



## **COMMITTEE FOR TRANSIT ACCESSIBILITY**

Wednesday, December 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  
David Julian  
Martin Lasich  
Jeanette Law  
Laura Michels  
Aaron Morrow, Chairperson  
Barbara Rhodes, First Vice Chairperson  
Thomas Slack  
Barbara Stahl, Second Vice Chairperson  
Randy Tamez

##### **Members Absent**

None

**A quorum was present.**

#### **2. INTRODUCTION OF AUDIENCE MEMBERS**

The Committee received introductions from the audience including: Connie Langford, City of San Jose Senior Council; David Ledwitz, VTA Accessible Services;

Daniel Murillo, VTA Assistant Board Secretary; Samuel Lau, VTA Operations Deputy Director and Bill Capps, VTA Service Planning Manager;.

### **3. PUBLIC PRESENTATIONS**

David Julian, Interested Citizen, stated that a lady with a baby stroller was in the seating area designated for mobility devices on the light rail vehicle. Mr. Julian expressed concern that the operator did not check to verify if all the passengers were seated before starting the trip. Mr. Julian stressed the importance of safety and stated that the operator should check to ensure that all passengers and especially disabled customers are seated before starting the trip.

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

### **4. Accessible Services Customer Comment Summary Information**

David Ledwitz, Accessible Services Management Analyst, provided a brief overview of the Accessible Services Customer Comment Summary Information. Mr. Ledwitz commented that the Committee was presented information at the October 8, 2006 CTA Meeting on the number and types of accessible services customer comments received by VTA Customer Service.

Mr. Ledwitz commented that the Committee requested that staff provide a detailed listing of customer complaints from individuals with disabilities. VTA Customer Service received 230 customer comments involving concerns from persons identifying themselves as having a disability between June 1, 2006 to September 19, 2006. Staff has compiled a list of all the customer comment types and the number of comments per type from the CARE Report topics received by VTA Customer Service.

Member Michels took her seat at 1:10 p.m.

Mr. Ledwitz stated that the Operations and Customer Service Departments depend on customer comments in order to monitor transit service, develop plans for improvement, enhance employee training, and address other issues and/or concerns.

Member Jensen referenced the CARE Report topics chart included in the Committee Packet and expressed concern that the chart does not provide adequate detail information regarding the comment/complaint. Mr. Ledwitz responded that staff used the key words identified from the customer comments/complaints from the CARE Report topics.

Member Grant queried about the role and involvement that Accessible Service staff has with the customer comments/complaints generated from the CARE Report. Mr. Ledwitz responded that Customer Service receives the comments/complaints then the information is entered into the CARE Report database. Accessible Service staff reviews the CARE Report database to determine the comments/complaints that relate to Accessible Services then the information is recorded in a database, send to the appropriate department, checked to verify when the comment/complaint was completed, and monitored by the types of the comments/complaints.

Member Grant asked if Accessible Services staff contacts the individuals regarding their comments/complaints and asked how many customers' staff called back this year. Mr. Ledwitz responded that when necessary, staff calls the individual back. Mr. Ledwitz stated that he is not aware how many customers were called back this year.

Member Grant asked what the trigger was to initiate a call back to the customer. Mr. Ledwitz responded that if a customer requested a call back.

Member Grant stressed the importance for customers to receive call backs on the complaints submitted to Customer Service. Member Grant stressed the importance for Accessible Services staff to call back customers with disabilities, especially with the Mandatory Securement Policy scheduled for implementation on January 1, 2007.

Mr. Ledwitz responded that Customer Service is the primary contact for call backs to customers. Mr. Ledwitz noted that customers only receive call backs when they make a request to be called back.

Member Grant expressed concern that the level of response from Customer Service is minimal and stated that the status information regarding the complaint consists of informing the customer that they made a complaint and that it was forwarded to the appropriate staff.

Member Slack stressed the importance for call backs to include a resolution to the comment/complaint, and he requested that the information be distributed to the CTA Committee.

