



COMMITTEE FOR TRANSIT ACCESSIBILITY

Wednesday, September 13, 2006

MINUTES

1. CALL TO ORDER

The Regular Meeting of the Committee for Transit Accessibility (CTA) was called to order at 1:05 p.m. by Chairperson Morrow in Building A, Auditorium, Valley Transportation Authority (VTA), 3331 North First Street, San Jose, California.

ROLL CALL

Members Present

Adam Byrnes, staff aide representing Cindy Chavez (Ex-Officio Board Liaison)
Emma Eljas
Linda Gallo
Sandra Gouveia
David Grant
Katie Heatley (Ex-Officio)
Troy Hernandez
Marjorie Jensen
Martin Lasich
Allen F. Marcillet
Laura Michels
Aaron Morrow, Chairperson
Barbara Rhodes, First Vice Chairperson
Thomas Slack
Barbara Stahl, Second Vice Chairperson
Randy Tamez

Members Absent

David Julian

A quorum was present.

2. INTRODUCTION OF AUDIENCE MEMBERS

Received introductions from the audience including: Cliff Chang, Hope Service; David Crawford, Hope Service; Steve Johnstone, VTA Operations Senior Management Analyst; Julia Jones, VTA Accessible Services; Ann Carey, VTA Executive Assistant to

the General Manager; Jeannette Law, Community Options; Roger Contreras, VTA Chief Financial Officer; Debbie Tidwell, VTA Operations; Mike Hursh, VTA Operations Maintenance Deputy Director; Susan Stark, VTA Controller; Mark Thomas, VTA Operations Training; Ron Young, VTA Operations Training; David Ledwitz, VTA Accessible Services; Doug Beley, VTA Acting Chief Technology Officer; Maureen Daly, Hope Service; Grace Salandanan, VTA Fiscal Resources; Sam Lau, VTA Operations Deputy Director; and Dan Smith, VTA Chief Operating Officer.

3. PUBLIC PRESENTATIONS

Maureen Daly, Hope Service, expressed concern regarding the bus stop near the Hope Service Workshop that is without a shelter or garbage can. Ms. Daly stated that she has written several letters to the VTA Board of Directors regarding the request for shelters and garbage cans at this location but has not received a response. Ms. Daly requested assistance from staff to obtain a response to her request for the shelters and garbage cans at the bus stop.

Chairperson Morrow queried about the specific location of the bus stop. Ms. Daly responded that the location of the bus stop is at Scott and Space Park in Santa Clara.

Chairperson Morrow requested that staff meet with Ms. Daly after the meeting to address issue.

David Crawford, Hope Service, stated that Hope Service requested that VTA address the situation over a year ago but no one responded to the request.

Member Grant stated that VTA contracts with Clear Channels for advertising on the bus shelters. Member Grant noted that Customer Service stated that VTA does not have funding to complete bus stop improvements and shelters at the bus stops.

Mr. Crawford queried about what customers are supposed to do when the weather changes and it starts raining. Chairperson Morrow requested that staff meet with Ms. Daly and Mr. Crawford after the meeting to address the issue.

Dan Smith, VTA Operations Deputy Director, responded that he would speak with Ms. Daly and Mr. Crawford after the meeting to obtain the information to be addressed.

Aaron Morrow, Interested Citizen, expressed concern that the light rail platforms communication speaker system is not working properly. Mr. Morrow requested that staff provide a report to the CTA Committee regarding when a new and better communication speaker system will be installed so that the customers could hear the information being announced.

Member Jensen requested that Agenda Item #9., CTA Member Tamez electronic mail (e-mail) of July 8, 2006 be moved to the beginning of the agenda.

Member Gouveia commented that Member Eljas has information on Emergency Preparedness Training being offered in October 2006. Chairperson Morrow recommended that the item be provided under Agenda Item # 13., Announcements.

Chairperson Morrow noted that Agenda Item # 9., CTA Member Tamez electronic mail (e-mail) of July 8, 2006, would be presented before Agenda Item # 4., Quarterly Report from the General Manager.

