**AGENDA**

**COMMUNITY ADVISORY COMMITTEE (CAC) MEETING**

Tuesday, August 13, 2013
1:00pm - 3:00pm
Los Angeles County MTA
Union Station Conference Room, 3rd Floor
One Gateway Plaza,
729 Vignes Street, Los Angeles CA 90012

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**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 Community Advisory (CAC) 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://asila.org](http://asila.org). Documents, including Power Point handouts distributed to CAC by staff or CAC members at the meeting will simultaneously be made available to the public. Two opportunities are available for the public to address the CAC during a CAC meeting: (1) before a
specific agendized item is debated and voted upon regarding that item and (2) 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 CAC secretary. 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 CAC 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 CAC may direct staff to investigate and/or schedule certain matters for consideration at a future CAC Meeting.

"Alternative accessible formats available upon request."
CALL TO ORDER

Chairperson Arrigo called the meeting to order at 1:02 p.m.

ROLL CALL

CAC Members Present: Maria Aroch, Michael Anthony Arrigo, Kurt Baldwin, Chaplain Dov Cohen, Phyllis Coto, Tina Foafaoa, Dina Garcia, Terri Lantz and Nan Stoudenmire.

CAC Members Absent: Marie-France Francois and Howard Payne.

Board Members Present: None.


Guests: Yael Hagen (Access Customer), Zebreda Dunham (Access Customer), Anita Wright (Braille Institute), London Lee (San Gabriel Transit), Teresa Gonzales (MV Transportation), Giovanna Gogreve (Metro), Daniel Garcia (QSS Member), Gordon Cardona (Access Customer), Bill Zuke (Access Customer), Mike Fricke (CTI), Edward Quintana (CARE Evaluators), Allison Hughes (Mobility Management), Dena Antoun (Mobility Management), Jesse Padilla (Eastern Los Angeles Regional Center), Luis Cortez (Access Customer), Maria Villaseñor (Guest), Liz Lyons (North Los Angeles County Regional Center), Tonni Yee Hemphill (Access Customer), and Juan Jimenez (Global Paratransit).
INTRODUCTIONS

Chairperson Arrigo welcomed the members, staff and guests to the meeting and asked that everyone introduce themselves.

REVIEW & APPROVAL OF THE CAC MEETING MINUTES FROM MAY 14, 2013

Motion: Member Payne moved to approve the minutes of the May 14, 2013 CAC meeting.

Second: Member Cohen.

Abstentions: Member Lantz.

Motion was approved.

GENERAL PUBLIC COMMENT

Access customer Jesse Padilla was representing the Eastern Los Angeles Regional Center and said that many Access clients have expressed their concern regarding reservation scheduling. He explained that the times being offered were either too early or too late and requested that the scheduling system be looked into.

Access customer Ms. Tonni Yee Hemphill expressed her concern regarding erratic taxi drivers particularly in the West Central and Eastern regions. She mentioned an incident involving a visually impaired rider who fell and was injured due to the driver’s lack of sensitivity and attention.

Ms. Hemphill agreed with Mr. Padilla’s comments regarding reservation scheduling issues. She also mentioned that the Community Meetings were not being advertised enough and closed her comments by thanking everyone who assisted her with a trip she took from Long Beach to Orange County.

Access customer Mr. Gordon Cardona mentioned that he continued to have problems getting picked up from Stand #2, Lot A at Glendale Community College. He described an incident
where he requested his pickup from Stand #2 and the driver went to Stand #1 in Lot F which is on the other side of the campus.

He also mentioned that on Sunday June 9th, his ride arrived over 30 minutes late to pick him up at the college. He closed his comments by stating that some of the call takers are rude and need sensitivity training.

Access customer Ms. Zebreda Dunham passed around a map with the stand locations at Glendale Community college that Mr. Cardona was referring to.

Ms. Liz Lyons stated that her mom is an Access customer with Alzheimer’s and she is her PCA. She agreed with the comments mentioned earlier regarding the reservations scheduling issues. She also expressed her concern about an incident where the driver took 20 minutes to tie down her mom’s wheelchair. She explained that they picked up a shared ride passenger and the driver took another 20 minutes to tie down that person’s wheelchair. Lastly, she stated that the driver did not know where she was going and was rude.

