

# access

BOARD OF DIRECTORS MEETING  
MONDAY, AUGUST 26, 2013  
Closed Session: 12:00 – 1:00 P.M.  
General Session: 1:00 – 3:00 P.M.  
The California Endowment Center  
Yosemite B Room  
1000 North Alameda Street  
Los Angeles CA 90012

## MISSION STATEMENT

*Access Services promotes access to all modes of transportation and provides quality and safe ADA paratransit service on behalf of public transit agencies in Los Angeles County.*

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|   | <u>DISPOSITION</u>             |
|---|--------------------------------|
| 1. CALL TO ORDER  | ACTION                         |
| 2. PUBLIC COMMENT WITH RESPECT TO CLOSED SESSION ITEMS  |                                |
| 3. CLOSED SESSION   | DISCUSSION/<br>POSSIBLE ACTION |
| A) <i>CONFERENCE WITH LEGAL COUNSEL: CAL. GOV. CODE §54956.9</i>                                |                                |
| I. <i>Anticipated Litigation: Gov. Code §54956.9 (b)</i>  |                                |
| (i) <i>Significant exposure to litigation pursuant to subdivision (b) of Gov. Code §54956.9</i> |                                |
| (ii) <i>Initiation of Litigation pursuant to subdivision (c) of Gov. Code §54956.9</i>          |                                |
| B) <i>CALIFORNIA GOV. CODE §54957 - PERSONNEL ISSUES</i>  |                                |
| 4. SUPERIOR SERVICE AWARDS  | PRESENTATION                   |

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| 5.  | <b>REVIEW &amp; APPROVAL OF MINUTES FROM THE BOARD MEETING ON JUNE 12, 2013 AND JULY 1, 2013</b> (page 4)<br>[Staff Recommendation: Approve minutes as written.]  | <b>ACTION</b><br>[Vote Required: majority of quorum by voice vote] |
| 6.  | <b>REPORT FROM EX-OFFICIO BOARD MEMBERS</b>   | <b>INFORMATION</b>   |
| 7.  | <b>GENERAL PUBLIC COMMENT</b>   | <b>INFORMATION</b>   |
| 8.  | <b>CONSENT CALENDAR</b><br>a) Renewal of Self-Insured Retention (SIR) Automobile Insurance (page 22)<br>b) Reassignment of Weekend/Holiday Operations Monitoring Center Coverage to Southland Transit, Inc. (AS-3261) (page 23)<br>c) Approval of Extension and Increased Funds for Risk Management, Safety, Coaching and Training Consulting Services With MLG Transit Consulting (AS-3433) (page 25)<br>d) Oppose Senate Bill 556 (page 27)<br>e) Approve the Funding Agreement Between Access Services and the Los Angeles County Metropolitan Transportation Authority (LACMTA) (MOU.P000ASI18) For Security Services (page 28)<br>[Staff Recommendation: Approve Consent Calendar] | <b>ACTION</b><br>[Vote Required: majority of quorum by roll call]  |
| 9.  | <b>SUCCESSION/EMPLOYEE TRAINING AND DEVELOPMENT PLANNING</b>  | <b>PRESENTATION</b>  |
| 10. | <b>2013 GRANTEE MANAGEMENT REVIEW</b>   | <b>PRESENTATION</b>  |
| 11. | <b>EASTERN REGION PILOT PROJECT "EXPRESS BOOKING"</b> (page 30)   | <b>PRESENTATION</b>  |
| 12. | <b>EXECUTIVE DIRECTOR'S REPORT</b>  | <b>INFORMATION</b>   |
| 13. | <b>BOARD MEMBER COMMUNICATION</b>   | <b>INFORMATION</b>   |
| 14. | <b>NEW BUSINESS SUBSEQUENT TO THE POSTING OF THE AGENDA</b>   | <b>DISCUSSION/<br/>POSSIBLE ACTION</b>                             |
| 15. | <b>ADJOURNMENT</b>  | <b>ACTION</b>  |

Access Services does not discriminate on the basis of disability. Accordingly, Access Services seeks to ensure that individuals with disabilities will have an equal opportunity to participate in the range of Access Services events and programs by providing appropriate auxiliary aids and services to facilitate communication. In determining the type of auxiliary aids and services for communication that will be provided, primary consideration is given to the request of the individual with disabilities. However, the final decision belongs to Access Services. To help ensure availability of those auxiliary aids and services you require, please make every effort to notify Access Services of your request at least three (3) business days (72 hours) prior to the meeting in which you wish to utilize those aids or services. You may do so by contacting (213) 270-6000.

Note: Access Services board meetings are held pursuant to the Ralph M. Brown Act [Cal. Gov. Code §54950] and are open to the public. The public may view and obtain all written information supporting this agenda provided to the board both initially and supplementally prior to the meeting at the agency's offices located at 3449 Santa Anita Avenue, El Monte California and on its website at <http://accessla.org>. Documents, including Power Point handouts distributed to Board Members by staff or Board members at the meeting will simultaneously be made available to the public. Three opportunities are available for the public to address the board during a board meeting: (1) before closed session regarding matters to be discussed in closed session, (2) before a specific agenda item is debated and voted upon regarding that item and (3) general public comment. The exercise of the right to address the board is subject to restriction as to time and appropriate decorum. All persons wishing to make public comment must fill out a yellow Public Comment Form and submit it to the Secretary to the Board. Public comment is generally limited to three (3) minutes per speaker and the total time available for public comment may be limited at the discretion of the Chairperson. Persons whose speech is impaired such that they are unable to address the board at a normal rate of speed may request the accommodation of a limited amount of additional time from the Chair but only by checking the appropriate box on the Public Comment Form. Granting such an accommodation is in the discretion of the Chair.

The Board of Directors will not and cannot respond during the meeting to matters raised under general public comment. Pursuant to provisions of the Brown Act governing these proceedings, no discussion or action may be taken on these matters unless they are listed on the agenda, or unless certain emergency or special circumstances exist. However, the board may direct staff to investigate and/or schedule certain matters for consideration at a future Board of Directors Meeting and the staff will respond to all public comment in writing prior to the next board meeting.

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

MINUTES  
ACCESS SERVICES  
BOARD MEETING  
JUNE 12, 2013

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The Access Services Board of Directors meeting convened at 1:10 p.m. on Wednesday, June 12, 2013 in the third floor Council Chamber Conference Room at Access Services Headquarters (Metro Division 9) Building located at 3449 Santa Anita Avenue in the City of El Monte California. The presiding Board Member was Doran Barnes, Chairperson. Board Members present included: Dolores Nason, Vice Chair, Joseph Stitcher, Treasurer, Theresa DeVera, Secretary, Jano Baghdanian, Martin Gombert, and Angela Nwokike. Ex-Officio's, Michael Arrigo, CAC Chair, Wayne Wassell, Chair TPAC and Jim Jones, Access Services Legal Counsel. Directors Hector Guerrero and John Troost were excused from the meeting.

