" feature is not enabled during the meeting for general public attendees. If you cannot use the "raise hand" feature, then please submit a written comment as outlined above.
5. When called, please limit your remarks to three minutes. An audio signal will sound at the three-minute mark and the Chair will have the discretion to mute you at any point after that. After the comment has been given, the microphone for the speaker's Zoom profile will be muted.

Note: Members of the public will not be shown on video.

By phone

1. Call the Zoom phone number and enter the webinar ID for the meeting you wish to join. Meeting information can be found at:  
[https://accessla.org/news\\_and\\_events/agendas.html](https://accessla.org/news_and_events/agendas.html)
2. You can also call in using the following information -
3. Dial (for higher quality, dial a number based on your current location):  
US: +1 669 900 6833 or +1 253 215 8782 or +1 346 248 7799 or +1 301 715 8592  
or +1 312 626 6799 or +1 929 205 6099 or 833 548 0276 (Toll Free) or 833 548 0282 (Toll Free) or 877 853 5247 (Toll Free) or 888 788 0099 (Toll Free)  
Webinar ID: 834 6584 5248
4. When the Board Chair calls for the item on which you wish to speak, press \*9 to raise a hand. Speakers will be notified shortly before they are called to speak. Speakers will be called by the last four digits of their phone number. Please note that phone numbers in their entirety will be visible online while speakers are speaking.
5. If you cannot use the "raise hand" feature, the please submit a written comment as outlined above.
6. When called, please state your name and limit your remarks to three minutes. An audio signal will sound at the three-minute mark and the Chair will have the discretion to mute you at any point after that. After the comment has been given, the microphone for the speaker's Zoom profile will be muted.

# access

## STATEMENT OF PROCEEDINGS FOR THE MEETING OF THE ACCESS SERVICES BOARD OF DIRECTORS

Webinar

February 14, 2022

12:00 p.m.

### **1. CALL TO ORDER**

Meeting was called to order by Chair Gombert at 12:03 p.m.

### **BOARD MEMBERS PRESENT REPRESENTING A QUORUM**

Present: Chair Martin Gombert, Vice Chair Theresa DeVera, Treasurer Lee Burner, Secretary Doran Barnes, Directors Adrian Aguilar, Andrew Del Castillo, Giovanna Gogreve, Dolores Nason and John Troost.

### **BOARD MEMBER(S) EXCUSED FROM THE MEETING**

Not Present: None

### **2. REVIEW & APPROVAL OF MINUTES FROM THE BOARD MEETING ON DECEMBER 13, 2022**

Recommendation: Approval of minutes as written.

**Motion made by Director Troost to approve the minutes, seconded by Director Nason. Via Roll Call Vote - all were in favor, motion passed.**

### **3. REVIEW & APPROVAL OF MINUTES FROM THE BOARD MEETING ON JANUARY 24, 2022**

Recommendation: Approval of minutes as written.

**Motion made by Director Nason to approve the minutes, seconded by Treasurer Burner. Via Roll Call Vote - all were in favor, motion passed.**

#### **4. REPORT FROM EX-OFFICIO BOARD MEMBERS**

CAC Chair Goeman reported on the January and February 2022 meetings. She stated that they received a Board report from Director Martin Gombert. Chief Operations Officer Mike Greenwood presented on the KPI modifications. ADA Coordinator Rycharde Martindale spoke on the upcoming interviews for the prospective members of the CAC. Director of Planning and Coordination Matthew Avancena updated them on the Communications and the Same day subcommittees in February. Ms. Rani Narula-Woods from Metro gave a very informative presentation on Metro Micro transportation. Mr. Martindale presented the two new CAC members, Jan Johnson and Liam Matthews, at the February meeting.

TPAC Chair Diane Amaya reported there was a TPAC meeting on February 10 and the committee discussed the following items: Mr. Colaiace provided the Executive Director's report with an update on ridership projections for the fiscal year 2023. Ridership was expected to be at 79% of pre-pandemic levels. Mr. Colaiace concluded his report with a discussion on the taxi driver shortage in LA County. The next item was the 2021 Joe King Award Winner. Project Administrator Jessica Volanos presented Raisa Malagon with the Joe King scholarship. Ms. Malagon received tuition to attend the University of the Pacific's Transit and Paratransit Certificate Program. The next item was the consideration to modify key performance indicators and standards presented by Chief Operations Officer Mike Greenwood. He discussed changes to trip denials, liquidated damages, and the preventable collision rate. Customer Relations Manager Susanna Cadenas and Project Administrator Mayra Perez provided an update on the customer service RFP. They outlined key components of the contract and changes to the scope of work. Lastly, Operations Manager Rogelio Gomez presented the operations report for December 2021. He presented the KPIs and highlights for each service area. Mr. Gomez also discussed the agency's efforts to assist with contractor staffing.

#### **5. GENERAL PUBLIC COMMENT**

Liam Matthews made a public comment by stating that he was attending the meeting as part of the CAC requirements and thanked everyone for their time.

Jan Johnson stated she was there attending the meeting as a requirement for her being a part of the CAC membership.

#### **6. SUPERIOR SERVICE AWARD PRESENTATION**

Project Administrator Faustino Salvador introduced the Superior Service Award winner Keith Carr.

## **7. CONSENT CALENDAR**

Recommendation: Approval of all items on the Consent Calendar.

### CONSENT CALENDAR

- a) Consideration to Extend Term and Increase Funds - Mail Fulfillment Services Contract (AS-4048)
- b) Consideration to Increase Funds - Legal Services Contract (AS-4039)
- c) Consideration to Approve Rate Table Correction - Eligibility Services Contract (AS-4030)

Public Comment: None.

**Motion made by Secretary Barnes to approve the Consent Calendar items, seconded by Director Nason. Via Roll Call Vote - all were in favor, motion passed.**

## **8. CONSIDERATION TO APPROVE DRAFT FY2023 FUNDING REQUEST**

Deputy Executive Director Hector Rodriguez presented this item.

Public Comment: None

### Board Member Comments:

Director Gogreve asked about expansion vehicles and wanted to verify they were not in the budget. Mr. Rodriguez responded it was correct and there were no expansion vehicles included. This was solely for replacement of vehicles that have, or will have exceeded their useful life. Director Gogreve asked if they knew how much that was and if it was something that should be included in the budget. Mr. Rodriguez responded that the expansion vehicles was something that he has not considered yet because they would have to talk to the contractors to make sure that they have enough space to take those additional vehicles and that perhaps in the FY24 budget it would be a better time to request it.

Director Gogreve asked what was the delivery timeframe for the vehicles that will be paid for with the proposed carryover of 11 million dollars. Mr. Rodriguez responded that they will be arriving over the next six months to a year. Last week, they were told that they are likely to get some of them by June, which would mean that they won't have to carry all of the funds over into FY23.

Director Nason asked if he knew when or if the vehicles that were ordered will actually be delivered. Mr. Rodriguez responded that they don't have a timeline because the timeline keeps moving because of the lack of availability of vehicles from the manufacturer. The order has been placed, and they are simply waiting for them.

Chair Gombert stated that it might be helpful at some time in the future, before the end of the fiscal year, to share with the Board the multi-year fleet planning process. He understands it is a difficult concept given how they have been using taxicabs but they don't have an idea of where Access is as far as the current fleet in terms of what they have to order and what the out-year projections are. If they are doing an SRTP short-range transit plan, they will have to do this. He would like an update sometime in May.

Director Aguilar made a comment by asking if the \$11.9 million carryover funds were based on fixed pricing which means there is not a possibility that these vendors will come back and say they need additional funding due to the rising cost of parts. Mr. Rodriguez responded that the \$11.9 million is fixed, because that's what the purchase order was for. He stated that what was not fixed is if the vehicles were not available. For example, the large cutaway type B vehicles may no longer be available. They might have to switch out to a different model such as the Pro Master. He also stated that pricing from MBTA has increased for the new vehicles.