Access customer Ms. Zebreda Dunham described a situation where she had a 2:30 p.m. pick up scheduled and the driver arrived at 3:35 p.m. She said that she was given several inaccurate ETA’s and stated that the reservationists should be honest with the customers about the vehicle’s arrival time.

REPORT FROM BOARD OF DIRECTORS

None.

BUDGET OVERVIEW

Access Services Deputy Executive Director, Finance, F Scott Jewell stated that he was there to present the upcoming fiscal year’s budget however, he explained that at the May Metro Board of Director’s meeting, Metro did not approve the allocation of funds for the Access Services budget. He further explained that a Special Access Board Meeting was scheduled for tomorrow to discuss the
budget situation and stated that the regular Board Meeting was postponed until July 1, 2013. He continued his presentation by reviewing the 2013/2014 proposed budget. He stated that in terms of actual versus budget for this fiscal year, it looked like the agency would finish within half a percent of the anticipated budget for trips. He reviewed the ridership numbers and pointed out that the numbers showed some fluctuations between service areas. He explained that in previous years, a consultant firm conducted an analysis and made the projections for the entire region however in the new contract the numbers would be projected on a year to year basis specifically by service area. He stated that by looking at the service areas and the growth factors, the projections would provide a more direct reflection of the ridership on a region to region basis.

Mr. Jewell stated that the proposed budget for the next fiscal year was $136.7 million. He explained that $67 million was from Prop C discretionary funds, $59.4 million was from federal funding and $7 million from projected passenger fares. He further explained that for the Access to Work program there was a $4.2 million grant, for Parents with Disabilities a grant for $700,000, and a $300,000 grant from the State of California Caltrans for the disposal of vehicles.

He continued his presentation by explaining that in terms of overall expenses, paratransit operations was the largest part of the budget with 90%. He stated that eligibility was the second largest at 7.1 million or 6%. Lastly, he stated that 5.5 million or 4.4% covered administrative costs and $500,000 of the budget went towards the CTSA (Consolidated Transportation Agency Program) program.

He explained that the funding process had two parts which included local Prop C funds allocated through Metro’s Board of Director’s and a federal funding grant. He stated that the local Prop C funds were allocated through Metro’s Board on an annual basis every May for the new fiscal year beginning in July. He said that a portion of the Prop C funds were used to match the federal money. He explained that the federal guidelines required Access to match 11% of the cost of Prop C funds that were used to pay contractors in order to utilize the federal funds.
Mr. Jewell stated that in terms of proposed funding request, the budget was reviewed by several committees and boards before being presented to Metro’s board at their May meeting. He said that the item was on the consent calendar and was pulled and held until the end of the meeting for further discussion. He stated that a unanimous vote was required in order for the vote to pass and Board Member Katz voted against, therefore the item did not pass and was referred to the Executive Management & Audit Committee meeting scheduled for June 20th.

Mr. Jewell said that from a financial standpoint, the agency does not have funds to operate the service past July 31, 2013 if the funding is not approved. He explained that the Access Board of Directors will be meeting tomorrow to discuss the options and said that Access has been working with Metro staff and other directors and is fairly confident that the budget will pass. He said that the decision will not be made until after the June 20th Executive Management & Audit Committee meeting and regular Board Meeting on June 27th.

He stated explained that the ramifications of shutting down Access, a federal program required under the ADA, would have significant implications for our customers and every fixed-route system in Los Angeles County. He concluded his presentation by stating that the Access regular Board Meeting would be held on July 1st after the Metro Board makes the decision at their June 27th meeting.

Member Lantz asked if staff knew why Mr. Katz voted against the item.

Mr. Jewell responded that the concern seemed to be regarding the amount of money requested without some sort of operational audit report. He explained that Access is audited at least 3 to 4 times a year since it provides paratransit services on behalf of every other fixed route operator in the county. He stated that whenever the transit systems are audited, Access is audited as well to prove that the system’s ADA requirements are being met. Mr. Jewell further explained that Metro conducted a full audit of Access approximately 6 years ago and a number of recommendations came out of that which were resolved over a 2 year period. He
said that an audit was scheduled for next year, however the audit was moved up as a result of the board action.

Member Lantz asked how long the audit would take.

Mr. Jewell responded that it would go into the month of July.

Member Baldwin asked if there was any underlying issue known that may have caused Mr. Katz to request the audit.

Member Lantz asked if the budget was not approved, when the service would stop.

Mr. Jewell responded that it depended on the direction provided by the Board. He stated that the service could probably continue to operate until November, however only the bare minimum service would be provided.

