AGENDA
COMMUNITY ADVISORY COMMITTEE (CAC) MEETING

Tuesday, January 13, 2015
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://aessla.org](http://aessla.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."
MINUTES
Community Advisory Committee (CAC) Meeting
Tuesday November 18, 2014
1:00 p.m. - 3:00 p.m.

CALL TO ORDER

Chairperson Cohen called the meeting to order at 1:01 p.m.

ROLL CALL


CAC Members Absent: Kurt Baldwin, Wendy Cabil, Marie-France Francois, Jesse Padilla, and Nan Stoudenmire.

Board Members Present: None.


Guests: Giovanna Gogreve (Metro), Artemio Ambrosio (Access Customer), Rachele Goeman (QSS), Aisha McKinney (QSS), Mike Fricke (CTI), Tara Rosa (Care Evaluators), Bill Zuke (QSS), Ryan Cowell (Access Customer), Fannie Carrasco (MV Transportation), Gordon Cardona (Access Customer), Mary Jo Fernando (Access Customer), Pamela Brown (Guest), Shane Peterson (Guest), Michelle McByrny (Guest), Karina Lopez-Murphy (Mobility Management Partners), Trisha Avila (Mobility Management Partners), Tonni Yee-Hemphill (QSS), Megan Bachtgus-Williams (Guest), Sammie Shipman (Guest), Jan Johnson (Guest), Jeff Casillas (QSS), Lauri Crane (Move LA), Marlene Grossman (Move LA), and Dominick Santora (Access Customer).
INTRODUCTIONS

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

REVIEW & APPROVAL OF THE CAC MEETING MINUTES FROM OCTOBER 14, 2014

Motion: Member Lyons.

Second: Member Payne.

Abstentions: None.

Minutes were approved.

GENERAL PUBLIC COMMENT

General Public Comment was heard later in the meeting.

REPORT FROM BOARD OF DIRECTORS

Chairperson Cohen announced that Director Theresa DeVera was unable to attend today’s meeting, however, Ms. Sherry Kelley would provide the report on Director DeVera’s behalf.

Ms. Kelley stated that Director DeVera’s report was from the November 17, 2014, Board Meeting and reviewed the following items:

- The Superior Service awards were presented to Tim Grady, Driver Trainer from California Transit and Amanda Zepeda, Driver Trainer from Global Paratransit.

- The Board approved Financial Software ERP Migration which will move reporting from spreadsheets to a more efficient reporting system.
• The Metro Logo Integration item was discussed and a public comment was made by David Feinberg from Santa Monica’s Big Blue Bus stating that if the Metro logo was going to be placed on Access vans, then all Member Agency logos should be added as well.

• Director Ida proposed for a subcommittee be formed which will include a Board Member that uses Access, a Member Agency Representative, and one staff person to further discuss the Metro Logo Integration item.

• The Triennial Review finding regarding the No-Show policy and the proposed revisions were presented and several public comments were heard for this item. Staff will be meeting with FTA executive staff on December 2nd, and will be bringing the item back to the Board.

• The Triennial Review finding regarding fares was presented and several options were reviewed; however, this item will be brought back to the CAC and TPAC for further discussion.

• The Triennial Review finding regarding Origin to Destination was presented which would change the service from a curb to curb to door to door.

FTA TRIENNIAL REVIEW FINDINGS

Fare Finding

Access Services Deputy Executive Director for Planning & Governmental Affairs, Mr. Andre Colaiace attended today’s meeting to present the FTA Triennial Review findings regarding Origin to Destination and Fares and said that Access Operations Administrator Mr. Jack Garate would be reviewing the No-Show finding. He said that this information was also presented at yesterday’s Board meeting as mentioned in Director DeVera’s written report.

He provided some background about the triennial reviews by
stating that agencies who receive federal transit money are reviewed every three years to ensure that they are in compliance with federal regulations. He explained that Access participates in this review annually because one or several Member Agency partners are reviewed by the FTA.

Mr. Colaiace further explained that in 2013 Access received a finding regarding origin to destination, and in FY 2014 two more regional findings were identified regarding no-shows and fares.

