

# access

**BOARD OF DIRECTORS MEETING**  
**Monday, July 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.*

---

	<u>DISPOSITION</u>
1. <b>CALL TO ORDER</b>	ACTION
2. <b>BOARD OFFICER ELECTIONS</b> (page 6) [Staff Recommendation: Elect officers to the Board of Directors as per the requirement of the Access Services Bylaws for an approximate one-year term beginning July 18, 2022, and ending June 30, 2023 or the election of their successor, whichever last occurs.]	ACTION [Vote Required: Majority of quorum by voice vote for election of slate]
3. <b>REVIEW &amp; APPROVAL OF MINUTES FROM THE BOARD MEETING ON JUNE 20, 2022</b> (page 11) [Staff Recommendation: Approve minutes as written.]	ACTION [Vote Required: majority of quorum by roll call]
4. <b>GENERAL PUBLIC COMMENT</b>	INFORMATION
5. <b>EMPLOYEE RECOGNITION</b>	PRESENTATION

- |     |  |   |
|-----|--|---|
| 6.  | <b>CONSENT CALENDAR</b>  | ACTION<br>[Vote Required:<br>majority of<br>quorum by roll<br>call] |
|     | <ul style="list-style-type: none"> <li>a) Consideration to Approve Resolution to Continue Public Meetings through Teleconferencing (page 21)<br/>[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."]</li> </ul> |   |
| 7.  | <b>CONSIDERATION TO APPROVE TRANSPORTATION NETWORK COMPANIES (TNCs) PILOT PROGRAM</b> (page 23)<br><br>[Staff Recommendation:  | ACTION<br>[Vote Required:<br>majority of<br>quorum by roll<br>call] |
|     | <ul style="list-style-type: none"> <li>1. Authorize the Executive Director to implement a pilot program as outlined in this item that will allow service providers to utilize TNCs as subcontractors for two years. At the end of the first year, staff will present findings and recommendations to the Board.</li> <li>2. Authorize the Executive Director to contract directly with TNCs for the provision of back-up service via Access' Operations Monitoring Center (OMC) for stranded Access riders and other emergency situations.]</li> </ul>   |   |
| 8.  | <b>NEW BUSINESS SUBSEQUENT TO THE POSTING OF THE AGENDA</b>  | DISCUSSION/<br>POSSIBLE<br>ACTION                                   |
| 9.  | <b>PUBLIC COMMENT WITH RESPECT TO CLOSED SESSION ITEMS</b>   | INFORMATION   |
| 10. | <b>CLOSED SESSION:</b><br><br>A) PUBLIC EMERGENCY (COVID-19), GOV. CODE 54957(a)<br>B) PUBLIC EMPLOYEE APPOINTMENT, EMPLOYMENT CAL. GOV. CODE §54957(b)<br>1. Executive Director   | DISCUSSION/<br>POSSIBLE<br>ACTION                                   |
| 11. | <b>ADJOURNMENT</b>   | 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](mailto: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, July 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/81190906950>
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 +1 346 248 7799 or +1 253 215 8782 or +1 301 715 8592  
or +1 312 626 6799 or +1 929 205 6099 or 833 548 0282 (Toll Free) or 877 853 5247 (Toll Free) or 888 788 0099 (Toll Free) or 833 548 0276 (Toll Free)  
Webinar ID: 811 9090 6950
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.

JULY 11, 2022

**TO: BOARD OF DIRECTORS**  
**FROM: VINCENT C. EWING, ACCESS SERVICES GENERAL COUNSEL**  
**RE: BOARD OFFICER ELECTIONS**

---

---

**ISSUE:**

It is necessary to elect new officers of the Board for Fiscal Year 2022-2023. Attached you will find Bylaw Article VII - Officers of the Agency which details each officer's responsibilities and duties on the Board. In 1999, the Access Board of Directors set a two-year consecutive term limit for each Board Officer seat. If necessary, this limit may be waived via voice vote by a majority of Board members present.