Director Gogreve stated she saw increases in the different categories such as contracted support, direct transportation and administration and wanted to see more detail for those increases. Mr. Rodriguez responded that these were just planning numbers and he will provide more detailed information about where the increases are coming from in May. Director Gogreve also asked if the \$11.9 million is just from 5310 funding. Mr. Rodriguez responded that it is but there's also matching local dollars associated with those funds.

Board Discussion:

Secretary Barnes thanked the team that got us to this point because it is a complex process. He stated that the pressures on cost and the ability to use non-directly operated vehicles are two of our biggest challenges. At Foothill Transit, one of the contractors just raised wages by starting new employees at year three of the wage scale.

**Motion made by Director Nason to approve item, seconded by Vice Chair DeVera. Via Roll Call Vote - all were in favor, motion passed.**

**9. CUSTOMER SERVICE UPDATE**

Manager of Customer Relations Susanna Cadenas and Project Administrator Mayra Perez introduced this item.

Public Comment:

Mel Bailey made a public comment by stating that the OMC is extremely ineffective based on his experiences and he doesn't know how well it's being monitored. He was

wondering whether or not there was a breakdown in regards to the peak. He also stated that since Alta has gone remote, he assumes that the overhead and expenditures are less and this should help save money. He also asked that with removal of the KPI, would there still be some collection of data to ascertain that the calls are not being prolonged.

Yael Hagen made a public comment by stating that the Board should know that there was a good discussion and some input at the CAC meeting regarding this topic and this presentation. She didn't hear anything about that put into the report to the Board. She hopes that the input from the CAC is taken seriously. One of the main ones was that the OMC needs to have a way that people can get to an OMC representative quicker. They also requested the OMC to have a bit more authority to be able to handle real time situations in a timely manner, because the riders only have five minutes to be able to resolve any issue that happens before they are marked a no-show. This gives them extra time to be able to get through on the phone system and be able to speak to the issues for there to be a resolution.

Board Member Comments:

Vice Chair DeVera made a comment by stating that a nurse friend of hers recently tried to apply for Access and she said many of the questions asked violate HIPAA. If they already have the person's application in front of them then, why are they still asking, what their disability is. They already have the application. Ms. Cadenas responded by stating that she believes she is referring to MTM, which does the evaluations. Customer service does not complete these but will get the information to her.

Director Gogreve commented on the 13.1% calls on hold number because she finds that percentage excessive. Ms. Perez responded that they were hit really hard towards the end of the fiscal year for various reasons. One factor was they were having trouble staffing and the other was returning from the non-shared rides to full-shared rides, which increased the amount of calls they received. They also had just launched the new Rider360 platform so they had agents training. Director Gogreve asked if this somehow affected OMC numbers and that because of some increases, the "on hold" time was also longer. Ms. Perez responded that this would be a factor but it was more of a customer service issue since many riders were not happy to return to shared rides.

Director Gogreve asked if the 40 random calls per month that they monitor was a fixed number and is this something that can be looked in to with the upcoming contract. Ms. Perez responded that they make sure each agent is evaluated quarterly but the total number of calls evaluated is often more than 40 as they listened to all interactions with the agent for that call. Also, throughout the month they are reviewing additional calls based on a case by case situation.

Treasurer Burner asked a question regarding the key scope changes and if liquidated damages remained in the contract. Ms. Cadenas responded there were liquidated

damages in the contract and they will continue to have them in the contract when they release the new RFP.

Director Aguilar asked if there were going to be any changes to the KPIs in terms of those standards in the new contract. Ms. Cadenas responded that they would remain the same with the exception of the removal of the call duration KPI

## **10. OPERATIONS UPDATE**

Chief Operations Officer Mike Greenwood gave a presentation on the item.

### Public Comments:

Mel Bailey made a public comment by asking what was considered as excessive tardiness. He also stated that he believes public comments are mostly disregarded and they should be taken into consideration. He also recommended that project administrators should also attend City Council meetings in their respective regions as this may help in advertising the need for drivers.

Yael Hagen made a public comment by stating that she really enjoyed the video and thought that what Access was doing, not only in the recruiting, but in responding to the riders is great. She appreciates they have addressed the issue concerning the Operations Department regarding lost and found. The response was not only positive, but it was swift and it made sense. Her biggest concern in the employment is places where there are unions involved. Drivers lose a lot of flexibility when they're looking for employment and can't get schedules that are flexible.

### Board Member Comments:

Director Gogreve stated that she hopes they can move forward with establishing the social media campaign and bringing it to the Board of Directors. She believes a social media campaign for Instagram or even Facebook is probably something that can be done inexpensively. She recommended targeted ads to bring in drivers that way. Mr. Greenwood responded that social media is the one remaining big item left for their contractor hiring assistance plan. They have had a couple of meetings and are looking into breaking from tradition and starting to use social media to get the word out. He believes combining video presentations with links to hiring websites would be a great way to get the word out on social media. He will have an update for the Board by the time they have committee meetings next month and will share that information at the appropriate time.

## **11. UPCOMING BOARD ITEMS**

Director of Administration F Scott Jewell stated that the Board Operations Committee will meet to discuss the agenda along with the allocation of where the Audit and

Compensation Committees should be sitting in terms of our new committee structure. He also stated that on March 21 there will be committee meetings, as they have a number of contracts that are being extended. In addition, there will be some renewals related to employee health benefits and the SIR program commercial business insurance renewals for the next fiscal year. They will also be bringing the Title VI Plan for the committees to review before it goes to the full Board. He stated that at the April 18 Board of Directors meeting there will be approval of the committee items. On April 25, there will be a Board Operations committee meeting. They need to schedule a special Board meeting to handle the extension of virtual meetings, because that has to be done every 30 days. He will be sending out the request for that for either next week or the last week of February.

Public Comments:

Mel Bailey made a public comment by stating that he would like all public comments to be taken into consideration to be agendized at the next meeting.

Board Member Comments:

Director Gogreve asked when the customer survey results be brought to the Board. Mr. Jewell responded since the survey just closed last week and by the time they receive the results, they will probably be provided around March/April.

## **12. EXECUTIVE DIRECTOR'S REPORT**

Executive Director Andre Colaiace reported that Access took a number of actions to ensure customers who attended the Super Bowl had a smooth experience and also that paratransit resources were available to their partners in the event of an emergency. He reported that it was a quiet day from an emergency perspective, but he wanted to thank Access and contractor staff for being prepared and proactive. He noted that there has been a lot of discussion about their vehicle schedule and the order for 101 Ram Pro Masters that they are using to replace the Dodge caravan minivans. He stated that the order has been delayed because the van manufacturing partner, Sunset Vans, has still not received any chassis to finish the build. They are hoping to speed up the process and executives from Sunset Vans are traveling to Detroit, to meet in person with Stellantis executives to ask that they allocate enough chassis so the vans can be built. Access has provided a letter that will be hand delivered to Stellantis executives outlining why they need replacement vans as quickly as possible to ensure the continuation of safe and effective paratransit services in Los Angeles County.

## **13. BOARD MEMBER COMMUNICATION**

Director Troost thanked everyone for their presentations and appreciates that they were all well prepared.

Vice Chair DeVera stated she had nothing to add but thanked everyone for their presentations and said, "Go Rams!"

Secretary Barnes stated that he is grateful to be serving on the Board and is so grateful to the entire Access family for leaning in, being adaptable and flexible, and doing what's needed to serve the community.

Director Nason stated that she thought the presentations by Access were great today. She also stated that Mr. Carr from MV Transportation did a really good job on his presentation. She also wanted to comment that she really enjoyed the APTA Transit Board member virtual seminar. It was two full days, but it had lots of valuable information and that was shared from all over the United States. She took pages and pages of notes and encourages everyone to attend the seminar online if they can.