He stated, the FTA determined that Access’ fare structure did not meet regulation requirements, and said that the base fare of $2.75 was found to be more than twice the Member Agency’s fixed route base fare. He reviewed the following three fare options that are being considered:

- Dynamic Fare System- the fare for each trip will be calculated using the trip planner on www.metro.net or go511 to determine the fare. The Access fare may double the lowest fare quoted. Trips that cannot be provided by fixed route services may be denied.
- Regulatory Change-Given that the Americans with Disabilities Act (ADA) regulations encourage a coordinated paratransit plan, but do not address a coordinated paratransit fare. In this case, staff would be directed to see legislative or regulatory changes to allow for a coordinated fare when operating under a coordinated plan.
- Member Agency Fare Changes-Require all member agencies to have a minimum base fare or adopt a unified fare structure in order to set a compliant regional fare for ADA paratransit service.

He mentioned that Access staff will be meeting with FTA Administrator, Ms. Therese McMillan on December 2nd to discuss the issues, and to request FTA to work cooperatively with Access and the region to reach a reasonable conclusion. He concluded this section of his presentation by stating that Access is not proposing any of these options today; however, is providing information about the options being considered.
Member Conrad disagreed with the dynamic fare option and said that there are too many factors involved. He also said that Access customers rely on the coupons to pay for their rides and does not see how this option could work.

Member Garcia also disagreed with the dynamic fare option and expressed her concern for customers who receive SSI or are on fixed incomes. She said that if the fares increase, the person’s monthly budget could be affected.

Member Lantz concurred with Members Conrad & Garcia, and stated that she made a public comment at yesterday’s Board meeting regarding the dynamic fare option. She said that ADA paratransit was designed for individuals with disabilities who are unable to use the fixed route system independently for one or more trips. She said that most of the people she works with will not be able to utilize Metro trip planner to calculate their fare. She mentioned that she and Member Baldwin tried going Metro.net and said that it took a long time to plan four rides.

Further, said that people on fixed income will not be able to afford their rides and that in Culver City, the fare was lower but for the majority the price increased. She also mentioned, many customers use coupons because they are physically or cognitively unable to handle money. Lastly, she asked that Access explain to FTA the reasons why the current process is in place and said that the dynamic fare option will be too confusing for the customers.

Mr. Colaiace stated that according to the regulations some people are paying more than they would under the strict interpretation of the regulations; however, the majority are paying less. He added that compared to other systems around the country, Access has some of the lowest fares.

Member Lyons disagreed with the dynamic fare option and said that she also uses coupons and will not be able to afford her rides if the prices increase.

Member Payne also opposed the dynamic fare option and said it is unfair for people who are not disabled to make these decisions
that affect so many people. He suggested that the Access riders vote on this issue.

Mr. Colaiace stated, the Board has not taken any action on any of the items being presented today, and the information will be going to the Member Agencies for discussion. He also stated the Board is sympathetic to the customer’s point of view and the goal is to comply with FTA in a sensible manner.

Member Lantz made the clarification that the fare issue is coming from FTA, not from Access.

The discussion continued regarding the fare finding and the options being considered.

**PUBLIC COMMENT ON ITEM 6**

Access customer Ms. Jan Johnson disagreed with the dynamic fare option and said she sets aside her transportation budget for the month. She also stated this option will be challenging especially for people with visual disabilities.

Access customer Ms. Sammie Shipman also disagreed with the dynamic fare option for all of the reasons previously mentioned.

Access customer Ms. Mary Jo Fernando stated that she attended yesterday’s Board meeting and expressed her concern regarding the dynamic fare option, because she said that the fare could potentially go from $3.75 to $7.00 for some trips.

Access customer Ms. Rachele Goeman stated; in addition to people with visual and cognitive disabilities having difficulty figuring out the proper fare, there is also a safety issue to consider.

Member Lantz asked the members for a show of hands from those opposed the dynamic fare.

Member Cohen asked if the committee was prepared to make a motion voicing their concern.
Motion: Member Lantz made a motion on behalf of the CAC and the community, that the Access Board be notified that the dynamic fare option is opposed for all of the reasons stated in the discussion.

Second: Member Payne.

Discussion: None.

Pass/Fail: Motion passed.

Origin to Destination finding

Mr. Colaiace stated that the second part of his presentation was regarding the origin to destination finding which states that Access must provide service that goes beyond the curb for those individuals that need additional assistance. He explained that if the region funds the anticipated added costs, Access is prepared to comply and the following steps will be implemented.

- Form an ADHOC Regional Working Group comprised of riders, providers, Member Agency staff and other stakeholders to discuss this issue and come up with a proposed policy.
- Present the policies and procedures to the Board of Directors for approval.
- Submit a request for funding to Metro for the necessary funding
- Conduct a thorough public participation process as required by the ADA regulations.
- Amend the paratransit plan and if approved, submit to FTA and begin the implementation process.

He concluded his presentation by offering to answer any questions.