**RECOMMENDATION:**

Elect officers to the Board of Directors as per the requirement of the Access Services Bylaws for an approximate one-year term beginning July 18, 2022, and ending June 30, 2023 or the election of their successor, whichever last occurs. The nominees are:

**Slate of Officers:**

Chairperson:	Martin Gombert
Vice Chair:	Lee Burner
Treasurer:	Doran J. Barnes
Secretary:	Dolores Nason
Executive Director:	Andre Colaiace

## ARTICLE VII. OFFICERS OF THE AGENCY

### A. Officers of the Agency.

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

### B. Election of Officers.

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

### C. Other Officers.

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

### D. Removal of Officers.

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

### E. Resignation of Officers.

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

F. Vacancies in Office.

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

G. Responsibilities of the Officers.

1. Chairperson of the Board:

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

2. Vice Chairperson of the Board:

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

3. Executive Director:

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

4. Chief Operating Officer:

In the absence or disability of the Executive Director, the Chief Operating Officer, if any, shall perform all the duties of the Executive Director, and when so acting shall have all the powers of, and be subject to all the restrictions upon the Executive Director. The Chief Operating Officer shall have such other powers and perform such other duties as from time



to time may be prescribed for them respectively by the Board of Directors, the Bylaws or the Executive Director.

5. Secretary:

a. Book of Minutes:

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

b. Membership Records:

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

c. Notices, Seal and Other Duties:

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

6. Treasurer:

a. Books of Account:

The treasurer shall keep and maintain, or cause to be kept and maintained, adequate and correct books and accounts of the agency's properties and transactions. The treasurer shall send or cause to be given to the members and directors such financial statements and reports as are required to be given by law, by these

bylaws, or by the Board. The books of account shall be open to inspection by any director at all reasonable times.

b. Deposit and Disbursement of Money and Valuables:

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

c. Disbursement of Funds:

The following signatures shall be required on corporate checks:

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



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

Webinar

June 20, 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 APRIL 18, 2022**

Recommendation: Approval of minutes as written.

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

3. **REVIEW & APPROVAL OF MINUTES FROM THE BOARD MEETINGS ON MAY 16 AND JUNE 6, 2022**

Recommendation: Approval of minutes as written.

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

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

There was no report from the CAC Chair.

TPAC Vice Chair Fayma Ishaq reported that they met on May 12th, 2022. The committee discussed the following items. Executive Director Andre Colaiace announced that Access was selected as a grant recipient for President Biden's American Rescue Plan. The grant provides funding for preventative vehicle maintenance and rehabilitation of ADA accessible vehicles. He also provided an update on the agency's FTA Triennial review. There were no major findings related to the provision of paratransit services. Mr. Colaiace concluded his report by sharing information about the TRANSED conference on mobility and transportation for older adults and people with disabilities happening September 2022. Strategic Planner Eric Haack, and Great Blue research project manager, Catherine Veschi, presented on the customer survey results. Overall customer feedback was positive. The findings will be used to determine if there are opportunities for service changes or improvements. Deputy Executive Director Hector Rodriguez presented the draft Fiscal Year 2023 budget. He discussed the budget process and provided an overview of major line-item expenses. Director of Planning Matthew Avancena presented an update on the TPAC meeting schedule for Fiscal Year 2023. Starting in July, TPAC will be meeting bi-monthly on odd number months. Senior Manager of Operations Rogelio Gomez presented the operations report for March 2022. He presented key performance indicators and highlights for each service area. Mr. Gomez provided an update on Access' Contractor Hiring Assistance Plan and discussed additional recruitment efforts to address workforce shortages.

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

Mel Bailey made a public comment by stating that in the CAC there was a comment made that if the driver was not wearing a mask, what the process was. He has had this happen to him and he filed a complaint, and it happened a second time. He thinks they need to find another way to deal with this situation so that the issue is resolved properly. He also felt it was highly disrespectful and culturally insensitive to have a meeting on the day of Juneteenth Freedom Day. He believes that Juneteenth Freedom Day is equal to the Fourth of July.