Director Del Castillo stated that he would also like to echo the sentiments of other Board members of appreciation for staff and all presenters for being well prepared. He hopes Access is continuing to adapt and be flexible during this unprecedented time. He is also curious on ideas for technology coming out with the smartphones to improve the Where's My Ride, or improve the app to allow for reservations on the app. He would also like to make driver/passenger communications a little more efficient by using the app.

Director Gogreve thanked Director Gombert and thanked everyone for their presentations. She also wanted to wish everyone a Happy Valentine's Day and a wonderful week.

Director Aguilar stated that he really enjoyed Mr. Carr's presentation. He also thanked Andre Colaiace, Hector Rodriguez and the rest of the staff. He knows that preparing the budget, particularly with such a tight timeline is a very heavy undertaking. This has a huge impact on the regions and he appreciates that they are providing quality service.

TPAC Chair Amaya stated that she was very impressed by all the presentations that the Access staff has given at all of the Board meetings and TPAC meetings. They provide great information and she is always looking forward to hearing more information.

Chair Gombert thanked staff for the quality and depth of the presentations. The video presentation was also excellent.

Treasurer Burner commended the staff for doing such an excellent job, as well as the contractors for stepping up to the plate and meeting the needs of the community. He also thanked their attorney, Mr. Ewing, for doing such a great job this past year, particularly in looking at the organization and helping them to rectify situations and help them save money and move forward.

**14. NEW BUSINESS SUBSEQUENT TO THE POSTING OF THE AGENDA**

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

**15. PUBLIC COMMENT WITH RESPECT TO CLOSED SESSION ITEMS**

There was no public comment.

**16. CLOSED SESSION REPORT**

Director of Administration F Scott Jewell stated that no action was taken by the Board during Closed Session but direction was given on Item 16C.

**17. ADJOURNMENT**

**Motion made by Director Nason, seconded by Secretary Barnes to adjourn.**

The meeting adjourned at 2:14 p.m.

Approved

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Doran J. Barnes, Secretary

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Date

# access

## STATEMENT OF PROCEEDINGS FOR THE MEETING OF THE ACCESS SERVICES BOARD OF DIRECTORS

Webinar

March 21, 2022

12:30 p.m.

### 1. CALL TO ORDER

Meeting was called to order by Chair Gombert at 12:31 p.m.

### **BOARD MEMBERS PRESENT REPRESENTING A QUORUM**

Present: Chair Gombert, Vice Chair DeVera, Directors Aguilar, Del Castillo and Nason.

### **BOARD MEMBER(S) EXCUSED FROM THE MEETING**

Not Present: Treasurer Burner, Secretary Barnes, Directors Gogreve and Troost.

### 2. GENERAL PUBLIC COMMENT

None.

### **3. CONSIDERATION TO APPROVE RESOLUTION TO CONTINUE PUBLIC MEETINGS THROUGH TELECONFERENCING**

Recommendation: Approve the following resolution - "The Access Board of Directors has reconsidered the circumstances of the state of emergency; and the following circumstances exist: (i) The state of emergency continues to directly impact the ability of the members to meet safely in person; and (ii) State or local officials continue to impose or recommend measures to promote social distancing. Hence, teleconferencing for Access Board and committee meetings will continue for the next thirty (30) days."

Director of Administration F Scott Jewell presented this item.

Public Comments

None.

Board Member Comments

None.

Board Member Discussion

None.

**Motion made by Director Nason to approve item, seconded by Vice Chair DeVera.  
Via Roll Call Vote - all were in favor, motion passed.**

**4. ADJOURNMENT**

**Motion made by Vice Chair DeVera, seconded by Director Nason to adjourn.**

The meeting adjourned at 12:36 p.m.

Approved

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Doran J. Barnes, Secretary

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Date

## **ITEM 7-a**

**APRIL 11, 2022**

**TO:           BOARD OF DIRECTORS**

**FROM:       MAYRA PEREZ, CUSTOMER RELATIONS PROJECT ADMINISTRATOR**

**RE:           CONSIDERATION TO EXTEND TERM AND INCREASE FUNDS -  
LANGUAGE INTERPRETATION SERVICES CONTRACT (AS-4022)**

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**ISSUE:**

Board approval is required to exercise a one-year extension for telephone language interpreting services with Language Line Services, Inc. This item was reviewed and approved by the Performance Monitoring Committee.

**RECOMMENDATION:**

Authorize a one-year contract extension with Language Line Services from October 1, 2022 through September 30, 2023 and an increase in funds of \$220,000.

**IMPACT ON BUDGET:**

The costs associated with this contract will be appropriately budgeted for FY2022/23 and the subsequent out year. The not-to-exceed contract total will increase from \$668,747 to \$888,747. The funding for this contract comes from local funds.

Payment terms of the contract will continue to be a fixed fee of \$0.63 per minute for the extension. Aside from telephone interpretation, Language Line Services Inc. also provided pricing for document and video translation services. Video translations are \$1.95 per minute and document translations range from \$0.22-\$0.40 per word depending on the language. Access Services may need these translation services from time-to-time and will request such services on an as-needed basis only.

**ALTERNATIVES CONSIDERED:**

The alternative, should the Board not approve the option term, is to release an RFP for translation services for an October 1, 2022 start date. However, staff does not recommend this option as the contractor has satisfactorily met the terms of the contract and the extension ensures the current rates remain the same.

### **EFFECT OF APPROVAL OF STAFF RECOMMENDATION:**

If this staff recommendation is approved by the Board, staff would be authorized, but not required, to negotiate and enter into a written contract amendment upon terms and conditions no less favorable to Access than those proposed above. Access would not be legally bound to the contract amendment herein proposed unless and until it is incorporated into a formal written agreement that is executed by all parties thereto and approved as to form by this entity's legal counsel.

### **BACKGROUND:**

In order to ensure meaningful access to persons with limited English proficiency, Access Services uses a telephone interpreting service. This service allows callers to communicate with Access and its service contractors via a three-way conference call in a multitude of languages. In the past year, Language Line Services assisted 7,737 Access calls in 29 different languages.

The current contract was procured using a competitive RFP in 2016 and was awarded to Language Line Services Inc. for a base three-year term with five one-year options. Language Line Services Inc., the current incumbent for telephone interpreting services, is headquartered in Monterey, California and has been in business for 39 years. Language Line Services Inc. is one of the largest over-the-phone interpreting companies in the world, offering services in over 240 languages, including American Sign Language, and completing more than 40,000,000 interactions yearly, while serving approximately 30,000 clients.

**ITEM 7-b**

**APRIL 11, 2022**

**TO:** **BOARD OF DIRECTORS**

**FROM:** **RICK STREIFF, SENIOR MANAGER, FLEET DESIGN & MAINTENANCE  
DAVID CHIA, PROCUREMENT AND CONTRACTS ADMINISTRATOR**

**RE:** **CONSIDERATION TO EXTEND TERM AND INCREASE FUNDS - ON-BOARD VEHICLE CAMERA RECORDING SYSTEM CONTRACT (AS-3906)**

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**ISSUE:**

Board approval is required to extend the term and increase funds for the SmartDrive On-Board Vehicle Camera/Recording System. This item was reviewed and approved by the Performance Monitoring Committee.

**RECOMMENDATION:**

Authorize a one-year contract extension with SmartDrive Systems, Inc., from September 1, 2022 through August 31, 2023 and an increase in funds of \$579,600.

**IMPACT ON BUDGET:**

The requested amount will fund monthly subscription fees, repairs and replacement parts through the term of the extension. The contract not-to-exceed amount will increase from \$3,685,651 to \$4,265,251.

The funding for this contract comes from local Prop C 40% and fare box funds.

**ALTERNATIVES CONSIDERED:**

No suitable alternatives are available. No new camera system options have been released by the United States General Services Administration (GSA). The global chip shortage has affected the camera system supply chain and the development of new camera technologies. This requested extension is meant to allow Access to continue operations of the upgraded existing system. This action would also allow Access to maintain current standards of operational safety and security.