Access Services' staff members present included: Shelly Verrinder, Mark Maloney, F Scott Jewell, Donna Cisco, Araceli Camuy, Linda Ross, Jack Garate, Rogelio Gomez, Geoffrey Okamoto, David Foster, Andre Colaiace, Eric Haack, Richard Rodriguez, Steve Chang, Alfredo Torales, and Lora Verarde (intern).

**GENERAL PUBLIC COMMENT**

Patricia Hyland stated that her comment was regarding the drivers and the way they handle the vehicles, riders requesting help and they don't help them, and how dirty the minivans are on the inside. She stated that she suggested that there be trash bags in the vehicles but nothing had been done about that.

Ms. Hyland also added that the reservationist's were really rude and did not listen to the riders'; they would just say call back later and hang up the phone. Ms. Hyland stated that she had asked to speak to a supervisor and they would not put her through, they would just give her a hard time. She added that when she was booking her pick-up from today's meeting, she asked for a pick-up closest to 3:00 p.m. and they gave her a 2:40 pick-up, she asked when this was all going to stop bout riders not receiving the times they need.

Ms. Verrinder informed Ms. Hyland that Access Services Project Administrator for the Antelope Valley and West Central regions, Geoffrey Okamoto would follow-up with her after the meeting.

Tonni Yee Hemphill stated that her comment was regarding the reckless cab drivers from the Northern and West Central regions, she stated that she was traumatized and she did not feel comfortable taking a ride to Torrance to pick up her X-rays. Ms. Hemphill added that there was a horrible accident that happened a couple weeks ago which she brought up at the CAC meeting that still had not been resolved. Ms. Hemphill described some of the drives recklessness and concluded her public

comment by stating that she agreed with Ms. Hyland's comment regarding the riders not being able to get the times they were requesting.

Ms. Verrinder informed Ms. Hemphill that Access Services Operations Administrator, Jack Garate would follow-up with her after the meeting.

Chairperson Barnes thanked everyone for their feedback and added that the details of their comments were very important and helpful to staff.

## GENERAL STUDY SESSION

Access Services Executive Director, Shelly Verrinder provided an overview of Access Services current situation regarding funding issues for fiscal year 2013 and 2014. Ms. Verrinder stated that at the last Board of Directors meeting she had mentioned during her Executive Directors report that Access Services funding for next fiscal year was unanimous approved by the Metro Planning and Programming Committee on May 15, 2013 and was moved to the full Metro Board of Directors Agenda under the consent calendar for approval. She added that she and staff were surprised when the item was pulled from the consent calendar and held as the last item to be discussed.

She stated that when the item was discussed there were some comments made by the Metro Board members. The item was referred to the Executive Management and Audit Committee to be discussed again on June 20<sup>th</sup> then it would go back to the Metro Board of Directors on June 27<sup>th</sup> for approval. Ms. Verrinder stated that Access Services funding was generally approved in early May but was now on hold pending approval on June 27<sup>th</sup>.

Ms. Verrinder also stated that the issues that were raised by two of the Metro Board members were Access Services performance, Metro's oversight of Access Services, and what compliance and performance audits had been done by Metro in order to verify or validate Access Services data. Ms. Verrinder added that there was a misunderstanding amongst the Metro Board as to what the relationship between Access Services and Metro was. Metro seemed to think that Access Services was a contract of Metro's versus a standalone public transit agency. Ms. Verrinder added that it was also important to understand that the only portion of the funding that went through Metro's Board of Directors for approval was the local funding which was Proposition C funding. She stated that Access Services was a direct recipient of federal funding, so \$54 million had already been approved by the federal government and \$67 million was being presented to the Metro Board for approval in order to balance the Access Services Budget for next fiscal year.

Ms. Verrinder stated that Access Services had a series of performance standards that have been tested and validated by the FTA as being compliant with the ADA regulations and it was how Access Services monitored service. Access Services had also been meeting almost every standard for the service and over the last couple of years Access Services provided the best service overall on a consistent basis. Ms. Verrinder provided a power point presentation with some statistics comparing last year's numbers to current. The power point presentation is available upon request.

Ms. Verrinder also stated that in terms of the comment related to compliance and performance audits, Access Services was one of the most audited agencies in Los Angeles County. Each year, three or four of Access Services Member Agencies were audited by the FTA in the form of a Triennial Audit and Access Services was also a part of each audit and is audited by the FTA every year as a transit agency itself. She added that starting next week Access Services would go through a Grantee Management Review, which takes place every three years. Ms. Verrinder reminded everyone that in 2008 Access Services had an Inspector General's Audit which was in-depth and started with the eligibility process. Access Services was also a part of the regular Metro audit cycle, which started yesterday, June 11, 2013.

Ms. Verrinder stated that annually Access Services goes through a Certified Financial Audit and daily Access Services does a validation of all of the contractor's data through GPS validation and other checks and balances that were written into Access Services software programs. Access Services also has an internal audit team that validates contractor data on a regular basis. She stated that the one slide that was missing from her Power Point presentation was the oversight from Metro and when the new Metro Board item was released it would explain their oversight activities. She also explained that Access Services was part of the contract services section within Metro and there were Metro staff that worked with Access Services staff on data and oversight of Access Services such as monitoring our cost per trip, etc.

Ms. Verrinder stated that staff had taken a few action steps since Metro's Board meeting in May by meeting with almost every member of the Executive Management Committee except one and was still working on that one meeting. Staff had also conducted briefings of interested parties, discussed the situation with the FTA, the City Commission on Disabilities and will be going to the County Commission on Disabilities. It was also presented at the June 11, 2013 Community Advisory Committee meeting, there will be a phone conference with the Transportation Professionals Advisory Committee, it will be presented at the Local Transit System Subcommittee, the Bus Operations Subcommittee of Metro, and it was presented this morning at the General Managers meeting at Metro, which consisted of all the General Managers of the Municipal Operators of Los Angeles County.

Ms. Verrinder added that staff had made some adjustments in order to hold on to some cash to meet their federal matching obligations by financing the excess layer of auto liability insurance that would expire on June 20, 2013 with the Boards approval. At the Board meeting on May 20, 2013 the Board approved staff moving forward with the Parents with Disabilities grant, currently that grant had not been executed which freed up about \$228,000 of local matching funds there was a number of StrataGen software modifications that staff had been working on and staff has stopped development of all software modifications to hold on to the cash. Access Services currently has three open staff positions that will not be filled and unfortunately two of those positions were in the Complaints Response Unit, so that would slow down staff's response to complaints and the investigation process. Ms. Verrinder also added that staff had informed Metro that they would not be paying their rent for the month of June which was \$50,000 and the final step for Access which had the biggest effect on the region was suspending free fare payments to our free fare partners for the last

quarter of the fiscal year which would include Metrolink and some of Access Services fixed route partners.