Member Tamez asked what triggers Accessible Services to call back a customer if the primary contact is Customer Service. Member Tamez requested additional information on the CARE Report topics to include more detail as it relates to the type of complaint submitted. Camille Williams, Accessible Services Manager and Staff Liaison, responded that Accessible Services is triggered to call back a customer when Customer Service forwards the complaint to Accessible Services as the appropriate department to address the complaint. Customer Service and Accessible Services staff calls back the customer only if the customer requests a call back.

First Vice Chairperson Rhodes referenced the CARE Report topic - #1. Passed-up stop with 49 complaints and queried how many of the customers used mobility devices and asked what route line. Mr. Ledwitz responded that the information was not available at this time.

First Vice Chairperson Rhodes stressed the importance to have detailed information included in the CARE Report topics to ensure that follow up is conducted to address the issues and concerns.

Member Eljas suggested that operators should incur a monetary reprimand in the event that they pass up a customer. Member Eljas stated that the monetary reprimand would be a deterrent for the operators to pass up customers if they knew that they would incur the charges for not adhering to their job duties. Sam Lau, Operations Deputy Director, responded that pass ups are one of largest complaint issues for all customers.

Mr. Lau stated that the first corrective measure an operator receives is a "come see me notice" where a division staff member goes over the operator rules and procedures. The

division staff member would speak to the driver to determine why a customer was passed up. If the division staff member sees a pattern then corrective measures follow a progressive discipline process including documentation on the operator's record.

Mr. Lau commented that during peak hours if the bus vehicles are full to capacity then the drivers call Operations Control Center (OCC) to let them know that they will only stop for de-boardings. Mr. Lau stated that division staff members aggressively document and investigate passed up customer complaints.

First Vice Chairperson Rhodes expressed concern regarding the large number of complaints related to passed up customers and requested that the report contain detailed information on the route line involved. Mr. Lau stressed the importance for customers to provide relevant information to VTA Customer Service when reporting an incident, such as the operator badge number, line route, day and time of the incident to ensure that the incident is addressed.

Member Slack asked if staff documents the disposition of the comments/complaints and if the information is available in summary for the CTA to review to ensure that these issues are being addressed. Member Slack asked if staff monitors the issue to ensure that the corrective measures are reducing the comments/complaints. Ms. Williams responded that staff is not given to a lot of information when a driver is disciplined due to various working conditions and union issues.

Ms. Williams stated that in several instances re-training is recommended for some drivers in certain situations. Ms. Williams stated that follow up information is important to determine if the issues have been addressed and staff would look into the concern.

Mr. Lau stated that Operation staff aggressively documents and investigates customer complaints especially the ones from Accessible Services. Mr. Lau continued that these reports are reviewed at the Operations bi-weekly staff meetings to ensure that these issues are addressed.

Ex-Officio Member Heatley stated that the Committee is interested in the following information: how often the general population is passed up, the senior/disabled community subset of the passed up, the absolute number of the senior/disabled passed up, and if the senior/disabled rate is proportional or disproportional rate to the general problem.

Ex-Officio Member Heatley asked with all the information and the corrective measures implemented, are the trends increasing or decreasing in a positive direction for both the general population and senior/disabled community. Ex-Officio Member Heatley expressed concern that it is an undue burden on senior or disabled passengers who must now wait for another bus vehicle. Ex-Officio Member Heatley stressed the importance for staff to provide the passed up report information to the Committee on a regular basis to ensure that these issues and concerns are being addressed.

Member Tamez requested that the CARE Report topics contain brief descriptive information related to the complaints. Ms. Williams responded that staff would distribute the information to the Committee.

Chairperson Morrow suggested that when VTA Customer Service receives a complaint that it is standard mandatory practice that the customer receives a call back.

Member Slack queried if Customer Service was staffed at a level to respond to the request. Ms. Williams responded, “no” and noted that not every customer would want a call back. Ex-Officio Member Heatley stated that some customers may request not to receive the call back but noted that the intent is to attempt to call customers back.

The Committee expressed concern that Customer Service does not ask the customer if they would like a call back related to their complaint. Ms. Williams stated that staff needs to ensure that when the Information Service Representative (ISR) is entering the complaint that they offer the customer a call back.