### **EFFECT OF APPROVAL OF STAFF RECOMMENDATION:**

If this staff recommendation is approved by the Board, staff would be authorized, but not required, to negotiate and enter into a written contract amendment upon terms and conditions no less favorable to Access than those proposed above. Access would not be legally bound to the contract amendment herein proposed unless and until it is incorporated into a formal written agreement that is executed by all parties thereto and approved as to form by this entity's legal counsel.

### **BACKGROUND:**

Recognizing the importance of on-board vehicle camera recording systems, the Board authorized the purchase of the "SmartDrive" system in 2010. In 2015, the Board authorized further expansion of the SmartDrive system through the United States General Services Administration's ("GSA") Information Technology ("IT") Schedule 70.

In December 2019, the Board authorized a six-month contract extension that included a camera system upgrade from 3G to 4G broadband cellular network technology, also through GSA IT Schedule 70.

In June 2020, the Board authorized a one-year contract extension to fund monthly subscription and replacement parts, extending the contract to August 31, 2021.

In March 2021, the Board authorized a one-year contract extension to fund monthly subscription and replacement parts, extending the contract to August 31, 2022.

The GSA has consolidated IT Schedule 70 with its Multiple Award Schedules (MAS). No significant product updates have been made. Staff continues to carefully monitor the onboard video camera technology market and awaits an update to the GSA's Multiple Award Schedules.

In the meantime, a one-year contract extension with an increase in contract value will allow Access to continue camera system operations, repair and replace system components, and assess market opportunities for future system improvements

**ITEM 7-c**

**APRIL 11, 2022**

**TO:** **BOARD OF DIRECTORS**

**FROM:** **ELIZABETH ZAMBRANO, MANAGER OF HUMAN RESOURCES  
F SCOTT JEWELL, DIRECTOR OF ADMINISTRATION**

**RE:** **CONSIDERATION TO APPROVE RENEWALS OF EMPLOYEE HEALTH  
AND BENEFIT CONTRACTS**

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**ISSUE:**

The current Access Services employee benefit insurance policies for medical, dental, vision, life and long-term disability will expire on June 30, 2022. The Board must approve a benefit plan so that employee benefits are in place for the next fiscal year starting July 1, 2022. This item was reviewed and approved by the Planning and Development Committee.

**RECOMMENDATION**

Approve the employee benefit insurance policies for the period of July 1, 2022 through June 30, 2023 at a cost not to exceed \$1,152,541.

**IMPACT TO BUDGET**

The costs for these policies (\$1,019,447 for the medical policy and \$133,094 for all other Access sponsored policies), is a 5% increase over the current year and will be included in the proposed FY2022/23 budget. The funding for these policies comes from local funds.

The amount requested for approval is an estimate based on information obtained from our insurance broker at the time this Board item was prepared. Since quotes are generally not available until the date of the actual policy renewal, it is possible that the actual cost of the premiums will be lower than the stated estimate.

**ALTERNATIVES CONSIDERED**

Access' insurance broker, SullivanCurtisMonroe (SCM), is in the process of conducting a comprehensive market survey. The current Kaiser plan will likely be the most cost advantageous to Access but additional plans may be offered if similar benefits can be provided.

## **EFFECT OF APPROVAL OF STAFF RECOMMENDATION:**

If this staff recommendation is approved by the Board, the staff will be authorized, but not required, to negotiate and enter into a renewal of the existing Kaiser Health Care or similar health plan and modify Access' existing vision, dental, and other benefit plans in accordance with terms, conditions and costs that are no less favorable to Access than those proposed herein. Access would not be legally bound to the renewal or modifications unless it is incorporated into a formal written agreement executed by all parties thereto and approved as to form by this entity's legal counsel.

## **BACKGROUND**

Access Services (Access) offers a comprehensive package of employee benefits. Coverage of insurance begins the first day of the month after 30 days of employment. All full-time staff employees and their eligible dependents may participate in Access' comprehensive health coverage. These benefits include the following:

### **Comprehensive Health Insurance - Kaiser-Permanente (HMO & PPO)**

Participants may choose coverage for themselves and any eligible dependents, or to opt-out of the plan if they are covered by another employer sponsored plan. Staff is also exploring offering a similar level and cost plan to provide more options for staff in terms of comprehensive health insurance.

Access pays 90% of the entire premium cost for HMO or 80% of the entire premium for PPO coverage for both employee and eligible dependents up to limits established by the Board of Directors.

### **Dental Insurance**

The Prepaid Dental Benefit (DHMO) option provides basic care at no charge to the employee and other services at a low co-payment.

Indemnity Dental Benefits (DPO) option provides basic care at no charge to the employee and other services at a payment of 90% on most usual and customary charges up to \$1,500 per year.

### **Vision Insurance**

Comprehensive vision insurance (PPO) covers frames, lenses, contact lenses and exams.

### **Chiropractic Insurance**

PPO Chiropractic coverage provides up to 20 visits per calendar year.

### **Life and Long-Term Disability Insurance**

Employer-paid Life Insurance provides an amount equal to the employee's annual salary. Premiums are 100% paid by Access for employees; dependents are not eligible for this benefit. Employees may choose additional voluntary life insurance and pay the premiums through payroll deductions.

Employer-paid Long Term Disability Insurance provides up to 66% of salary for employees unable to work after a 90-day waiting period. Premiums are 100% paid by Access for employees; dependents are not eligible for this benefit.

### **Long Term Care**

Employer paid Long Term Care Insurance provides basic coverage of \$2,000 per month for qualified confinement to a skilled nursing facility. See plan for details. Employees may choose additional coverage choices and pay the premiums through payroll deductions.

### **Supplemental Insurance**

Employees may choose any of several voluntary supplemental insurance policies, and pay for the premiums via payroll deduction. Employees may opt for supplemental insurance at any time.

### **Flexible Spending Accounts**

Access participates in Flexible Spending Accounts (FSA) as regulated by the Internal Revenue Service. Employees are able to participate in an FSA when they become benefit eligible (1st of the month following 30 days of hire) and during the open enrollment period (effective as of July 1 each year).

**ITEM 7-d**

**APRIL 11, 2022**

**TO:           BOARD OF DIRECTORS**

**FROM:       HECTOR RODRIGUEZ, DEPUTY EXECUTIVE DIRECTOR**

**RE:           CONSIDERATION TO APPROVE RENEWAL OF SELF-INSURED  
RETENTION AUTOMOBILE LIABILITY PROGRAM**

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**ISSUE:**

Board approval is requested to continue the Self-Insured Retention (SIR) program for all automobile liability claims up to \$100,000 per claim. This item was reviewed and approved by the Planning and Development Committee.

**RECOMMENDATION:**

Authorize staff to continue a \$100,000 Self-Insured Retention program with estimated liability of \$1,940,000 that will be determined in accordance with GASB Statement No. 10 as required for public entities.

**IMPACT ON BUDGET:**

Based on projected actuarial studies to be performed by Aon Risk Solutions, it is expected that this program may have a projected total cost of claims within the SIR of up to \$1,940,000 for FY 2022/23. The final cost will depend on the actual loss history over the policy period. For example, claims so far for the FY2021/22 year are projected to be \$616,238, far below the actuarial projection of \$1,848,000. (This estimate is subject to change depending on claims experienced through June 20, 2022.)

Aggregate stop loss insurance will be procured in order to limit SIR exposure. The aggregate insurance will become effective only when Access has paid \$3,500,000 in claims.

This program and the other layers of insurance have all been included in the draft budget for Fiscal Year 2022/23.

**ALTERNATIVES CONSIDERED:**

Staff believes the SIR structure, in combination with our safety program, has been successful and no alternatives have been considered.

**BACKGROUND:**

The proposal with an SIR and cost sharing of total claims was developed by our insurance brokers, SullivanCurtisMonroe. The centralization and control of the insurance program by Access and its contracted Third-Party Administrator (CorVel) has allowed Access to better manage and resolve claims against the Agency. The data for the actuarial study consists of data for claims incurred from June 21, 2009 to date gathered from CorVel. The requested SIR liability limit is an increase from the current year's limit of \$1,848,000.

