

access

BOARD OF DIRECTORS MEETING
Monday, February 14, 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.

	<u>DISPOSITION</u>
1. CALL TO ORDER	ACTION
2. REVIEW & APPROVAL OF MINUTES FROM THE BOARD MEETING ON DECEMBER 13, 2021 (page 6) [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 JANUARY 24, 2022 (page 15) [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** ACTION
 [Vote Required: majority of quorum by roll call]
- Item reviewed and approved by the Performance Monitoring Committee:**
- a) Consideration to Extend Term and Increase Funds - Mail Fulfillment Services Contract (AS-4048) (page 17)
 [Staff Recommendation: Authorize staff to execute the second option term with The Data Center effective July 1, 2022 through June 30, 2024 and add an additional \$300,000 in funds.]
- Item reviewed and approved by the Planning and Development Committee:**
- b) Consideration to Increase Funds - Legal Services Contract (AS-4039) (page 19)
 [Staff Recommendation: Authorize an additional \$360,000 in funds for legal services with Alvarez-Glasman & Colvin (AS-4039).]
- Item neither reviewed nor approved by any Committee:**
- c) Consideration to Approve Rate Table Correction -Eligibility Services Contract (AS-4030) (page 21)
 [Staff Recommendation: Authorize the approval of a change in the monthly fixed rate schedule for in-person eligibility evaluations - as provided in the chart below - for Contract AS-4030 with MTM Transit, LLC for the period July 1, 2022 through June 30, 2024.]
- [Staff Recommendation: Approve the Consent Calendar]**
8. **CONSIDERATION TO APPROVE DRAFT FY2023 FUNDING REQUEST** (page 23) ACTION
 [Vote Required: majority of quorum by roll call]
 [Staff Recommendation: Authorize staff to submit a draft budget request for planning purposes in the amount of \$258,947,731 for FY23 to the Los Angeles County Metropolitan Transportation Authority (Metro).]
9. **CUSTOMER SERVICE UPDATE** PRESENTATION
10. **OPERATIONS UPDATE** PRESENTATION
11. **UPCOMING BOARD ITEMS** (page 25) INFORMATION
12. **EXECUTIVE DIRECTOR'S REPORT** INFORMATION

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|-----|---|-----------------------------------|
| 13. | BOARD MEMBER COMMUNICATION | INFORMATION |
| 14. | NEW BUSINESS SUBSEQUENT TO THE POSTING OF THE AGENDA | DISCUSSION/
POSSIBLE
ACTION |
| 15. | PUBLIC COMMENT WITH RESPECT TO CLOSED SESSION ITEMS | INFORMATION |
| 16. | CLOSED SESSION:

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" (one case).
C) PUBLIC EMPLOYEE APPOINTMENT, EMPLOYMENT CAL. GOV. CODE §54957(b)
1. General Counsel | DISCUSSION/
POSSIBLE
ACTION |
| 17. | 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 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 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, February 14, 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. 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/89685223086>

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
2. You can also call in using the following information -
3. Dial (for higher quality, dial a number based on your current location):
4. 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 877 853 5247 (Toll Free) or 888 788 0099 (Toll Free) or 833 548 0276 (Toll Free) or 833 548 0282 (Toll Free)
Webinar ID: 896 8522 3086
5. 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.
6. If you cannot use the "raise hand" feature, the please submit a written comment as outlined above.
7. 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.



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

Webinar

December 13, 2021

12:00 p.m.

1. CALL TO ORDER

Meeting was called to order by Chair Gombert at 12:05 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
OCTOBER 18, 2021**

Recommendation: Approval of minutes as written.

Motion made by Vice Chair DeVera to approve the minutes, seconded by Director Nason. Via Roll Call Vote, Director Gogreve abstained and all others were in favor, motion passed.

**3. REVIEW & APPROVAL OF MINUTES FROM THE BOARD MEETING ON
NOVEMBER 15, 2021**

Recommendation: Approval of minutes as written.

Motion made by Director Troost to approve the minutes, seconded by Director Nason. Via Roll Call Vote, Director Gogreve abstained and all others were in favor, motion passed.