Chairperson Morrow suggested that when VTA Customer Service representatives ask the customer if they would like a call back and, if the response is “yes,” then staff would call the customer back.

Member Gouveia stressed the importance for the customer to receive a call back providing information on the resolution to the complaint.

First Vice Chairperson Rhodes queried about the total number of complaints made during the timeframe and stressed the importance to address the issues.

The Committee requested that staff provide all customer complaints then the subset of those complaints as they pertain to the senior/disabled community.

Member Tamez suggested that the ISR’s offer a call back instead of the customer requesting a call back.

Mr. Lau stated that the ISR’s do not ask the customer if they are senior/disabled, staff interprets this through the information that the customer provides.

Chairperson Morrow suggested that it be standard practice when VTA Customer Service representatives receive a call from a customer regarding a complaint; the customer would be asked if they would like a call back; and if the response is “yes” then Customer Service calls the customer back with a resolution.

Ms. Williams stated that some issues require a longer period of time to address the matter so it may be a while before the customer receives a call back with the resolution.

**M/S/C (Morrow/Rhodes)** to recommend that it be standard practice when VTA Customer Service representatives receive a call from a customer regarding a complaint the customer would be asked if they would like a call back, if “yes” then Customer Service calls the customer back with a resolution within 30 days.

First Vice Chairperson Rhodes queried if customers could make complaints through VTA’s Webpage. Ms. Williams responded, “yes”.

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

Member Grant requested that staff provide information on drivers who have received more than two complaints for passing up customers. Member Grant stressed the importance to have this information especially with the Mandatory Securement Policy scheduled for implementation on January 1, 2007. Ms. Williams responded that staff would aggressively monitor the entire Mandatory Securement Policy to ensure that situations are addressed.

Ms. Williams referenced the Mandatory Securement Policy and requested that the Committee provide the names of agencies and/or organizations for VTA staff to meet with regarding the Mandatory Securement Policy. Ms. Williams stated that staff would visit the agencies and/or organizations to provide information on the policy and pre-mark and install tethers on the mobility devices for the customers.

Connie Langford, Interested Citizen, expressed concern and stated that bus operators have not stopped and passed a customer by at the Keto Stop. Ms. Langford expressed concern that the customer called Customer Service regarding the complaint and requested a call back but never received the call back from Customer Service. Ms. Langford expressed concern that a customer must request a call back in order to receive a call back from Customer Service. Ms. Williams responded that the customer followed the correct process and that Customer Service should have called the customer back.

First Vice Chairperson Rhodes requested that staff provide the Committee with a quarterly report on the CARE Report topics.

Member Slack asked if buses have an annunciator outside to announce that the bus is full. Mr. Lau responded that there are several issues and the problem is that it would be difficult to hear the announcement outside.

## **5. CTA Workplan**

Chairperson Morrow provided a brief overview of the CTA Workplan. Chairperson Morrow referenced the September 13, 2006 Committee for Transit Accessibility (CTA) Workplan Subcommittee meeting to discuss the CTA Workplan.

The CTA Workplan Subcommittee comprised of the following CTA Members: Gallo, Michels, and Tamez; Chairperson Morrow; Second Vice Chairperson Stahl; and Ex-Officio Member Heatley. The Subcommittee selected the following five preliminary items to be reviewed and considered by the CTA Committee: Bus Stop/Shelter Accessibility Projects, Emergency Preparedness, Travel Training, Senior Transportation and Senior Programs, and Transit Technology (Website, Dynamic Passenger Information, TransLink).

Chairperson Morrow stated that Travel Training provided by local agencies would benefit customers with disabilities by providing them with more travel options and independence. It would be up to the individual local agencies to provide their own Travel Training.

The Subcommittee believes that VTA should have an Emergency Preparedness Plan in the event of a major catastrophe. OUTREACH requests that they have a seat in the Emergency Operations Center with collaborative training and documentation with other agencies. The Emergency Preparedness Plan should include training and practice drills

with procedures to communicate to individuals with disabilities to ensure that they know that they need to evacuate in the event of an emergency.