Member Lyons asked if with “origin to destination” service, would the driver go into her apartment complex or pick her up at the gate.
Mr. Colaiace responded that the scenario Ms. Lyons mentioned would be one of the issues the ADHOC working group would have to discuss and decide what is best for the region. He added that there are various elements to consider in LA County including share rides, which would mean that additional customers and the vehicle will potentially be left unattended.

Member Lantz stated that as an advocate, the idea sounds great; however this change is more complicated than it sounds. She asked what the overall impact will be to the service.

Mr. Colaiace explained that the service will only be for individuals considered to need it, and clarified that not every customer will be eligible for this service. He stated that customers may be required to go through the evaluation process to determine if they need the service or not.

Member Lantz asked what the financial impact would be if Access has to reevaluate customers to determine eligibility for this service. She also pointed out that customers with certain disabilities require the driver to be present for the entire trip.

Mr. Colaiace stated that most policies around the country require the drivers to maintain sight of the vehicle and said that the same would be the case for Access.

**REVISION TO ACCESS SERVICES’ NO SHOW POLICY**

Access Services Operations Administrator, Mr. Jack Garate attended today’s meeting to present the FTA’s No-Show policy finding and the proposed revisions. He said that FTA found three issues with the current no-show policy which include the need for frequency of travel to be included in the policy, the length of suspension and how subscription trips are addressed in the no-show policy.

He explained that the current no-show policy consists of 6 no-shows within 60 days and includes the following 4 tier system:
1\textsuperscript{st} occurrence 10 day suspension
2\textsuperscript{nd} occurrence 30 day suspension
3\textsuperscript{rd} occurrence 60 day suspension
4\textsuperscript{th} occurrence 90 day suspension, thereafter

He explained that Access staff researched other transit agencies to see what their policies would be with similar findings, and developed a policy that is more user-friendly to our customer base. Mr. Garate stated staff is recommending the following changes to the no-show policy:

1) Customers who have (5) or more no-shows or late cancellations during any single month may be subject to suspension if those no-shows exceed 10% of their overall scheduled monthly trips;

He explained that a person can get up to (8) valid no-shows within 60 days.

2) A 15-day suspension will be given for first offenders followed by a 30-day suspension for every occurrence thereafter;

3) Cancellations for subscription trips will be regarded as no-shows when a customer cancels less than (2) hours from the scheduled pick-up time.

He stated that customers will continue to be notified by mail if a no-show is recorded, and they can contact Customer Service to dispute the no-show and have it removed.

Member Conrad expressed his support for Standing Order part of the revised policy.

Member Arrigo agreed with Member Conrad regarding the Standing Order policy and suggested that instead of being able to cancel (2) hours before, the customer be allowed to cancel (1) hour before the scheduled pick up time.
Member Lantz expressed her support for Standing Order policy revisions; however, mentioned her concern regarding changing the number of no-shows from (6) to (5). She suggested that the policy be kept simple.

Mr. Garate stated that Access researched other transit partner’s no-show policies and decided on a more customer friendly approach to our policy.

He clarified that the customer needs to accumulate (5) valid no-shows in one month and the no-shows have to account for more than 10% of the customer’s rides in order to receive a suspension.

Member Garcia stated that she was happy to hear about the changes to the Steady Ride Cancellation policy and agreed with Member Lantz that customer’s may get confused with the (5) no-shows and 10%.

Mr. Garate reiterated that the policy includes 10% percent of the customer’s trips along with the (5) no-shows to address the “frequency of travel” part of the finding.

The discussion continued regarding the revised no-show policy and Mr. Garate stated that there are certain areas in the no-show process that can be improved; however, asked the committee to specifically consider the items being presented today.

Member Coto suggested that customers who receive valid no-shows be required to pay for the ride they missed.

**PUBLIC COMMENT ON ITEM 7**

Access customer Mr. Artemio Ambrosio recalled some situations where the driver went to the wrong address or the provider sent him the wrong vehicle and was marked as a no-show. He also stated that the Customer Service sometimes has long hold times, and asked that the process be looked at.

Access customer Ms. Rachele Goeman supported the Steady Ride Cancellation change from (24) hours to (2) hours and agreed with
the (5) and 10% frequency of travel portion of the policy. She closed her comments by stating there are a lot of no-shows that the customer’s don’t even see because they are invalid.

Access Services Project Administrator, Mr. Geoffrey Okamoto asked what happens after the customer reaches the second tier which is a 30 days suspension.

Mr. Garate responded that the suspension would remain at 30 days.