**ITEM 7-e**

**APRIL 11, 2022**

**TO:           BOARD OF DIRECTORS**

**FROM:       HECTOR RODRIGUEZ, DEPUTY EXECUTIVE DIRECTOR**

**RE:           CONSIDERATION TO APPROVE RENEWAL OF COMMERCIAL BUSINESS PACKAGE INSURANCE**

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**ISSUE:**

In order to continue the Access Self-Insured Retention (SIR) program, Board approval is necessary to authorize the renewal of insurance policies consisting of Excess Business Auto for revenue service vehicles, Commercial General Liability, Commercial Umbrella Liability, and Aggregate Stop Loss Coverage.

The insurance layers in Access' program are currently structured as follows:

SIR up to		\$100,000
Primary Layer	\$100,000 to	\$1,100,000
First Excess	\$1,100,000 to	\$11,100,000
Second Excess	\$11,100,000 to	\$26,100,000
Third Excess	\$26,100,000 to	\$51,100,000

The Primary Automobile Layer is covered by a policy with James River Insurance Company that expires on June 20, 2023 and staff has asked Access' insurance broker, SullivanCurtisMonroe, for pricing on extending the existing policy with James River through June 20, 2024.

The three excess layers above the primary layer will expire on June 20, 2022, and therefore require Board action to extend to June 20, 2023. This item was reviewed and approved by the Planning and Development Committee.

**RECOMMENDATION:**

Authorize the Executive Director to:

- Enter into a one-year policy agreement with James River Insurance Company for primary insurance coverage from June 21, 2023 through June 20, 2024;

- Enter into a one-year policy agreement with James River Insurance Company for the first excess layer;
- Enter into a one-year policy agreement with Scottsdale Insurance Company for the second excess layer;
- Enter into a one-year policy agreement with Liberty Insurance Company for the third excess layer;
- Enter into one-year policies with various carriers for the above-named insurance policies dependent on the outcome of the quotes received;
- Authorize an amount not to exceed \$7,500,000 for all of the above insurance layers.

#### **IMPACT ON BUDGET:**

These costs will be included in Access' budget for FY2022/23. The funding for these policies will come from local funds.

#### **BACKGROUND:**

The insurance placement process will be completed by June 20, 2022 for all layers except the primary layer. A report with specific insurance carrier and policy information will be transmitted to the Board.

The choice of an insurance carrier is based on a number of factors, i.e. financial strength, the 'A. M. Best Guide' industry rating, policy limits, potential covered losses and cost. SullivanCurtisMonroe has been instructed to obtain competitive bids in the placement of our insurance policies. Insurance companies have traditionally been very selective in bidding on the insurance Access currently carries, and as part of their process, conduct a detailed assessment of potential exposures to risk.

The amount requested for approval is an estimate based on information obtained from our insurance broker at the time of preparation of this Board item. Since quotes are generally not available until the date of the actual policy renewal, it is expected that the actual cost of the premiums will be lower than the stated estimate.

**ITEM 7-f**

**APRIL 11, 2022**

**TO:** **BOARD OF DIRECTORS**

**FROM:** **MATTHEW AVANCENA, DIRECTOR, PLANNING AND COORDINATION  
RYCHARDE MARTINDALE, ADA COORDINATOR**

**RE:** **CONSIDERATION TO APPROVE COMMUNITY ADVISORY COMMITTEE  
(CAC) APPOINTMENTS**

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**ISSUE:**

The Community Advisory Committee (CAC) currently has two membership vacancies. In accordance with the CAC Bylaws, Board approval is required in order to appoint new members to the committee. This item was reviewed and approved by the External/Stakeholders Relations Committee.

**RECOMMENDATION**

Appoint Jan Johnson and Liam Matthews to the CAC effective April 19, 2022.

**IMPACT ON BUDGET**

None.

**BACKGROUND**

One of two advisory committees created by the Access Services Board of Directors, the CAC provides community input and advice to the Board and staff concerning operational and policy issues to affect and improve Access' transportation program. The following outlines the timeline associated with this vacancy.

June 2021:

CAC member Marie-France Francois informed staff of her resignation from the committee.

July 2021:

Access staff reconvenes the CAC's Member Selection Subcommittee whose members include Chairperson Rachele Goeman, Terri Lantz, Maria Aroch, Yael Hagen and Michael Arrigo.

Staff published the vacancy notice on its website, and distributed it by email to various community stakeholders, including all the Regional Centers and Independent Living Centers in the County and the Los Angeles City and County Commissions on Disabilities. The notice provided instructions to interested persons on the steps needed to complete an application.

August 2021:

CAC member Tina Foafoa passed away leaving the CAC with two membership vacancies. Staff received six (6) new applications.

November 2021:

After receiving the new applications, the member selection subcommittee agreed to review the applications and asked staff to remind the applicants to attend at least two CAC meetings, as required by the bylaws. The subcommittee planned to meet again to determine interview dates.

January 2022:

The subcommittee reviewed all of the applications and narrowed the pool of qualified applicants to five (5) individuals meeting the criteria set forth in the bylaws.

January - February 2022:

The subcommittee interviewed five applicants: Afi Bell, Wilma Ballew, Kathleen Barajas, Jan Johnson and Liam Matthews. After careful consideration and evaluation of the candidates' qualifications and experience, they selected the highest scoring individuals and recommended Jan Johnson and Liam Matthews for approval by the full CAC at its February 8 CAC meeting.

At the February 8 CAC meeting, the full committee took action and approved Jan Johnson and Liam Matthews' membership and forwarded their recommendation to the Access Board of Directors for final review and approval.

#### Liam Matthews

Mr. Matthews is currently employed by Southern California Resource Services for Independent Living (SCRS-IL) as a Program Assistant. SCRS-IL is an Independent Living Center with offices in Arcadia, Downey, Pasadena and San Bernardino. As a Program Assistant, Mr. Matthews works with consumers with disabilities to help them secure and maintain employment. As an Access rider who has a professional relationship with other disability advocacy groups, Mr. Matthews hopes to use his background in technology to connect consumers with available services in their community.

Jan Johnson

Ms. Johnson is a former member of the Quality Services Subcommittee (QSS), an ad-hoc subcommittee formed by the CAC, an Access rider and a lifelong disability advocate. As a person with a visual impairment, Ms. Johnson is an active member of the Greater Long Beach Chapter of the California Council of the Blind and advocates for service animals. She previously served on the Claremont Committee of Disabilities as Co-Chair.

**ITEM 7-g**

**APRIL 11, 2022**

**TO:** **BOARD OF DIRECTORS**

**FROM:** **RICK STREIFF,  
SENIOR MANAGER, FLEET DESIGN AND MAINTENANCE  
BRIAN SELWYN,  
MANAGER OF PROCUREMENT AND CONTRACT ADMINISTRATION**

**RE:** **CONSIDERATION TO EXTEND TERM AND CHANGE RATES - FLEET  
INSPECTION SERVICES CONTRACT (AS-4104)**

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**ISSUE:**

Board approval is required to exercise the first option term for fleet inspection services with AmeriTran Service Corporation (dba Transit Resource Center) (TRC). TRC performs three types of fleet inspection services for Access:

- Factory inspections of new vehicle builds;
- Subcontractor vehicle file reviews; and
- Contact turnover vehicle inspections.

The original contract included a three (3) year base term and two (2), one-year option terms. It was staff's understanding, until very recently, that TRC would be able to perform the work required in option years one and two at the rates approved by the Board in May 2019. Due to exigent conditions affecting both the vehicle manufacturing industry and related businesses, as described below, the Contractor ultimately determined that it would not be able to do this work at the originally-approved rates.

**RECOMMENDATION:**

Authorize staff to execute the first option term with TRC effective June 1, 2022 through May 31, 2023 along with a change in rates.

