ALAMEDA-CONTRA COSTA TRANSIT DISTRICT

MINUTES

Special Joint Meeting of the AC Transit Board of Directors and the Accessibility Advisory Committee

East Bay Paratransit Office Community Room
1750 Broadway
Oakland, CA 94612

Wednesday, July 26, 2017 at 1:00 p.m.

MEMBERS OF THE BOARD OF DIRECTORS
ELSA ORTIZ, PRESIDENT (WARD 3)
JOE WALLACE, VICE PRESIDENT (WARD 1)
GREG HARPER (WARD 2)
MARK WILLIAMS (WARD 4)
JEFF DAVIS (WARD 5)
H. E. CHRISTIAN PEOPLES (AT-LARGE)
JOEL YOUNG (AT-LARGE)

MEMBERS OF THE ACCESSIBILITY ADVISORY COMMITTEE
JAMES ROBSON, CHAIR

JANET ABELSON  PAMELA FADEM  DON QUEEN
MARY CLUTTS  SUSAN GONZALED  WILL SCOTT
CHONITA CHEW  SALEEM SHAKIR GILMORE  BARBARA WILLIAMS
SHIRLEY CRESSEY  JIM GONSALVES  HALE ZUKAS
TANYA WASHINGTON

AC TRANSIT BOARD OFFICERS
MICHAEL A. HURSH, GENERAL MANAGER
DENISE C. STANDRIDGE, GENERAL COUNSEL
LINDA A. NEMEROFF, DISTRICT SECRETARY
SPECIAL JOINT MEETING OF THE BOARD OF DIRECTORS AND THE
ACCESSIBILITY ADVISORY COMMITTEE
President Elsa Ortiz and Chair James Robson Presiding
Wednesday, July 26, 2017 at 1:00 p.m.

The Alameda-Contra Costa Transit District Board of Directors held a special joint meeting with the Accessibility Advisory Committee on Wednesday, July 26, 2017. President Ortiz turned the gavel over to Director Peeples to co-chair the meeting with Chair Robson. The meeting was called to order at 1:02 p.m.

1. INTRODUCTIONS/ROLL CALL
AC Transit Board Members Present: Mark Williams, Joel Young (arrived at 1:50 p.m.), H. E. Christian Peeples, Elsa Ortiz.

AC Transit Board Members Absent: Joe Wallace, Greg Harper, Jeff Davis.

Accessibility Advisory Committee Members Present: Janet Abelson, Mary Clutts, Chonita Chew, Shirley Cressey, Pamela Fadem, Susan Gonzalez, Don Queen, Will Scott, Tanya Washington, Hale Zukas.

Accessibility Advisory Committee Members Absent: Saleem Shakir Gilmore, Barbara Williams, Jim Gonsalves.

Also Present: General Manager Michael Hursh, General Counsel Denise Standridge, District Secretary Linda Nemeroff, Director of Transportation Derik Calhoun, Director of Service Development and Planning Robert del Rosario, and Accessible Services Manager Mallory Nestor-Brush.

2. PUBLIC COMMENT
There was no public comment offered.

3. DISCUSSION ITEMS

3A. AAC Priorities and Board Expectations and Goals for the AAC.
Chair Robson gave an overview of the AAC’s goals and priorities and requested that the Committee continue reviewing prototypes of new buses before production begins. He added that he recently viewed footage of a new train system in London whereby the newly built stations still required passengers to step up from the platform to get on the train. He felt this reinforced why the Committee needed to see a bus before it went into production. General Manager Michael Hursh felt the Committee’s work in this area had improved accessibility of buses and would seek input from the Committee on all future bus purchases with respect to seating, ramp configuration, and other features.

President Ortiz commented that she was appearing before the Metropolitan Transportation Commission later that afternoon to advocate on behalf of AC Transit for more money in the Expenditure Plan for Regional Measure 3. She added that even though AC Transit was perceived as the solution for congestion relief on the bridges, it was not getting its fair share of funding. She requested the Committee’s help in ensuring that MTC and legislators amend the bill.

Committee member Will Scott felt that customer service training for the operators was a key concern and was interested in working with the training department to make sure additional training was available to operators who wanted it.

The item was presented for information only.

3B. Priority Seating Policy.

General Manager Michael Hursh introduced Director of Transportation Derik Calhoun who gave an update on the issue of priority seating and requested feedback from the Committee on proposed recommendations.

Director Peeples advised that the AC Transit Board discussed a fare enforcement program for Bus Rapid Transit whereby
an administrative process would be developed to process citations for fare evasion, but the cost of the program would likely exceed citation revenue. The situation would be the same for a priority seating policy.

Accessible Services Manager Mallory Nestor Brush reported on the effectiveness of the priority seating ordinance enacted in San Diego, noting that no citations had been issued to date; however, the operators were happy with it because they had gained a new tool and decal in the priority seating area regarding the requirement to vacate the seat or be cited.

Committee member Pamela Fadem felt the focus should be on building community through mutual respect and courtesy, noting that it was important to give people an opportunity to do the right thing rather than contact the sheriff. Her preference was to have a friendly process and public education campaign. She added that MUNI had signage that said federal law required seats to be made available for people with disabilities and preferred a similar approach.

Committee member Will Scott agreed with having a public relations approach and using funds for a public education campaign or videos that can be displayed on the District’s website. He offered that even though his own mobility was limited, he often made the seat available for someone worse off; the situation required riders to work together.