4. REPORT FROM EX-OFFICIO BOARD MEMBERS

CAC Chair Goeman was not able to attend the meeting.

TPAC Chair Diane Amaya reported that the TPAC met on December 9, 2021. Andre Colaiace provided the Executive Director's report where he stated that Access was scheduled for a triennial review in April 2022. He also stated that in-person eligibility assessments resumed on December 1st for new customers only. Mr. Colaiace concluded his report by sharing that Access staff would serve on three Metro task forces to represent agency and customer interests. Strategic Planner Eric Hack and Assistant Administrative Analyst Dina Garcia presented information on the travel-training program. They discussed ridership, data and trends associated with travel training customers. Director of IT Bill Tsuei provided the technology update. He stated that Access was making enhancements to the "Where's My Ride" app and migrating major applications to a cloud-based software. Chief Marketing and Creative Officer Josh Southwick and Mr. Tsuei co-presented a short video featuring the assembly of Access's autonomous paratransit vehicle. Project Administrator Alex Chrisman and Mr. Haack provided an update on the Parents with Disabilities program. More than 2,000 trips were completed since the program was launched in August. Manager of Operations Rogelio Gomez presented the Operations report for October 2021, which included key performance indicators and highlights for each service area.

5. GENERAL PUBLIC COMMENT

There was no general public comment.

6. SUPERIOR SERVICE AWARD PRESENTATION

Project Administrator Faustino Salvador introduced the Superior Service Award winner Yanet Parades.

7. CONSENT CALENDAR

Recommendation: Approval of all items on the Consent Calendar.

CONSENT CALENDAR

- a) Consideration to Extend Term and Increase Funds - Voice Over Internet Protocol (VOIP) Services Contract (AS-4055)
- b) Consideration to Extend Term and Increase Funds - TAP Card Production Memorandum of Understanding
- c) Consideration to Extend Term and Increase Funds - Audit Services Contract (AS-4045)
- d) Consideration to Approve Severance Policy Change
- e) Consideration to Approve 2022 Board Calendar

- f) Consideration to Approve Community Advisory Committee Member Reappointments
- g) Consideration to Approve Extension of Administrative Office Space Lease
- h) Consideration to Approve Technical Assignment of ADA Eligibility and Mobility Evaluation Services Contract (AS-4030)
- i) Consideration to Approve Resolution to Continue Public Meetings through Teleconferencing

Public Comment: None.

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

8. CONSIDERATION TO APPROVE AMENDMENT TO EXECUTIVE DIRECTOR EMPLOYMENT AGREEMENT

Legal Counsel Vince Ewing presented this item.

Public Comment: None

Board Discussion:

Director Del Castillo asked Mr. Ewing whether they were required to set a timeline for evaluation before they work on this motion or whether the motion is something that can be passed before they discuss the situation. Mr. Ewing responded that there was a contemplated timeline that differs from what was contained in the current contract. There is no requirement to discuss it as the report speaks for itself. The standard practice in most agenda items is that the Board has the opportunity to deliberate and discuss.

Secretary Barnes stated that he was supportive of the motion. In terms of the evaluation timeline and in his years on the Board, he believes one of the things they have struggled with is setting goals and conducting performance evaluations for the Executive Director in a regular timeframe. They should tie the goal setting and the evaluation to the fiscal year. He would like a process so that it syncs up closer to their fiscal year.

Chair Gombert made a comment by stating that if they want to adjust the salary, they should be corresponding with fiscal year on July 1 so that they may have time to reflect on any changes by then. That was why they moved the evaluation up so that any changes could be effective by then.

Secretary Barnes stated that makes sense but they are setting goals on the second quarter of the calendar year, which is the fourth quarter of the fiscal year and the

evaluation would occur in the third quarter of the year, which would put it after the employment of new Board members. He always has to do the mental math of which calendar year quarter corresponds to which fiscal year quarter, and how does that tie into their normal budgeting sequence.

Executive Director Andre Colaiace stated that the current contract is on a calendar year basis so that they can set the goals alongside the budget.