Ms. Verrinder stated that at this point Access Services has expended its federal funds for this fiscal year which happened in the middle of last month, so approximately \$52 million of the grant funds were used, this month as planned and as part of how we normally do business. Access Services has cash and will pay all of their bills through June 30, 2013 because there are adequate Prop C funds to do so. Ms. Verrinder stated that staff had conducted a cash and financial analysis and if Access Services funding levels were not approved on June 27<sup>th</sup> by the full Metro Board of Directors, anticipated expenses for the month of July would be a little over \$2 million of Prop C money, which includes a little over \$888,000 federal match and Access would also be able to access our new federal grant which was about \$7.7 million. Ms. Verrinder reiterated that the numbers for July did not include rent, free fare payments or any payments to Metrolink and if the budget was not approved in June Access Services had the ability from a cash perspective to continue to operate through July 31, 2013.

Ms. Verrinder added that there were a couple of different obstacles that the Board needed to be aware of, if the federal grant could be utilized on July 1<sup>st</sup> staff did not have the matching funds for the entire \$54 million. The only matching funds that Access Services had was for one month of operations, which was the \$888,000. Ms. Verrinder stated that there were some certifications and assurances that had to be done by staff and legal counsel to draw down those funds which included having the available match for the entire grant.

The second obstacle was that Access Service would require written approval from Metro allowing staff to utilize any surplus funds that Access had left from this year. The Board authorized the purchase of 71 vehicles but staff had not placed an order for any of those vehicles so that was one of the reasons there was excess cash, so now staff would be able to tap into that money in order to make it through the month of July. Ms. Verrinder also stated that there were some issues related to state and/or federal Warn Act notifications, if the funding was not approved on June 27<sup>th</sup>. Access Services may need to notify in writing elected officials, political offices, the employees of Access Services and their contractors within 30 days that they would cease to operate.

Ms. Verrinder concluded her comments by stating that the next steps would be to continue the outreach to Metro Board members and other interested parties. Staff was also waiting for the release of the Metro staff report from the Executive Management Committee meeting on June 20, 2013. There will also be a Board Box which would detail some of the items that she covered today and the Board member comments. Once the report was released staff would continue to reach out to the members of the Executive Management Committee and the members of the Metro Board of Directors to answer any questions or if they need any additional information regarding Access Services.

Chairperson Barnes thanked Ms. Verrinder for her thorough report and the tremendous amount of effort from staff to get the word out regarding the budget. Chairperson Barnes also mentioned that he requested that the next Board of Directors meeting be rescheduled to Monday, July 1, 2013 so that the Board can respond to

Metro after their Board meeting on June 27, 2013. Hopefully the Metro Board would approve the Access Services budget for the coming fiscal year however, if the funding was not approved the agenda for the next meeting would have to include the proceeding of shutting down the agency with a Board action, so lack of funding would force the Board position.

Ms. Verrinder asked the Board if they would like Mr. Jones to provide an explanation of the legal obligations as an agency if no funding was available. Mr. Jones explained that Access Services as an agency had funds that could only be used for certain purposes. He stated that some of you were probably wondering why Access Services doesn't have a Rainy Day fund, he explained that Access Services was precluded by law because Access Services cannot have reserved contingencies, there are a set of federal rules that dictate county procedures for public entities, public entities could only have specific items that you can demonstrate and calculate.

Mr. Jones also stated that certain activities of the organization can be funded with the federal funds such as the 5310 funds which could only be for projects and cannot be used for administrative expenses and since Access Services contracts with third party providers to provide the service that allows staff to use those funds for that purpose. For administrative cost Proposition C funds are used and they are also used for the state match for the 5310 funds. Mr. Jones stated that he was providing all these details because it all came into play with the legal aspects of what Access Services can do and not do. What Access Services cannot do legally is draw on a federal grant even though there are funds available if we don't a commitment to the 5310 funds for the entire project for the fiscal year which runs from July 1, 2013 thru June 30, 2014.

Mr. Jones mentioned that the delay that Access Services was in now because of the failure of the Metro Board approving the budget exposes Access Services to a problem because of timing, so in July staff cannot draw on the 5310 funds because they won't have the funds to match them. The other problem was that Access Services commits to long term contracts with their provider which could be up to five years or more and they have out clauses but the out clauses have to be exercised on some notice, we also cannot enter into an agreement to pay money we are not sure we are going to have. During this uncertain situation Access Services cannot make any commitments on a long term basis and there are federal and state statutes regarding employee layoffs with detailed ramifications and if they are applicable they require some advance warnings. Those warnings have to be given to the employees and to the local political offices that are implicated which all could be very upsetting. Mr. Jones concluded his comment by stating that this was a summary of what could happen if the Budget was not approved.

### **Board Questions &**

**Comments:** Director Nason asked if staff had to deal with this kind of situation before. Mr. Jones replied "yes" that was why he had the warning notices prepared. He mentioned that annually Access Services had to have a Memorandum of Understanding (MOU) with Metro and sometimes those tend to get delayed and may not happen on a timely basis but it did not happened very often.

Director Nason stated that the Independent Living Centers and the state of California go through this every year, waiting for the Governor to sign the budget and they had to lay off employees which can be very upsetting. Director Nason also mentioned that what really concerned her was that the Metro Board did not understand the relationship between Access Services and Metro, which she felt was hard to believe.

Director Stitcher stated that he was fairly confident that Access Services would receive their funding on June 27, 2013 because of the negative ramifications that could come from this but on the education part of this, it was frustrating that experienced politicians who have been in this county for so many years still did not understand the relationship between Access Services and Metro. As an agency we do a lot of outreach and education but he could remember a time when the Member Agencies had to certify that they were going to be a member of Access Services, so do we need to start doing that every three years or as part of their Tri-Annual Audit, should all Member Agencies have to recertify with an endorsement from their Political Board, Board of Directors, City Council or whatever it may be. He also stated that maybe it was time that we talk to Metro's CEO to take Access Services out of the contract services department to avoid this confusion in the future and to recognize the organization as a separate entity.

Ms. Verrinder stated that she completely agreed with Director Stitcher's comment on the recertification issue, she also stated that David Gershwin from David Gershwin Consulting who was Access Services local advocate that helped Access Services with local issues was here today. She added that she and David had been spending many hours together on the education piece. Ms. Verrinder reiterated that she agreed with Director Stitcher on the recertification issue but she asked what would happen if someone did not do the recertification process. Staff and the Member Agencies had a long discussion at the Annual Meeting a couple of years ago about individuals designating their voting members, she added that there were still a few Member Agencies that had not designated anyone and at the last Annual Meeting there were a few of them that did not know they were Member Agencies.

Director Stitcher added that when Metro gets a new Board member there's usually an orientation session with the new Board member, he asked if it was safe to assume that information regarding Access Services was provided to them and if not could there be. Ms. Verrinder replied that she was not sure but she did not think it was. She added that staff would reach out to Metro to find out what their orientation process consisted of and what information was provided to the new Board member(s) regarding Access Services.