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

Project Administrator Mayra Perez introduced Superior Service Award winner Rosie Barrera.

#### **7. CONSENT CALENDAR**

Recommendation: Approval of all items on the Consent Calendar.

## CONSENT CALENDAR

- a) Consideration to Increase Funds - Antelope Valley Service Provider Contract (AS-3116)
- b) Consideration to Award Rider360 Maintenance & Operations Contract (AS-4159)
- c) Consideration to Approve Board and Standing Meeting Calendar Change
- d) Consideration to Approve Resolution to Continue Public Meetings through Teleconferencing

### Public Comment:

None.

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

## **8. CONSIDERATION TO APPROVE PROPOSED FY2022/23 BUDGET**

Deputy Executive Director Hector Rodriguez presented this item.

### Public Comment:

Mel Bailey made a public comment by asking when this budget has to be presented to Metro for approval. He also thanked Hector Rodriguez for his great presentation.

Yael Hagen made a public comment by stating that she supports the budget. She thinks that the part of the budget increasing the wages for drivers is a very important one. She thanked Access Services for thinking about these types of things and doing everything that can be done to try to resolve the issue of lack of drivers and being able to find ways to improve that situation.

### Board Member Comments:

Director Gogreve thanked Andre and Hector for helping them get through the Metro Finance, Budget and Audit committee. They are bringing this to the Metro Board on Thursday. She thanked Fayma Ishaq for all of her assistance.

### Board Discussion:

Director Nason stated that she thought Hector Rodriguez did a great job and made a wonderful presentation. At the Long Beach Transit Paratransit Advisory Committee meeting, Andre Colaiace gave credit to a couple of the Access staff.

Chair Gombert thanked Hector Rodriguez and his team for the work they did on this presentation.

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

## **9. CONSIDERATION TO APPROVE PURCHASE AUTHORIZATION FOR ADA PARATRANSIT VEHICLES**

Senior Manager of Fleet Design and Maintenance and Manager of Procurement and Contracts Brian Selwyn presented this item.

### Public Comment:

Mel Bailey made a public comment by stating that he was happy they were moving forward with hiring new drivers. He thinks that it would be prudent to take into consideration, the acquiring of cameras to install externally on vehicles. He is not sure a 360-degree camera is necessary, but definitely cameras on the outside of the vehicles to be able to capture what's happening while someone is exiting and entering the vehicle. He believes it would help to reduce any liability as it relates to Access Services.

### Board Member Comments:

Treasurer Burner commended Rick Streiff and Brian Selwyn for doing such an excellent job with the vehicles. He knows how difficult it is to purchase the vehicles and how difficult it is for the manufacturers as well. He asked if the prices were increasing on these vehicles. Mr. Streiff responded that both manufacturers, Ford and Stellantis, will increase the price of vehicles by about \$7,500 to \$8,000 per unit. Lately, the state of Nevada has increased their prices 20% on contracts. The CalAct procurement has put all new POs on hold until they figure out what the price increases on chassis are going to be. He is guessing the current ProMaster they are buying is at \$86,000 and could go up to \$92,000 by their next order. Director Burner asked if they were CNG vehicles. Mr. Streiff responded they were not.

Director Nason stated that the lack of vehicles was brought up at the Long Beach Paratransit Advisory Committee meeting and Global had said that they had completely overhauled their fleet and their vans and put new skins on them. She asked if they had thought of doing this. Mr. Streiff responded they are already doing that.

Mr. Colaiace stated that the plan was to have one of the electric vehicles at the Board retreat in August. They can see it in person and maybe even drive one.

Vice Chair DeVera asked if the ProMaster they are ordering would fit only one wheelchair again. Mr. Streiff responded that he believed she was talking about the

vehicles they currently have in their fleet. They have them restricted to one position at this time because they are updating the shoulder restraints for the second position.