Member Lantz asked if the rides would be affected.

Mr. Jewell responded that rides would probably continue until November however the premium services would be cut.

Member Lantz asked if tomorrow’s Access Board Meeting was an open meeting.

Mr. Jewell responded that the meeting was open and was scheduled for Wednesday June 12th from 1:00 pm to 3:00 pm at the Access administrative office in El Monte.

PUBLIC COMMENT ON ITEM 6

Access customer Mr. Luis Cortez asked if the service stopped how the riders would be notified.

Mr. Jewell responded that if the service were to stop, a full mailing would be sent to all Access customers in addition to other forms of notification.
He turned the meeting over to Mr. David Foster to provide more information regarding the upcoming Metro Board Meetings.

Mr. Foster stated that there have been a lot of inquiries regarding the community attending the Access Services Board Meeting tomorrow, however explained that in order to show support for the Access budget it was important to attend the Metro meetings on June 20th & 27th.

PUBLIC COMMENT ON ITEM 6

Access customer Ms. Yael Hagen made a call to action inviting the CAC members and guests to attend the upcoming Metro meetings and to stand together in support of the Access Services budget approval. She stated that it was important to put faces and names behind the numbers on the spreadsheets. She closed her comments by once again encouraging everyone to attend and to bring other advocates and friends.

Mr. Foster stated that this would usually be an information item however it was at the discretion of the committee to take action on this item.

Motion: Member Cohen made a motion that the CAC contact the appropriate agencies asking that the budget be examined and passed and that the CAC members collectively attend the Metro meetings on June 20th & 27th, 2013.

Second: None.

Discussion: Member Baldwin stated that it was important to make the distinction on whether the CAC was supporting the budget itself since the committee was not involved in the budget process, or if they were supporting that Access continue be funded.

Member Lantz made a friendly amendment to include Member Baldwin’s comments. She added
that the amendment should also explain how failure to approve the budget would affect persons with disabilities, seniors, fixed route operators, and contractors.

Member Coto suggested that the CAC be more involved in the budget process in the future.

The committee discussed drafting a letter in support of the allocation of funds for next year’s budget.

Pass/Fail: Motion failed. The committee decided to restate the motion with the additional comments included.

Motion: Member Lantz made a motion imploring the Metro Board to approve Access funding and continue to provide all of its services.

Second: Member Garcia.

Discussion: Chairperson Arrigo asked for volunteers from the CAC to help draft the letter. Members Lantz and Baldwin agreed to work on the letter with Chairperson Arrigo.

Member Coto asked if the Metro meetings were open to the public.

Mr. Jewell responded that they were.

Chairperson Arrigo asked the committee to forward any comments regarding the letter to Metro to Mr. Foster.

Member Lantz encouraged the committee to attend the Metro meetings and invite the community to show their support.
Pass/Fail: Motion passed.

PUBLIC COMMENT ON ITEM 6

Access customer Ms. Liz Lyons described a situation where she was at the emergency room with her mom until 11:00 p.m. and stated that they would have been stranded at the hospital if it wasn’t for Access. She said that she would encourage clients of the North Los Angeles County Regional Center to attend the Metro meetings.

Access customer Mr. Jesse Padilla stated that many people would not be able to get around without Access and said that it was important to be there and support the approval of the budget.

Mr. Foster stated that he would work with the committee to coordinate attendance and public comment at the Metro meetings to ensure an effective turnout.

CAC OFFICER NOMINATION SUBCOMMITTEE FORMATION

Manager of Customer Support Services, Mr. David Foster stated that according to the Bylaws, a selection subcommittee must be formed no later than June to begin the officer election process. He asked for volunteers to serve on the subcommittee. He explained that the subcommittee would be responsible for contacting all of CAC members to inquire if they would like nominate themselves or someone else for chair or vice-chair position.

He stated that slate of candidates would be presented to the CAC for the election process to take place at the September meeting and will subsequently go to the Board for approval.

Members Cohen, Coto and Aroch volunteered to serve on the Officer Nomination Selection Subcommittee.

PARENTS WITH DISABILITIES

Access Services Planner, Mr. Eric Haack gave a brief update to the Parents with Disabilities Program item presented at last month’s meeting.
He stated that since the last CAC meeting, Access received approval from the Board to move forward with the program. He stated that a contractor was selected to provide the services and was expected to begin by the new school year assuming that the Access budget is approved.

