



TRANSIT PLANNING & OPERATIONS COMMITTEE

Thursday, February 17, 2005

MINUTES

1. CALL TO ORDER

The Regular Meeting of the Transit Planning and Operations (TP&O) Committee was called to order at 4:30 p.m. by Vice Chairperson Pirzynski in Room 106-E, San Jose City Hall, 801 North First Street, San Jose, California.

ROLL CALL

Members Present

Ron Gonzales
Bob Livengood
Joe Pirzynski, Vice Chairperson

Members Absent

David Cortese, Chairperson

Alternates Present

None

Alternates Absent

Dennis Kennedy
Dolores Sandoval
Ken Yeager

*Alternates do not serve unless participating as a Member.

A quorum was present.

2. PUBLIC PRESENTATIONS

Jerry Grace, Interested Citizen, noted that the VTA trains and buses are running well. He noted that the Special Olympics would be held in Downtown San Jose on Saturday, February 19, 2005. Mr. Grace congratulated newly elected 2005 VTA Board of Directors' Chairperson Pirzynski.

3. ORDERS OF THE DAY

There were no Orders of the Day.

CONSENT AGENDA

Vice Chairperson Pirzynski noted that Mr. Grace requested that the following item be removed from the Consent Agenda and placed on the Regular Agenda: Item #9. Receive and file the Committee for Transit Accessibility Report.

M/S/C (Gonzales/Livengood) to approve the Consent Agenda, as amended.

4. **Minutes of January 20, 2005**

M/S/C (Gonzales/Livengood) to approve the Minutes of January 20, 2005.

5. **Community Oriented Design Enhancements (CODE) Projects for the Vasona Light Rail Project**

M/S/C (Gonzales/Livengood) to approve submitting a recommendation to the Board of Directors to approve artist Diana Pumpelly Bates' concept proposals for enhancements in the shelter canopy glass at the San Jose Diridon Station and for metal screens at the Fruitdale and Bascom Stations on the Vasona Light Rail Project.

6. **Community Oriented Design Enhancements (CODE) Program Update – January through February 2005**

M/S/C (Gonzales/Livengood) to receive and file the Community Oriented Design Enhancements (CODE) Program Update - January through February 2005.

7. **Report on the Vasona Light Rail Project for the Month of January 2005**

M/S/C (Gonzales/Livengood) to receive and file the Report on the Vasona Light Rail Project for the Month of January 2005.

8. **Joint Powers Board Monthly Status Report**

M/S/C (Gonzales/Livengood) to receive and file the Joint Powers Board Monthly Status Report.

9. **Committee for Transit Accessibility Report**

(Removed from the Consent Agenda and placed on the Regular Agenda.)

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

10. Monthly Legislative Reports

M/S/C (Gonzales/Livengood) to receive and file the Monthly Legislative Reports.

REGULAR AGENDA

The Agenda was taken out of order.

9. Committee for Transit Accessibility Report

Mr. Grace requested a report on the Committee for Transit Accessibility Report. Matthew O. Tucker, Chief Operating Officer, noted that the CTA Report contains much discussion on the Paratransit Eligibility Certification Program Modifications, and is also agendaized as Item #12 on the TP&O Agenda. He noted that much of the discussion at CTA was focused on reaching a consensus about what should be presented to the VTA Board of Directors.

M/S/C (Gonzales/Livengood) to receive and file the Committee for Transit Accessibility Report.

11. Elect a Vice Chairperson for 2005

Vice Chairperson Pirzynski opened the nominations from the floor for the position of Vice Chairperson of the TP&O Committee for 2005.

M/S/C (Gonzales/Livengood) to close the nominations and elect Member Pirzynski as Vice Chairperson for 2005.

12. Paratransit Eligibility Certification Program Modifications

Mr. Tucker reported that in the year 2003 the VTA Board of Directors adopted a new model for conducting VTA's Paratransit Eligibility Program. The model that was adopted was based upon significant discussion and consultant study and reflected best practices that a transit industry is using in terms of managing paratransit programs. As a matter of implementing those changes, VTA staff committed to conducting a review of the implementation of the new model one year later.

Mr. Tucker reported that during the months of June and July 2004, staff sent out a survey and feedback was received. At that time, staff indicated they would be working with the Committee for Transit Accessibility (CTA) and other stakeholders to talk about ways to streamline the Program based upon the feedback received. Prior to staff initiating the review process, Board Member Gonzales requested that the Paratransit Eligibility

Program be agendaized at the November 5, 2004 Board of Directors' Workshop Meeting. Staff was then given the framework to move forward with stakeholders to discuss changes to the Program.

Mr. Tucker reported that staff conducted five public meetings and visited five of the agencies that generated the highest number of trips for the OUTREACH Program. Staff also conducted a workshop with CTA and held a public meeting following the workshop.