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.**

## **10. CONSIDERATION TO APPROVE SUPPLEMENTAL COMPENSATION FOR SUBCONTRACTED TRIPS**

Deputy Executive Director Hector Rodriguez presented this item.

Public Comment: None.

Board Member Comments:

Treasurer Burner asked if the subcontractors are mostly taxis. He asked if any of them were DBEs. Mr. Rodriguez responded that he would have to get back to him on this question.

Director Nason asked if there was a cap on the contract concerning taxis and how much can the taxi rates increase. Mr. Rodriguez responded that the Los Angeles Taxicab Commission has the authority to increase the rates by up to 10%. For any increase beyond 10%, they must take that recommendation to the Los Angeles City Council for approval. Given the complexity of the issue and the complexity of sending items through the council, he doesn't think it will happen in the next fiscal year.

Board Member Discussion:

Secretary Barnes stated that they are going through weird economic changes. He appreciates staff taking a different look at the budget. He supports the staff approach on this.

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

## **11. CUSTOMER SATISFACTION SURVEY**

Strategic Planner Eric Haack gave a presentation on the item.

Public Comment:

Mel Bailey made a comment by stating that the survey was almost perfect. It highlighted everything and gave the opportunity to address different issues. He

suggests they allow people to submit more than one survey, such as one for each region they travel in.

#### Board Member Comments:

Director Nason asked if there was any difference between the answers being about customer satisfaction, whether it's the contractors or it is just Global. Mr. Haack responded that the survey script is about the customers experience with Access specifically and not the regional provider because not all riders know there are different contractors.

Vice Chair DeVera asked if they have any data on whether it was online reservations or calling in person because it's so much easier to make online reservations. Ms. Veschi responded that the question wasn't asked about the reservation method but more on how the experience was. Vice Chair DeVera asked if only 1,400 people participated in this, does that really represent the ridership. Ms. Veschi responded that they could theoretically go and survey every single person, but it is not a realistic approach. It would take a very long time to do this and not everyone likes to do surveys. In the end, the margin of error doesn't shift, and it would only change the results slightly.

Mr. Haack added that they were shooting for a number of completed surveys in the neighborhood of 1,200 because that number was a threshold to obtaining statistically valid results. That if they call 2,600 customers, they were going to wind up with similar results to the first 1,300.

Director Gogreve asked if they had considered adding QR codes in the vehicles that linked to the survey. Ms. Veschi responded that they could definitely do this next time. Director Gogreve stated that she hopes staff takes that into consideration next time around. She also stated that 70 questions was a lot, and she wanted to know what percentage of respondents answered all of the questions. Ms. Veschi responded that not many customers ended up answering all 70 questions. Mr. Haack added that they prefer their surveys to be 40 questions or less because it would take eight to ten minutes to completely answer. Given the number of skip patterns they had, most respondents were answering somewhere around 45 to 50 questions.

Director Gogreve stated that hopefully the most important questions were the questions in the beginning of the survey, so that they can get an accurate picture. She also asked if they were planning to get more responses. Mr. Haack responded that they are seeking a representative sample of responses so that we can say with confidence that these are the results.

Director Gogreve asked about the dissatisfied question, and if there was an opportunity to find out why they were dissatisfied. She recommended that they review these responses soon so that they can budget accordingly to add a program, initiative, or project. She also heard that there was an option to maybe give incentives to riders



to complete the surveys. Ms. Veschi responded that they generally don't do incentives for surveys. It's an extra cost that they haven't found to be helpful. They do it only if there is a lack of participation from the respondents or if it is a very long survey. Regarding providing open-ended feedback, they did have several open-ended questions throughout the survey.

Director Aguilar asked if they had ability to break down this data by service regions. Mr. Haack responded that the different regions can be broken out separately. He stated that there was an option to review the reasons they were dissatisfied and many of them were tied into COVID protocols such as the return of share rides or vehicle sanitation.