Ms. Kelley stated that there are several things that need to be reviewed in the no-show process; for example long hold times and costs associated with the no-show letters. She said that staff’s goal is to improve the service and said that she would ensure that the no-show validity process is reviewed.

Chairperson Cohen reminded the committee that the revised no-show policy is an action item and asked if the CAC was prepared to make a motion.

Member Lantz mentioned that one issues with the current no-show policy is that the process is automated therefore; the driver may say he/she is at the location; however, does not make contact with the customer. She said that in those cases, the customer may not be able to respond to the no-show in a timely manner, which can result in a no-show for the return trip as well.

Member Conrad stated that the revised policy states (5) no-shows in 30 days, compared to the previous policy which is (6) no-shows in 60 days. He said that amount of no-shows is less than before.

Mr. Garate clarified that with the current policy the customer needs to receive (5) no-shows within a month and meet the 10% trip requirement in order for the suspension to take effect.

Metro ADA Program Administrator, Ms. Giovanna Gogreve
mentioned that the revised policy states (5) no-shows within any single month and asked if the policy should say 30 days instead.

Mr. Garate responded that the revised policy includes a rolling calendar so it starts over every month.

Member Lantz stated that there are three parts to the policy and suggested that they each be looked at separately.

Chairperson Cohen asked the committee for a motion on all or part of the policy.

Motion: Member Payne made a motion to approve the No-Show Policy as presented.

Second: Member Coto.

Discussion: None.

Pass/Fail: Motion failed.

Member Conrad suggested that each item be voted on separately.

Motion: Member Conrad made a motion to approve the policy stating that customers who have (5) or more no-shows during any single month may be subject to suspension if those no-shows exceed 10% of their overall monthly trips.

Second: Member Lyons.

Discussion: None.

Pass/Fail: Motion passed.

Motion: Member Payne made a motion to approve a 15-day suspension for first offenders followed by a 30-day suspension for every occurrence thereafter.
Second: Member Garcia.

Discussion: None.

Pass/Fail: Motion passed.

Motion: Member Payne made a motion to approve the policy stating that cancellations for subscription trips will be regarded as no-shows when a customer cancels less than (2) hours from the scheduled pick-up time.

Second: Member Lyons.

Discussion: None.

Pass/Fail: Motion passed.

Member Lantz requested that staff ensures customers and people who assist customers with their rides are well informed about the changes.

Mr. Garate responded that Access will make sure that the customers and contractors are well informed of the policy changes.

MOVE LA: MEASURE R SALES TAX

Chairperson Cohen introduced Ms. Lauri Crane and Ms. Marlene Grossman from the advocacy group, Move LA, to give a brief presentation on the proposed ballot Measure R for 2016.

Ms. Grossman stated that if passed by the voters, over the next 40 years Measure R will bring in 36 billion dollars, 400 new jobs, 65% capital for operations, highway improvements, rail line additions, and local monies that will go to each of the 88 cities.

She stated that Move LA is a group that looks at ways to finance the public transit system and stated that in 2008 the City of Los Angeles and the Mayor were actively involved in the discussions the earlier Measure R passed in 2008. She said that it was time to
start the discussions for 2016, and get the word out to everyone about the new measure. She said Move LA will be meeting with different organizations in the community and would like to continue the communication with Access to provide information to anyone interested.

Member Conrad asked where the money would come from.

Ms. Grossman stated that the money would come from a sales tax.

Member Conrad expressed his concern for people on limited income and said unless there is a cost of living increase, people will have to pay more out of pocket which can have a negative impact especially for people with low paying jobs.

Ms. Grossman stated many people will benefit from this Measure and said transportation is essential for the public to get to and from their jobs.

A discussion ensued regarding some percentages and figures mentioned in the presentation.

Member Lantz explained most Access customers are unable to use fixed route service and a sales tax increase can negatively affect their income. She suggested that Move LA look at the entire population of LA County and the consider people with disabilities that can’t use fixed route to see how money can be used to assist Access with their budget. She asked that Move LA “look outside the box” for people with disabilities and seniors.

Ms. Grossman stated that Move LA is all inclusive organization and involves everyone in the community. Lastly, she stated that in order to get this bill passed, the conversations and education will need to continue.

Chairperson Cohen requested that the CAC continue to be informed of the updates and thanked Ms. Crane & Ms. Grossman for being at today’s meeting.
SUBCOMMITTEE UPDATES

This item was carried over to the next meeting due to time constraints.

MEMBER COMMUNICATION

This item was carried over to the next meeting due to time constraints.