David Gershwin stated that he also concurred with Director Stitcher comment regarding the recertification issue and he also felt that there was not enough information regarding Access Services relationship to

Metro provided to the new Metro Board members so Access Services should operate under the assumption that they need to educate them and provide an open line of communication.

Mr. Gershwin also stated that one of the global and critical issues that Access is faced with was it not being clear to Metro Board members that Access Services does not only serve the Metro service area but they operate on behalf of all of the fixed route operators which would be the first step in the education process and was currently being conveyed as staff speaks to each Metro Board member to ensure that they understand the consequences of their actions. As for the performance audits and standards, Access Services was an open book and continues to offer tours of the provider sites and the eligibility center with options to brief their staff. Mr. Gershwin concluded his comments by stating that staff was aggressively taking the opportunity to educate Board members on the ramifications of what would happen if the service was cut and what the impact would be on the elected officials that are members of the Metro Board of Directors, the constituents and residents of the County.

Director Baghdanian stated that the last sentence in the Board Item states that "the Access Board of Directors can discuss this issue and determine what steps need to be taken to comply with contractual and statutory requirements." Director Baghdanian asked what steps the Board was preparing to take in the form of an action or direction at today meeting. Mr. Jones replied that the steps that the Board could take would be to develop a plan of liquidation of the organization which could be done but may be premature at this point. He added that there are already "just in case plans" in place whereby the proper notices would be given, contracts would be terminated, equipment would be recovered and all the things that need to be done to cut off further exposure to costs or liabilities that Access Services would not have funding for but as of now he felt that it would be premature to do that.

Mr. Jones stated that if staff could operate until the end of July as indicated without drawing on the federal funds then Access Services would remain in compliance with the federal requirements. Staff would need to come up with a plan to shut down the operations, 30 days was not a lot of time but since staff was already headed into this on a consensual standpoint it could be done in that amount of time.

Director Baghdanian stated that he had a few thoughts on what to do over the next few weeks before the next Board meeting on July 1<sup>st</sup>, maybe the Board could help. Ms. Verrinder stated that she and Mr. Gershwin would like to go to the political offices and state that on behalf of Access Board of Directors and that the Board of Directors are in full support of the actions that Access Services staff were taking. She also stated that she was currently telling Metro's CEO, Arthur Leahy and Paul Taylor that the Access Services Board of Directors had an obligation to

address these issues and to plan for any type of situation that may occur, so any additions to staffs action steps would welcomed.

Director Baghdanian stated that he felt that the Board and staff should be very aggressive with the steps that were being taken to ensure that Metro's Board was aware how critical this was to Access staff. He also felt that staff should be the one that informs the Metro Board of Directors. Director Baghdanian also stated that a letter should be distributed to the Metro Chairman of the Board in advance of their June 27, 2013 meeting. He also asked if she or staff could make a presentation to the Metro Executive Management team at their meeting on June 20<sup>th</sup> and the Metro Board of Directors as it relates to this issue.

Director Baghdanian stated that he was concerned about giving Metro or anyone the impression that Access Services needed to be restructured or changing the contract and the way of doing things, he stated if it was not broken it does not need fixing. Most of them don't know about Access Services because it was running so efficiently all these years. Director Baghdanian concluded his comment by recommending that staff send a comprehensive letter with some key notes that were in the presentation today along with the presentation to the Chairman of Board and the Executive team at Metro in advance, staff should keep an aggressive mode.

Director Nason stated that sending a letter to the Metro Board of Directors was a good idea but she felt that Ms. Verrinder addressing this issue in person or making a presentation was better than sending a letter. Director Baghdanian mentioned that he suggested doing both, sending a letter and providing a presentation as well.

Ms. Verrinder stated that she and Mr. Gershwin would be attending Metro's Executive Management committee meeting and the full Board meeting and the Chairperson of the Executive Management committee was also the Chairperson of the Board, which was supervisor Michael Antonovich. She stated that she would work on getting a presentation on their Board agenda and without being on the agenda Access staff could do a public comment at their Board meeting and maybe have the Chair of the Access Services Board of Director send a letter to the Chair of the Metro Board and cc the Member Agencies on the ramifications and the importance of what might happen. Mr. Gershwin concurred with Ms. Verrinder's approach. Ms. Verrinder stated that staff would start working on the letter and get it out as soon as possible.

### Public Comment on Item 3 (General Study Session)

Hugh Hallenberg complained about the line of sight and the audio system at Access Services Headquarters, he stated that it was worse than the Metro Board room so having the Board meetings at this location was not going to get any better unless there was an improvement. Mr. Hallenberg also stated that it seemed that staff was

asking for all or nothing and if you don't get full funding you plan to shut down, he asked if there was any thought to reducing the service areas without harming the purpose of Access Services. Mr. Hallenberg also stated that he would like to know the names of the members of the Metro Board of Directors so that the riders can bring it to their attention on how important Access Services was to them because he felt that a professional letter was not going to do the job. He stated that he felt that the riders would present political pressure to ensure that what was threatening to take place would not happen.

Chairperson Barnes replied, as to the question of funding Access Services does not have includes service beyond the ADA minimums and much of what Access Services does was driven by the requirements of the Americans with Disabilities Act of 1990. Mr. Jones added that the federal law requires that all fixed route operators provide or certify that paratransit service was provided in their areas and was complementary to their fixed route service and was funded to a level of no predicted denials. The funding required for paratransit service in Los Angeles County is based upon analysis of the demand for next day service and the federal laws as the courts have interpreted require that funding be provided for all predicted demand for next day service.

Mr. Jones stated as a consequence it would be an all or nothing proposition that funding had to be at that level and the obligation was on the fixed route operators in Los Angeles County. Access Services administered a plan called the Los Angeles County Coordinated Paratransit Plan and the plan was approved by the FTA and was signed onto by all of the fixed route operators in the county and certified to the federal government that Access Services was the complementary ADA paratransit compliance and without this plan there would be no compliance.

Director Nason stated that she appreciated that Mr. Hallenberg wanted to know the names of the individuals on the Metro Board of Directors and as advocates they would be able to address them which was the most powerful thing that we could do right now. Director Nason added that she was appointed by the Board of Supervisors and unfortunately the only time she hears from the Board of Supervisors was when there were complaints, she added that she would like to hear that they are receiving compliments from everyone regarding Access Services.

Chairperson Barnes stated that this was all very good discussion and lots of work to be done. He also stated that the next Board of Directors meeting would be on July 1, 2013 here at Access Services headquarters because Metro's Board room was not available. Chairperson Barnes stated that he felt that it was important to move the meeting to July 1<sup>st</sup> to allow plenty of time to address whatever happens at the Metro Board meeting on July 27, 2013. Chairperson Barnes stated that he had requested that staff prepare two agendas for the meeting; one that would allow staff to continue with the business of the organization and the other to allow the Board to consider the actions needed to be taken to close down Access Services pending the outcome of the Metro Board meeting.