## **12. OPERATIONS UPDATE**

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

### Public Comments:

Mel Bailey thanked Mike Greenwood for the presentation on Lost and Found. A couple years ago, he had an expensive umbrella that was left in the vehicle, and he immediately called dispatch. After many calls, he was not able to recover the umbrella. He is glad to see that this service is going to be provided and hopefully nobody else has to go through that.

Yael Hagen thanked Mike Greenwood specifically, but also all the staff that had been involved in the subcommittee meetings of the CAC. A lot of the really good work has been done in the subcommittees and continue to be done in the subcommittees. She stated that the feedback is valuable and the fact that Access is listening to that feedback, because of the new management is great.

### Board Member Comments:

Director Gogreve asked if there was some type of a correlation between the excessively late trips and the increase in the Where's My Ride numbers. Mr. Greenwood responded that May was a rough month. While the data is not final, they saw continued struggles in on-time performance and excessively late trips in May. They do continue to monitor this, and the contractors has reported a significant increase in service quality so far in June. They are now out of the spring peak, where more people are off work, schools out for the most part, and the contractors have seen a bit of demand reprieve and have gotten on-time performance back to close to 91%. In terms of a correlation between excessively late trips and the Where's My Ride app, the Where's My Ride app is being used more than ever for riders to get their ETAs, but the excessively late trips are caused by the contractors running behind schedule, which is completely independent from using the app. Riders are getting more useful information at their fingertips without having to make a phone call.

### **13. TNC OVERFLOW SERVICE**

Deputy Executive Director Hector Rodriguez presented this item.

#### Public Comments:

Yael Hagen thanked Access for being creative and innovative and thinking of solutions. She thinks that since it is proposed as an opt-in program, and since many of the riders on Access Services also use TNCs when it's appropriate for them, then it's good because not all riders want TNCs. However, anytime that you can divert a ride as a usable ride for another rider, it's a plus.

#### Board Member Comments:

Vice Chair DeVera stated that although there is a shortage of drivers, she doesn't believe TNCs are the solution. Just looking at what was described which is not as rigorous background checks or drug screenings. They can't just stick riders in an Uber or Lyft without having the same peace of mind that they're being transported in an Access vehicle. Mr. Rodriguez responded that he understood the concerns and obviously knows that this is not for all customers, but only for a certain population. He stated that they have had discussions with TNCs, and it would be to have only the drivers that have at least a year of experience, so they would only be getting their good drivers, not a new driver that hasn't performed many trips. This would address some of the safety needs as well as trying to find some relief for Access in terms of trying to find additional resources, which is what they need the most.

Director Gogreve stated that she agrees that there's a lot of concerns with customer service and empathy training. She was wondering if they would be able to see what success this has had in other agencies or in other states. She asked if they are planning on conducting a financial impact analysis on all options. Mr. Rodriguez responded that in terms of the other agency's TNC usage they can research that. In terms of the utilization of TNCs as a potential subcontractor, there would not have any impact at all in terms of the budget, because they would be used in essence as another subcontractor in a limited capacity but billed at existing contract rates.

Mr. Colaiace added that they will have a peer review to find out what other agencies across the country were doing to collaborate with Uber or Lyft. He expects to have a final report on the subject to share for a more formal review in July.

Director Aguilar stated that he appreciated staff's creativity and the approach of thinking outside the box. Four years ago, within the transit industry, there was a lot of discussion and reservations about bringing TNCs into the contractor fold. He asked what has changed in the environment that's led staff in this direction. Mr. Rodriguez responded that it is a changing world. He stated that a lot of the taxi drivers are in fact

Uber or TNC drivers. They are merging into one and the same, and with the regulations implemented by the city of Los Angeles Taxicab Commission, as Andre mentioned, they're becoming similar entities.

