

MINUTES OF THE JULY 13, 2011, MEETING OF THE CITYLINK ADA ADVISORY BOARD

A meeting of the CityLink ADA Advisory Board was held in the conference room at CityLink Transit, 1189 S. 2nd St., Abilene, Texas on Wednesday, July 13, 2011 at 3:30 p.m. Due to the absence of David Barnhill – Board Chairperson, all Board members present agreed that Mr. James Condry, Director of Traffic and Transportation City of Abilene would serve as Chairperson and called the meeting to order, the following members were present:

Patsy Daniel	Debra Turner	David Alcalá
Bill Daniel	James Shepard	

Also present and attending the meeting: James Condry, Director Traffic and Transportation, Daniel Swanson, Interim General Manager, Bobby Sharpe, Grants Administrator, Stanley Smith, City Attorney, Leah Beltran, Not Without Us.

Members not present: David Barnhill, Pamela Barnhill, Donna Reiff

Item 2: Approval of Minutes- The minutes from Board meetings of July 14, 2010, October 13, 2010, and January 12, 2011 were approved by general consent. Regarding the minutes from the April 13, 2011 meeting, Mrs. Daniel has an issue with these minutes and cannot accept as written until she hears the tape recording of the meeting. Mrs. Daniel stated she doesn't believe the minutes reflect all that took place during the meeting. Mrs. Daniel stated that prior to the previous meeting, Alonda Massey, Interim General Manager had stated that she would answer all questions after the Board meeting. Mrs. Daniel thought the meeting had been adjourned when she made a comment about staff that had left CityLink employment. At the moment that Mrs. Daniel made the statement, Ms. Massey had the recorders turned off including the KTAB-TV camera. Mrs. Daniel stated this was not recorded in the minutes. Mr. Condry and Mr. Smith informed that Board members can listen to the tape recordings of the meetings and suggested scheduling a time with CityLink staff. No action taken on approving the April 13, 2011 minutes. Mrs. Daniel requested that this item be carried forward to next meeting to allow time to listen to the recording.

Item 3: Records/Minutes of Meetings- Mrs. Daniel stated the minutes from Board meetings have been too paraphrased and asked about the possibility of having the meetings transcribed. Mr. Condry informed that if the minutes were to be recorded verbatim, a court reporter would charge \$250 for their services. Mr. Condry stated that the Board minutes may not require this level of detail and that City Council minutes are paraphrased and not recorded verbatim. Mrs. Daniel requested that the tape recordings from the meetings be held for awhile. Mrs. Daniel also requested that this item be carried forward to the next meeting.

Item 4: Board Reorganization- Mr. Sharpe informed the Board that City Council has not yet approved Board member reappointments/appointment.

Item 5: Transit System Operations- Mr. Sharpe gave report on ridership statistics for the month of May 2011. Fixed route ridership for the current month has increased by over 3% compared to

this month last year, reporting 38,301 passengers during the month of May 2011. Demand response passenger trips equaled 8,147 for the month of May 2011, an increase of over 16% as compared to May 2010. Evening Service ridership for the month of May 2011 has increased over 2% reporting 1,224 as compared to 1,194 for May of last year. Ridership for Charter service has decreased by over 53% with 21 passengers for the month of May 2011 compared to 45 passengers for May 2010. The system totals for all passenger trips year to date is 407,451 compared to year to date last year of 389,375 which reflects an overall increase of over 4%.

Other discussion included demand response scheduling issues such as passengers having to leave messages for trip reservations, demand response curb to curb or door to door service, and level of assistance from CityLink operators. Mr. Swanson informed that CityLink is making additions to the scheduling office to accommodate the influx of trip reservations. Mr. Condry reminded the Board that CityLink's primary function is to provide transportation service so there is a limit to what they can do. Mrs. Daniel stated that according to the Texas Transportation Commission, under the ADA rule it is not appropriate for a para-transit provider to establish a policy that refuses to provide service beyond the curb in all circumstances. Mr. Condry stated that regulations only require ADA para-transit be curb to curb. The City's policy is to provide door to door para-transit service which CityLink currently provides. Mrs. Daniel asked if this service had ever been changed. Mr. Condry stated no. Mrs. Daniel asked if CityLink operators had been told it was changing. Mr. Condry stated he was unaware but this reference may be related to periodic review by the City to assess if this service needs to change. The last formal review of this was approximately 5 years ago when some changes to the para-transit service was made but the City chose to continue door to door service. Recent discussion regarding this issue did occur between the City and CityLink but no policy changes were made. Mr. Swanson stated that there is some confusion regarding the Medical Transportation Program (MTP) which is curb to curb in addition to Evening Service which is curb to curb also. Occasionally there may be some confusion with a CityLink operator regarding an MTP passenger and an ADA para-transit passenger and the operator did not go to the door. CityLink is taking steps to ensure all operators are aware of the difference in the programs and to provide the appropriate service to the respective passenger. There are occasions when CityLink does go beyond what is required for MTP passengers such as going to the door when there are no windows for the passenger to watch for the CityLink vehicle. Mr. Alcalá stated that the ADA para-transit application has a section for a prospective passenger to indicate if there are special needs for consideration. Mrs. Daniel asked if a policy change can be made by one person. Mr. Condry responded that certain issues were established by the City Council which would require City Council action to change. Some issues are made at the staff level and can be changed at the staff level. City Council doesn't usually get involved with specific details of an operation, just general parameters. If it was recommended to change para-transit service from door to door to curb to curb, City Council would need to approve the change since City Council implemented the door to door service. Another example is the ADA Advisory Board which is an advisory body and does not make decisions only advises. If staff wanted to make a policy change, the issue would be brought before the ADA Advisory Board to gather input and advisement but the ultimate decision would be made at the staff level. Mrs. Daniel stated that the Board should be asked their input. Mr. Condry explained that the Board is not asked to review every minute detail of every policy change. Only changes that would have a major impact would be brought before the Board. Mr. Daniel stated that one change that has been made regarding scheduling a trip, the scheduler states