Mr. Tucker reported that the changes recommended by staff were summarized in Attachment A – Comparison of Current and Staff Recommended Paratransit Eligibility Certification Process. He noted that based upon the feedback received, the public, in general, did not like the two-step process that staff had put in place, wherein an educational brochure was sent out. The original need for sending out an educational brochure was because the Americans With Disabilities Act (ADA) Paratransit Program is one of the most misunderstood programs that exist in public transit. He noted that VTA wanted to educate persons before applying for the service.

Mr. Tucker referred to changing the Paratransit Eligibility Certification Program and noted that staff is currently proposing to merge the two steps, which is getting an educational brochure and completing an application, into one step. He indicated that the current process required completion of an eight-page application, noting that the application was primarily eight pages due to the size of the font. Mr. Tucker reported that staff is recommending that the process be changed to completing a one-page Personal Data form that also has an appropriate third-party physician sign-off as well as the appropriate American Health Insurance Portability and Accountability Act of 1996 (HIPAA) releases that are needed in order to exchange information. The process is much simplified. If someone gets the brochure and for whatever reason cannot complete the brochure, it will not be a barrier to someone applying. The only thing someone needs to do is to call Orthopaedic Hospital to schedule an appointment and at that time transportation will be offered. If a Personal Data form has not been completed, someone at Orthopaedic Hospital will provide assistance in completing the form.

Mr. Tucker noted that staff is recommending that the Board of Directors continue the step of requiring in-person assessments, from a Management perspective, it is really the only way that everyone can be treated consistently and at the same time maintain fiduciary responsibility in managing the Program. VTA would provide transportation for follow-up visits. He noted the steps involved if third-party information is needed. If eligibility was denied, and someone needed to go through a functional assessment, VTA would provide transportation as well.

Mr. Tucker referred to the final staff recommendations and noted feedback was received throughout the process. He noted that some individuals wanted VTA to continue or to go back to the old OUTREACH process, some individuals wanted VTA to have people to be able to do the process over the telephone, some comments were received that commended

the current Program, some individuals expressed support for the revisions to the Program, and there was a lot of talk to retain the requirement for the physician verification. Many comments were received about making sure that the formats VTA provides are completed in multiple languages, and VTA has committed to establishing a marketing and communication task force. The task force would be making sure that the brochures are distributed as widely as possible within the community. Also, the revised process would be placed on the VTA web and the process would be in four region language formats that are spoken within Santa Clara County.

Upon query of Member Livengood, Mr. Tucker provided a report on the difference between the informational brochure and the application brochure. He noted that staff is recommending to provide an information/application brochure all in one.

Member Livengood referred to the statement contained in Attachment A, Final Staff Recommendation, Step 3 – Complete a one-page Personal Data form. (Note: Accommodations will be made if applicant is unable to complete the form.). Member Livengood queried about the accommodations to be provided by VTA. Mr. Tucker referred to the brochure and noted that VTA is saying even if an individual cannot complete the brochure, an individual can go ahead and call to schedule transportation and the in-person assessment and staff at Orthopaedic Hospital would assist the individual in putting their information into the data base system. Orthopaedic Hospital would also provide arrangements for transportation.

Member Gonzales directed attention to Agenda Item #9 – February 9, 2005 CTA Minutes, Item #10. Paratransit Eligibility Certification Program Modifications, Pages 4-9. He referred to Page 9, Paragraph 8, and queried about the following action taken at CTA: **M/S/C (Grant/Bruntz)** to recommend removing the word “photo” in Step 6, Final Staff Recommendation for Attachment A – Comparison of Current and Staff Recommended Paratransit Eligibility Certification Process; therefore, stating, “Applicant brings *Personal Data form* and positive identification, such as a current or expired driver’s license or California ID card, to the interview. Further, recommend that photo identification is preferred; however, not required.” Mr. Tucker noted that this was the only item that CTA took action on.

Member Gonzales queried if CTA recommended the new Paratransit Eligibility Certification process. Mr. Tucker noted that CTA was not asked to adopt the process. Member Gonzales expressed concern that CTA did not provide a specific recommendation on the new Paratransit Eligibility Certification Process. He queried if CTA would be in attendance at the March 3, 2005 Board of Directors’ Meeting. Mr. Tucker indicated that he expects CTA Members to be at the March 3, 2005 Board of Directors’ Meeting. He referred to the Memorandum, dated February 14, 2005, faxed to the Board of Directors pertaining to a Community Plan that was introduced but was not discussed at the CTA Meeting.

Member Gonzales queried about the steps to be taken with the new Paratransit Eligibility Certification process versus the former process. Mr. Tucker referred to a spreadsheet comparing VTA's Paratransit Eligibility Process to other transit agencies. He noted that VTA will meet both the original Board mandates that were established from the Business Review Team and Paratransit Improvement Program. At the same time, it removes, from VTA's perspective, most of the barriers in terms of having to deal with transportation and completing an application. Member Gonzales queried about the spreadsheet comparing VTA's Paratransit Eligibility Process to other transit agencies. Mr. Tucker noted that many of the systems were still requiring the application up front. VTA would be making the application process optional for an individual. Member Gonzales requested that the spreadsheet be included in the staff report to the Board of Directors.