Mr. Colaiace added that Access' model has traditionally been 50% subs, 50% employee drivers. If Access wants to continue that model, which he believes benefits both the customers and the region from a fiscal basis, then they are looking at the lay of the land in terms of where the taxi industry is post pandemic. They are only at 71% of pre pandemic demand. They want to make sure they are meeting their KPIs.

#### **14. UPCOMING BOARD ITEMS**

Director of Administration F Scott Jewell gave a brief presentation on this item.

Public Comments: None

Board Member Comments: None

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

Executive Director Andre Colaiace thanked Chairman Gombert and their partners at Metro, specifically Board member Gogreve and Fayma Ishaq, for helping shepherd the budget through the Metro process. They look forward to it passing on consent calendar at the Thursday Metro Board meeting. He also noted that both Director Gogreve and Fayma Ishaq assisted Access in getting some hiring flyers over to the Metro Human Resources Department so that they can hopefully get some drivers who aren't able to become Metro bus drivers and maybe they can join Access instead. They have submitted a project request to the FTA for the 2022 Buses and Bus facilities grant program. He stated that they proposed a fleet electrification pilot project to replace 14 CNG fueled MV1s that were acquired in 2012. They are requesting federal funding of \$3.6 million, and the remaining local match would be \$724,000. They would also purchase charging stations that they would put in different maintenance yards. This project could help Access and agencies across the US deploy additional electric vehicles for their paratransit service instead of gasoline fueled vehicles.

#### **16. BOARD MEMBER COMMUNICATION**

Director Gogreve stated that two weeks ago, their Chairperson Hilda Solis from Metro approved two additional holidays, Juneteenth being one of them and Cesar Chavez Day as two official holidays for Metro. She believes they are very important and significant holidays. She asks that staff and Andre look into this for Access and report back to the Board. She wished Andre Colaiace a belated happy birthday.

Director Del Castillo thanked all the staff for the communication and presentations and also wished a belated happy birthday to Executive Director Colaiace.

Vice Chair DeVera wished Andre Colaiace a happy birthday and a belated father's day to all fathers.

Director Nason wished Andre Colaiace a happy belated birthday.

Secretary Barnes made a comment by stating it is very important to look at the two proposed holidays. He thanks everyone in leadership for advocating for Access and representing them and facilitating the interaction between Metro and Access. He mentioned all the different subjects they spoke about and he will walk away with how important the partnership is amongst all the players that come together to make Access successful.

Chair Gombert stated that he appreciates the amazing amount of work on the budget, both between Access staff and Metro, that obviously has gotten much smoother since he has been on the Board. There are a lot of big issues they are talking about as they recover from the pandemic.

Director Gogreve congratulated Superior Service award winner Rosie on her hard work and dedication.

**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**

Director of Administration F Scott Jewell stated that no action was taken by the Board.

**20. ADJOURNMENT**

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

The meeting adjourned at 2:55 p.m.

Approved

\_\_\_\_\_  
Doran J. Barnes, Secretary

\_\_\_\_\_  
Date

JULY 11, 2022

**TO: BOARD OF DIRECTORS**

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

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

---

**ISSUE:**

Pursuant to state law (Assembly Bill 361), Board approval is required to continue meeting through teleconferencing (virtually). This item was not reviewed or approved by any committee.

**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 recommended 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.

JULY 11, 2022

**TO: BOARD OF DIRECTORS**

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

**RE: CONSIDERATION TO APPROVE TRANSPORTATION NETWORK COMPANIES (TNCs) PILOT PROGRAM**

---

**ISSUE:**

Access service providers are currently experiencing difficulties in obtaining sufficient resources (either employee drivers or taxis) to meet customer demand during the Agency's peak service periods in the spring and fall. Board approval is required to implement a program that will allow service providers to utilize TNCs, such as Uber, for a small portion of their next-day paratransit service

In addition, Access' Operations Monitoring Center (OMC) needs alternative service providers to provide back-up services for stranded Access riders and other emergency situations.