Secretary Barnes stated that the evaluation cycle should be tied closer to the Board member cycle so that the transitioning Board members should be able to evaluate him appropriately.

Motion made by Treasurer Burner to approve item, seconded by Secretary Barnes. Via Roll Call Vote - Director Gogreve abstained and all others were in favor, motion passed.

9. CONSIDERATION TO EXTEND TERM AND INCREASE FUNDS - WEST/CENTRAL SERVICE PROVIDER CONTRACT (AS-4031)

Senior Manager of Operations Rogelio Gomez introduced this item.

Public Comment: None

Board Member Comments:

Director Aguilar stated that he supports the addition of the language but asked if there was language in the current contract that would trigger rate adjustments in the future. Mr. Gomez responded that there is currently no language for that.

Director Gogreve asked if there was something in the clause where they could add a "not to exceed" amount, i.e. something that would state that they would not exceed a certain amount. Mr. Colaiace asked if she was referring to the cost impact in the contract. He stated that given the ambiguity of the situation, they can always go back to the Board once there is dialogue with the contractor.

Director Burner asked why there was an extension for the two additional years. Mr. Gomez stated that it was more favorable to extend for two years instead of one.

Board Member Discussion:

Director DeVera stated that she wanted to commend California Transit and she notices the drivers are happy and enjoy their work. She appreciates that.

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

10. CONSIDERATION TO EXTEND TERM AND INCREASE FUNDS - ELIGIBILITY SERVICES CONTRACT (AS-4030)

Manager of Eligibility David Foster gave a presentation on the item.

Public Comments: None

Board Member Comments:

Director Gogreve asked if those that have temporary eligibility would need to be renewed over the phone or go in person. David Foster responded once they return to full in-person assessments, they will have to do a full functional assessment. They are only doing in-person assessments for new riders at the moment.

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

11. CONSIDERATION TO APPROVE VEHICLE MAJOR COMPONENT REIMBURSEMENT POLICY AND BUDGET ALLOCATION

Senior Manager of Fleet Maintenance and Design Rick Streiff gave a presentation on the item.

Public Comments: None

Board Member Comments

Director Aguilar made a comment by stating that this budget is talking about the next six months. He asked what they anticipate the impact being on next year's budget because it doesn't sound like this supply chain issue is going to be resolved any time soon. Mr. Streiff stated that he agrees and he thinks they will need about the same amount of money next year. The 118 Pro Masters that they have ordered will start being built in March, which means they won't be available until May. It will stretch everything out, and he would estimate it's going to be around a million dollars a year in maintenance on these vehicles for the next couple years, until they can catch up.

Director Gogreve asked if he stated that this was for the next six months. Rick stated that this is for the fiscal year. Director Gogreve asked if they anticipate they will have the same number of vehicles for next year. Rick responded that they would be getting about 200 vehicles again next year.

Board Member Discussion

Secretary Barnes thanked staff for being creative. He knows this is creating ripples in terms of their grants. This is a discussion they need to have with their various partners as they need to make sure they're aware of the downstream impacts of Covid.

Director Burner stated that all the providers have had challenges, and they are still having them. He believes that there will be at least another year of such challenges. He commended staff for doing such an excellent and creative job in trying to maneuver and manage the vehicles.

Director Gogreve stated that she would like to receive reports about this issue so that the Metro Planning department can be kept in the loop. Ideally, it should be brought in for the quarterly reports. Mr. Colaiace stated that he will do this and it will be included in the budget for FY 23. Director Gogreve stated that it could be added to the Board box as well.

Motion made by Secretary Barnes to approve item, seconded by Treasurer Burner. Via Roll Call Vote, all were in favor, motion passed.

12. OPERATIONS UPDATE

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

Public Comments: None

Board Member Comments: None

13. CUSTOMER SATISFACTION SURVEY TOPICS

Strategic Planner Eric Haack gave a presentation on the item.

Public Comments: None

Board Member Comments

Director DeVera asked if the question about race was an optional question to answer. Mr. Haack responded that this was optional and that respondents may refuse to answer this if they choose to. Director DeVera responded that she doesn't think this question has anything to do with the ridership.