Vice Chairperson Pirzynski queried if staff has simplified the Paratransit Eligibility Process to the fullest extent possible. Mr. Tucker noted that VTA has streamlined the process as much as one can streamline any process where a public service entity is providing service.

Vice Chairperson Pirzynski requested that staff inform the Board of Directors at their March 3, 2005 Meeting that there will be circumstances that seem to stretch the system and to indicate that human accommodations would be provided to address those issues.

M/S/C (Gonzales/Livengood) to approve submitting a recommendation to the Board of Directors to approve the recommended modifications to the Eligibility Certification process.

13. Procurement of 230 Bus Exhaust Emissions Systems

Mr. Tucker reported that the item was for the purchase of 230 Bus Exhaust Emissions Systems at the cost of \$3.8 million. Of the total amount, approximately 47 percent is coming from the Metropolitan Transportation Commission (MTC) and Federal Transit Administration (FTA). He noted that it is part of VTA's ongoing efforts to meet the regulations of the California Air Resources Board (CARB) to reduce particulate matter (PM) and nitrogen (NOx) emissions in transit buses. He noted VTA is leading other transit systems in the Bay Area in implementing this type of device on its buses.

Member Livengood directed attention to the letter addressed to the TP&O Committee Members from Martin Lassen, Johnson Matthey, Inc. (company partnered with Stewart and Stevenson, the unsuccessful bidder) and referred to their system, the EGRT system, which reduces nitrogen (NOx) emissions in transit buses by 40 percent vs. the Longview System, which reduces NOx emissions by 25 percent. He queried about the dollars per percent of NOx reduction for the EGRT system versus the Longview system, which is

40 percent more. Mr. Tucker noted that the unsuccessful bidder was not CARB certified

and that they did not get verification from CARB. Suzanne Gifford, General Counsel, noted that the unsuccessful bidder was not responsive. Member Livengood requested that staff indicate in the staff report that the unsuccessful bidder was not responsive.

M/S/C (Gonzales/Livengood) to approve submitting a recommendation to the Board of Directors to authorize the General Manager to execute a contract with Cummins West, the lowest responsible and responsive bidder, for the purchase of 230 Bus Exhaust Emission Systems at a cost of \$3,801,636. Of this amount, approximately \$1,790,305, or 47.1 percent, is funded by grants from the Metropolitan Transportation Commission (MTC) and Federal Transit Administration (FTA). This authorization is subject to FTA approval of a Buy America Waiver, which should be received by February 14, 2005.

OTHER ITEMS

14. Committee Work Plan

Denise Daly, Chief of Staff, noted that the TP&O Committee Work Plan needs to be reviewed and updated and would be provided at the March 17, 2005 TP&O Meeting.

15. Committee Staff Report

Ms. Daly introduced Bernice Alaniz, the new Deputy Director of Marketing and Public Affairs.

On order of Vice Chairperson Pirzynski, there being no objection, the Committee Staff Report was received.

16. Chairperson's Report

There was no Chairperson's Report.

17. Determine the Consent Agenda for the March 3, 2005 Board Meeting

CONSENT: Item #5. Approve artist Diana Pumpelly Bates' concept proposals for enhancements in the shelter canopy glass at the San Jose Diridon Station and for metal screens at the Fruitdale and Bascom Stations on the Vasona Light Rail Project and **Item #13.** Authorize the General Manager to execute a contract with Cummins West, the lowest responsible and responsive bidder, for the purchase of 230 Bus Exhaust Emission Systems at a cost of \$3,801,636. Of this amount, approximately \$1,790,305, or 47.1 percent, is funded by grants from the Metropolitan Transportation Commission (MTC) and Federal Transit Administration (FTA). This authorization is subject to FTA approval of a Buy America Waiver, which should be received by February 14, 2005.

REGULAR: Item #12. Approve the recommended modifications to the Eligibility Certification process.

18. Announcements

Vice Chairperson Pirzynski announced the receipt of the Santa Clara Valley Transportation Authority 2004 Report and distributed copies to TP&O Committee Members. Ms. Daly noted that a formal mailing to the VTA Board of Directors would be done on Friday, February 18, 2005.

Mr. Tucker announced the Zero-Emission Bus Demonstration Program Kick-Off Event to be held on Thursday, February 24, 2005.

19. ADJOURNMENT

On order of Vice Chairperson Pirzynski, there being no objection, the meeting was adjourned at 5:02 p.m.

Respectfully submitted,

Tracene Y. Crenshaw, Board Assistant
VTA Board of Directors