Michael T. Burns, General Manager, requested that Agenda Item # 4., Quarterly Report from the General Manager be presented before Agenda Item # 9., CTA Member Tamez electronic mail (e-mail) of July 8, 2006. Mr. Burns stated that his report is brief and that he is unable to stay for the Committee Meeting due to a schedule conflict. Mr. Burns commented that he is aware that the Committee will have a lengthy discussion on Agenda Item #9.

Chairperson Morrow noted that Agenda Item # 4., Quarterly Report from the General Manager would be presented before Agenda Item # 9., CTA Member Tamez electronic mail (e-mail) of July 8, 2006.

4. Quarterly Report from the General Manager

Mr. Burns commented that the General Manager Quarterly Report is part of his commitment to make himself available to the VTA Advisory Committees. Mr. Burns commented that staff does want to receive and consider the Committee's input regarding Agenda Item # 9. related to the issue of allocating indirect costs within the entire agency and not only Accessible Services and Paratransit Services.

Mr. Burns announced the I-880/Coleman Avenue Interchange Project Opening Celebration Event scheduled on Monday, September 18, 2006 at 10:00 a.m.

Mr. Burns commented that VTA is hosting the 2006 American Public Transportation Association (APTA) Annual Conference from October 9-11, 2006 in San Jose. Mr. Burns stated that VTA has purchased a number of registrations for Committee Members and staff to attend the sessions at the APTA Conference, but the registration does not include the luncheons and receptions. Mr. Burns suggested that the Committee coordinate their attendance and participation at the APTA Conference through Camille Williams, Accessible Services Manager and CTA Staff Liaison, who will forward the information to the Office of the Board Secretary to be included on the APTA registration list.

Mr. Burns commented that OUTREACH will be participating throughout the APTA Conference and expressed his appreciation to OUTREACH Services. Mr. Burns commented that the American Public Transportation Association (APTA) is the association of all public transit agencies in the Country.

Member Eljas queried if there would be sessions related to Paratransit Services. Mr. Burns responded, "yes" that there should be some sessions that apply to Paratransit Services. Ms. Williams stated that the APTA preliminary program is available on-line and staff will forward the link to the Committee Members via e-mail and regular mail.

Member Jensen queried about the I-880/Coleman Avenue Interchange Project Opening Celebration Event details. Mr. Burns responded that the Committee should coordinate through Ms. Williams who will provide the information to the Committee.

Mr. Burns stated that work on the Organizational and Financial Performance Audit Assessment is underway. The consultant team that was hired to do the assessment is

conducting an in-depth review of information on VTA. The next step in the assessment process is to begin the interviews with the Advisory Committee Chairpersons, VTA staff members, Stakeholders including the Board of Directors. Mr. Burns suggested that if any of the Committee Members have specific input they should forward the information to their Committee Chairperson. Staff will be reporting back on a regular basis regarding the assessment.

Mr. Burns introduced Ann Carey, Executive Assistant to the General Manager, who will serve as the VTA's Project Manager on the assessment study.

The Agenda was taken out of order.

BUSINESS REFERRED TO COMMITTEE BY THE BOARD OF DIRECTORS/GENERAL MANAGER

9. CTA Member Tamez electronic mail (e-mail) of July 8, 2006

Member Tamez stated that he emailed his response to the staff report late last night and brought a printed copy of the e-mail to this meeting for discussion.

Susan Stark, Controller, and Steve Johnstone, Operations Budget Coordinator, provided a joint presentation on the response to CTA Member Tamez e-mail of July 8, 2006 since the item consists of both financial and operations questions and responses.

Ms. Stark asked the Committee how they would like to proceed, whether to proceed through each one of the items and briefly summarize the responses, or answer questions from Committee Members about the report.

Member Tamez suggested that the Committee discuss where CTA and VTA go from here and how staff is going to respond to CTA's inquires for information.

Chairperson Morrow stated that he received the email from Member Tamez dated Tuesday, September 12, 2006 at 11:34 p.m., but he did not have the opportunity to review the information. Member Tamez responded that he has a copy available and it is basically a re-response to VTA's response.

Member Tamez inquired about the plans that VTA's financial department has to accurately account for costs incurred by paratransit and other programs to ensure that charges are not being inflated or made up. Member Tamez queried how staff determined the costs incurred by paratransit and asked about supporting documentation.