Director Gogreve asked about the email list for the ridership. She asked if they are planning to send this survey out to all of the registered riders. Mr. Haack responded that this would be sent out to all customers who have been active in the past 12 months.

They don't have email addresses for all customers. Director Gogreve asked if there was an opportunity to leave any comments. Mr. Haack responded that there are questions that allow them this option. Director Gogreve asked if they would be able to provide a QR code directly to the survey, perhaps in the vehicle or somewhere online where someone can easily access the survey directly. She would like to know if they would be able to have demographic data that they would be able to access for their equity platform focus. Mr. Haack responded that he likes the QR code idea and will check that with the survey contractor. Director Gogreve asked if there was any action taken so that they may share this survey with other agencies to be able to reach a wider net of riders. He stated that they will have a banner on the Access website and a link will also be available.

Director Nason asked if they told the customers how long the survey was before they take it. Mr. Haack responded that they do not and the survey will probably be around 40-60 questions. Director Nason likes knowing how long the survey will take. She also asked what other alternative methods of taking the survey will be offered. Mr. Haack responded that one of the reasons they are providing the option of email or text and not just phone is so that they can reach many riders. The survey is also offered in Spanish and if a rider has an option take a survey that is translated, they can choose to do so.

Secretary Barnes asked if in terms of consistency they would be able to keep their questions similar so that they may compare the current survey to that from past years. Mr. Haack responded that they did add some new questions but the core questions are very similar so that they can compare to past surveys..

14. UPCOMING BOARD ITEMS

Director of Administration F Scott Jewell stated that they have a Board Operations Committee meeting in a week to go over the agenda for the January/February Board cycle. Tentatively, they have a contract amendment for legal services, a discussion on the impact of Metro NextGen service area changes and a variety of updates. The next committee meetings will be on January 10 and the Board of Directors meeting will be on February 14.

15. EXECUTIVE DIRECTOR'S REPORT

Executive Director Andre Colaiace reported that in 2019, Access was awarded \$125,000 through the FTA's transit bus automation strategic partnership for an accessible autonomous vehicle pilot. The goal of this project is to integrate emerging autonomous vehicle technology with accessible vehicles. Over the last several years, Bill Tsuei and Rick Streiff have been working with partners Lilee Systems from San Jose and Sunset Vans in Corona, California on this vehicle. He is pleased to report that the prototype vehicle has been completed. Some of these vehicles may have been seen at the CalAct fall conference or at the APTA Expo in Orlando, Florida. To document the

assembly process, Josh Southwick and his team put together a great video that he would like to show. The next steps for the project include taking the vehicle to the Consumer Electronics Show in Las Vegas in January, and further testing of the AV capabilities next year. They will continue to seek additional grant funding for this project or a partnership with another agency that has already received grant funding for AV vehicles, such as the RTC in Las Vegas or the Contra Costa Transportation Authority.

16. BOARD MEMBER COMMUNICATION

Director Troost thanked everyone for their hard work the whole year and wished everyone a happy new year.

Vice Chair DeVera thanked Andre Colaiace and David Foster for transferring her eligibility to Seattle. She appreciates it.

Secretary Barnes wished everyone happy holidays and he is happy to see that things are continuing to advance on a number of fronts. He is happy to see projects like the autonomous vehicle effort moving forward and he stated that he did see the vehicle on the show floor at APTA. He also stated he was re-elected to represent transit Board members on the California Transit Association's Executive Committee. It's an honor to do that on behalf of all transit board members in the state. He thanked everyone for all their support in being able to serve in that capacity.

Director Nason welcomed Giovanna back to the Board of Directors. She thought it was an interesting meeting today. She complimented Access staff on their excellent presentations and she noticed very few questions because staff does such a good job of informing the Board.

Director Del Castillo stated that he would like to echo the previous comments. He looks forward to future technical advancements especially those allowing payments to be made on the mobile app. He was hoping for more reports to be available to the Board because the last video didn't help someone like him who is visually impaired. He wished everyone a happy holiday.