The Subcommittee believes that Senior Transportation is important, and that funding be earmarked for senior/disabled program to better enhance their lives. The program should have a fixed amount of funding allocated for free day passes and to subsidize rides to community centers and medical appointments.

The Subcommittee believes that Bus Stop/Shelter Accessibility Projects are important and should have funding allocated to complete some of the requests on the list of projects. Chairperson Morrow stated that most of the community agencies are aware of the improvements needed at bus stops near their area and would be able to provide vital information on this issue.

The Subcommittee believes that Transit Technology (Website, Dynamic Passenger Information, TransLink) is an important item that would assist individuals with disabilities with fixed route information.

Member Tamez referenced Travel Training, stating that VTA should be financially responsible to pay agencies and/or individuals to provide Travel Training to VTA customers. The funding for the Travel Training, Bus Stop/Shelter Accessibility Projects, Senior Transportation, Emergency Preparedness, and Transit Technology should be allocated from the 2000 Measure A Program earmarked for the Senior/Disabled Services Program and/or grant funding.

Ex-Officio Member Heatley stated that Travel Training was part of the Paratransit Improvement Program but was placed on hold due to VTA's fiscal impacts in 2000. Ex-Officio Member Heatley stressed the importance to integrate Travel Training to make it cost effective and a high quality program by utilizing other agencies. Ex-Officio Member Heatley stressed the importance to make Travel Training part of the regular budget and enhancements that should be allocated from additional funding available.

Member Michels stated that SamTrans is working collaboratively with Vista Blind Center and suggested that staff from the Vista Blind Center provide information on the program to the CTA Committee. Member Michels stated that SamTrans contracts with Vista Blind Center to provide the Travel Training services for SamTrans customers to learn how to utilize bus, light rail, fixed route, and paratransit services. The Travel Training is integrated with eligibility in the program. Vista Blind Center receives the referrals directly from SamTrans for the Travel Training.

First Vice Chairperson Rhodes stated that the Travel Training component was recommended to VTA a while back to work collaboratively with Vista Blind Center, the Lions Blind Center, and other agencies to assist individuals with disabilities. First Vice Chairperson Rhodes encouraged staff to contact Matt Seager at Caltrain for additional information on the program.

First Vice Chairperson Rhodes commented on the Metropolitan Transportation Commission (MTC) Elderly/Disabled Advisory Committee meeting, noting that a consultant was present to solicit information regarding senior/disabled issues and concerns related to transportation. She stated that the consultant would be presenting at the January or February CTA Committee meeting to solicit information.

Chairperson Morrow requested that staff provide VTA's Emergency Preparedness Plan to the CTA Committee. Dan Smith, Chief Operating Officer, responded that the Plan is currently being reviewed by local authorities to ensure that it is in compliance and the Plan would be distributed to the Committee as soon as it is available.

Chairperson Morrow queried about the timeline status of the Transit Technology. Ms. Williams responded that staff would check with the Information Technology (IT) Department regarding the timeline status and distribute the information to the Committee through the Office of the Board Secretary.

## **6. CTA Report Memo: Mandatory Securement Policy**

Mr. Ledwitz provided a brief overview of the CTA Report Memo: Mandatory Securement Policy. Mr. Ledwitz commented that at the August 10, 2005 CTA meeting, the Committee voted to recommend adoption of the Mandatory Securement Policy with VTA requiring that the four following conditions were met: implementation of a public awareness campaign to encourage customers to use the securement system; retrofit buses with a standardized securement system; train all operators and other front-line personnel to use the securement system, and ensure that the Securement Task Force remain active for at least one year to monitor the policy change.

Mr. Ledwitz commented that at the May 4, 2006 VTA Board of Directors meeting, the Board adopted the Bus Mobility Device Securement Policy to be implemented on January 1, 2007. Accessible Services has worked diligently and cooperatively with other staff and especially with operators to meet the conditions outlined by the CTA Committee.