Member Tamez stressed the importance for VTA to ensure that charges to paratransit and other programs are charged accurately. Ms. Stark responded that VTA does not have inappropriate accounting practices.

Second Vice Chairperson Stahl queried about a comparison between fixed route service and OUTREACH paratransit services. Second Vice Chairperson Stahl stressed the importance for VTA to show a comparison between the two services since OUTREACH paratransit services provides services to members of the community. Ms. Stark responded that costs are reported in the National Transit Database (NTD) report and overhead costs of operations is distributed according to the requirements by the Federal Transit Association (FTA) across all modes of transportation.

Ms. Stark referenced the June 7, 2006 CTA Meeting where the Committee received information regarding the history of the NTD reporting and how the requirements have changed over the years. Ms. Stark commented that in 2000 the paratransit services providers such as OUTREACH submit their own report to the NTD, which contained only their cost and not the agency cost. Since that time, NTD report requirements changed, and they requested that the contractors' costs be included in transit agencies' NTD report.

Ms. Stark stated that VTA is required to comply with the NTD requirements. In 2002, NTD requested and required that administrative costs be included in the public agencies NTD reports. In the subsequent year, the NTD required that general and administrative costs be applied to all modes of transportation including paratransit services in order to present an equitable NTD report so VTA complied with the requirements and implemented the information.

Ms. Stark commented that the NTD does not allow historical corrections in the NTD report. In FY 2004 after VTA had submitted its NTD report, staff noticed that there was an entry that was mis-posted and requested permission to correct the report but the NTD does not allow historical corrections. NTD responded that VTA should correct its process in 2005, which VTA did correct. In 2005 VTA isolated the activities in the Accessible Services department so that responsibilities are reported specifically to when an employee is working on a paratransit responsibility or accessible services responsibility on the employees timesheet.

Member Tamez inquired how staff was able to determine the costs if employees prior to June were not tracking the percentage of their time to specific programs. Member Tamez expressed concern that if no one was tracking the percentage of time then the costs are basically made up since there is no documentation prior to June that supports the percentages.

Member Tamez asked if fiscal charged a flat 8 percent on all general and administrative costs to paratransit services since staff was not keeping track of actual percentages. Ms. Stark responded that 8 percent is the percentage of VTA's entire operating budget to support paratransit services. Ms. Stark continued that if VTA did not allocate the 8 percent of VTA's entire operating budget to support paratransit services then VTA would not be able to pay the \$26 million to OUTREACH or pay for the Accessible Services department staff that support paratransit services.

Ms. Stark stated that 8 percent of VTA's entire operating budget is dedicated to support the paratransit services. Ms. Stark commented that VTA has an Indirect Cost Allocation Plan (ICAP) that is approved by the FTA. The ICAP is the way that indirect costs are allocated to VTA's entire organization and not just paratransit services.

Member Tamez queried about the 8 percent charged to VTA's entire operating budget. Ms. Stark clarified that 8 percent of VTA's \$340 million operating budget is used to pay for paratransit services, and almost 90 percent of that amount is used to pay for the contract with OUTREACH.

Member Tamez referenced his first e-mail questioning the charges to paratransit service costing close to \$6 million a year for direct and indirect services. Member Tamez

queried about the charges being allocated correctly to paratransit services since the cost went from \$6 million to \$2.4 million. Ms. Stark responded that staff reported to the Committee that VTA made a mistake in the journal entry in FY 2004. Ms. Stark stated that VTA has not made a mistake prior to or after FY 2004.

First Vice Chairperson Rhodes inquired about the journal entry mistake. Ms. Stark responded that the journal entry was related to allocating indirect costs to the paratransit program and it was erroneously posted twice. Ms. Stark stated that the mistake was corrected by VTA backing the entry out.

Member Jensen queried if staff could account for the percentages dedicated to paratransit services. Ms. Stark responded, "yes" and stated that the attached schedule included in the staff report breaks down the indirect cost by VTA division.

Member Tamez referenced VTA's response list of how much money was spent on various materials, administration, staff, and electricity and noted that no information was provided regarding employees allocating their time percentages.