NEW BUSINESS RAISED SUBSEQUENT TO POSTING OF AGENDA

Chairperson Cohen apologized to Member Payne for not getting to his item today; however, said that the item would be added to the January agenda.

ADJOURNMENT

The meeting was adjourned at 2:59 p.m.
JANUARY 13, 2015

TO: ACCESS COMMUNITY ADVISORY COMMITTEE
FROM: JACK GARATE, OPERATIONS ADMINISTRATOR
RE: REVISION TO ACCESS’ NO SHOW POLICY

ISSUE:

During the 2014 Federal Transit Administration (FTA) Triennial Review process, seven Los Angeles County transit agencies (Torrance Transit, Santa Monica’s Big Blue Bus, Antelope Valley Transit Authority, Santa Clarita, Culver City Bus, Foothill Transit and Los Angeles Metro) received a finding regarding Access Services’ no show & cancellation policies.

Staff presented these recommendations at the QSS meeting on November 13, 2014. Staff also presented and received approval of these recommendations at the CAC meeting on November 18, 2014 and at the TPAC meeting on December 11, 2014.

In addition, staff presented these recommendations at the Access Services’ Membership meeting on December 16, 2014. Staff informed the members that a follow-up presentation, not requiring approval, would be conducted at both the CAC and TPAC before it was presented to the Board of Directors for approval.

RECOMMENDATION:

1. Staff recommends the following changes to the *no-show policy*:
- Customers who have 5 or more no-shows or late cancellations during any single month may be subject to suspension if those no shows exceed 10% of their overall scheduled monthly trips;

- A 15-day suspension will be given for first offenders followed by a 30-day suspension for every occurrence thereafter;

- Cancellations for subscription trips will be regarded as no-shows when a customer cancels less than two (2) hours from the scheduled pick-up time.

BACKGROUND:

As discussed above, a number of Los Angeles County transit agencies received a finding that Access’ no show and late cancellation policies were not compliant with federal rules.

The finding is as follows:

Finding

Insufficient no-show policy
Access Services’ written no-show policy does not take into account frequency of travel prior to suspension. Further, the written policy, which calls for suspending passengers for 10 days after the first occurrence, 30 days for a second occurrence, 60 days for a third occurrence and 90 days for a fourth occurrence of no-shows, does not meet the reasonableness requirement of 49 CFR 37.125(h). Additionally, Access Services treats subscription trips canceled after 10:00pm the night before as no-shows; FTA permits cancellations to be regarded as no-shows only if they are made within one to two hours of the pickup time provided to the passenger.

In formulating a revised policy, staff surveyed a number of transit agencies around the country to see what their no show policies are.
Proposed revisions

Access’ proposed revisions are as follows:

Current no show policy

A customer who has six (6) or more no shows in a 60-day period may be suspended from using Access.

The current policy of notifying a customer after each no show and encouraging them to call staff to discuss will still be in place. The intent of this policy is still to educate customers in order to reduce no shows and conserve scarce regional transit dollars.

Proposed policy

Customers who have five (5) or more no-shows or late cancellations during any single month may be subject to suspension if those no shows exceed 10% of their overall scheduled monthly trips. For example, a customer who has 5 no-shows and has scheduled 10 trips during a month (which equates to a 50 percent no show rate) may be suspended from using Access. A customer who has 5 no shows and has scheduled 100 trips in a month (which equates to a 5% no show rate) will not be suspended from Access.

Current suspension policy

Access’ current policy calls for suspending passengers for 10 days after the first occurrence, 30 days for a second occurrence, 60 days for a third occurrence and 90 days for a fourth occurrence of no-shows.

Proposed suspension policy

A 15-day suspension will be given for first offenders followed by a 30-day suspension for every occurrence thereafter.
Current subscription trip cancellation policy

Access Services treats subscription trips canceled after 10:00pm the night before as no-shows.

Proposed subscription trip cancellation policy

Cancellations for subscription trips will be regarded as no-shows when a customer cancels less than two (2) hours from the scheduled pick-up time.

A final version of the policy may be presented at the February 2015 Board of Director’s meeting.
every year, the federal transit administration (FTA) conducts triennial reviews of certain transit agencies who receive federal funds to ensure they are complying with various federal laws and regulations. during the 2013 and 2014 triennial review cycles and, in the case of Access, the 2013 state management review cycle, the FTA found that Access did not provide “Origin to Destination” service to its customers. while Access has always operated a curb-to-curb, paratransit system, the FTA maintains that service must be provided beyond the curb for passengers whose disabilities may require such assistance in order to reach their destination or leave their point of origin.