He provided some background information and stated that the program was designed to address additional challenges associated with transportation for parents with disabilities.

He stated that a study was conducted by a company located in the Bay Area called “Through the Looking Glass” that identified transportation as a barrier for approximately 79% of parents with disabilities.

He continued his presentation by stating that the ADA is designed to address the transportation needs of persons with disabilities however is limited in the type of service that can be provided for persons with disabilities with child care needs.

He explained that the program would be available in the San Fernando Valley area only for the duration of the grant life span.

Mr. Haack stated that the program would operate as an extension of Access with some modifications. He stated that this program would include a 10 minute window to provide the parent with additional time to get to the vehicle with the child. He said that the program would also include multi-leg trips where the driver can wait for up 20 minutes for the parent to drop off the child and then continue with the trip.

He explained that there would be a limited amount of same-day trips available in case the child gets sick or some type of unexpected circumstance. Lastly, he stated door to door service would be available under this program.

Member Coto asked how many children could travel with the parent.
Mr. Haack explained that the parent could travel with up to four children and was allowed to schedule up to six standing order or next day trips a day for childcare needs. He also explained that the fare would be reduced to approximately $1.00 per passenger or close to that amount.

He stated that due to the potential liability involved with child safety seats, the driver could assist the parent with an empty car seat. He also explained that for security purposes, the program would operate without shared rides when in use for the Parents with Disabilities Program. He stated that when the van was not being used for the program, it could be incorporated back into the regular Access fleet.

Lastly, he stated that Access staff was working with the contractors and the consultant company to reach out to potential applicants for the program. He stated that the Board of Directors were concerned about beginning a program that could potentially end after the funding stopped, however decided to approve the program and requested that annual updates be presented to the board over the 3 year program.

A discussion started regarding the Parents with Disabilities Program providing door to door service and regulations associated with paratransit services.

Member Aroch asked how the program would be monitored and protected from fraudulent use and expressed her concern regarding the potential for people to abuse the system.

Mr. Haack responded that there was potential for abuse in paratransit programs in general, however explained that the policies and procedures process were being developed.

Member Lantz stated that although she believed most people would not abuse the system, it would be a good idea to have a system in place to effectively monitor the program.
Mr. Haack responded that the population eligible for the program was small therefore it should be easier to track any misuse of the program.

Member Coto asked if a photo ID could be used to identify the child.

Mr. Haack responded that the customer’s ID could be used to identify the parent is eligible for travel under Parents with Disabilities.

Member Coto asked how the program would be marketed.

Mr. Haack responded that Access staff, providers and the consultant company would be working as a team to promote the program however mentioned that the initial population in the region would be small.

Chairperson Arrigo asked if families in the West Central or other regions could benefit from this program.

Mr. Haack explained that at this time, the program would only be available for trips within the San Fernando Valley.

Member Garcia asked if grandparents qualified for this program.

Mr. Haack responded that the eligible parent or guardian would be able to travel with the child. He explained that a grandparent could travel with the child if they are registered to use the program and they are a care giver for the child.

Member Baldwin stated that many people in the Antelope Valley commute into LA County and have the grandparents care for the children.

Member Garcia asked if the program would have a no-show policy.

Mr. Haack responded that Parents with Disabilities would not change the current no-show policy.
A discussion ensued regarding the potential abuse of the program and if a policy would be necessary to handle those situations.

Mr. Haack explained that the population eligible for the program would be relatively small therefore it could be monitored more closely. He also stated that it was beginning with a smaller group to see if could be replicated on a larger scale.

PUBLIC COMMENT ON ITEM 8

Access customer Ms. Yael applauded staff for the hard work they put into the program and asked the community for their support to help promote and elevate the program and what it offers to families.

She continued her comments by responding to the concerns about fraudulent use of the program and stated that negative discussions were not productive and instead everyone should have positive and encouraging comments about the program.

She addressed some questions asked earlier and stated that the children’s safety was the main priority of the program therefore a shared ride situation would not be appropriate for this service. She also stated that the fare would be about half the cost of regular Access fares and will be funded through a different funding source therefore allowing more funds to be available towards regular Access trips.

Access customer Ms. Liz Lyons agreed with Ms. Hagen and offered to promote the program to the clients from the North Los Angeles Regional Center.