Accessible Services initiated their program by building staff knowledge and experience regarding the Mandatory Securement Policy. Staff worked with Doug Cross, Americans with Disabilities Act (ADA) Consultant, to provide hands-on training on the safe and proper securement of mobility devices, pre-marking, and tethering techniques.

VTA's Technical Training staff presented training comparable to Verification of Transit Training (VTT) program for bus operators. Mr. Ledwitz stated that Accessible Services has worked diligently to conduct Community outreach opportunities, which have increased staff's experience in practical application of the policy.

Mr. Ledwitz noted that information regarding the Mandatory Securement Policy has been dispensed at local social services; at the Abilities Expo; through announcements on bus vehicles, on light rail vehicles, at transit centers, at the downtown Customer Service Center; through presentations made throughout the community; and by working with individual customers to pre-mark and tether their mobility devices.

Mr. Ledwitz continued that internal awareness efforts regarding the Mandatory Securement Policy has been dispensed through the creation of the policy statement, operating procedures, operational notices, and Frequently Asked Questions (FAQ); meeting sessions with senior operations staff, supervisors, assistants, operators during morning and afternoon pullouts, ISR's; and the creation of the policy implementation team comprised of operations, protective services, marketing, and training staff to ensure a successful rollout of the program policy.

The Mobility Device Securement Task Force has continued to meet twice monthly. The Securement Task Force is comprised of CTA members and VTA staff representatives of Operations Administration, Accessible Services, Bus Operations, Field Supervision, Superintendent, Bus Maintenance Engineering, Transportation Division Supervision, Technical Training, Risk Management, and General Counsel.

Mr. Ledwitz expressed appreciation to Ms. Williams, who has worked collaboratively with General Counsel to develop the Mandatory Mobility Device Securement Policy and other documents to support the policy.

Mr. Lau commented that during the first two weeks of the Securement Policy implementation, staff would be in the field to ensure a successful rollout of the program. Mr. Lau stated that the Securement Policy information is in the “Take One” on all bus and light rail vehicles and would be dispensed to all customers in mobility devices.

He stated that all buses play an external announcement when the front doors are opened and an internal announcement is played every 29 minutes inside the vehicle regarding the implementation of the Mandatory Securement Policy to ensure that the customers are aware of the policy.

First Vice Chairperson Rhodes stressed the importance for staff verifies that operators are calling out the stops.

Member Grant asked if staff had a plan in place in the event that a mobility device becomes damaged through the Securement Policy. Mr. Lau responded that the customer would call VTA’s Customer Service to document the incident in the CARE System or if a Road Supervisor was called to the site then they would document the incident.

Mr. Lau commented that operators are instructed to call the OCC if a customer refuses to have their mobility device secured, if the mobility device appears to be un-securable, and if there is a damage to the mobility device through use of the securement equipment.

Ms. Williams asked Ex-Officio Member Heatley if OUTREACH has experienced many instances where the mobility devices have been severely damaged during securement. Ex-Officio Member Heatley responded “not severely damaged” and noted that OUTREACH would call a field supervisor and make other arrangements to assist the customer if the mobility device is not working properly.

Ex-Officio Member Heatley stated that as a non-profit agency OUTREACH would take the necessary steps to replace the mobility device for the customer while the vendor is working to resolve the claim issues. Ex-Officio Member Heatley stated that OUTREACH uses a third party claims adjuster and noted that damage to mobility devices is a problematic and complicated issue.

Member Jensen stated that the Securement Policy would require additional time to secure the mobility devices and expressed concern that individuals in mobility devices may be passed up. Mr. Lau responded that part of the operators’ duties are to ensure that they are following the policy and securing the mobility devices even if it requires taking extra time.

Mr. Lau stated that staff would work to adjust route timetables to address any additional time required for the securement. Mr. Lau stated that there is no reason to pass up a customer.

Member Jensen asked if staff was able to increase the number of buses during the day when ridership is high. Mr. Lau responded that staff has implemented in the last couple of weeks standby vehicles to strategic locations within the County.

Second Vice Chairperson Stahl queried about the difference between the blue and yellow strips pre-marked on the mobility devices. Mr. Lau responded that the blue mark represents a temporary marking and the yellow is a permanent marking for the securement equipment. Ms. Williams stated that both strips are equally strong.