**IMPACT ON BUDGET:**

The costs associated with the extension to this contract have been appropriately budgeted for FY 2021/22 and will be budgeted for the subsequent out-years. The not-to-exceed contract total will remain at \$336,306. (There is no anticipated increase in the contract value for the first option year due to the fact that throughout most of the

three-year base term, the number of vehicles available for inspection was significantly lower than anticipated and thus the contractor performed less work than they would have under ‘normal circumstances.’ The estimated actual cost for the first option year is \$120,782). The funding for this service comes from Proposition C 40% Discretionary funds.

### **ALTERNATIVES CONSIDERED:**

The alternative, should the Board not approve the option term, is to release an RFP for fleet inspection services for a November 1, 2022 start date. Staff would then seek Board approval and contractor agreement to extend the current contract for a period of six months to ensure fleet inspections can continue. This is not advisable however, as Access has two vehicle orders in various stages of production and any disruption to in-plant inspections could jeopardize compliance with 5310 contract obligations. At this time, staff is not recommending the award of the second option year in lieu of issuing an RFP later this year for fleet inspection services.

### **EFFECT OF APPROVAL OF STAFF RECOMMENDATION:**

If the Board approves this staff recommendation, staff would be authorized, but not required, to negotiate and enter into a written extension upon terms and conditions no less favorable to Access Services than those proposed herein. Access Services would not be legally bound to the option term herein proposed unless and until it is incorporated into a formal written agreement executed by all parties thereto and approved as to form by this entity’s legal counsel.

### **BACKGROUND:**

Access is committed to protecting its fixed assets and ensuring that our service providers maintain the assets in good repair. The third-party inspection process is one of many means used by Access to protect those assets. Access Services requires that vehicles utilized in revenue service, whether owned by the agency or the service provider, or contracted by the service provider, are maintained and kept in the best condition possible. In addition to the daily equipment, vehicle condition and maintenance inspections currently being performed in the field by service contractors, fleet management staff and road safety inspectors randomly perform inspections of all revenue vehicles and equipment. In order to ensure further compliance with this policy, Access has compiled a menu of inspections that require a third-party: plant inspections of new vehicles to be purchased by Access; inspections of Access-owned vehicles currently used in revenue service; and quarterly paper audits of non-dedicated, contractor-owned vehicles and taxis.

As a recipient of 5310 funding, Access is required to perform in-plant inspections of new vehicles prior to their use in revenue service. Given that our vehicles are currently built in multiple facilities and that the build period can last as long as six months per

vehicle, Access, without the use of third-party inspectors, would have to utilize existing staff, or add new staff, re-locating them to facilities out of state for extended periods of time. Staff believes that agency resources can be better spent by engaging the services of expert, third-party inspectors to perform this work.

In terms of Access-owned vehicles currently in revenue service, staff has found the use of a third-party inspector to be essential in facilitating the transition of rolling stock from an outgoing to an incoming service provider. With the turnover of any service contract, a full inspection of all vehicles is required. The use of third-party inspectors (vs. Access or service provider staff) allows for an objective, non-biased assessment of the condition of vehicles during the transition period.

As reflected in the table below, TRC is requesting an increase in the Board approved rate for the first of two possible option years for ***In-Plant Vehicle Inspections*** only. Specifically, the contractor proposes an increase from \$268.00 to \$397.00 per vehicle for Option Year 1. After careful consideration, staff believes that the requested rate modification is justified.

According to ***Auto Forecast Solutions***, the world lost 11.3 million units of vehicle production in 2021 because of a chip shortage. Another 7 million units could be lost in 2022 and 1.6 million in 2023. This has severely impacted second stage vehicle manufacturing involved in assembling ADA paratransit service vehicles. Simply put, there aren't enough chips being produced to meet demand.

Manufacturing shortages have had a massive impact on vehicle production schedules, resulting in much higher prices for parts and labor. Inspection services provided by companies like TRC, in turn, are impacted by major parts supply interruptions causing production delays, partially completed vehicles being pushed out to parking lots, and vehicles re-entering production in a non-predictive manner as missing parts suddenly appear. Inspectors are spending twice as much time as normal in trying to properly inspect buses whose partial completion changes every day.

While there was hope that things would "return to normal" as the pandemic subsided and Access would exercise one or both option year on the subject contract at the rates of compensation already approved by the Board in 2019, it recently became apparent that this was not the case. In turn, TRC approached Access with a request to increase the rates of compensation for the one work process - *In Plant Inspections* - which has been most severely impacted by industry-wide manufacturing and supply-chain disruptions. (The other tasks, listed in the table below, will be compensated at the rates already approved by the Board.) Again, staff finds the revised rates to be acceptable, given the climate in which the industry now finds itself.

**Approved and Proposed Rates:**

<b>TASK</b>	<b>Year 3 (Current)</b>	<b>Option Yr. 1 (Approved)</b>	<b>Option Yr. 1 (Proposed)</b>
In-Plant Inspections Per Vehicle Rate: 1-35 Vehicles	\$261.00	\$268.00	\$397.00
In-Plant Inspection Per Vehicle Rate: 36-150 Vehicles	\$261.00	\$268.00	\$397.00
Production Change: Hourly Rate	\$55.00	\$56.00	\$56.00
Taxi Quarterly Audit Per Vehicle Rate: 1-120 Vehicles	\$21.00	\$21.50	\$21.50
Taxi Quarterly Audit Per Vehicle Rate: 121-200 Vehicles	\$21.00	\$21.50	\$21.50
Contractor Turn Over Audits Per Vehicle Rate: 1-50 Vehicles	\$289.00	\$298.00	\$298.00
Contractor Turn Over Audits Per Vehicle Rate: 51-275 Vehicles	\$278.00	\$287.00	\$287.00
In Service 10% Per Vehicle Rate	\$146.00	\$150.00	\$150.00

**Next Steps**

Over the coming months, Access will continue to closely monitor the vehicle and vehicle parts markets as we prepare to release a new solicitation for inspection services. Staff will continue to use TRC to conduct factory inspections of new vehicles, conduct contractor turnover inspections, and monitor the maintenance records of subcontractor vehicles. A new RFP will be issued in lieu of awarding a second option year on Contract AS-4104.

**ITEM 7-h**

**APRIL 11, 2022**

**TO:** **BOARD OF DIRECTORS**

**FROM:** **F SCOTT JEWELL, DIRECTOR OF ADMINISTRATION**

**RE:** **CONSIDERATION TO APPROVE RESOLUTION TO CONTINUE PUBLIC MEETINGS THROUGH TELECONFERENCING**

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**ISSUE:**

Pursuant to state law (Assembly Bill 361), Board approval is required to continue meeting through teleconferencing (virtually).

**RECOMMENDATION:**

Approve the following resolution - "The Access Board of Directors has reconsidered the circumstances of the state of emergency; and the following circumstances exist: (i) The state of emergency continues to directly impact the ability of the members to meet safely in person; and (ii) State or local officials continue to impose or recommend measures to promote social distancing. Hence, teleconferencing for Access Board and committee meetings will continue for the next thirty (30) days."

**IMPACT ON BUDGET:**

None.

**ALTERNATIVES CONSIDERED:**

The Board may opt to revert to in-person meetings, which would be applicable to all Board and committee (including CAC and TPAC) meetings. Board/committee members could elect to attend remotely, however the locations from which they attend would be subject to Brown Act requirements (posting of the address of the remote location along with allowing for public participation from that location). Public participation would also revert to the in-person requirement.

**BACKGROUND:**

During the pandemic, the Access Board and its committees have been able to meet via teleconference (virtually) due to a State of California executive order that suspended certain Brown Act provisions. While that order has expired, recently enacted state legislation (AB 361), allows for the continuation of virtual meetings

provided that the Board makes the determination as stated in the above recommendation. This determination must be made by the Board every 30 days.

Under current Los Angeles County Department of Health guidelines, masking is required indoors regardless of vaccination status in public and office settings when there is more than one (1) person in a room. In addition, social distancing for indoor operations and events is still recommended. These directives provide justification for the above recommendation.