Currently, Access Services and 10 Access Services member agencies (Gardena Bus Lines, Long Beach Transit, Beach Cities Transit, Torrance Transit, Santa Monica’s Big Blue Bus, Antelope Valley Transit Authority, Santa Clarita Transit, Culver City Bus, Foothill Transit, and Metro) have received a FTA finding that Access is not providing Origin to Destination service.
RECOMMENDATION:

Review the attached Origin to Destination implementation timeline including major milestones and to forward the milestones to the Federal Transit Administration.

IMPACT ON BUDGET:

Unknown at this time. After consulting with other transit agencies around the country, staff believes that previous cost projections as developed by HDR are too speculative and the region would benefit from a more in-depth study of the costs of this service. Given that other transit agencies have made the transition from a pure curb-to-curb system to an “origin to destination” system, there is now enough data to come to a reasonably accurate cost estimate. However, given the Agency’s goal to implement this service by July 1, 2015 HDR may only be able to give an estimate for our initial funding request for FY 15-16.

BACKGROUND:

Since 2005, Metro staff has been in general agreement with Access staff that Origin to Destination Service and other so-called “reasonable modifications” are not required under the ADA and its regulations. This agreement continued up until last year when Access was informed that Metro’s thinking on this issue had changed and that staff was recommending that Access provide Origin to Destination service.

Given this, it is necessary for the region to once again have a dialogue regarding curb-to-curb versus origin-to-destination (or door-to-door) and then follow a public participation process. The last time the region discussed significant changes to Access’ service model was in 2002 and 2003 when it was decided to move from a same day service model to a next day service model. At that time, an ad hoc group, similar to the one proposed, was created and staff believes it was a constructive way for all the stakeholders to come to an agreement on how to make major changes to the Los Angeles County paratransit system.
JANUARY 13, 2015

TO: ACCESS COMMUNITY ADVISORY COMMITTEE

FROM: ANDRE COLAIACE, DEPUTY EXECUTIVE DIRECTOR OF PLANNING AND GOVERNMENT AFFAIRS
ALFREDO TORALES, PROJECT ADMINISTRATOR

RE: REVIEW OF TRIENNIAL FINDING ACTION PLAN: ACCESS FARES

ISSUE:

Every year, the Federal Transit Administration (FTA) conducts Triennial Reviews of certain transit agencies who receive federal funds to ensure they are complying with various federal laws and regulations. During the 2014 Triennial Review cycle, some Access member agencies received an FTA finding that Access Services charges more than twice the fixed route fare for comparable trips on their system.

RECOMMENDATION:

Review the following action plan:

- Analyze and propose a dynamic fare system that will meet FTA requirements and be fare revenue neutral. A final recommendation for the proposed dynamic fare system, including cost estimates and a timeline for implementation, should be brought back to the Board at its May 2015 meeting.

- Implement a comprehensive outreach plan (milestones attached) to inform stakeholders and solicit feedback about a proposed dynamic fare system.
• Concurrently, implement a plan to seek legislative or regulatory changes to allow for a coordinated fare when operating under a coordinated plan. At a minimum, authorize staff to petition the United States Department of Transportation for a rulemaking that would amend applicable regulations to allow coordinated paratransit systems like Access to have a coordinated fare.

**IMPACT ON BUDGET:**

Staff is proposing that any fare plan be fare revenue neutral. Costs related to software programming are still unknown at this time but an estimate will be included in our FY 15/16 budget request. The primary costs associated with the program would be to integrate the dynamic fare system (metro.net) into each contractor’s reservation software.

There is a direct correlation between transit fares and ridership (and the Access budget) which is often called “fare elasticity.” According to Access Services consulting firm, HDR Engineering, the fare elasticity for the overall Access system is -.26 which means a 1 percent increase in real fare (i.e. fare excluding inflation) is expected to result in a 0.26% decrease in ridership. Conversely, it could be expected that a decrease in the real fare would lead to an increase in ridership. HDR has also found that other variables, such as unemployment and gasoline prices, also affect ridership.

**BACKGROUND:**

Access Services’ coordinated fare, which has been in place for nearly 20 years, is widely supported by both our customers and those who operate our system because it is simple to understand and easy to implement. On August 1, 2006, Access staff sent a letter to the FTA in response to a similar 2005 Triennial Review finding. Since that time, Access’ fare methodology, which uses a statistical analysis of comparable fixed-route fares, has been reviewed numerous times and no deficiencies have been found.