Member Grant stressed the importance for VTA to have a plan in place in the event that a mobility device becomes damaged through the Securement Policy. Mr. Lau responded that a field supervisor would be called out in the event that a mobility device is damaged and noted that each situation would be considered on a case by case basis.

First Vice Chairperson Rhodes recommended that VTA have a vendor in place to provide a temporary mobility device until their mobility device is repaired. Mr. Lau responded that staff would forward the request to Risk Management. First Vice Chairperson Rhodes requested that staff forward the information from Risk Management to the CTA Committee via electronic mail (e-mail).

Chairperson Morrow requested that the operators be provided with sanitary wipes or gloves to ensure that the program is conducted appropriately and to address sanitary concerns. Mr. Lau responded that staff has requested that operator break rooms be stocked with sanitary wipes and gloves.

Member Gallo left the meeting at 2:30 p.m.

## **7. Operator Training**

Mark Thomas, Operations Senior Management Analyst, provided a brief overview of the Operator Training. Mr. Thomas commented that support staff in the field is currently receiving refresher training in the field on the Securement Policy.

Mr. Thomas commented that maintenance staff has been working to ensure that the securement equipment onboard the vehicles is working properly. He suggested that he provide a monthly or quarterly report to the CTA Committee on training issues with more detail.

Chairperson Morrow suggested that Mr. Thomas work collaboratively with the 2007 CTA Chairperson regarding the Operator Training report.

First Vice Chairperson Rhodes requested that the Operator Training report be provided in a written report to the Committee.

Member Julian stressed the importance for the Securement Task Force to continue to regularly meet to address issues and concerns related to the Mandatory Securement Policy. Chairperson Morrow responded that the Securement Task Force would continue to meet until January 1, 2008.

**8. Election of CTA Chairperson for 2007**

Member Slack provided a brief overview on the Nominating Committee Report for CTA Chairperson for 2007.

Member Slack noted Randy Tamez, Aaron Morrow, and David Julian's nomination for CTA Chairperson for 2007.

Chairperson Morrow relinquished his seat as Chairperson and First Vice Chairperson Rhodes presided over the Election of CTA Chairperson for 2007.

The Committee opened nominations from the floor for CTA Chairperson 2007.

The Committee closed nominations from the floor for CTA Chairperson 2007.

**M/S/C (Gouveia/Eljas)** on a Roll Call Vote of 9 Ayes, to 4 Noes, to 1 Abstention to elect Randy Tamez for CTA Chairperson for 2007. Members Grant, Hernandez, Rhodes, and Morrow opposed. Member Law abstained.

Second Vice Chairperson Stahl left the meeting at 2:45 p.m.

**9. Election of CTA First Vice Chairperson for 2007**

Member Slack provided a brief overview on the Nominating Committee Report for CTA First Vice Chairperson for 2007.

Member Slack noted Aaron Morrow and David Julian's nomination for CTA First Vice Chairperson for 2007.

The Committee opened nominations from the floor for CTA First Vice Chairperson 2007.

Member Gouveia nominated Barbara Rhodes for CTA First Vice Chairperson 2007.

First Vice Chairperson Rhodes accepted the nomination for CTA First Vice Chairperson 2007.

First Vice Chairperson Rhodes relinquished her seat as Chairperson and Camille Williams, Accessible Services Manager and Staff Liaison, presided over the Election of CTA First Vice Chairperson for 2007.

The Committee closed nominations from the floor for CTA First Vice Chairperson 2007.

**M/S/C (Gouveia/Eljas)** on a Roll Call Vote of 12 Ayes, to 0 Noes, to 1 Abstention to elect Aaron Morrow for CTA First Vice Chairperson for 2007. Member Law abstained.

**10. Election of CTA Second Vice Chairperson for 2007**

Member Slack provided a brief overview on the Nominating Committee Report for CTA Second Vice Chairperson for 2007.

Member Slack noted Barbara Rhodes and David Julian's nomination for CTA Second Vice Chairperson for 2007.