Member Tamez inquired about what the Marketing Department does for paratransit services and why the charges are so high since paratransit is a small portion of VTA's entire program services. Ms. Williams responded that the charges applied are the actual costs to produce the brochures and applications, and update VTA's website. Ms. Williams stated that it may seem simple, but there are many individuals involved in the process to complete the work necessary for these tasks.

Member Tamez requested documentation of the costs incurred for the paratransit brochure and application work completed by the Marketing Department. Ms. Williams responded that staff would be able to provide to the Committee the basic costs of services for the print of the brochures and other expenses incurred.

Jim Lawson, Government Affairs Manager, referenced Mr. Burns comments earlier regarding that there were questions about how charges are allocated and assured the Committee that staff does want to receive the Committee's input and provide the requested information.

Member Tamez stated that the Committee does not have much trust in staff to provide the Committee with requested information.

Member Eljas asked for clarification regarding the Government Affairs Manager and if the individual is a VTA employee. Mr. Lawson responded that the Government Affairs Manager is responsible to act as the liaison for local and regional public officials, the Board of Directors, and various Advisory Boards to VTA. Mr. Lawson stated that he is a VTA employee who reports directly to the General Manager.

Member Eljas queried about the journal entry mistake and asked how many times has this mistake occurred. Ms. Williams responded that \$2 million was reported twice and when the mistake was realized, staff backed out the journal entry. Ms. Williams stated that this mistake has happened only once and it was corrected.

Member Eljas asked who audits the organization outside of VTA. Mr. Lawson responded that VTA is responsible to have outside independent audits, which are

conducted on a regular basis and the audits are available for review as public information.

Mr. Lawson referenced Member Tamez's suggestion to move on and determine where CTA and VTA go from here and suggested that everyone focus and direct efforts to move forward. Mr. Lawson stated that the Committee deserves the opportunity to provide their input and have their opinion known and considered by VTA staff and the Board.

Ex-Officio Member Heatley stressed the importance for staff to provide the Committee with the opportunity to see the NTD reports when they are finalized. She stated that the Committee has never had the opportunity to see the information in the past until the reports were inadvertently viewed on the FTA website, which initiated a foundation for miscommunication and misunderstanding.

Ex-Officio Member Heatley stated that VTA's financial accounting is extremely complex as compared to OUTREACH, which is more modest. She stressed the importance for VTA to present the information in a simplistic manner to ensure that the community and public can understand the information.

Ex-Officio Member Heatley stated that OUTREACH's operating budget went from \$32 million to \$26 million while still providing the same number of rides. Funding was saved through vendor negotiations, operational changes, fare increases, and other changes.

Ex-Officio Member Heatley expressed support for the Committee to participate in the discussion on the funding of the paratransit program and suggested that it became part of the Committee's calendar in an effort to address concerns. Mr. Lawson responded that it is the intent of staff to work collaboratively with CTA to provide the requested information and to ensure that there is full and open communication.

Ms. Williams queried about the budget process. Ms. Stark stated that the budget is presented as an overall organization-wide picture and the indirect or overhead costs are presented on a divisional or department-by-department basis. Ms. Stark commented that the general and administrative costs are allocated to primary functions of VTA in the NTD report to the various functions of VTA including construction projects and the various different transit modes that VTA is responsible for producing. The FTA approves VTA's Indirect Cost Allocation Plan and the only place it comes into play is in the NTD report.

Ms. Williams stated that VTA has to report its information in accordance with the NTD guidelines and stated that the Committee wants to know if they could receive the information before it is reported in the NTD report. Ms. Stark responded that staff would provide the NTD report to the Committee and receive comments on the report.

Ms. Stark commented that when VTA files the NTD report it goes through a very lengthy review process, which could last anywhere from six to ten months. Ms. Stark noted that VTA's latest reports still have not been released by the FTA to the NTD website.

Ms. Williams asked the Committee if this request would satisfy what the Committee is requesting.

Member Tamez responded that it would be a good step in the right direction to provide the Committee with the information for CTA to comment on. Ms. Stark stated that the information would be provided to the Committee.

Member Gouveia stressed the importance for the organization to have every project cost accounted for with documentation to avoid improprieties and suspicion. Mr. Lawson responded that staff's intention is to do its best to ensure that the Committee does not have reason to be suspicious or feel that staff is trying to keep something from the Committee.