It should be noted that even after Access’ most recent fare adjustment (which was implemented on July 1, 2014) that Access
has some of the lowest paratransit fares in the country, particularly for trips less than 20 miles. The fares result in a cost recovery of approximately 6.2%.

<table>
<thead>
<tr>
<th>AGENCY</th>
<th>MIN. FARE</th>
<th>MAX. FARE</th>
</tr>
</thead>
<tbody>
<tr>
<td>New York City</td>
<td>$2.50</td>
<td>$2.50</td>
</tr>
<tr>
<td>ACCESS (Los Angeles)</td>
<td>$2.75</td>
<td>$3.50</td>
</tr>
<tr>
<td>Dallas</td>
<td>$3.00</td>
<td>$3.00</td>
</tr>
<tr>
<td>Chicago CTA</td>
<td>$3.00</td>
<td>$3.00</td>
</tr>
<tr>
<td>Boston</td>
<td>$3.00</td>
<td>$5.00</td>
</tr>
<tr>
<td>Washington, DC</td>
<td>$3.50</td>
<td>$6.50</td>
</tr>
<tr>
<td>OCTA (Orange County)</td>
<td>$3.60</td>
<td>$3.60</td>
</tr>
<tr>
<td>Philadelphia</td>
<td>$4.00</td>
<td>$4.00</td>
</tr>
<tr>
<td>Denver</td>
<td>$4.50</td>
<td>$4.50</td>
</tr>
</tbody>
</table>

Despite these facts, in a follow-up to the respective Triennial Review Final Reports in 2014, FTA’s Region IX office informed five Access Services member agencies (Torrance Transit, Santa Monica’s Big Blue Bus, Culver City Bus, Foothill Transit, and Metro) that the Federal Transit Administration’s (FTA) Office of Civil Rights determined that the fare structure for Access Services did not meet regulatory requirements. The Access base fare of $2.75 was found to be more than twice the member agency’s fixed route base fare and therefore resulted in a deficiency finding for the ADA review area. The finding for Metro related to fares charged by sub-recipients and was due to their role as the transportation-funding agency for Los Angeles County. As the funding agency, Metro has responsibilities to ensure that programs funded by Metro are compliant with ADA requirements.

**Current Fare Methodology**

Since 2005, in order to determine what the regional base fare is for Los Angeles County, Access staff has conducted a periodic statistical analysis of fares paid on fixed route service for comparable ADA complementary trips.
For example, in August, 2005, Access conducted a statistically-valid study of 675 randomly selected trips representing the four basin service regions from Access’s trip database. The sample data represents trips originating from the Eastern, Northern, Southern, and West-Central portions of the county. The sampled trips contained date, pick-up time, pick-up and drop-off address. Each sample Access trip was compared to the fixed route using Metro’s Trip Planner to determine the following:

- The number of transfers required on a fixed route trip
- Total fare amount paid on fixed route
- Total travel time
- Total distance (miles)

The results were as follows:

<table>
<thead>
<tr>
<th>Sample Size (Total Trips)</th>
<th>% of Sample Size</th>
<th>Reg. Total Fare (Fixed Route)</th>
<th>2x Reg. Trip Cost</th>
<th>Avg. Travel Time (min)</th>
<th>Avg. Total Distance (miles)</th>
</tr>
</thead>
<tbody>
<tr>
<td>0 - 19.9 miles</td>
<td>82.5%</td>
<td>$1.80</td>
<td>$3.60</td>
<td>42.62</td>
<td>8.0</td>
</tr>
<tr>
<td>Over 20 miles</td>
<td>17.5%</td>
<td>$2.84</td>
<td>$5.68</td>
<td>116.93</td>
<td>28.39</td>
</tr>
</tbody>
</table>

Using this methodology, with an average fixed route fare of $1.80, the maximum Access fare could be $3.60 for trips up to 19.9 miles. For trips over 20 miles the average fixed route fare was $2.84 making the Access fare no greater than $5.68.

Since then, before staff considered any fare adjustment, a similar study was conducted to see what the regional fare was. In 2012, the study found that the regional fare should be no more than $4.94 for a trip under 19.9 miles and $8.31 for a trip over 20 miles. In November 2012, the following fare structure was approved and implemented:
<table>
<thead>
<tr>
<th>LA Basin</th>
<th>Current</th>
<th>January 1, 2013</th>
<th>July 1, 2014</th>
</tr>
</thead>
<tbody>
<tr>
<td>0 - 19.9 miles</td>
<td>$2.25</td>
<td>$2.50</td>
<td>$2.75</td>
</tr>
<tr>
<td>Over 20 miles</td>
<td>$3.00</td>
<td>$3.25</td>
<td>$3.50</td>
</tr>
</tbody>
</table>

Staff is currently conducting another study in light of Metro’s recent fare change.