Mr. Colaiace responded that staff will get him more information in an appropriate format.

Director Gogreve thanked staff for their presentations and congratulated the Superior Service winner. She asked her fellow Board members to think of ways to try to get more drivers recruited for Access.

Director Aguilar stated that he would like to echo everyone's comments. He thanked Access and the contractors. He stated that it has been a challenging and exciting year. He looks forward to a productive 2022.

TPAC Chair Amaya stated that she wanted to wish everyone happy holidays and thanked all staff for their hard work.

Chair Gombert thanked Access staff for all the presentations. He received an extensive tour of the autonomous vehicle at the APTA conference by William Kim and it was wonderful. He wishes everyone a safe and happy holiday.

17. NEW BUSINESS SUBSEQUENT TO THE POSTING OF THE AGENDA

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

18. PUBLIC COMMENT WITH RESPECT TO CLOSED SESSION ITEMS

There was no public comment.

19. CLOSED SESSION REPORT

Legal Counsel Vince Ewing stated that no action was taken by the Board during Closed Session.

20. ADJOURNMENT

Motion made by Director Nason, seconded by Director Gogreve to adjourn.

The meeting adjourned at 2:13 p.m.

Approved

Doran J. Barnes, Secretary

Date



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

Webinar

January 24, 2022

11:00 a.m.

1. CALL TO ORDER

Meeting was called to order by Chair Gombert at 11:13 a.m.

BOARD MEMBERS PRESENT REPRESENTING A QUORUM

Present: Chair Gombert, Treasurer Burner, Directors Del Castillo, Gogreve, and Troost.

BOARD MEMBER(S) EXCUSED FROM THE MEETING

Not Present: Vice Chair DeVera, Secretary Barnes, Directors Aguilar and Nason.

2. GENERAL PUBLIC COMMENT

Mr. Mel Bailey commented that he thought the website stated that the meeting started at 11:30am. He also commented that he thought that continuing to have the meetings virtually was a good idea and also wanted to know if eligibility interviews would still be virtual and asked whether the practice of scheduling shared rides would continue.

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 Gogreve to approve item, seconded by Director Troost. Via Roll Call Vote - all were in favor, motion passed.

4. ADJOURNMENT

Motion made by Treasurer Burner, seconded by Director Gogreve to adjourn.

The meeting adjourned at 11:19 a.m.

Approved

Doran J. Barnes, Secretary

Date

FEBRUARY 7, 2022

TO: BOARD OF DIRECTORS

FROM: DAVID FOSTER, MANAGER OF ELIGIBILITY

RE: CONSIDERATION TO EXTEND TERM AND INCREASE FUNDS - MAIL FULFILLMENT SERVICES CONTRACT (AS-4048)

ISSUE:

Board approval is required to exercise the last two-year option term for mail and fulfillment services with The Data Center. The original contract included a three (3) year base term and two (2), two-year option terms. This item was reviewed and approved by the Performance Monitoring Committee.

RECOMMENDATION:

Authorize staff to execute the second option term with The Data Center effective July 1, 2022 through June 30, 2024 and add an additional \$300,000 in funds.

IMPACT ON BUDGET:

The costs associated with this contract will be appropriately budgeted for FY 2021/22 and the subsequent out years. The not to exceed contract total will increase from \$525,000 to \$825,000. Staff anticipates a higher two-year expenditure due to pandemic related issues. The printing and service rates will remain the same for the extension. Postage rates are passed through at cost. The funding for this service comes from Proposition C 40% Discretionary funds.

ALTERNATIVES CONSIDERED:

Should the Board not approve the option term, staff would release an RFP for fulfillment services for a July 1, 2022 start date. Bringing this function in-house would pose significant logistical challenges and require additional staffing.