Access customer Mr. Daniel Garcia thanked Ms. Hagen for her contributions to the program. He asked how many families would be using the program in the valley.

Mr. Haack stated that currently the consultant was working on gathering more data however stated that approximately two dozen families would participate in the program.
MEMBER COMMUNICATION

Member Baldwin announced that on Friday, June 14, 2013 Metrolink had a Public Hearing scheduled where they would be discussing the Access PCA’s on their agenda. He stated that anyone interested in submitting a comment could do so via email or through the website and encouraged the committee to attend.

Member Coto expressed her concern regarding the crosswalk located outside of the Metro building and the issue of pedestrian safety. She suggested that a subcommittee be formed to look into that situation.

Chairperson Arrigo reminded the committee about the Metro meetings on June 20th and 27th. He also stated that the 3rd Annual Access Roadeo would be held on July 13, 2013 at the Pomona Fairgrounds.

Member Lantz thanked Metro for the use of the conference room for the CAC to meet.

NEW BUSINESS RAISED SUBSEQUENT TO POSTING OF AGENDA

None.

ADJOURNMENT

Meeting was adjourned at 2:59 p.m. in memory of former CAC member Ms. Patrícia Wolf.
AUGUST 13, 2013

TO: ACCESS COMMUNITY ADVISORY COMMITTEE

FROM: DAVID FOSTER, MANAGER OF CUSTOMER SUPPORT SERVICES

RE: OFFICER ELECTIONS FOR 2013-2014 TERM

ISSUE:

The Nomination Subcommittee formed during the June 2013 Access Services Community Advisory Committee meeting has developed a slate of candidates for the 2013-2014 term.

Each nominee was encouraged to provide an oral or written campaign platform to present prior to today’s vote.

RECOMMENDATION:

Review nominations presented, solicit any additional nominations from the floor, and conduct the election for Chair and Vice-Chair.

**Advisory Committee Chair**
- □ Michael Arrigo
- □ Kurt Baldwin
- □ Tina Foafoa

**Advisory Committee Vice-Chair**
- □ Michael Arrigo
- □ Maria Aroch
- □ Terri Lantz
BACKGROUND

As outlined within the bylaws, the election of officers is to occur each year at the September meeting and officers serve for a one-year term with a term limit of two years.

It is important to remember that the Chair of the Advisory Committee is also the Ex-Officio member of the Access Services Board of Directors. This requires that the Chair be an active participant at the Board of Directors meetings conducted every fourth Monday.
AUGUST 13, 2013

TO: ACCESS COMMUNITY ADVISORY COMMITTEE

FROM: DAVID FOSTER, MANAGER OF CUSTOMER SUPPORT SERVICES

RE: SAME DAY TRIP REQUEST ENFORCEMENT POLICY

ISSUE:

Several years ago Access brought a draft policy to the CAC for their approval to address an issue that continues to pose a problem. The issue then and continues to be that there are a number of Access customers that deliberately do not book their return trips and then call the Operations Monitoring Center (OMC) for what is effectively a same day trip.

As you are probably aware, Access, as a “best practice” makes every possible effort to ensure that no one is ever stranded in the community. Fortunately these types of situations are limited in scope in relation to the millions of trips provided each year, and Access has very limited “back-up” resources to perform these same day rescue/emergency rides.

Back up resources are even more finite as of July 1, 2013 when Access discontinued our overflow contract which afforded OMC direct Access via Nextel phones to dispatch vans for these rescue trips. Therefore, the only rescue services remaining are accounts with a dozen or so taxi and/or private transit companies with limited accessible vehicles. As such, this is an appropriate time to revisit this issue since it is more critical than ever that the limited resources available are used for true emergency situations in lieu
of customers who abuse the system by intentionally not booking their return trips and calling OMC for same day service.

RECOMMENDATION:

Staff is requesting that CAC review, discuss and take action to move this policy on the Access Board of Directors for approval.

BACKGROUND:

Staff presented a written policy to the QSS in October 2008, to the CAC in May 2009, and to TPAC in June 2009. The policy, which used the No Show Policy as a template, is designed to deter riders from abusing the No Strand practice thus reserving the rescue or backup vehicles for those riders in true need.