#### **NEW BUSINESS SUBSEQUENT TO THE POSTING OF THE AGENDA**

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

ADJOURNMENT

**Motion:** Director Nason moved to adjourn the meeting.

**Second:** Director Stitcher seconded the motion.

**Vote:** Via Voice Vote.

**Pass/Fail:** All were in favor and the meeting adjourned at 2:43 p.m.

Approval

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Theresa DeVera, Secretary

Date

MINUTES  
ACCESS SERVICES  
BOARD MEETING  
JULY 1, 2013

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The Access Services Board of Directors meeting convened at 12:16 p.m. on Monday, July 1, 2013 in the third floor Council Conference Room of the Access Services Building located at 3449 Santa Anita Avenue, El Monte California. The presiding Board Member was Doran Barnes, Chairperson. Board Members present included: Dolores Nason, Vice Chair, Joseph Sticher, Treasurer, Theresa DeVera, Secretary, Jano Baghdanian, Martin Gombert, Angela Nwokike, and Hector Guerrero. Ex-Officio's, Michael Arrigo, CAC Chair, and Jim Jones, Access Services Legal Counsel. Director Theresa DeVera, Secretary of the Board and Wayne Wassell, Chair TPAC were both excused from the meeting.

Access Services' staff members present included: Shelly Verrinder, Mark Maloney, F Scott Jewell, Donna Cisco, Araceli Camuy, Jack Garate, Rogelio Gomez, Geoffrey Okamoto, Phillip Rice, Jessica Thompson, Faustino Salvador, Hamilton Franco, Susanna Cadenas, David Foster, Andre Colaiace, Richard Rodriguez, Kurt Hagen, Steve Chang, Alfredo Torales, and Lora Verarde (intern).

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

No public comments were heard regarding the closed session items.

**CLOSED SESSION REPORT**

The Board met in Closed Session and reconvened the general portion of the meeting at 1:13 p.m. at which time Michael Arrigo, Chair of the CAC joined the general session.

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

Mr. Jones reported that prior to taking the dais, the Board met in closed session to discuss pending or threatened litigation no reportable action was taken by the Board with respect to these matters. The Board also discussed the Executive Director's evaluation which was done yearly and to vote on a compensation package. Mr. Jones stated that good agency practice and state law requires that the Compensation Committee be appointed as a standing committee and that they serve to gather information necessary for the evaluation and the compensation of the Executive Director. Mr. Jones stated that the committee members consisted of Chairperson Barnes, Vice Chairperson Nason, and Director Baghdanian and had been in existence for many years. He stated that the committee provided a presentation during closed session to the Board of Directors.

Mr. Jones stated that the Board recognized that the Executive Director's salary had not been adjusted since July of 2011 and was significantly below the midpoint of the 2005 salary range and at the time it was adjusted it was also promised to be reviewed in six months but unfortunately that had not been done. Mr. Jones stated that it was the unanimous decision of the Board to have Ms. Verrinder's salary adjusted to 80% of the salary range in view of those circumstances and since the vote of the Board was unanimous this item would not be taken up again during the general portion of the meeting.

Mr. Jones explained the general 3 minute limitation on public comment and that anyone who by reason of a specific disability which prevented them from speaking with normal rapidity and who wished to request an accommodation should so indicate on the speaker request form so that the Chairperson could consider and potentially grant additional time to make their statement but due to the amount of public comments submitted for today's meeting the Chairperson would only allow three minutes for public comments.

Mr. Jones also explained that individual speakers may not cede their time to anyone else, if someone else had an issue they would need to speak for themselves or if they are unable to speak for themselves the Board should receive written communications to make them part of the record.

### **SUPERIOR SERVICE AWARDS**

Pierre Moss, a Transit Mobility Specialist from C.A.R.E. Evaluators, was the recipient of the Superior Service Award for the month of May 2013. Jose Diaz, a Driver from MV Transportation, was the recipient of the Superior Service Award for the month of June 2013.

Staff also introduced and congratulated the 2013 National Community Transit Rodeo winner, Jose M. Mendoza from MV Transportation.

### **REVIEW & APPROVAL OF THE BOARD MEETING MINUTES FROM MAY 20, 2013**

**Motion:** Director Nason moved approval of the May 20, 2013 Board meeting minutes.

**Second:** Director Stitcher seconded the motion.

**Discussion:** None.

**Vote:** Via Voice Vote.

**In Favor:** Directors Nason, Baghdanian, Stitcher, Gombert, Guerrero, and Nwokike.

**Opposed:** None.

**Abstention:** None.

**Pass/Fail:** The motion carried.

## REPORT FROM EX-OFFICIO BOARD MEMBERS

Michael Arrigo, Chair of the Community Advisory Committee (CAC), began his report by stating that the committee met on Tuesday, June 11, 2013 and spent a lot of time discussing the budget and what to do if the budget was not approved. Mr. Arrigo concluded his report by stating that the committee received a report on the Parents with Disabilities program which he had stated before that he felt was one of the better programs that Access Services offered in a long time.

## GENERAL PUBLIC COMMENT

Renee Madera stated that on June 24, 2013 in the San Gabriel Valley she had a driver that was verbally abusive to her and because of her disability she needed the driver to physically approach her when the vehicle arrived so she wanted to speak to staff regarding this issue. Ms. Madera also stated that because she was a larger person the regular seat belts in the back seat of the vehicle(s) did not fit the seat belt extension that she carried with her and she tried to tell the driver that but the driver just wanted to argue with her but she refused to argue with the driver, so the driver was continually rude to her. Ms. Madera concluded her public comment by stating that she made a formal complaint but still had not heard back, she asked that staff look into the issue.

Ms. Verrinder informed Ms. Madera that Access Services Project Administrator for Eastern and Northern regions, Rogelio Gomez would follow-up with her after the meeting.

Tonni Yee Hemphill stated that on her trip to today's Board meeting the driver was verbally abusing her and when he got on the freeway the driver was driving with one hand on the wheel, which she felt was unsafe. She concluded her public comment by stating that she felt traumatized and she wanted something done with the cab drivers.

Ms. Verrinder informed Ms. Hemphill that Access Services Project Administrator for the Southern and Santa Clarita regions, Alfredo Torales would follow-up with her after the meeting.

## CONSENT CALENDAR

Chairperson Barnes pulled Item 8-h, for purposes of discussion.

**Motion:** Director Baghdanian moved approval of items 8-a thru 8-g and 8-i on the Consent Calendar.

**Second:** Director Gombert seconded the motion.

**Discussion:** None.

**Roll Call:** Chairperson Barnes asked for a roll call.

**In Favor:** Directors Baghdanian, Stitcher, Gombert, Guerrero, Nwokike, and Nason.

**Opposed:** None.

**Abstention:** None.

**Pass/Fail:** The motion carried.

**DISCUSSION:** Item 8-h (Request to Terminate Free Fare Agreement With Southern California Regional Rail Authority (Metrolink))

Chairperson Barnes asked Access Services Manager of Planning and Coordination, Matthew Avancena to provide a 60 second overview on the item before Mr. Conrad made his public comment.