Mr. Lawson stated that VTA keeps accurate records and is audited extensively as a public agency. VTA staff is committed to work collaboratively with CTA and VTA's intention is to be accountable and do its best to ensure that public funding is spent appropriately.

Member Eljas queried if the Committee needed to create a Subcommittee to look into the matter. Member Marcillet responded that CTA should address the matter as a group and stressed the importance for full disclosure. Member Marcillet expressed support for CTA to move on.

Member Tamez suggested that the Committee refer this matter to the Board of Directors for their inquiry and investigation. Member Tamez noted his concerns regarding how costs will be accurately reported. Member Tamez expressed appreciation for future information to be distributed and made available to the Committee.

Member Tamez recommended the following two motions and requested that the Committee decide what motion to forward to the VTA Board of Directors for consideration.

Chairperson Morrow read both motions for the record from Member Tamez: Motion #1: "CTA requesting that the Board of Directors and the consulting audit team specifically review VTA's National Transit Database (NTD) reporting in terms of interpretations and practices associated with the cost allocations and methodology agency-wide during the years of fiscal year 2003 through 2004 and fiscal year 2004 through 2005"; and Motion #2: "CTA requests that the VTA Board of Directors investigate VTA's flawed accounting methods, practices, and cost accounting as it relates to accessible services, paratransit and National Transit Database (NTD) reporting."

Ms. Stark stated that the independent auditors already review and certify VTA's NTD report every year.

Ex-Officio Member Heatley commented that there is a range of methodology used for cost allocation, which are technically and legally correct. Ex-Officio Member Heatley stated that Member Tamez is requesting a third party review of the options VTA has as an agency regarding its cost accounting methodologies. Ms. Stark responded that one of the responsibilities of the Organizational and Financial Assessment Audit will be to specifically review VTA's cost allocating plan.

Member Tamez recommended that the Committee send a motion to the Board of Directors and suggested that the Committee see the information that the auditors are reviewing. Member Tamez stated that there are things that VTA can do to be legally

covered and follow the FTA rules but stressed the importance to have community involvement with different options. Member Tamez stressed the importance to allocate the time spent on different programs to show where the funding is going.

Mr. Johnstone responded that VTA has a process in place and fiscal resources provides guidance to VTA's timekeepers regarding allocation of employee time to the appropriate cost center based on the activities that the employees are assigned.

Chairperson Morrow stated that the request of the Committee is to forward a recommendation to the Board of Directors.

Member Eljas requested that the motions be read once more to the Committee. Chairperson Morrow read both motions to the Committee:

Motion #1: "CTA requests that the Board of Directors and the consulting audit team specifically review VTA's National Transit Database (NTD) reporting in terms of interpretations and practices associated with the cost allocations and methodology agency wide during the years of fiscal year 2003 through 2004 and fiscal year 2004 through 2005."

Motion #2: "CTA requests that the VTA Board of Directors investigate VTA's flawed accounting methods, practices, and cost accounting as it relates to accessible services, paratransit and National Transit Database (NTD) reporting."

Member Eljas expressed support for the second motion with the removal of the word "flawed" in an effort to allow the Board of Directors to make the determination.

Members Gouveia and Slack agreed with the suggestion to remove the word "flawed" from the second recommendation.

M/S/C (Tamez/Gouveia) that CTA requests that the VTA Board of Directors investigate VTA's accounting methods, practices, and cost accounting as it relates to accessible services, paratransit and National Transit Database (NTD) reporting.

5. Board of Directors Report

Adam Byrnes, staff aide representing Cindy Chavez (Ex-Officio Board Liaison) reported that at the August 31, 2006 Board of Directors Meeting, the Board adopted a support position for Proposition 1B, which authorizes the State to sell \$19.925 billion in general obligation bonds to fund transportation projects to relieve traffic congestion, facilitate the movement of goods, improve air quality, and enhance the safety and security of the State's transportation system and appears on the November 2006 general election ballot.

NOTE: M/S/C MEANS MOTION SECONDED AND CARRIED AND, UNLESS OTHERWISE INDICATED, THE MOTION PASSED UNANIMOUSLY.

