

**AGENDA PACKET
AC TRANSIT
ACCESSIBILITY ADVISORY COMMITTEE (AAC)
REGULAR MEETING
TUESDAY, JUNE 9, 2015
1:00 P.M.**

INDEX OF ATTACHMENTS

1. **Minutes from May 12, 2015**
2. **Draft ADA Resolution**
3. **Draft Staff Report – Reasonable Modification**
4. **Lift/Ramp Road Call Report**

**MEETING LOCATION
AC TRANSIT
1600 Franklin Street, 4th Floor
1:00 P.M.
Oakland, California 94612**

**For additional information about the Accessibility Advisory Committee
contact Tammy Kylo, Secretary to the Committee, at 510-891-7175**

**AGENDA
ACCESSIBILITY ADVISORY COMMITTEE (AAC)
AC TRANSIT
1600 FRANKLIN STREET, OAKLAND, CA 94612
1:00 P.M., TUESDAY, MAY 12, 2015
REGULAR MEETING**

AAC MEMBERS:

JANET ABELSON

SHIRLEY CRESSEY

STEVE FORT

JIM GONSALVES

LISAMARIA MARTINEZ

JAMES ROBSON

MARINA VILLENA

SCOTT BLANKS, CHAIR

PAMELA FADEM

SALEEM SHĀKIR GILMORE

YULI JACOBSON

DON QUEEN

WILL SCOTT

HALE ZUKAS, VICE CHAIR

1. Roll Call and Introduction of Guests
2. Order of Agenda
3. Approval of Minutes for May 12, 2015 [Attachment 1]
4. BRT Bus Procurement Update (Stuart Hoffman)
5. Follow-up with 25th ADA Anniversary (Victoria Wake/Kim McCarl)
6. Discussion and Approval of ADA Resolution for Board of Directors [Attachment 2]
7. Draft Staff Report Reasonable Modification [Attachment 3]
8. Chair's Report
9. Board Liaison Report
10. Review of Lift/Ramp Road Call Report [Attachment 4]
11. Service Review Advisory Committee (SRAC) Report (Janet Abelson)
12. ACTC PAPCO Report (Hale Zukas)
13. Public Comments
14. Member Communications and Announcements
15. Staff Communications and Announcements
16. Set Next Agenda & Meeting Date
17. Adjournment

ATTACHMENTS:

Meeting Minutes: May 12, 2015	[Attachment 1]
Draft ADA Resolution	[Attachment 2]
Draft Staff Report – Reasonable Modification	[Attachment 3]
Lift/Ramp Road Call Report	[Attachment 4]

Staff to the Accessibility Advisory Committee:

Mallory Nestor-Brush, Accessible Services Manager	(510) 891-7213
Kim Ridgeway, Accessible Services Specialist	(510) 891-7261
Tammy Kylo, Administrative Coordinator	(510) 891-7175

ALTERNATIVE FORMATS: AC Transit will provide written agenda materials in appropriate alternative formats, or disability-related modification or accommodation, including auxiliary aids or services, to enable individuals with disabilities to participate in public meetings. Please send a written request, including your name, mailing address, phone number and brief description of the requested materials and preferred alternative format or auxiliary aid or service to Linda Nemeroff, District Secretary, AC Transit, 1600 Franklin Street, Oakland, CA 94612. Written requests will be honored for the calendar year in which the request was made, but must be renewed after January 1 for the next calendar year with the same information listed above.

SIGN LANGUAGE INTERPRETER: A sign language interpreter will gladly be provided for persons with a hearing impairment. If an interpreter is needed for a specific meeting, please call (510) 891-7175 at least **five days** prior to the meeting.

NO SCENTED PRODUCTS: Please refrain from wearing scented products at the meeting, as there may be persons present with environmental illnesses.

PUBLIC SPEAKERS: Speakers wishing to address subjects not listed on this agenda will be invited to address the committee under the “public comments” section of the agenda. Speakers who wish to address a specific agenda item will be invited to address the committee at the time the item is being considered. Time limitations: Individuals addressing the committee should limit their comments to three (3) minutes.

**ATTACHMENT 1
DRAFT MINUTES
REGULAR MEETING OF THE AC TRANSIT
ACCESSIBILITY ADVISORY COMMITTEE (AAC)
MAY 12, 2015**

The meeting came to order at 1:11 p.m.