The Committee opened nominations from the floor for CTA Second Vice Chairperson 2007.

The Committee closed nominations from the floor for CTA Second Vice Chairperson 2007.

**M/S/C (Gouveia/Eljas)** on a Roll Call Vote of 11 Ayes, to 1 Noes, to 1 Abstention to elect Barbara Rhodes for CTA Second Vice Chairperson for 2007. Member Julian opposed. Member Law abstained.

First Vice Chairperson Rhodes relinquished her seat as Chairperson and Chairperson Morrow presided for the remainder of the meeting.

## **REPORTS**

### **11. Board of Directors Report**

There was no Board of Directors Report.

Mr. Byrnes noted that this is his last meeting representing Ex-Officio Board Liaison Cindy Chavez on the CTA Committee. Mr. Byrnes stated that Ex-Officio Board Liaison Cindy Chavez expressed her appreciation to serve on the VTA Board of Directors and as the Ex-Officio Board Liaison to CTA.

Mr. Byrnes stated that Ex-Officio Board Liaison Cindy Chavez is working collaboratively with Michael T. Burns, General Manager, to appoint a 2007 Board Member \_\_\_\_\_ as the next Ex-Officio Board Liaison to CTA.

Ex-Officio Member Heatley expressed appreciation to Ex-Officio Board Liaison Cindy Chavez and Mr. Byrnes for their diligent work on the CTA Committee. Ex-Officio Member Heatley recommended that the CTA Committee acknowledge Ex-Officio Board Liaison Cindy Chavez for her diligent work and commitment to the CTA Committee and Senior/Disabled Community over the years.

The Committee expressed appreciation and thanked Mr. Byrnes and Ex-Officio Board Liaison Cindy Chavez for their attendance and participation on the CTA Committee.

**M/S/C (Rhodes/Julian)** to recommend that the CTA Committee present Ex-Officio Board Liaison Cindy Chavez with a Certificate of Appreciation at the December 14, 2006 Board of Directors Regular Meeting for her diligent work on CTA and VTA Board of Directors.

### **12. Committee Staff Report**

Ms. Williams commented on the Mandatory Securement Policy and requested that the Committee provide the names of agencies and/or organizations for VTA staff to meet with regarding the Mandatory Securement Policy. Ms. Williams stated that staff would visit the agencies and/or organizations to educate the community regarding the policy.

Ms. Williams expressed appreciation and thanked Chairperson Morrow, Member Julian, and First Vice Chairperson Rhodes for their involvement and participation in several Subcommittees to the CTA Committee as well as the Securement Task Force Subcommittee.

Ms. Williams commented that the NelsonNygaard Consulting services group is working collaboratively with the Oakland Metropolitan Transportation Commission (MTC) on a study regarding Senior/Disabled Transportation Issues. Ms. Williams stated that staff is working to have the NelsonNygaard Consulting services provide a presentation to the Committee at the February 7, 2007 CTA Meeting.

Ms. Williams announced that the Santa Clara Light Rail Station in downtown San Jose would be closed as of January 2, 2007, for several months due to renovations and improvements. Ms. Williams stated that staff and on-site signage would direct customers of the temporary closure and to the nearby temporary bus stop locations.

Ms. Williams expressed appreciation and thanked Mr. Byrnes for his diligent work and participation on the CTA Committee representing Ex-Officio Board Liaison Cindy Chavez.

Ms. Williams acknowledged and thanked Chairperson Morrow for his dedication and efforts to assist VTA and CTA in moving forward. Ms. Williams expressed her appreciation to Chairperson Morrow for his hard work on the CTA Committee in 2006.

Member Tamez stressed the importance for the information presented by the NelsonNygaard Consulting services group to be in the appropriate accessible format for the Committee.

Member Jensen expressed concern regarding the short timeframe for VTA staff to visit the agencies and/organizations to educate the community regarding the Mandatory Securement Policy, which is scheduled for implementation on January 1, 2007. Ms. Williams responded that staff would coordinate with the agencies and/or organization to visit the facility regarding the policy.