Mr. Lawson commented that Proposition 1A, which amends the California Constitution to limit the conditions under which the Proposition 42 transfer of gasoline sales tax revenues for transportation uses could be suspended by the Governor and the California State Legislature and appears on the November 2006 general election ballot. Mr. Lawson commented that Proposition 1A addresses the Proposition 42 funding that had

been diverted by the Assembly for other purposes and would prevent this from happening except under special circumstances and unless the original amount has been repaid.

Mr. Byrnes stated that if Proposition 1A and Proposition 1B are approved then it would be beneficial for VTA and Santa Clara.

Member Gouveia queried if the bills contain language regarding accountability and stressed the importance to be accountable for how funds are spent.

Member Tamez asked if these bills are the same ones introduced last year that were opposed. Mr. Byrnes responded that those bills were local measures and Proposition 1A and Proposition 1B are State measures.

6. Committee Staff Report

Camille Williams, Accessible Services Manager and Staff Liaison, referenced Member Grants concerns regarding how information is entered into the CARE Report System and what happens to the information once it is entered. Ms. Williams commented that the Accessible Services Department has pulled all the complaints related to Accessible Services and staff is following up with each division to find out what happens with the complaints.

Ms. Williams stated that as a result of the follow up, staff would provide CTA with a quarterly report on the CARE Report beginning in October. Ms. Williams referenced the on-line CARE Report and noted as of August 30, 2006 when an individual submits a CARE complaint, comment, or compliment on-line then they would receive automatic reply e-mail along with the CARE Report number and all the information submitted. Ms. Williams encouraged the Committee to utilize the automatic reply CARE report.

Ms. Williams commented that Julia Jones, VTA Accessible Services, would assume responsibility for the Securement Policy and manage the process, so staff would be out educating the community, to mark mobility devices, and place tethers on the mobility devices. Therefore, by January 1, 2007, when the mandatory securement policy is implemented, the policy would be an easy transition for everyone. Staff intends to go out and look at accessibility issues within the community and Member Michels has agreed to provide staff with guidance.

7. Chairperson's Report

Chairperson Morrow commented that VTA is starting its budget process and CTA needs to create a CTA Workplan Subcommittee to review CTA's Workplan.

Chairperson Morrow stated that there seems to be some confusion regarding the special funding set aside for the Senior/Disabled Program included in the 2000 Measure A Program projects, noting that this budget process relates to next year's budget funding for the CTA Workplan. Chairperson Morrow stated that CTA Workplan Subcommittee would identify projects or programs that the Committee would like to see implemented in next year's budget.

Chairperson Morrow asked for volunteers from the Committee to serve on the CTA Workplan Subcommittee.

Members Gallo, Michels, Tamez, Ex-Officio Member Heatley, Second Vice Chairperson Stahl and Chairperson Morrow volunteered to serve on the CTA Workplan Subcommittee.

Member Tamez referenced an e-mail from Mr. Byrnes related to funding for programs and services that are to improve the lives of individuals with disabilities. Member Tamez stated that he has a list of identified projects and programs to implement in next year's budget.

Chairperson Morrow referenced VTA's grant application to the Federal Transit Administration (FTA) for the Remote Infrared Audible Signage Mobility Access Project (RIAS MAP), and noted that the FTA notified Ms. Williams that VTA did not receive the grant award for the project. Chairperson Morrow stated that the grant award went to Sound Transit in Washington. Ms. Williams has asked the FTA for a debriefing and will contact Sound Transit in Washington to learn more about their plans and technology.

Chairperson Morrow commented that there would be several light rail construction shutdowns scheduled over the next several months. Information on current light rail construction shutdowns was e-mailed to the Committee. Chairperson Morrow encouraged the Committee to periodically check VTA's website or to call Customer Service to find out if they will be impacted by the shutdowns.

Chairperson Morrow stated that VTA would have transit ambassadors at various light rail locations to assist customers during the construction shutdowns. Chairperson Morrow requested that the staff send future upcoming light rail construction project shutdowns to the Committee via e-mail. Ms. Williams responded, "yes" and encouraged the Committee to periodically check VTA's website under construction projects since there are highway, platform, and various construction projects on-going through 2007.