**RECOMMENDATION:**

1. Authorize the Executive Director to implement a pilot program as outlined in this item that will allow service providers to utilize TNCs as subcontractors for two years. At the end of the first year, staff will present findings and recommendations to the Board.
2. Authorize the Executive Director to contract directly with TNCs for the provision of back-up service via Access' OMC for stranded Access riders and other emergency situations.

**IMPACT ON BUDGET:**

The implementation of the program will not have a financial impact as our service providers will contract directly with the TNCs. The expected cost of OMC directed trips is expected to be negligible.

**ALTERNATIVES CONSIDERED:**

Staff continues to work with Access' providers to help them obtain traditional driver resources (employee driver and taxis) through the implementation of a Contractor Hiring Assistance Program and providing for additional funding in the FY 23 budget to raise provider driver wages to be more competitive in the marketplace.

In addition to these initiatives, other alternatives include:

- Expand use of direct employees - The service providers are constantly seeking to expand their workforce to meet demand. However, for most service providers, expanding the directly hired workforce to cover trips originally delegated to subcontractors during the bidding process would require additional support personnel as well as a renegotiation of contracts that would substantially increase Agency costs. In addition, it is unlikely in the current economic environment that service providers could obtain sufficient personnel.
- Expand the size of the fleet - This option would go together with the first option outlined above. While expanding the fleet is prudent, this is a long-term solution rather than a short-term solution. Expanding the fleet is capital intensive and would require planning by this agency as well as our service providers as most of the existing operational facilities would not be able to accommodate an increase in the size of the Access dedicated fleet. In addition, this option would substantially increase Agency capital costs.
- Increase use of taxis - To date, service providers continue to seek additional taxi resources. Staff will continue to hold conversations with our service providers to determine avenues that will lead to greater taxi participation in our contracts.
- Increase compensation to taxi subcontractors - The Board recently approved an increase to subcontractor (taxi) rates. Staff will analyze the response to the increase to determine its effectiveness and what additional steps should be taken if necessary.

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

Should the staff recommendation be approved by the Board, staff would be authorized, but not required, to develop and implement a pilot project as outlined in this item that will allow service providers to utilize TNCs to supplement their available workforce and available fleet to meet demand during peak periods. This pilot program will allow the agency to gauge the potential benefit of utilizing TNCs, customer acceptance and adoption of technology, the utilization of smartphones and the interaction of outside applications with Access technology.

### **BACKGROUND**

The pandemic has had multiple impacts on the way the agency operates. Ridership demand declined rapidly and is only now beginning to return to more normal levels, but the increase in demand has not been a steady and predictable increase. With each new wave or variant, the demand has again dropped, only to increase again. The extent of each decrease and corresponding rebound have not been consistent.



The taxi subcontractors have not been spared during this pandemic. During the initial outbreak, Access service providers stopped utilizing taxi subcontractors. The lack of taxi utilization by our service providers, coupled with the decline in travel, tourism, and night life, led many taxi companies to cease operating. Other taxi companies severely curtailed their operations to minimize expenses. As the economy reopened and travel bounced back, many of the remaining taxi operators are choosing profitable cash fares rather than performing the steady work that is subcontracted to them through Access' service providers.

Access has historically supplied about half of the required vehicle fleet required to deliver the service during peak periods. Thus, the service providers must choose between purchasing or leasing approximately 1,000 vehicles and corresponding staffing levels or subcontracting the work to outside firms such as the taxi industry. Most of our service providers have chosen to subcontract the work rather than increase staffing levels and the corresponding number of fleet vehicles.

#### Paratransit Agency Use of TNCs

Access conducted a small survey of ten (10) transit agencies to, in part, answer the question as to how those agencies do or do not utilize TNCs in conjunction with their ADA paratransit service.