1. Roll Call and Introduction of Guests

AAC members present:

Janet Abelson	Scott Blanks, Chair
Pam Fadem	Steve Fort
Saleem Gilmore (arrived at 1:16)	Yuli Jacobson
Don Queen	James Robson
Will Scott	Hale Zukas, Vice Chair

AAC members absent:

Shirley Cressey (excused)	Jim Gonsalves
Lisamaria Martinez	Marina Villena (excused)

Staff: Kim Ridgeway, Accessible Services Specialist
Tammy Kylo, Administrative Coordinator

Guests: H.E. Christian Peeples, Board President
Gregg Moser, Krauthamer & Associates, Inc.

2. Order of Agenda

The order of the agenda was approved.

3. Approval of Minutes

MOTION: Fadem/Scott approved the April 14, 2015 AAC meeting minutes. The motion carried by the following vote:

AYES – 9: Abelson, Blanks, Fadem, Fort, Gilmore, Queen, Robson, Scott, Zukas

ABSTENTIONS – 1: Jacobson,

ABSENT – 4: Cressey, Gonsalves, Martinez, Villena

4. Discussion Regarding Characteristics for the General Manager Position

Gregg Moser, Krauthamer & Associates, Inc., reviewed the process that will be used to find the best candidate for the General Manager position. Mr. Moser solicited the Committee members for characteristics and traits that the best candidate should have for the General Manager position. The Committee had the following comments and suggestions:

- Type of questions to ask the candidates:
 - What experience does the candidate have in providing accessibility for public transit?
 - What is the candidate's understanding of Accessibility Services?
 - Does the candidate understand the difference between accessibility services for fixed routes and paratransit?

- Characteristics and Traits:
 - Management style – one that seeks out opinions, enables employees from the bottom up
 - To be a good listener; listen to others in their expertise
 - One who uses public transit
 - Excellent at customer service
 - Ability to seek out and engage other agencies who advocate for accessibility, the economically disadvantaged, and seniors
 - Needs to understand Oakland systems, people, the community lens to navigate decisions
 - AC Transit needs continuity. It's important the District has a General Manager that will stay for a while

- What the candidate should know about the AC Transit culture and the City of Oakland:
 - This is the center of the independent living community. This community is the leaders of early and continued accessibility, which is a proud accomplishment. The community desires to maintain that leadership.
 - The community cares about AC Transit and wants it to be successful.
 - AC Transit system is very unique, 40-60 miles of service, includes Transbay routes and many local city routes.

Staff will send Gregg Moser's contact information so AAC members can send any follow-up questions or comments. Mr. Moser thanked the Committee for the feedback and their love and passion for transit.

5. Follow-up with 25th ADA Anniversary

Kim Ridgeway updated the committee on the Video to be used for the 25th Anniversary of the ADA. Kim will be filming 1-2 minute snippets for those who volunteer to be a part of the project "Why I Ride..." and what the ADA has meant to them. Kim captured some stories at the SRAC meeting on May 5th, before the AAC meeting on May 12th and will capture more stories at the BATF on May 28th. Marketing is also finalizing its plans for the campaign and will follow up with the Committee at the June 9th meeting.

6. Discussion of Resolution for Board of Director Approval

Item was agendized for the June 9, 2015 AAC meeting.

7. Chair's Report

None.

8. Board Liaison Report

None.

9. Review of Lift/Ramp Road Call Report

The report for the period of March 29 – April 18, 2015, showed 14 lift/ramp road calls. Of these 14 road calls, two were chargeable or mechanical. Committee members are concerned with six road calls that were “Operator Error” and “No Problem Found”.

10. Service Review Advisory Committee (SRAC) Report

None.

11. Alameda County Transportation Commission (ACTC) PAPCO Report

None.

12. Public Comments

None.

13. Member Communications and Announcements

Steve Fort commented on Lines 51a and 51b in Berkeley and the difficulties with transferring and buses not timed for smooth transfers. Chair Blanks requested this item to be agendized for future a meeting.

14. Staff Communications and Announcements

None.

15. Set Next Agenda & Meeting Date

The next AAC Meeting will be held Tuesday, June 9, 2015 at 1600 Franklin Street, Oakland, CA. Agenda items include BRT Bus Procurement and Follow-up on the 25th Anniversary of ADA marketing plan.

16. Adjournment

The meeting adjourned at 2:40 p.m.

ATTACHMENT 2
Draft ADA Resolution

To: Accessibility Advisory Committee (AAC)
From: Mallory Nestor-Brush
Manager of Accessible Services
Re: Draft Resolution for Board Adoption-25th ADA Anniversary

Several meetings ago the Committee requested that the Board of Directors adopt a Resolution in recognition and celebration of the 25th Anniversary of the Americans with Disabilities Act (ADA) and forward it on to the AC Transit member jurisdictions, among others. Accessible Services staff has reached out to the Committee members several times for input but have not received any feedback to-date.