Mr. Avancena stated staff was requesting the Boards' authorization to do two things, issue a formal notice of termination to Metrolink to terminate Access Services Free Fare Program with them and enter into a successor agreement with Metrolink to continue the Free Fare program but the main difference would be instead of Access directly reimbursing Metrolink for Free Fare trips taken by Access customers Metro would directly reimburse Metrolink for Free Fare trips.

Chairperson Barnes asked if the change would have an impact on the riders using the Free Fare program. Mr. Avancena replied that it would have no impact what so ever, it would be a seamless process. Ms. Verrinder added that Metrolink was moving forward with some changes to the Free Fare program on their own which was completely separate from this item. Metrolink will now require that the Access rider's personal care attendant (PCA) register and purchase a PCA card which had nothing to do with this item.

**Public Comment:** Item 8-h (Request to Terminate Free Fare Agreement With Southern California Regional Rail Authority (Metrolink))

Michael Conrad stated that to his understanding the funding would be picked up by Metro and nothing else would change. He stated that he hoped that this was the case because Access Services had always encouraged people to ride the trains and buses if they could and to lose Metrolink from the Free Fare program would really hurt the disabled community because of their fixed incomes. He concluded his public comment by stating that these types of programs must continue.

Tonni Yee Hemphill stated that she concurred with Mr. Conrad's public comment because there were so many disabled citizens and having to pay for their PCA's to ride would be detrimental, so she would like to see a change.

**Motion:** Director Baghdanian moved approval of Item 8-h on the Consent Calendar.

**Second:** Director Nason seconded the motion.

**Discussion:** None.

**Roll Call:** Chairperson Barnes asked for a roll call.

**In Favor:** Directors Stitcher, Gombert, Guerrero, Nwokike, Nason, and Baghdanian.

**Opposed:** None.

**Abstention:** None.

**Pass/Fail:** The motion carried.

#### **APPROVAL OF PROPOSED BUDGET FOR FISCAL YEAR 2013/2014**

Access Services Deputy Executive Director, Administration, F Scott Jewell provided a brief presentation on the staff and Ad Hoc Budget Committees recommendation for approval of the proposed budget for fiscal year 2013/2014.

**Board Questions & Comments:** None.

**Motion:** Director Stitcher moved approval of the proposed budget for fiscal year 2013/2014 as recommended.

**Second:** Director Baghdanian seconded the motion.

**Discussion:** None.

**Roll Call:** Chairperson Barnes asked for a roll call.

**In Favor:** Directors Gombert, Guerrero, Nwokike, Nason, Baghdanian, and Stitcher.

**Opposed:** None.

**Abstention:** None.

**Pass/Fail:** The motion carried.

#### **EXECUTIVE DIRECTORS COMPENSATION**

Access Services Legal Counsel, Jim Jones stated that the vote for this item was unanimous during closed session, he added if the vote were not unanimous during closed session there would have to be an open session vote in order to have a record of each director's vote. The vote on Item Ten was affirmative as mentioned in the closed session report at the beginning of the meeting, so another vote was not needed.

## ACCESS ID CARD USER SURVEY

Todd Remington from Fairfax Research Group provided an overview of the Customer Satisfaction Telephone Survey on the Access Identification Card. A copy of the survey is available upon request.

Ms. Verrinder stated that the survey was in response to the first survey and when she and Todd were working on the survey they had to rearrange some of the questions because Access riders did not identify with the card as a TAP card or a fare card. Ms. Verrinder also stated that this was a follow-up to the 2011 survey along with a lot of the public comments that the Board received related to the TAP card and because of such a great demand early on, staff was being responsive to the ridership on how the card was developed and used which was very positive.

Ms. Verrinder also mentioned that one thing that staff noticed was a high volume of riders did not receive their pick-up time they requested and the time was negotiated before or after the requested time. Some modifications were made to StrataGen to increase the probability that the rider received the time they requested. When staff put those changes into place 90 plus percent of those individuals that called in for a trip got a trip within five minutes or so of what was requested. Ms. Verrinder stated that overall on the survey perspective staff learned some valuable information about their technology program through reservations. Secondly staff learned that they cannot rely on the Metro marketing campaign for TAP cards because Access Services had their own product and had to do their own information campaign but most of what staff learned was that the ID card that Access Services was using was successful and liked by our riders.

### **Board Questions &**

**Comments:** Director Nason stated that she also felt that there was some good information that came out of this survey and she also felt that it was important to recognize this. Director Nason added that she was glad that Mr. Remington was present to provide the information but the print was a little too small. Director Nason asked who else besides the Board members received a copy of this report. Ms. Verrinder also stated that the report was going to be presented to the CAC and TPAC committees.

Chairperson Barnes thanked Mr. Remington for his detailed presentation and reminded the Board that this was an information item only and no action was needed.

## CUSTOMER SERVICE DEPARTMENT UPDATE

Access Services Manager of Customer Support Services, David Foster provided a brief update on the changes that have taken place in the Customer Service Center.

### **Board Questions &**

**Comments:** Director Nason stated that she would like to congratulate Mr. Foster's department because the information from the survey was very good news.

Chairperson Barnes thanked Mr. Foster for his presentation and reminded the Board that this was an information item only and no action was needed.

## EXECUTIVE DIRECTOR'S REPORT

Access Services Executive Director, Shelly Verrinder, began her report by thanking everyone for their contributions in getting the budget approved. She stated that it was a team effort that could not be done without the assistance of a lot of people. She stated that she would specifically like to recognize David Gershwin, Access Services local advocate, who discussed strategy on many different occasions, Andre Colaiace who loved to write talking points and all the members of the Board of Directors who made phone calls to all the member agencies and informed individuals where Access Services was at and where they were going.

Ms. Verrinder added that their work did not stop because Mr. Gershwin reminded her that there were four new Metro Board members taking their seats on Sunday. She stated that she and Mr. Gershwin will take a break for a couple of days and start the education process with the new board members on Access Services, what we do and that we are not a contract to Metro.

Ms. Verrinder continued her report by stating that trips increased by 4% from April, on-time performance decreased slightly to 88.9% and we finished the year very close to our target of 91%. Average initial hold time and cost per trip remained steady and total eligible riders increased slightly by 1% for a total of 137,435.

Ms. Verrinder also reported that at the same time the Metro budget issues were occurring, Access Services was fortunate to be going through their State Management Review that occurred every three years which was also referred to as the Triennial review. She added that this year's review did not include a member agency to be involved but this time the Triennial auditors came to Access Services and began their work the week of June 18, 2013. Ms. Verrinder thanked Andre Colaiace, Matthew Avancena, Eric Haack, and Lora Verarde for all of their hard work in preparing, gathering all the documentation and for doing such a great job with the audit team. She also thanked Steve Chang and his staff for arranging site visits at Diversified Transit in Lancaster and MV Transportation in the valley.