**Discussion of proposed options**

**Dynamic Fare System**

- *Move to a dynamic fare system in which fares for each trip will be calculated using the trip planner on www.metro.net or www.go511.com. The Access fare may be double the lowest fare quoted. Trips that cannot be provided by fixed route services may be denied.*

During the demonstration phase of Access in the mid-1990s, the Agency attempted to charge the exact fare for a comparable trip. This procedure was discarded because our customers disliked being charged different fares for different trips. In addition, it proved almost impossible to maintain in practice. A simple one-way trip required an additional three to five minutes to schedule, and over half the time the trip planning computer could not find the address, which required manually making a determination that required ten to fifteen additional minutes.

Staff believes that, even with advances in technology, implementing a “dynamic fare process” would slow down the reservations process. Nevertheless, staff has been talking to various software vendors to see what their current capabilities are and what the costs would be to make changes to their software.

Other issues include:

- If Access decided to charge twice the fixed-route fare for each route booked based on the Metro trip planner, most customers, particularly those that booked longer, regional trips, could pay substantially more than the current fares.
• Access customers would be charged different fares even for an identical trip that occurs at a different time.

• Some regional trips cannot even be done on the fixed-route system. Would Access continue to perform these trips? How would the fare be determined?

• If there are no set fares, would Access customers still be able to use coupons or any other alternative means of payment?

Legislative/Regulatory Change

• Given that the Americans with Disabilities Act (ADA) regulations encourage a coordinated paratransit plan but do not address a coordinated paratransit fare, direct staff to seek legislative or regulatory changes to allow for a coordinated fare when operating under a coordinated plan.

The current regulations regarding a coordinated paratransit plan read as follows:

49 CFR 37.139 [Plan Contents] (for all plans the applicant must show:)

“(g) Efforts to coordinate service with other entities subject to the complementary paratransit requirements of this part which have overlapping or contiguous service areas or jurisdictions.” (see also 49 CFR 139(h)(4)(iii))

49 CFR 37.141 Requirements for Joint paratransit plan

“(a) Two or more entities with overlapping or contiguous service areas or jurisdictions may develop a joint plan providing for coordinated paratransit service. Joint plans shall identify participating entities and indicate their commitment to participate in the plan.”

49 CFR 37.147 Considerations during FTA review

“In reviewing each plan, at a minimum FTA will consider the following:

... (f) the extent to which efforts were made to coordinate
with other public entities with overlapping or contiguous services areas or jurisdictions.“

**49 CFR Part 37, Appendix D Section 37.141**

“The Department believes that, particularly in large, multi-provider regions, a coordinated regional paratransit plan and system are extremely important. Such coordination can do much to ensure that the most comprehensive transportation can be provided with the most efficient use of available resources. We recognize that the effort of putting together such a coordinated system can be a lengthy one. This section is intended to facilitate the process of forming such a coordinated system.”

It is apparent, particularly in Appendix D, that the Department wanted to encourage a coordinated system like Access. However, while the regulations are very specific about the maximum fare that can be charged in an ADA paratransit system, they are silent on how such a fare should be determined in a coordinated system.

A meeting between Access Services and Acting FTA Administrator Therese McMillan and her Executive Staff was held in Washington, DC on December 2nd, 2014 to discuss this issue. After Access made a presentation, the FTA said that, while they appreciated the complexity of the Los Angeles system, they felt that it was now possible for Access to implement a dynamic fare system. However, the FTA did understand that such a system could not be implemented by the original deadline of March 2015 and asked that Access give the FTA an implementation timeline by the March deadline. In that meeting, the FTA also noted that Access or the region could petition the Department of Transportation for a rulemaking to address this issue.
PROPOSED DYNAMIC FARE
PUBLIC PARTICIPATION IMPLEMENTATION MILESTONES

JANUARY-FEBRUARY 2015

• Staff to develop a proposed dynamic fare system

MARCH-APRIL 2015

• Forward proposal to FTA
• Conduct community meetings and hold a public hearing to receive feedback on proposal
• Work with software vendors on cost estimates and timeline

MAY 2015

• Board consideration of proposed dynamic fare system with implementation timeline

JUNE 2015

• Present an amendment to the Los Angeles County Coordinated Paratransit Plan to the membership of Access.