Committee member Mary Clutts suggested a reward-based program whereby people would receive a free ride voucher for giving up their seat.

Committee member Chonita Chew commented that many people have been asked to move out of the seat even though they have disabilities that are not visible. She didn’t feel anyone should be asked to move out of the seat. Ms. Faden disagreed, noting that you can always ask someone politely to move.
Committee member Shirley Cressey agreed with Ms. Fadem that asking someone to move in a courteous and respectful manner would yield the desired result and that having a fine-based system would be ineffective.

Chair Robson agreed that posting larger signage with the federal regulation would provide reinforcement of the requirements. General Manager Michael Hursh advised that even though the federal regulation does not require a person to vacate the seat, some agencies have misquoted the regulation to say that it does. He would want direction from the Board prior to doing that.

Director Peeples asked staff what other agencies were doing in this area. Mr. Calhoun reported that he had contacted MUNI as well as a transit agency in Ohio and no one was using enforcement except for San Diego. MUNI noted that larger signage was more effective in conveying the message. Mr. Hursh cautioned about using San Diego as the model, noting that it was very expensive to implement an adjudication process.

Mr. Calhoun advised that operators receive initial training on how to serve seniors and people with disabilities through role playing. Operators were also being trained on customer service and how to de-escalate issues.

Committee member Hale Zukas felt this was a case where a threat was useful even though it may be empty.

Committee member Susan Gonzales asked if a willingness to understand deaf riders and different communication approaches were taught as part of the operator training. Mr. Calhoun noted that the emphasis during training was to treat everyone the same. Ms. Fadem added that the AAC had participated in driver training for many years as a way of exposing operators to different types of hidden and sensory disabilities they may encounter on the bus. She felt it was a way of breaking down the communication barriers. Ms.
Gonzales volunteered to participate in future operator trainings.

In concluding the item, Director Peeples advised that staff would bring a proposal before the AC Transit Board for more aggressive signage.

3C. **Update on Oakland Unified School District (OUSD) service and its future. (verbal)**

Director of Service Development and Planning Robert del Rosario provided background information on supplementary school service for OUSD. He added that the District and OUSD had reached a one-year solution to continue to provide service and would continue to negotiate the future of the service beyond the current school year. In addition, third parties had offered to provide a mediator or facilitator to assist in negotiating a long-term solution. Staff is assessing all of the school service currently being provided to public and private schools throughout the District in order to determine how it can be allocated effectively and hoped to return to the Board in the fall to revise the District’s policies and standards for allocating bus service.

President Ortiz commented that it was very disheartening for AC Transit Board to learn that OUSD had an $8 million surplus in its budget.

Director Peeples explained that the bus schedules for the fall were published on June 17, 2017, and very little feedback had been received thus far with school starting on August 21st. He felt that a greater amount of feedback would be received in the days just before school begins.

General Manager Michael Hursh explained the need for the MOU in 1997, saying that both the school district and AC Transit recognized the depletion of home-to-school transportation dollars and went to Sacramento to advocate for an annual appropriation of funds. He added that AC Transit believed the annual appropriation still exists. He
ventured that some people had tried to make the issue about equity; however, three schools in OUSD receive more service than any other school district in AC Transit’s service area. He expressed AC Transit’s commitment to working with OUSD to find a permanent solution and that serving youth, seniors and the disabled was a priority.

Committee member Janet Abelson asked why some cities had supplemental service while other did not. Mr. del Rosario explained that because cities like Berkeley, Albany and San Leandro had schools situated close to BART stations or fixed route service, there was no need for supplemental service. President Ortiz added that the federal government could tell AC Transit that supplemental service is not legal if it appears to run like an exclusive charter service.

Director Williams commented that some schools, like those in Hayward and San Lorenzo, did not receive an equitable level of service because of all the additional service OUSD receives. He encouraged other Board members to advocate for an equitable level of service in their wards.

Committee member Will Scott asked how the service could be made more equitable amongst all areas of the District. Director Peeples responded that doing that would be a difficult task fraught with politics for the AC Transit Board.

Member Fadem reported that the schools in the hills had the extra service because of their size and location, which was difficult to get to, and because there was no public transit to them. She felt that if the money was still there, the politics should be taken out of the conversation; however, if the money doesn’t exist anymore, then it was up to AC Transit and OUSD to figure out how to get it. She felt the state and federal government should do more to support the use of public transit in getting kids to school and it was important to determine if transit in other areas of the District was adequate enough to allow kids to get off the trunk lines and walk to school.
Director Peeples explained that there were two transportation line items, one for special needs students, and one for home-to-school transportation. Transit for special needs students was underfunded. The two were then merged together and all of the funding was being used for special needs students.

President Ortiz advised that a coalition of AC Transit and OUSD Board members was working together with labor and local activists to approach the legislature for a direct funding source to AC Transit.

Public Comment:
John Sasaki, Communications Director for OUSD, agreed with Director Peeples, stating that OUSD was funded at $5 million for special needs students, but the actual cost was approximately $10 million. It was further clarified that OUSD did not have an $8 million surplus. [President Ortiz advised that she would provide information she had acquired regarding the budget surplus to Mr. Sasaki.]

4. BOARD/COMMITTEE/STAFF COMMENTS
There were no comments offered.

5. ADJOURNMENT
There being no further business to come before the Board of Directors and the Accessibility Advisory Committee, the joint meeting adjourned at 2:12 p.m.

Respectfully submitted,

[Signature]
Linda A. Nemeroff
District Secretary