Due to the thirty-day requirement, staff will schedule Special Board Meetings to renew the resolution as appropriate.

## **ITEM 8**

**APRIL 11, 2022**

**TO:** **BOARD OF DIRECTORS**

**FROM:** **MIKE GREENWOOD, CHIEF OPERATIONS OFFICER**

**RE:** **CONSIDERATION TO MODIFY KEY PERFORMANCE INDICATORS AND SERVICE STANDARDS**

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**ISSUE:**

Board action is required to approve changes to Access' contractual key performance indicators (KPIs) and service standards. This item was reviewed and approved by the Performance Monitoring Committee.

**RECOMMENDATION:**

Authorize staff to modify two of the 13 KPIs - denials and preventable collisions - and their corresponding service standards in both current and future service contracts.

**IMPACT ON BUDGET:**

This action will not impact the current budget.

**ALTERNATIVES CONSIDERED:**

No alternatives were considered, though the Board could elect to make no changes to Access' current KPIs and service standards.

**EFFECT OF APPROVAL OF STAFF RECOMMENDATION:**

If the Board approves the staff recommendation, staff would be authorized to update contractual KPIs and service standards, as well as report on the newly approved KPIs and standards.

**BACKGROUND:**

Access' current KPIs were approved by the Board of Directors in 2017 and subsequently incorporated into Access operating contracts via the request for proposal process or contract amendments. After more than four years of actual performance and review, staff is recommending several modifications to fine-tune the KPIs and standards to remain challenging, realistic, and within industry standards, while continuing to focus on providing high quality service to the rider. All KPIs and

standards are supported by contractual liquidated damages, whose presence is designed to compensate Access for a specific breach of contract and to incentivize the contractor to meet service standards. Changes presented incorporate input from the Community Advisory Committee and the Transportation Professionals Advisory Committee.

### Denials

The standard for denials is identified in the Code of Federal Regulations, Title 49, Subtitle A, Part 37, Subpart F, Section 131 (b)(2). The standard for denials is further described in Circular 4710.1 issued by the Federal Transit Administration, most recently updated on November 4, 2015.

Per federal guidelines, trip denials result when a rider's trip request is not accepted. Examples include:

- (1) A rider requests a next-day trip and the contractor says it cannot provide the trip;
- (2) A rider requests a next-day trip and the contractor only offers a trip that is outside the 1-hour negotiating window (regardless of whether the rider accepts the trip); and
- (3) A rider requests a round-trip and the contractor offers one leg of the trip that is outside the 1-hour negotiating window resulting in other legs of the trip being canceled, each portion of the trip is a denial.

In the past, Access has had a broad approach to denials, exceeding federal standards, including the counting of Customer Service Representative (CSR) negotiating errors as denials. For example, if a rider asks for a pick-up at 8:00 a.m. and the CSR offers pick-up options at 7:45 a.m. and 9:05 a.m., the second option would be considered a CSR negotiating error and a denial, even if the rider chose to book (and took) the 7:45 a.m. trip. Moving forward, and using the same example, staff is proposing that a denial be confirmed only if the rider chose the 9:05 a.m. offered time.

Historically, most denials are the result of CSR negotiating errors, which are extraordinarily rare as shown in the chart below:

	FY19	FY20	FY21	TOTAL
Denials per Previous Standard	10	18	4	32
Denials per New Standard	2	0	1	3
Completed Trips	3,491,521	2,940,073	1,728,683	8,160,277

Moving forward, consistent with federal guidance, staff recommends a tightening of the denial definition to include only incidents when the rider was not offered a trip at all, or is only offered a trip outside the standard negotiating window. Trip negotiating performance by contractor CSRs will still be monitored and action taken, but it alone will not be cause for determining a denial.

Proposal - Change the definition of a trip denial to be consistent with federal guidance. The standard for denials will remain zero. The liquidated damages associated with this KPI will remain unchanged but a new liquidated damage will be incorporated to address call taker errors that do not rise to the level of a denial.

#### Preventable Collision Rate

The Preventable collision rate is a standard measurement of safety in the transit industry. It is common to calculate the rate by weighing collisions versus miles operated. Access' standard of not exceeding 0.5 preventable collisions per 100,000 miles is industry-leading and has proven to be largely unattainable. Experience in recent years shows that Access' standard is not realistic considering the challenging service area that Los Angeles County presents.

The following chart shows the agency's annual, system-wide preventable collision rate since FY16:

	FY16	FY17	FY18	FY19	FY20	FY21
Preventable Collision Rate	0.55	0.64	0.68	0.64	0.67	0.50

Proposal: Increase the standard to 0.75 preventable collisions per 100,000 miles, a goal which is still aggressive and stricter than the industry standard of 1.00 preventable collisions per 100,000 miles. The liquidated damages associated with this KPI will remain unchanged.

Current Key Performance Indicators, Service Standards, and Operational Performance

<b>Key Performance Indicator</b>	<b>Standard</b>	<b>FY21 Performance</b>	<b>FY22 Performance*</b>	<b>Proposed Change</b>
On Time Performance	$\geq 91\%$	92.6%	90.6%	No change
Excessively Late Trips	$\leq 0.10\%$	0.07%	0.10%	No change
Excessively Long Trips	$\leq 5\%$	0.5%	3.2%	No change
Missed Trips	$\leq 0.75\%$	0.36%	0.45%	No change
Denials	0	4	4	Change KPI definition
Access to Work On Time Performance	$\geq 94\%$	97.8%	96.8%	No change
Average Initial Hold Time (Reservations) in seconds	$\leq 120$	52	58	No change
Calls On Hold > 5 Min (Reservations)	$\leq 5\%$	2.2%	2.6%	No change
Calls On Hold > 5 Min (ETA)	$\leq 10\%$	1.5%	2.1%	No change
Complaints Per 1,000 Trips	$\leq 4.0$	2.5	3.1	No change
Preventable Collisions per 100,000 miles	$\leq 0.50$	0.50	0.75	Change standard to 0.75
Preventable Incidents per 100,000 miles	$\leq 0.25$	0.15	0.21	No change
Miles Between Road Calls	$\geq 25,000$	64,040	62,875	No change

SOURCE: Board Box

\* Performance for FY22 through January 2022

**ITEM 9**

**APRIL 11, 2022**

**TO:** **BOARD OF DIRECTORS**

**FROM:** **HECTOR RODRIGUEZ, DEPUTY EXECUTIVE DIRECTOR**

**RE:** **CONSIDERATION TO APPROVE POLICY TO ESTABLISH A FACILITIES DEVELOPMENT AND CONSTRUCTION FUND**

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**ISSUE:**

With the exception of its leased eligibility facility, Access Services relies on its contractors to provide suitable operating facilities to perform ADA paratransit services. While this has generally worked for the Agency since its inception, staff believes, for both economic and operational reasons, that the Agency must control, and ideally own, its own operating facilities to ensure that quality, consistent ADA paratransit services are provided over the coming decades.

Given that Access currently does not have a dedicated source of capital funds for facility development, staff is proposing the Development and Construction Fund concept outlined below, which would be funded from any reimbursements from special services that Access performs or has performed in addition to other available funding. This item was reviewed and approved by the Planning and Development Committee.

**RECOMMENDATION:**

Authorize the Executive Director to:

- Establish a Facilities Development and Construction Fund and set aside the following funds for the purpose of developing and constructing operating facilities:
  - Direct COVID-19 reimbursements received from the Federal Emergency Management Agency (FEMA);
  - Direct COVID-19 reimbursements received from the County or the City of Los Angeles;
  - Direct reimbursements received from Medi-Cal;

- Any other funds that may be appropriated by the Access Services Board of Directors or the Los Angeles County Metropolitan Transportation Authority (Metro) for this purpose.
- Direct staff to apply for facility construction grants as soon as practicable.