Ms. Verrinder stated that there were no findings but they did have a few suggestive areas of improvement which staff would start to work on. She added that staff expects to receive a draft report soon and as the audit team was preparing to leave they informed staff that Access Services was randomly selected for another audit this year. Ms. Verrinder reminded everyone that the 3<sup>rd</sup> Annual Access Services Roadeo was coming up on Saturday, July 13<sup>th</sup> at the Pomona Fairgrounds in Pomona so if they needed any information regarding the Roadeo to contact Donna Cisco. Ms. Verrinder also mentioned that the Board Officer Elections would be held at the August 26, 2013 Board of Director meeting and Access Services legal counsel, Jim Jones would be sending something out to the Board. She also informed them that there would not be a meeting later in July because some of the Board members would be attending the APTA Transit Board Members Seminar in Austin, Texas. She asked if any of the Board members were interested in attending the seminar and have not contacted Donna

Cisco, they would need to do so as soon as possible because she was currently working on travel arrangements. Ms. Verrinder also informed the Board that the next Board meeting on Monday, August 26, 2013 would not be held in Metro's Board room, it will be held at the California Endowment Center, in Los Angeles because Metro will be doing some upgrades in their board room.

Ms. Verrinder concluded her report by presenting Director Jano Baghdanian a plaque in appreciation for his many years of service on the Access Service Board of Directors.

#### **BOARD MEMBER COMMUNICATION**

Director Nwokike stated that she was glad to be present at today's meeting with an approved budget.

Director Nason stated that she was also very happy about the budget being approved and she and the other Board members were going to really miss Director Baghdanian after all the years they have worked together. She also thanked Ms. Verrinder for expressing how they all felt about Director Baghdanian.

#### **NEW BUSINESS SUBSEQUENT TO THE POSTING OF THE AGENDA**

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

#### **ADJOURNMENT**

**Motion:** Director Nason moved to adjourn the meeting.

**Second:** Director Nwokike seconded the motion.

**Vote:** Via Voice Vote.

**Pass/Fail:** All were in favor and the meeting adjourned at 2:42 p.m.

Approval

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Theresa DeVera, Secretary

Date

AUGUST 16, 2013

TO: BOARD OF DIRECTORS

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

RE: RENEWAL OF SELF-INSURED RETENTION (SIR) AUTOMOBILE  
INSURANCE

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**ISSUE:**

Auto insurance rates for companies in the “people moving” business have gone up dramatically in the last few months, with many carriers non-renewing a number of accounts and raising rates significantly on the ones that do renew.

Given this environment, Access and its insurance broker, SullivanCurtisMonroe, have been working with Scottsdale Insurance, the primary insurer for Access’ Self-Insured Retention (SIR) program, on an extension of the Agency’s policy through June 20, 2015. Scottsdale has offered to extend the policy with only a 3 percent increase over current rates.

**RECOMMENDATION:**

Approve the above referenced insurance policy at a premium cost not to exceed \$2,000,576 for the policy period of 6/21/14-6/20/15. The Scottsdale policy provides the first \$1 million in coverage for the Agency’s SIR program above the \$50,000 per-incident deductible.

**IMPACT ON BUDGET:**

This renewal can be accommodated within the current budget.

**BACKGROUND:**

Since June 21, 2009, Access has insured itself and its contractors under a Self-Insured Retention program for injuries occurring during transportation of riders in Access dedicated vehicles. The program does not extend to backup or taxi rides. This program provides \$51 million in coverage per incident with Access funding the first \$50,000 of every claim. Contractors are required to notify Access of any accident or incident that takes place on the vehicle. Any claims arising out of these incidents are subsequently adjusted by our Third-Party Administrator, CorVel Corporation.

AUGUST 16, 2013

TO: BOARD OF DIRECTORS

FROM: DAVID FOSTER, MANAGER OF CUSTOMER SUPPORT SERVICES

RE: REASSIGNMENT OF WEEKEND/HOLIDAY OPERATIONS  
MONITORING CENTER COVERAGE TO SOUTHLAND TRANSIT, INC  
(AS-3261)

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**ISSUE:**

Board approval is needed to authorize Access to negotiate and execute an amendment to the contract with Southland Transit, Inc. (AS-3261) to reassign services currently provided by San Gabriel Transit, Inc. (AS-1928) for weekend and holiday Operations Monitoring Center (OMC) coverage effective September 1, 2013.

**RECOMMENDATION:**

- 1) Authorize staff amend the contract with Southland Transit, Inc. (AS-3261) to include weekend and holiday OMC calls.
- 2) Terminate the Operations Monitoring Center coverage from San Gabriel Transit, Inc. (AS-1928).
- 3) Authorize an increase of funds of \$216,000 to AS-3261 to cover the cost of the services.

**IMPACT ON BUDGET:**

This action will result in an increase in the previously approved contract amount of \$1,362,805 to \$1,578,805. The additional \$216,000 reflects the annual amount of \$54,000 that covers the weekend/holiday OMC service. This action is consistent with the budgeted amount for outsourcing of weekend and holiday OMC calls.

**ALTERNATIVES CONSIDERED:**

No alternatives were considered.

**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 an amendment to the existing contract with Southland Transit Inc. (AS-3261) on terms no less favorable to Access than those proposed in this item. Access would not be legally bound to this amendment to the 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:**

Access has been outsourcing after-hours Operations Monitoring Center (OMC) calls to San Gabriel Transit (SGT) for many years as part of their existing service provider contract. Access began contracting with Southland Transit (STI) in September 2012 to outsource customer service calls, and since that time staff determined that from a contract service type model, it is a logical step to combine OMC and customer service call outsourcing under one contract. The transition will be seamless since SGT and STI are sister company operating from the same facility.

Historically, outsourcing calls has proven successful, allowing Access to better manage costs and call volumes while providing seamless service to our customers. Beginning in 2009 Access outsourced OMC after hours calls to SGT from 11 p.m. to 6 a.m. This was a budgetary decision made to ensure continued around the clock assistance to our customers at a reduced cost. June 2012, Access began outsourcing weekend and holiday OMC calls as well in order to manage the growing call volume in the customer service center; this step allowed Access to schedule all of the call takers for the more critical weekday/peak hour periods since weekend coverage was no longer needed. This step also eliminated the need for temporary staffing has and has virtually eliminated any need for overtime to handle the call volume during the work week.

AUGUST 16, 2013

TO: BOARD OF DIRECTORS

FROM: EVIE PALICZ, MANAGER OF SAFETY, TRAINING, AND EMERGENCY PREPAREDNESS

RE: APPROVAL OF EXTENSION AND INCREASED FUNDS FOR RISK MANAGEMENT, SAFETY, COACHING AND TRAINING CONSULTING SERVICES WITH MLG TRANSIT CONSULTING (AS-3433)

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**ISSUE:**

Board action is required for the extension and increased funding of the risk management, safety, coaching, and training consulting services contract (AS-3433) with MLG Transit Consulting.