EFFECT OF APPROVAL OF STAFF RECOMMENDATION:

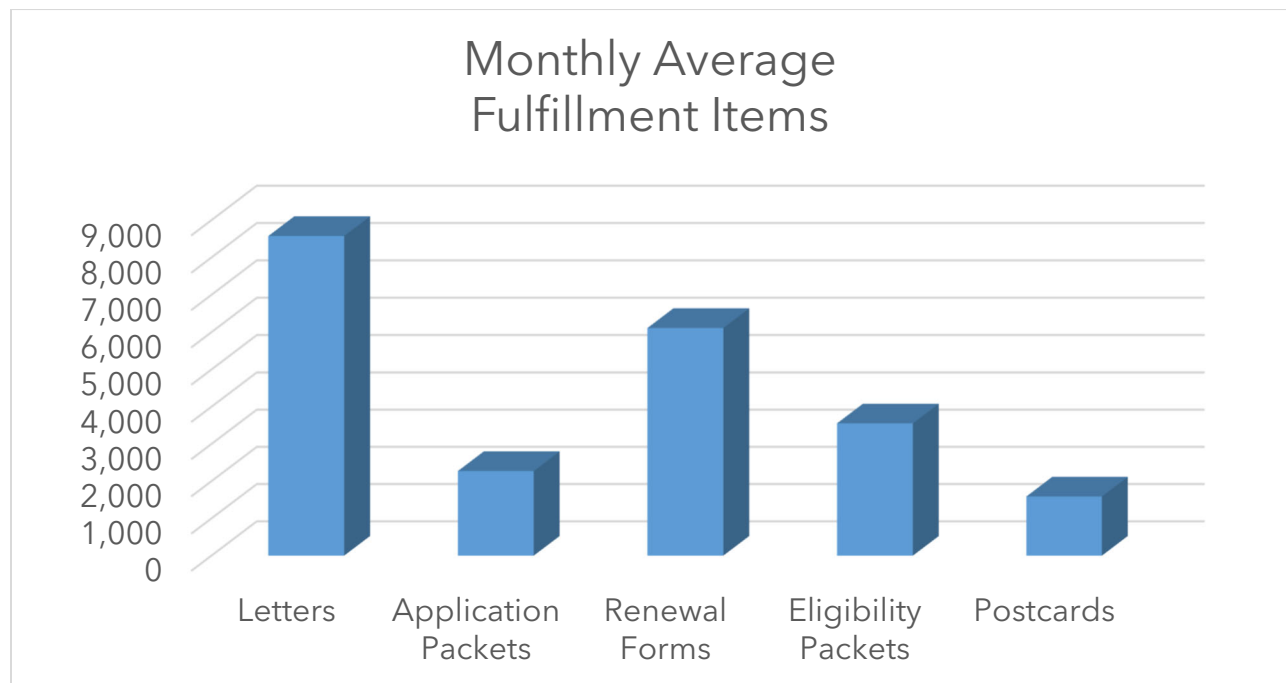
If the Board approves this staff recommendation, staff would be authorized, but not required, to negotiate and enter into a written extension upon terms and conditions no less favorable to Access Services than those proposed above. Access Services would

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 communicates with applicants and eligible customers through materials that include eligibility applications, eligibility renewal forms, Rider's Guides, renewal forms, no show notification letters, and other correspondence. Concurrent with the start of the current eligibility contract in July 2017, The Data Center began fulfillment services for these items. Prior to July 2017, the previous eligibility contractor handled fulfillment of all eligibility notification correspondence, while all other materials and correspondence fulfillment was handled directly in-house by Access staff.

The Data Center production facility has a total of 25,000 square feet in Salt Lake City, Utah, where they store Access materials and produce mailings. The contractor has satisfactorily met the terms of the contract.



FEBRUARY 7, 2022

TO: BOARD OF DIRECTORS

FROM: ANDRE COLAIACE, EXECUTIVE DIRECTOR

RE: CONSIDERATION TO INCREASE FUNDS - LEGAL SERVICES CONTRACT (AS-4039)

ISSUE:

Board approval is required to add funds for general and special legal counsel services in order to continue the Agency’s legal representation. This item was reviewed and approved by the Planning and Development Committee.

RECOMMENDATION:

Authorize an additional \$360,000 in funds for legal services with Alvarez-Glasman & Colvin (AGC) (AS-4039).