### **IMPACT ON BUDGET:**

There is no current impact to the budget. However, staff believes that if the Agency controls or owns its own facilities it will ultimately result in lower contracting costs due to real estate savings and enhanced competition for Access contracts.

### **BACKGROUND:**

One of the recommendations in the Agency's 2017 Comprehensive Operational Review was that Access control or own its own paratransit operating facilities. The report stated that this strategy would enhance competition for Access contracts and also "ensure more stable service reliability into the future...". Staff believes that recent trends only reinforce the Agency's need to control or own its own real estate.

### **Economic Benefits**

The financial benefits of controlling a facility include more competitive solicitations through increased competition. Once Access controls the facility, a major component of the competitive advantage gained by the incumbent will be taken out of the equation. In addition to these potential savings, if Access owns a facility, the costs of ownership will generally be less over the life of the facility compared to the costs of leasing.

Should Access be able to secure a suitable building site, the agency will be significantly more competitive for grants related to development of facilities, including electric charging infrastructure. (The typical requirement to apply for grants is that the project be "shovel-ready." This would mean that the agency would have to own the land and have, at a minimum, architectural drawings in order to apply for construction grants.) Staff expects that, through the combination of grants and reimbursements outlined above, the financial impact to the region can be minimized.

### **Operational Benefits**

As the COVID-19 pandemic recedes, demand for ADA trips is expected to continue its normal annual growth of approximately six percent (6%). Access' contractors will be faced with a need for additional space for the increased number of vehicles that will be needed to service this demand.

Another benefit of controlling the facility is the ability to retain the benefit of any improvements to the site. For example, should Access decide to adopt the use of electric vehicles, the infrastructure improvements to the operating facilities will remain with the agency rather than be lost when a lease expires and the contractor is forced to find another site.

Most importantly, Agency ownership of a potential site removes the possibility that a facility could be lost once a contractor's lease expires, which could lead to significant operational disruption given the scarcity of appropriate sites in Los Angeles County.

**ITEM 10**

**APRIL 11, 2022**

**TO:           BOARD OF DIRECTORS**

**FROM:       ERIC J. HAACK, STRATEGIC PLANNER**

**RE:           CONSIDERATION TO APPROVE TITLE VI PLAN (2022-2025)**

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**ISSUE:**

Federal regulations require that Access Services update its Title VI Plan every three years and must receive Board approval for the following reports: (1) Title VI Report; (2) Public Participation Plan, and (3) Limited English Proficiency Plan. This item was reviewed and approved by the External/Stakeholders Relations Committee.

**RECOMMENDATION**

Approve Access Services' Title VI Plan which encompasses the following reports:

- 1) Title VI Report;
- 2) Public Participation Plan; and
- 3) Limited English Proficiency Plan

**IMPACT ON BUDGET**

None.

**BACKGROUND**

Title VI is a Federal law that was enacted to ensure that government-funded services provide such services to communities in a non-discriminatory manner. Specifically, "no person in the United States shall, on the ground of race, color, or national origin, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any program or activity receiving Federal financial assistance." (FTA C 4702.1B, II-1-2).

Following the guidance of FTA Circular 4702.1B (October, 2012) "Title VI Requirements and Guidelines for Federal Transit Administration Recipients," Access Services is required to update its current Title VI reports in 2022. Also, per requirements set forth in FTA Circular 4702.1B, Access must have Board approval for its Title VI documentation as part of the final submission of these reports to FTA's Office of Civil Rights.

Access' Title VI documentation is separated into three distinct categories, which together make up Access' Title VI required documents. Each of these separate reports is described below.

### Title VI Report

The Title VI Report demonstrates that Access complies with the separate elements contained in FTA Circular 4702.1B.

- a) Approval of Agency Title VI Policies by Access Board of Directors;
- b) Notification of Customers of Protection Under Title VI;
- c) Requirement to Develop Title VI Complaint Procedures and Complaint Form;
- d) Requirement to Record and Report Transit-Related Title VI Investigations, Complaints and Lawsuits;
- e) Requirement to Record Minority Representation on Planning and Advisory Boards;
- f) Requirement to Monitor Subrecipients.

### Public Participation Plan

The purpose of Access Services' Public Participation Plan (PPP) is to illustrate how Access reaches out to its customers and to the larger disability community through community meetings and outreach meetings. Additionally, the PPP presents how Access' public outreach methods serve to educate minority as well as non-minority communities about the services Access offers to the public.

Access' PPP highlights many of the new and on-going public outreach efforts conducted since the last PPP update.

- 1) Ongoing community outreach conducted by Access' Customer Service, Mobility Management and Operations Departments;
- 2) Examples of Access' ability to transition to virtual meetings during the COVID-19 pandemic to ensure transparency with Access' activities, while also ensuring safety for Access' customers.
- 3) Customer notification of upcoming meetings through Access Services' website, emails, and mobile app notifications; and

## Limited English Proficiency Plan

Access' Limited English Proficiency Plan recognizes that there are many existing and potential Access customers who may not be proficient in English, but still need information about the services that Access provides to persons with disabilities. As per Federal guidance, Access must conduct a "four-factor analysis" and perform analyses of the population it serves as well as the overall community in Access' service area.

The Limited English Proficiency Plan then presents features that Access offers in order to effectively communicate with its customers and members of the public about the services that Access provides.

Access' LEP Plan provides information about the variety of services that Access provides to remove barriers to persons who may have limited proficiency in speaking or reading English. Among some of the services that Access provides for LEP persons discussed in the report are as follows:

- 1) Telephone interpreter services are available to be accessed by Access' contracted call center staff, provider staff, Eligibility and Eligibility appeals staff. This allows people to communicate effectively even if a language barrier would exist without the interpreter service. Between July 2019 and November 2021, this interpreter service assisted over 34,000 calls in 55 different languages.
- 2) Google Translate is an embedded feature on Access' website. Information posted on the Access website can be viewed in English or - through a Google Translate link on the Access website - can be translated into dozens of languages.
- 3) Portable speaker phones are available at Access' Eligibility Center. If a customer arrives at Access' Eligibility Center and does not speak either English or Spanish and does not have a translator to assist them, an in-person evaluation can still be conducted easily. Through these portable speaker phones (i.e., cell phones), the evaluator and applicant can communicate through Access' telephone interpreter service both in the evaluator's office as well as out on the physical evaluation course.
- 4) Printed materials provided in English and Spanish. Access' applications, Rider's Guide, and community meeting announcements are provided in both English and Spanish (the most common language spoken by Access customers as well as County residents next to English).

A PDF copy of Access Services' Title VI, Public Participation Plan and Limited English Proficiency Plan can be viewed at the following web link: [Attachment A](#).

**ITEM 13****APRIL 11, 2022**

**TO:**           **BOARD OF DIRECTORS**  
**FROM:**       **F SCOTT JEWELL, DIRECTOR OF ADMINISTRATION**  
**RE:**           **UPCOMING BOARD ITEMS**

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**ISSUE:**

The following items are tentatively scheduled to be addressed by the Board and its committees through June 2022.

**April 25, 2022 - Board Operations Committee**

<b>Agenda Items:</b>	<b>Disposition:</b>
Board Agenda review	Action
Executive Director Goals	Presentation

**May 16, 2022 - Committee Meetings - Performance Monitoring, Planning and Development and External/Stakeholder Relations**

<b>Agenda Items:</b>	<b>Disposition:</b>
Proposed Budget for FY2022/23	Action
Extend Term and Add Funds - IT Managed Services	Action
Extend Term and Add Funds - Telcom Network HW and Support Services	Action
Rider 360 Maintenance and Operations Contract Award	Action
Customer Satisfaction Survey	Presentation

**June 20, 2022 - Board of Directors**

<b>Agenda Items:</b>	<b>Disposition:</b>
Approval of Committee Items	Action

**June 27, 2022 - Board Operations Committee**

<b>Agenda Items:</b>	<b>Disposition:</b>
Board Agenda Review	Action