What you will see below is a compilation of several resolutions adopted by different agencies for your review. The “Whereas” section is generally a history that needs to reflect AC Transit’s action over time. The “Now be it Resolved” section is what you think the District should do/continue to do in the future.

This is the AAC’s Resolution. Please be prepared to provide edits, elimination and additions to the multitude of options provided below at the June 9th meeting of the AAC. This item will go to the Board of Directors on June 24, 2015.

I appreciate your input on this matter and the time, energy and efforts you provide on behalf of the District.

ALAMEDA-CONTRA COSTA TRANSIT DISTRICT
RESOLUTION NO. 15-029

A RESOLUTION ACKNOWLEDGING THE 25TH ANNIVERSARY OF THE
AMERICANS WITH DISABILITIES ACT (ADA)

WHEREAS, nationwide approximately 57 million people have a disability; and

WHEREAS, the ADA established a clear and comprehensive national mandate for the elimination of discrimination against individuals with disabilities; and

WHEREAS, AC Transit will celebrate and recognize the progress that has been made by reaffirming the principals of equality and including and recommitting our efforts to maintaining the District’s ADA Compliance; and

WHEREAS, the ADA has expanded opportunities for Americans with disabilities by reducing barriers, changing perceptions, and increasing full participations in community life; and

WHEREAS, AC Transit's Board of Directors created the Accessibility Advisory Committee (AAC) and appoints individuals with a disability or individuals that represent groups with a disability to advise the Board and staff on matters related to accessibility; and

WHEREAS, celebrating the abilities and contributions of people with disabilities can only serve to enrich our communities and enhance our diversity; and

WHEREAS, AC Transit will celebrate and recognize the progress that has been made by reaffirming the principals of equality and including and recommitting our efforts to maintaining the District's ADA Compliance; and

WHEREAS, this historic act was the world's first comprehensive declaration of equality for people with disabilities, and its passage made the United State the international leader on this human rights issue; and

WHEREAS, Approximately 18.7 percent of the United States population has some kind of disability; and

WHEREAS, the ADA prohibits discrimination against individuals with disabilities in all areas of public life, including jobs, transportation, and all public and private places that are open to the general public, and

WHEREAS, The purpose of the ADA is to make sure that people with disabilities have the same rights and opportunities as everyone else.

NOW THEREFORE, the Board of Directors of the Alameda-Contra Costa Transit District does resolve as follows:

Section 1. That we, the AC Transit Board of Directors, recognize the significance and intent of President George H. W. Bush in his efforts to secure access, inclusion, and independence for people with disabilities;

Section 2. That we continue to see the guidance of the disability community and consumer advocates in the development of services;

Section 3. That we celebrate and recognize the progress that has been made by reaffirming the principles of equality and inclusion

Section 4. This resolution shall become effective immediately upon its passage by four affirmative votes of the Board of Directors.

PASSED AND ADOPTED this 24th day of June, 2015.

H. E. Christian Peeples, President

Attest:

Linda A. Nemeroff, District Secretary

I, Linda A. Nemeroff, District Secretary for the Alameda-Contra Costa Transit District, do hereby certify that the foregoing Resolution was passed and adopted at a regular meeting of the Board of Directors held on the 10TH day of June, 2015, by the following roll call vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

Linda A. Nemeroff, District Secretary

Approved as to Form and Content:

Denise C. Standridge, General Counsel

ATTACHMENT 3
Draft Staff Report – Reasonable Modification

STAFF REPORT

TO: Operations Committee
AC Transit Board of Directors

FROM: Kathleen Kelly, Interim General Manager

SUBJECT: Implementation of Reasonable Modification/Accommodation Final Rule

BRIEFING ITEM

RECOMMENDED ACTION(S):

Authorize staff to develop procedures and processes to implement the reasonable modification/accommodation final rule.

EXECUTIVE SUMMARY:

The Department of Transportation (DOT) issued a Final Rule on March 13, 2015, under the Americans with Disabilities Act (ADA), calling for public transportation agencies providing fixed route and ADA complementary paratransit to develop a process to consider requests for reasonable modification/accommodation to their policies, practices and procedures to ensure program accessibility. AC Transit staff's actions to comply with the Final Rule are provided in this report.

BUDGETARY/FISCAL IMPACT:

There are no known budgetary/fiscal impacts as a result of implementing the proposed reasonable modification/accommodation procedures outlined below.