IMPACT ON BUDGET:

The costs associated with this contract have been included in the FY 22 budget and will be budgeted for in subsequent fiscal years. Fees are based on a fixed monthly retainer in addition to rates specifically tied to litigation expenses, which have been higher than anticipated over the course of the contract. There are no increases proposed to the current rates.

	Rates
Managing Partner/Senior Partners	\$350 per hour
Partners	\$300 per hour
Associates	\$250 per hour
Paralegals	\$100 per hour
Retainer	\$12,000 per month
Retainer Hourly Rate (in excess of 60 hours/month)	\$275 per hour
Insurance - Covered Employment Litigation (Associates/Senior Associates)	\$200-\$250 per hour

The total not-to-exceed cost for this contract will increase from \$1,037,000 to \$1,397,000. The funding for these services comes from Prop C discretionary funds.

ALTERNATIVES CONSIDERED:

None. The Agency requires General Counsel services and staff has been satisfied with the expertise provided by AGC.

EFFECT OF APPROVAL OF STAFF RECOMMENDATION:

If the staff recommendation is approved by the Board, staff will be authorized, but not required, to negotiate and amend the contract with Alvarez-Glasman & Colvin for legal services under terms that are no less favorable to Access Services than those proposed above. Access Services would not be legally bound to this contract unless it is incorporated into a formal written agreement executed by all parties thereto.

BACKGROUND:

Access has traditionally employed an outside law firm to act as its General Counsel representing Access on general and transactional matters and certain litigation matters. Current legal counsel services were procured in 2018 through a competitive process and AGC was awarded a five-year contract. AGC Senior Partner Vincent C. Ewing was appointed to serve as Access Services' General Counsel.

AGC is a law firm that has provided legal services for more than twenty (20) years. The firm specializes in public agency law and represents various municipalities, school districts and other government agencies. The firm also represents or has represented a number of public transit agencies including Long Beach Transit, Montebello Bus Lines and Alameda-Contra Costa Transit District. The firm is headquartered in the City of Industry and has a Northern California office in Napa Valley/Yountville. AGC is a minority-owned firm.

FEBRUARY 7, 2022

TO: BOARD OF DIRECTORS

FROM: DAVID FOSTER, MANAGER OF ELIGIBILITY

RE: CONSIDERATION TO APPROVE RATE TABLE CORRECTION - ELIGIBILITY SERVICES CONTRACT (AS-4030)

ISSUE:

The Access Board of Directors approved the extension of the eligibility and mobility evaluation services contract (AS-4030) for its second (and last) two-year option period at its December 13, 2022 meeting. Due to a clerical error, one of the rate tables was presented incorrectly.

RECOMMENDATION:

Authorize the approval of a change in the monthly fixed rate schedule for *in-person eligibility evaluations* - as provided in the chart below - for Contract AS-4030 with MTM Transit, LLC for the period July 1, 2022 through June 30, 2024.

IMPACT ON BUDGET:

This action will have no additional fiscal impact as the funding authorized by the Board in December was calculated utilizing the correct rate table. The rate schedule for in-person evaluations for the second option period should now read as follows:

In-Person Monthly Volume	Monthly Fixed Rate Option Term 2 7/1/2022 - 6/30/2024
2,500 - 3,000	\$215,342.88
3,001 - 3,500	\$254,310.66
3,501 - 4,000	\$296,573.71
4,001 - 4,500	\$340,137.41
4,501 - 5,000	\$379,990.83
5,001 - 5,500	\$419,771.02
5,501 - 6,000	\$460,551.26
6,001 - 6,500	\$501,331.50
6,501 - 7,000	\$542,459.77

ALTERNATIVES CONSIDERED:

None, as this is an administrative correction to a previously approved Board item.

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 contract amendment with MTM Transit, LLC under terms that are no less favorable to Access than those proposed herein. Access would not be legally bound to this contract 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:

The Eligibility and Mobility Evaluation Services contractor has the primary task of conducting in-person complementary ADA paratransit eligibility determinations and also works with Access to develop and provide additional mobility assessment, education and training services that help applicants with disabilities access other accessible transportation options in the region.