8. Minutes of August 9, 2006

M/S/C (Gouveia/Stahl) on a vote of 11 Ayes to 0 Noes to 3 Abstentions to approve the Minutes of August 9, 2006. Members Gallo, Jensen, and Tamez abstained.

OTHER

10. Metropolitan Transportation Commission (MTC) Elderly/Disabled Advisory Committee Report

First Vice Chairperson Rhodes provided a brief overview of the MTC Elderly/Disabled Advisory Committee Report. First Vice Chairperson Rhodes commented that the MTC Elderly/Disabled Advisory Committee received a presentation from Ed Roberts Development, which is in the process of opening with many facilities for individuals with disabilities and will be located near a transit station.

The MTC Elderly/Disabled Advisory Committee received a major presentation regarding accessible living space at all transit agencies. First Vice Chairperson Rhodes stated that the accessible living space would apply to the BART Extension project.

Member Michels left the meeting at 2:15 p.m.

11. CTA Transit System Ridership Report

Member Grant referenced the request for a bus stop shelter and stressed the importance for VTA to allocate funding for bus stop shelters. Member Grant inquired as to why there was funding for bus stop improvements, but no funding available for bus stop shelters.

Member Grant expressed concern that Clear Channel has the authority to decide where the bus stop shelters are placed regardless of the requests from the community. Chairperson Morrow asked if there was a process criteria that individuals could go through to get the bus stop shelters. Chairperson Morrow stressed the importance for the clients of Hope Service to have a bus stop shelter in their location area.

Ms. Jones responded that VTA has a contract with Clear Channel, but VTA has not relinquished responsibility for the overall decision-making related to bus stops and shelters to Clear Channel. This responsibility still rests with VTA.

Second Vice Chairperson Stahl queried if the individuals who make decisions regarding the bus stops and shelters consider the space issues related to wheelchairs. Second Vice Chairperson Stahl stated that she lives near Scott and El Camino where many of the bus shelters are close to the edge of the curb, so individuals in wheelchairs have no room. Ms. Jones responded that when someone is sent out to make a determination related to a bus stop, shelter, or bench certain criteria must be met. There are many issues that could effect the implementation of a bus stop, shelter, or bench, so several criteria must be met in order to accommodate the request.

Chairperson Morrow expressed concern that the individuals from Hope Service stated that they called last year with the request and staff did not responded back. Ms. Jones stated that she never heard about the call from Hope Service regarding the request for a shelter at Scott and Space Park, nor does she know where the complaint went.

Member Slack asked if Clear Channel would not build a shelter unless VTA approved the configuration and location. Mr. Hursh responded that VTA has the ultimate authority to approve where a shelter goes. Mr. Hursh continued that there are a myriad of complications related to where a shelter could be built, such as if the location has enough space to accommodate wheelchairs, would it eliminate parking, and property ownership.

Mr. Hursh commented that Clear Channel is a revenue generator for VTA since they are sharing the revenues received from the advertising. The advertising on VTA's buses is standard in the industry, since it is a way for VTA to have more bus shelters maintained at a most economic advantage.

Mr. Hursh referenced the request from Hope Services for the bus stop shelter and pledged that he and his staff would go out and look at the location related to the request for a shelter and he would report back to CTA and the individuals of Hope Service regarding what VTA could or could not do regarding the shelter request.

Member Slack asked if VTA is aware of all new bus shelter locations. Ms. Jones responded that private property owners have the right to place private shelters on their property, so they make the determination whether to notify VTA of the new shelter.

Ms. Jones stated that VTA is aware of all new shelters that VTA is paying to implement, whether it is an advertisement shelter or non-advertisement shelter.

Member Grant stated that his organization requested a bus shelter be placed at Park and Naglee near the Rosicrucian Museum. Member Grant expressed concern that an individual on an outing almost passed out from the heat, so a member of his organization contacted VTA Customer Service regarding the shelter request. Member Grant stated that the Information Service Representative (ISR) stated that no funding was available for the bus shelter request.

Member Grant expressed concern that Clear Channel has the authority to decide where the shelters are going to be placed without regard to community input or requests for the shelters. Member Grant requested staff provide information regarding how many shelters VTA has implemented from customer requests without Clear Channel. Ms. Williams responded that staff will request that the ISR's take the information request without comment.