BACKGROUND/RATIONALE:

The issue of reasonable modification/accommodation was initially raised in a Notice of Proposed Rulemaking (NPRM) in 2006 and again in 2010. At the time the Accessibility Advisory Committee (AAC), the Service Review Advisory Committee (SRAC) and the Board of Directors submitted comments and signatures to the American Public Transit Association's (APTA) letter to the docket that did not support the reasonable modification/accommodation concept. Despite these actions, reasonable modification/accommodation is now a Final Rule, and certain processes and procedures must be in place by July 13, 2015.

Several staff members attended the APTA Bus and Paratransit Conference and attended an APTA Committee discussion regarding the Final Rule. The District, like other transit agencies, cannot define or determine in advance, what, if any, modifications/accommodations an individual rider may consider a reasonable request. Determinations will have to be made on a case-by-case basis. But it is clear that processes and procedures need to be in place and communicated to the public.

The final rule requires that the District accept requests for modification/accommodation to its fixed route and paratransit services. The request can be denied if:

- the request would fundamentally alter our programs, policies and procedures
- the request would expose the requestor, operator or other individuals to a “direct threat”
- the request is not necessary for the individual to actually use the service

If the request is denied, the District would have a responsibility to provide and document alternative solutions to ensure accessibility

Staff recommends that the requests for modifications/accommodations follow the District’s established procedures for Title VI notifications and inquiries. The District’s Title VI process was recently audited by the Federal Transit Administration (FTA) and found to be compliant, with one minor modification to a car card.

With Board approval, staff will implement, among other things, the following:

- Create a new code, under the ADA tab, in the Customer Service Relations Database for reasonable modification/accommodation
- Modify the AC Transit web site to more clearly direct individuals to information regarding Title VI and reasonable modification/accommodation procedures, forms and contact information
- Identify a Reasonable Modification Coordinator by name, contact information, e-mail and physical address
- Print, post and make available all information, including an appeals process, in accessible formats
- Modify the current Title VI car card, per the FTA, and include reasonable modification/accommodation information. Post on the buses prior to July 13, 2015.
- Develop a Standard Operating Procedure (SOP) for the Operations Control Center (OCC) and the AC Transit Call Center staff

- Develop Training Materials for and Train designated staff (OCC, Call Center, Transportation Management) regarding both Title VI and reasonable modification/accommodation
- Work with OCC to collect data on requests for reasonable modification/accommodation and produce summary reports quarterly.
- Issue a bulletin to all Bus Operators. **Note:** this bulletin will only reiterate what the operators are currently trained, which is, if any individual or situation encountered exceeds or violates the District's policies and procedures they are to contact OCC for further instruction.

ADVANTAGES/DISADVANTAGES:

The advantage to the implementation of the tasks outlined above is the District's desire to demonstrate compliance with the rule on or before the deadline of July 13, 2015. Given the District's protocol to address unique rider concerns and situations on a case-by-case basis, staff does not envision any significant impacts or ramifications as a result of the Final Rule. However, staff will closely monitor implementation and adjust the procedures as necessary.

The disadvantage to not complying with the rule could range from a noted deficiency in an audit report up to and including loss of federal funds.

ALTERNATIVES ANALYSIS:

There are no alternative analyses appropriate to implementing the final rule.

PRIOR RELEVANT BOARD ACTIONS/POLICIES:

None

ATTACHMENTS:

1: None

ATTACHMENT 4
 Lift /Ramp Road Call Report
 April 19, 2015 – May 23, 2015

Coach Series	Type	Date	Coach #	Line #	Operator Length of Service	Problem Reported	Problem Found <i>* Indicates Chargeable</i>	Pax Received Ride?
1000 (VH-Ricon)	Ramp	4/20/15	1006	72R	60+ mos.	KNEELER STUCK, BUS WON'T MOVE	OPERATOR ERROR	Yes
1000 (VH-Ricon)	Ramp	4/24/15	1018	72R	12-24 mos.	PASS. UNABLE TO OPERATE W/CH	NON-LIFT RELATED ROADCALL	Yes
1000 (VH-Ricon)	Ramp	4/28/15	1067	72	25-60 mos.	RAMP WON'T STOW	B.O. DOORS	Yes
1000 (VH-Ricon)	Ramp	5/2/15	1068	70	60+ mos.	SECUREMENT STUCK ON W/CHAIR	ROAD HAZARD	Yes
1000 (VH-Ricon)	Ramp	5/3/15	1014	72R	25-60 mos.	DRAWER LATCH MISSING	B.O. DRAWER LOCK*	Yes
1000 (VH-Ricon)	Ramp	5/8/15	1093	18	7-12 mos.	LIFT WON'T RELEASE	DRAWER MOTOR OUT ADJUSTMENT*	Yes
1000 (VH-Ricon)	Ramp	5/12/15	1079	89	60+ mos.	DRAWER KNOB MISSING	BROKEN LATCH	Yes
1000 (VH-Ricon)	Ramp	5/15/15	1025	72M	60+ mos.	DRAWER B.O.	BROKEN LATCH	Yes
1200 (VH-Ricon)	Ramp	4/28/15	FC16	51B	12-24 mos.	STUCK TIE DOWN	B.O. BELT*	Yes
1200 (VH-Ricon)	Ramp	5/22/15	1207	72M	60+ mos.	B.O. RAMP	BROKEN ACTUATOR SHAFTS*	Yes
1300 (Lift U)	Ramp	5/1/15	1346	72	60+ mos.	B.O. LIFT	TORN YELLOW SAFTY WALK- RD. HAZRD	Yes