The table below, which was presented in December 2021, was for the first Option period, instead of the second Option period.

In Person Tier Cost

In-Person Monthly Volume	Monthly Fixed Rate Option Term 1 7/1/2020 - 6/30/2022
2,500 - 3,000	\$203,170.42
3,001 - 3,500	\$239,925.60
3,501 - 4,000	\$279,789.57
4,001 - 4,500	\$320,899.17
4,501 - 5,000	\$358,489.70
5,001 - 5,500	\$396,031.28
5,501 - 6,000	\$434,496.02
6,001 - 6,500	\$472,960.75
6,501 - 7,000	\$511,773.02

FEBRUARY 7, 2022

TO: BOARD OF DIRECTORS

FROM: HECTOR RODRIGUEZ, DEPUTY EXECUTIVE DIRECTOR

RE: CONSIDERATION TO APPROVE DRAFT FY2023 FUNDING REQUEST

ISSUE:

Access is required to provide an estimate for the Agency’s Fiscal Year 2023 (FY23) budget needs to Metro for planning purposes by February 1, 2022. This item was reviewed and approved by the Planning and Development Committee.

RECOMMENDATION:

Authorize staff to submit a draft budget request for planning purposes in the amount of \$258,947,731 for FY23 to the Los Angeles County Metropolitan Transportation Authority (Metro).

IMPACT ON BUDGET:

The draft budget is comprised of the following elements (with a short description of each element below the table):

Total Operating Budget	\$224,105,404
Total Capital Program	\$ 34,842,327
<i>Capital Program Carry Forward</i>	<i>\$ 11,946,320</i>
Total FY23 Budget without Carry Forward Funds	\$247,001,411
Total FY23 Budget - Inclusive of Capital Carry Forward	\$258,947,731

Total Operating Budget

This encompasses operating expenditures that are usually presented in four (4) categories: Contract Operations and Management, Eligibility Determination, CTSA Function, and Administration.

The HDR forecast was received in late January 2022. As a result, staff has revised the draft budget that was presented to the Planning and Development Committee in January 2022

Capital Program

This portion of the budget is an anticipated request for additional funding to replace the growing number of vehicles that will need to be replaced in the upcoming fiscal year.

Capital Program Carry Forward

This portion of the budget is the anticipated funding currently available for acquisition of vehicles which will likely not be spent by the end of fiscal year 2022. While purchase orders have been issued, the delivery of vehicles continues to be delayed due to issues entirely out of the Agency's control.

ALTERNATIVES CONSIDERED:

No alternatives were considered as funding from Metro is necessary to meet 100% of the expected demand for ADA transportation in Los Angeles County.

BACKGROUND:

FY 23 Budget Process

Staff provided data such as passenger demand to its third-party demand forecast developer, HDR. The resulting ridership demand projection was received in late January and utilized to develop this draft budget for FY23. This budget will be refined in the coming months and brought back to the Board and its committees.

FEBRUARY 7, 2022

TO: BOARD OF DIRECTORS

FROM: F SCOTT JEWELL, DIRECTOR OF ADMINISTRATION

RE: UPCOMING BOARD ITEMS

ISSUE:

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

February 28, 2022 - Board Operations Committee

Agenda Items:	Disposition:
Board Agenda review	Action
Audit and Compensation Committee Appointments	Action

March 21, 2022 - Committee Meetings - Performance Monitoring, Planning and Development and External/Stakeholder Relations

Agenda Items:	Disposition:
Language Interpretation Services Contract Extension	Action
On-Board Vehicle Camera Recording System Contract Extension	Action
Employee Health and Benefit Contract Renewals	Action
Self-Insured Retention Automobile Liability Program Renewal	Action
Commercial Business Package Insurance Renewal	Action
Public Participation Plan	Action
Title VI Plan	Action

April 18, 2022 - Board of Directors

Agenda Items:	Disposition:
Approval of Committee Items	Action

April 25, 2022 - Board Operations Committee

Agenda Items:	Disposition:
Board Agenda Review	Action