Ms. Williams stated that staff would follow up with a process on how to deal with the requests that come through the CARE System.

Member Tamez suggested that the CTA Workplan Subcommittee take a look at allocating funding towards bus shelters and benches. Member Tamez stated that there are many complicated issues related to the bus stop shelters, such as space and property ownership, but this could be one of the issues to improve the lives for individuals with disabilities by allocating funding for bus shelters and benches.

Ex-Officio Member Heatley suggested that travel training staff, OUTREACH Services, and individuals who utilize paratransit and fixed route services that are aware of the locations that need bus stops and shelters provide the information to VTA. Ex-Officio Member Heatley stressed the importance to be proactive to try to get the information to VTA staff as opposed to calling customer service. Ex-Officio Member Heatley stated that this better utilizes the CTA Membership agencies and individuals by obtaining their input on a regular basis.

Ms. Williams asked Ex-Officio Member Heatley if she would be able to provide the information to VTA staff. Ms. Williams stated that staff would look at VTA's environmental assessments and VTA's 2006 bus stop inventory as well as other information to look at bus stop accessibility issue then the information would be forwarded to the bus division, which could serve as value to their division when making the determination related to bus stop shelters.

Member Gouveia asked why Clear Channel did not place the advertising shelters in the requested places since these are great marketing and advertising locations. Member Grant responded that Clear Channel views these area locations as not highly visible or financial viable.

Member Lasich queried if bench requests are treated similar to the bus stop shelter requests. Member Lasich stressed the importance to have benches at bus stops and asked why there were no benches on Campbell Avenue and Saratoga Avenue.

12. CTA Workplan

Chairperson Morrow provided a brief overview of the CTA Workplan. Chairperson Morrow commented that the October 11, 2006 CTA Agenda will include a presentation on the CARE System related to Accessibility issues. Chairperson Morrow commented that the November 8, 2006 CTA Agenda will include a Translink Presentation. Ms. Williams noted that Translink is a regional transportation project to use as a fare payment on other transit services.

Member Grant stated that he would like to see what the Marketing Department is working on or charging to VTA Accessible Services.

Member Grant inquired how the Marketing Department is getting the 1-800 non-operable lifts information to the public and community. Member Grant requested that 1-800 non-operable lifts information be resent via e-mail to the Committee. Ms. Williams responded that the information would be resent to the Committee.

Member Grant referenced the June 7, 2006 CTA meeting where he asked about the \$163.26 system cost per total hour and queried when the Committee would receive the information regarding other system operating cost per hour. Ms. Williams responded that the information is being converted to be accessible for the Committee and would be sent to the Committee within a week.

Member Grant expressed concern that a lot of indirect costs are being charged to Accessible Services without a lot of return. Member Grant stressed the importance to see how VTA's costs compared to other transit agencies in the area. Ms. Williams responded that the information would be sent to the Committee within a week.

Member Marcillet suggested that Member Grant use the automatic reply on-line CARE report system to submit his complaint regarding the delay to receive the \$163.26 system cost per total hour information. Ms. Williams responded that the 880 number to report non-operable lifts received over one hundred calls last month; however, none of the calls were regarding non-operable lift issues.

Member Marcillet asked what was the nature of the calls to the 800 number. Ms. Williams stated that the calls were for various reasons, but not related to non-operable lift issues.

Member Grant asked if the Committee received the 800 number to report non-operable lifts and if the number was available on the website. Ms. Williams responded that the 800 number was sent via e-mail and regular mail to the Committee on August 16, 2006 and the number is available on VTA's website at <http://www.vta.org>.

13. Announcements

Chairperson Morrow announced the, "You Can Be Prepared!" Emergency Preparedness Training for Older Adults and Persons with Special Needs being held on October 13, 2006 at San Jose City Hall. Chairperson Morrow added that information is available regarding the emergency preparedness training by calling (408) 535-4901 or contact christina.gilmore@sanjoseca.gov.

Member Marcillet announced that this is his last term representing Community Options. Member Marcillet stated that Jeanette Law would serve as the representative on Community Options next term on CTA.

14. ADJOURNMENT

The Committee adjourned the meeting at 2:40 p.m.

Respectfully submitted,

Michelle M. Garza, Board Assistant
VTA Board of Directors