**RECOMMENDATION:**

Authorize an increase of \$55,000 in funds and an extension in the period of performance for one (1) year through June 30, 2014.

**IMPACT ON BUDGET:**

The costs associated with this contract have been budgeted for FY2013/14. This action will result in an increase of the contract not-to-exceed amount from \$74,999 to \$129,999.

**ALTERNATIVES CONSIDERED:**

No alternatives were considered.

**EFFECT OF APPROVAL OF STAFF RECOMMENDATION**

If this staff recommendation is approved by the board, the staff would be authorized, but not required, to negotiate and enter into a written extension of the existing services agreement with MLG Transit Consulting for consulting services upon terms and conditions set forth and no less favorable to Access than those proposed above.

**BACKGROUND:**

In 2009, in the interest of improving safety and cost effectiveness, Access Services implemented a restructuring of its insurance coverage. The program established a liability Self-Insurance Retention Fund (SIR), purchased several layers of overriding

excess insurance, hired a third party administrator (TPA) to manage the insurance program, and embarked upon a campaign to improve safety. The goal was that safety improvements and programs would contribute to the insurance program's success.

In order for Access Services to measure its success in improving safety, the consultant reviewed the agency's actions over the past three years in regards to safety and reduction of liability costs, and developed recommendations and solutions to positively contribute to the continuation and improvement in these areas. Over the next year the consultant will work on, at a minimum, the following;

Over the next year the consultant will work on, at a minimum, the following;

- OSHA Regulations
- Analysis and policy development of SMART Drive information
- Periodic safety and security audits

AUGUST 16, 2013

TO: BOARD OF DIRECTORS

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

RE: OPPOSE SENATE BILL 556

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**ISSUE:**

SB 556 will negatively affect transit agencies like Access that use contractors to provide transportation services to their communities. This bill requires public agencies, including public transit systems, to include the words, "Not a Government Employee," on the uniform of a contracted employee and the words, "The Operator of this Vehicle is Not a Government Employee," on vehicles operated by contracted employees in a font size as large as the logo on the bus.

**RECOMMENDATION:**

Oppose SB 556.

**IMPACT ON BUDGET:**

If this legislation were to pass, Access Services and its contractors would incur costs associated with complying with the bill's requirements as described above.

**BACKGROUND:**

The California Highway Patrol currently requires transit operators to post a small sign or wording on their vehicle that states, "This vehicle is operated by (Name of Contractor)" in small letters. This legislation would force transit operators, including Access Services, to add the phrase described in the first paragraph in a significantly larger font across the outside of the vehicle. This would be a waste of scarce transit dollars and could imply to the public that operators and vehicles with the "nongovernment employee" branding are somehow less capable or safe than vehicles operated by government employees.

AUGUST 16, 2013

TO: BOARD OF DIRECTORS

FROM: MARK MALONEY, CHEIF OPERATING OFFICER

RE: APPROVE THE FUNDING AGREEMENT BETWEEN ACCESS SERVICES AND THE LOS ANGELES COUNTY METROPOLITAN TRANSPORTATION AUTHORITY (LACMTA) (MOU.P000ASI18) FOR SECURITY SERVICES

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**ISSUE:**

In 2011 the Board authorized an agreement with LACMTA and the Los Angeles County Sheriff's Transit Services Bureau to provide security services for ADA paratransit in Los Angeles County. Board authorization is needed to amend the funding ratified MOU.P000ASI18 between Access Services and the Los Angeles County Metropolitan Transportation Authority.

**RECOMMENDATION:**

Authorize the Executive Director to Amend MOU.P000ASI18 to provide LACMTA reimbursement for fraud investigation, incident response and accident reduction services in Los Angeles County in the amount of \$200,000 performed on behalf of Access Services for the period July 1, 2013 through June 30, 2014. The cost includes contribution to a Liability Pool associated with such services.

**IMPACT ON BUDGET:**

The \$200,000 has been included in the FY 2013/2014 budget.

**ALTERNATIVE CONSIDERED:**

Discontinue the use of contracted security services by using the available limited resources of the local police of each city to respond to the needs of Access and its customers.

**EFFECT OF APPROVAL OF STAFF RECOMMENDATION:**

If this staff recommendation is approved by the board, the staff would be authorized, but not required, to negotiate and enter into a written amendment of the existing contract upon terms and conditions no less favorable to ASI than those proposed above. ASI would not be legally bound to the amendment 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:**

As a means to compliment Access Services' existing safety culture, Access Services has partnered with Los Angeles County Metropolitan Authority participate in their existing security services contract. The venture will provide Access Services with resources and support in the following areas.

- Access Incident Response- The contracted agency will respond to all calls for enforcement needs, customer incidents, driver incidents, and any illegal actions on board an Access vehicle for example drug or alcohol related in the areas of usage, transporting, or sale of while using Access. The agreement will also provide for any threat investigation (physical, terrorist, or weapon). The contract will allow for a single point of contact for all basin providers with a direct number and email to the Los Angeles County Sheriff's Transit Services Bureau Dispatch
- Fraud Prevention- The contracted agency will investigate the issues surrounding fraud and/or the illegal utilization of Access Services customer identification cards aboard Access Services Paratransit Service or any of the municipal agencies participating in the Access Services Free Fare Program, which includes Metrolink.
- Enhancement of Access Services Safety Culture- A heightened visual presence of the participating security agency will be utilized during various aspects of the operation. The agency will be tasked with participation in safety meetings, vehicle roll outs, and accident/incident investigations, all of which will benefit both the Access Services customer and service provider staff.

AUGUST 16, 2013

TO: BOARD OF DIRECTORS  
FROM: STEVE CHANG, DEPUTY EXECUTIVE DIRECTOR, OPERATIONS  
RE: EASTERN REGION PILOT PROJECT - EXPRESS BOOKING

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**ISSUE:**

San Gabriel Transit (SGT), the contractor for the Eastern region, currently uses a reservation software called "5M," developed by TSS Wireless (TSS), to book Access reservations. SGT requested the right to test a new feature of the system on a pilot project basis.

**BACKGROUND:**

Access staff was approached by SGT in April 2013 regarding the Express Booking enhancement to the 5M software. Several meetings were conducted between Access, TSS and SGT to develop the scope for the Express Booking pilot program. The team determined that the best course of action would be to test the effectiveness of this new feature first with a small sample of customers. Once the testing is complete, we will collect customer feedback, review test results, and determine the next steps for potential implementation.

Express Booking provides a more convenient experience for Access customers who book multiple trips with the same specifications (i.e. same pickup/drop off address pair, PCA/companions, etc.). Currently, this pilot program is only offered for trip reservations made by SGT within the Eastern Region.

Since its launch date in late July 2013, Express Booking has booked a daily average of 107 reservations and has booked 30 percent of all cancellations. Further details of the pilot project will be given during a joint presentation by Access and SGT staff at the August 2013 Board of Directors meeting.