The proposed policy was reviewed and discussed in depth from all perspectives; rider, staff, OMC, and provider. The QSS then made recommendations for changes to the proposed policy, voted to accept the revised policy, and send it to the CAC for further review, discussion, and action; at that time however, the CAC as a group could not agree on a final version of the policy and action was never taken to move on this proposed policy on to the board for consideration.
POLICY: Access Paratransit riders who have a pattern or practice of “Not Booking Return Trips and Calling OMC for Rescue Ride” may lose their riding privileges for a designated time period.

IMPLEMENTING PROCEDURES:

1. Definitions

   1.1. A pattern or practice involves, regular or repeated actions, not isolated, accidental or singular incidents is three (3) or more “Not Booking Return Trips and Calling OMC for Rescue Ride” in any rolling 12 month period shall, subject to the Rider’s right of protest, contest and appeal described below, constitute a pattern or practice.

   1.2. A “Not Booking Return Trips and Calling OMC for Rescue Ride” is defined as:

       1.2.1. Rider books a trip out into the community and does not scheduled a return trip and calls the OMC to request a rescue or back up vehicle be sent to transport him/her home.

       1.2.2. Rider who is out in the community and does not schedule a trip to return to their home and calls the OMC to request a rescue or back up vehicle be sent to transport him/her home.

2. A trip will not be considered part of a pattern or practice of “Not Booking Return Trips and Calling OMC for Rescue Ride” if the rider is able to produce proof that he/she did book a return trip but it was cancelled without the rider’s knowledge.

3. Riders who have a pattern or practice of two (2) or more “Not Booking Return Trips and Calling OMC for Rescue Ride” in any rolling 12 month
period, are subject to having their riding privileges suspended as follows:

3.1. For a first offense, a written warning letter will be sent to the rider advising to always book a return trip.

3.2. For a second offense, suspension of all privileges to use Access Paratransit for 10 days.

3.2. For a third offense, suspension of all privileges to use Access Paratransit for 30 days.

3.3 For a fourth offense or more, permanent suspension of all privileges to use Access Paratransit.

4. Riders will have the right and opportunity to informally protest the assessment of any alleged “Not Booking Return Trips and Calling OMC for Rescue Ride” within 10 days of receipt of notice as set forth below. This right of protest is in addition to and not in lieu of a Rider’s right to contest and thereafter appeal any suspension or other sanction sought to be imposed as a result of “Not Booking Return Trips and Calling OMC for Rescue Rides”. In order to facilitate this right of protest:

4.1. Riders shall be notified by mail, in an appropriate format, when it is alleged that a first, second, or third “Not Booking Return Trips and Calling OMC for Rescue Ride” has occurred and may be assessed. The letter shall:

4.1.1. Inform the rider of the date, time, and location of the trips

4.1.2. Provide an opportunity for the rider to review the trip information

4.1.3. Provide an opportunity for the rider to protest the assessment of the “Not Booking Return Trips and Calling OMC for Rescue Rides set forth in the notice which have not been previously protested by the Rider. Such a protest may include one or more of the following: (i) challenge to the factual accuracy of the basis
for the proposed assessment; (ii) challenge to the determination that the facts stated constitute a “Not Booking Return Trips and Calling OMC for Rescue Ride”; (iii) explanation as to why the reason for the “Not Booking Return Trips and Calling OMC for Rescue Ride” was beyond the control of the Rider.

4.1.4. Notify the rider of the current “Not Booking Return Trips and Calling OMC for Rescue Ride” accumulation

4.1.5. Explain the potential of loss of service for an over accumulation of “Not Booking Return Trips and Calling OMC for Rescue Rides”

4.1.6. Explain the consequences of not scheduling trips to the paratransit system and other riders

5. If a suspension would otherwise be imposed under the provisions of this Policy, before such a suspension is imposed, the following shall occur:

5.1. The Rider shall be notified in writing of the following: (i) the intention to suspend service or other sanction; (ii) the specific basis for the proposed suspension or other sanction; (iii) the nature and extent of the proposed suspension or other sanction; (iv) the Rider’s right of appeal and the method by which that right may be invoked; (v) that any appeal to be valid must be filed no later than sixty (60) days of the date of the notice; (iv) that if a timely appeal is filed, the imposition of the suspension or other sanction shall be stayed during its pendency.

5.2 A contest shall set forth the specific ground therefore, shall attach such written information, as the Rider believes relevant and shall state whether the Rider desires the opportunity to be heard orally to present further information and arguments.

5.3 Any appeal of the result of a Rider contest of a proposed suspension or other sanction shall be conducted in accordance with Section III Policy 12.