Listed below is the summary of findings from the report:

- All agencies reported that their TNC collaboration was considered a non-ADA option for paratransit riders. When some type of non-ADA paratransit service is offered as a supplement, there are a proportion of passengers who will be interested but also a proportion who are not interested or are unable to use it.
- All the supplemental non-ADA paratransit services were less expensive on a per trip basis to the agencies by a wide margin.
- Some agencies did not use Federal funding to pay for their supplemental non-ADA paratransit service and did not count it in their NTD reporting.
- All these services are pilots and hard data about costs and the impact on ADA paratransit demand are too "soft" to reach any conclusions.
- The passengers who use these supplemental services tend to prefer them to ADA paratransit but not always for all trips.

#### Proposed TNC Pilot Project

The pilot project proposes to utilize TNCs in the following manner:

- Allow Access service providers to subcontract up to 10% of the reservations received for next-day paratransit services.
- Allow Access service providers to subcontract up to an additional 5% of trip demand as daily demand conditions dictate.

- Allow Access service providers to request authority to subcontract additional work should conditions dictate for each day (e.g., major holidays).
- Riders will have to opt-in to the program. Final opt-in details will be further developed if the program is approved.
- Only riders that have expressly given their approval to opt-in will be provided trips via a TNC.
- Verification of customer opt-in will be captured by both the Rider360 customer portal and the reservations and dispatching (RSDS) software.
- New riders will be provided the opportunity to opt-in during the evaluation process.
- Existing riders will be given the option to opt-in during the reservations process, if necessary.
- TNC drivers must have criminal background checks.
- TNC drivers must be screened for satisfactory driving history.
- TNC drivers must be regularly reviewed for new information related to criminal or driving history on at least an annual basis.
- TNCs will be required to provide insurance with minimums of at least \$1 million per occurrence.
- Reporting of collisions and incidents will mirror existing requirements.
- TNC vehicles will have to undergo the required inspection that the TNC requires and subsequent inspections as required by the TNC.
- All TNC vehicles must meet the minimum age and feature requirements as stipulated by the TNC.
- TNCs must provide 24-hour support for situations that may arise as part of the normal course of business.
- TNC drivers that perform services on behalf of Access service providers will be required to have at least one year of experience with the TNC.
- TNC drivers that perform services on behalf of Access service providers will be required to have the highest customer satisfaction rating.
- Collection of fares will be performed either through the TNC app or via a third-party app.
- TNC trips will be GPS tracked from the pickup point to the destination point.
- TNCs will be required to provide all data required by NTD and Access in a usable format for ease of reporting.
- TNCs will be required to provide service providers with a dashboard or the ability to provide live trip information in order to allow the contractor staff to provide ETA information.
- TNCs will contract directly with Access service providers.
- Access service providers will provide separate billing detail for trips performed by TNCs.
- Access will reimburse service providers for TNC trips at the same variable rate applicable to each contract.
- Customers will be advised of a TNC trip option during the reservation process.

- Customers will be contacted to be offered the option to be dispatched a TNC vehicle the day of the trip.
- All costs related to this pilot project will be paid using local funds only.
- The TNCs may differ from other Access subcontractors in that they will not have the same standard for driver training, driver assistance to riders, vehicle maintenance, driver credentialing, and drug & alcohol testing.
- The TNCs will be primarily used for ambulatory riders.

#### Proposed Backup Trips Utilizing TNCs

- Backup trips are arranged by the Customer Service Department's Operations Monitoring Center (OMC) to provide solutions to stranded Access riders or extremely late trip pickups.
- TNC vehicles and drivers will be subject to the requirements of the contracted TNC.
- Contracts would be directly with Access.
- TNCs will be added to the list of available resources to be utilized.
- Continue current practice related to backup trips:
  - Access pays the full cost of the trip.
  - Typically, the fare is waived.
  - Billing occurs monthly.
- Monthly utilization is expected to be low as OMC trips are used only when there are no other transportation options available through the service providers.
- TNCs would be added to provide more options to solve service issues.