Coach Series	Type	Date	Coach #	Line #	Operator Length of Service	Problem Reported	Problem Found * Indicates Chargeable	Pax Received Ride?
1300 (Lift U)	Ramp	5/6/15	1329	62	60+ mos.	RAMP WON'T LAY FLAT	ROAD HAZARD	Yes
1400 (Lift U)	Ramp	4/25/15	1412	99	60+ mos.	RAMP WON'T LAY FLAT	ROAD HAZARD	Yes
1400 (Lift U)	Ramp	4/29/15	1467	72	60+ mos.	RAMP WON'T STOW	BENT RAMP EDGES*	Yes
1400 (Lift U)	Ramp	5/8/15	1448	72	7-12 mos.	LIFT OFF LINE	WHEEL CHAIR DAMAGED PULL RING	Yes
1400 (Lift U)	Ramp	5/19/15	1438	200	25-60 mos.	B.O. FRONT DOORS	BENT RAMP*	Yes
2000 (VH-Ricon)	Ramp	5/19/15	2010	1R	60+ mos.	RAMP WON'T RELEASE INTERLOCK	ROADCALL WAS CANCELLED	Yes
2000 (VH-Ricon)	Ramp	5/19/15	2010	1R	7-12 mos.	DRAWER NOT LOCKING	B.O. DRAWER*	Yes
2000 (VH-Ricon)	Ramp	5/19/15	2010	1R	7-12 mos.	RAMP WON'T TURN OFF	COACH RELEASED BEFORE MECH. ARR.	Yes
2100 (VH-Ricon)	Ramp	4/20/15	2108	1R	25-60 mos.	WON'T DEPLOY UNLES BUS RESET	B.O. HAND CONTROL*	Yes
2100 (VH-Ricon)	Ramp	5/1/15	2110	1	60+ mos.	RAMP WON'T LAY FLAT	DEBRIS UNDER RAMP	Yes
2100 (VH-Ricon)	Ramp	5/18/15	2103	1	0-6 mos.	DRAWER LOCK BROKEN	VANDALISM-DAMAGED DRAWER	Yes
2100 (VH-Ricon)	Ramp	5/21/15	2159	1R	60+ mos.	B.O. SECUREMENT DRAWER	VANDALISM-DAMAGED DRAWER	Yes

JUNE 9, 2015**15**

5100 (VH-Ricon)	Ramp	4/28/15	5114	32	60+ mos.	ACCESS DOOR WON'T OPEN	BROKEN MAGNET (ROAD HAZARD)	Yes
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Operator Length of Service Totals:

0-6 Mos: **1** Operator; 7-12 Mos: **4** Operators; 12-24 Mos: **2** Operators; 25-60 Mos: **4** Operators; 60+ Mos: **13** Operators
(63) (27) (131) (163) (866)

Series	Year Added	Type	Qty
1000	2003	True Low Floor Standard (40 ft.)	87
1200	2008	True Low Floor Standard (40 ft.) <Van Hool>	27
1300	2013	Standard Low Floor (40 ft) Gillig	65
1400	2014	Standard Low Floor (40 ft) Gillig	68
2000	2003	True Low Floor Articulated	29
2100	2006-2009	Suburban Articulated	33
2200	2013	Standard Low Floor (60 ft.) <New Flyer>	23
4000	2000-2002	Standard Low Floor (40 ft.) <NABI>	39
3500	2015	Eldorado Small Transit Vehicle	2
5000	2006	Low Floor Standard (30 ft.)	51
5100	2009	Low Floor Standard (30 ft.)	39
6000	2000-2003	Commuter Coaches <MCI>	46
6100	2013	Commuter Coaches (40 ft.) <Gillig>	54
FC	2010	Fuel Cell Standard (40 ft.)	12
			<i>Total</i> 575
<i>* Please note the 7200's are classified as 4000 series buses.</i>			