### **13. Chairperson's Report**

Chairperson Morrow expressed appreciation and gratitude to the CTA Committee for the opportunity to serve as CTA Chairperson for 2006. Chairperson Morrow expressed appreciation and thanked Michael T. Burns, General Manager, and Dan Smith, Chief Operating Officer, for their diligent work and effort to work collaboratively with the CTA Committee.

Chairperson Morrow expressed appreciation and gratitude to First Vice Chairperson Rhodes for her diligent work on the CTA Committee.

### **14. Minutes of November 8, 2006**

Member Tamez referenced the November 8, 2006 CTA Meeting Minutes, Agenda Item #3., Public Presentations and expressed concern regarding extensive discussion on an un-agendized item at the CTA Committee Meeting. Member Tamez stated that on two separate occasions VTA staff presented un-agendized items to the Committee, the first time was information on service changes due to the Grand Prix Event and the other was information on the Ethics Training.

Chairperson Morrow referenced his request to staff regarding Member Tamez's concern that VTA staff may have violated the Brown Act by allowing discussion on an item that was not posted on the agenda.

Chairperson Morrow referenced his request to staff to forward the information to VTA's Legal Counsel to determine if VTA violated the Brown Act and queried if VTA's Legal Counsel had responded to the inquiry. Ms. Williams responded that VTA's Legal Counsel stated that if an item comes up during the meeting and does not cause action on behalf of the Committee at the time it was presented or at a future date then it is not a violation of the Brown Act.

Member Tamez queried if the Committee would be allowed to invite outside speakers to come to the meeting and present on an un-agendized item. Ms. Williams responded that the Grand Prix Event service changes and Ethics Training information was presented under Committee Staff Report and was time sensitive, which needed to be presented to the Committee.

Michelle Garza, Board Assistant, responded that the Committee Staff Report and Chairperson's Report are verbal reports intended to provide the Committee with the opportunity to receive updates and other relevant information regarding CTA and the organization. The updates and information are presented to the Committee, as information only; therefore, there should not be any Committee discussion on these two reports.

Member Tamez commented that the Committee is allowed to ask questions and have brief discussion on the items presented but noted his concern that staff allowed extensive discussion on the items. Ms. Garza responded that Committee Staff Report and Chairperson's Report is intended to present items to the Committee as information only. If the Committee has a question they may direct the request for information to staff for a response but extensive Committee discussion is not allowed.

Ms. Williams commented that the Brown Act's intention is to provide the committee and the public with the opportunity to discuss, take action, and conduct committee business openly.

Member Tamez expressed concern that staff allowed individuals to present items that were not properly agendized to the public so they did not have the opportunity to participate in the meeting. Ms. Williams responded that the items provided to the Committee were time sensitive and needed to be presented as information only.

Ms. Garza called for point of order and clarified that the item on the table before the Committee was to approve the CTA November 8, 2006 Minutes, if there were corrections to the minutes then they would be addressed; however, the meeting minutes were not open for discussion.

Member Julian called for the question.

**M/S/C (Gouveia/Rhodes)** to approve the Minutes of November 8, 2006.

## **OTHER**

### **15. CTA Transit System Ridership Report**

There was no CTA Transit System Ridership Report.

**16. Announcements**

Member Jensen referenced the tracking system to track Committee referrals, recommendations, and motions. Member Jensen expressed concern that the Committee has not received the tracking system table and queried when the Committee would start receiving the information.

Chairperson Morrow requested that 2007 CTA Chairperson Tamez work collaboratively with staff to institute the tracking system table as requested by the Committee.

Ms. Williams responded that staff would look into the matter and get back to the Committee with the information.

Member Slack expressed his appreciation and thanked Chairperson Morrow for his diligent work and efforts on CTA. The Committee Members expressed their appreciation and thanked Chairperson Morrow.

Chairperson Morrow acknowledged and congratulated Member Tamez as the CTA Chairperson for 2007.

**17. ADJOURNMENT**

The Committee adjourned the meeting at 3:00 p.m.

Respectfully submitted,

Michelle M. Garza, Board Assistant  
VTA Board of Directors