they need to see if a van is available. Mr. Daniel also stated that in the past a passenger could schedule a trip two weeks in advance but now it has been changed to one week in advance. Mr. Swanson informed this was a communication error on our part and has been corrected to the approved two week advance reservation. The policy has never been changed. Ms. Turner asked about subscription reservation service being continued. Mr. Sharpe informed that within our ADA para-transit service, a regulation dictates that a para-transit provider cannot have more than 50% subscription status. Regarding CityLink Evening service, this requirement does not apply so CityLink continues to schedule subscription service if requested. Mr. Sharpe further informed existing ADA para-transit subscription passengers do have priority over newly certified subscription passengers. New passengers that request subscription service will require their request to be evaluated for feasibility to remain within the 50% threshold.

Mrs. Daniel asked how a special Board meeting can be called because she had attempted to have such a meeting but her requests were ignored. Mr. Condry referred to the Board by-laws which indicate that regular meetings are scheduled quarterly, or a called meeting by the CityLink General Manager. Additional meetings can be called by the Board Chair and Board members can discuss the need for a meeting with the Board Chair but the Chairperson is not required to call the meeting. Another method to call a meeting would require four Board members to petition to call a meeting. This petition requires four "voting" members, not alternates. This petition would be sent to the CityLink General Manager. Mrs. Daniel requested a list of the Board members and the seats they hold. CityLink will provide this list as requested.

Item 6: Funding- Mr. Sharpe reviewed funding with the Board. The federal 5307 apportionment for FY 2012 announced in May 2011 was approximately \$1.6 million which is a decrease of about \$100,000 to \$200,000 from the previous year. The TXDOT 5310 grant application will be submitted by next week which is being reviewed by the Regional Coordination Committee. There is discussion to change the process to either a regional contracted company to review the application process or move the process to the state level. The Texas Transportation Commission has not made a decision at this time. Ms. Turner asked about the status of the enunciation system for the fixed route buses. Mr. Sharpe indicated that procurement activities are ongoing but nothing has been finalized yet. The enunciation system was funded by a New Freedom grant awarded to CityLink last year.

Item 7: Possible Para-transit Service Changes- Mrs. Daniel stated that para-transit passengers should be considered people not numbers. Every person has different disabilities but everyone is entitled to the same service regardless whether they have a minor or major disability. Mrs. Daniel reminded that we have discussed this earlier in this meeting but one person cannot make a change without notification. Mrs. Daniel stated that you could talk to CityLink operators or the three people that were named that left CityLink employment. Mr. Condry stated that this Board does not have purview over personnel/employment issues. Mrs. Daniel stated that she is not talking about being employed or not employed rather being human toward people with disabilities. Mrs. Daniel stated none of the changes directly affected her but may in the future or may affect some one else. Mr. Condry reiterated that ADA service policies did not change however the implementation of those policies did change because they had gone beyond the bounds of the policy. The implementation has returned to the policy that was established; this was the only change. Mrs. Daniel stated that accommodations should be made on a person to

person basis. Mr. Condry stated that ADA accommodations are made on a trip by trip basis. Some people may have a disability that requires all trips to be covered but some people may have a disability that covers only certain trips. ADA regulations dictate we operate in this way. Mrs. Daniel asked if these policies can be made available to anyone that is concerned. Mr. Condry stated copies can be made available. Mrs. Daniel referenced a document from 2010 indicating that ADA services accommodate on a person to person basis. Mr. Condry stated that the 2010 document is not regulation but only an evaluation made by persons within the transit industry. Mr. Condry referred Mrs. Daniel to the on-line ADA regulations which may be easier to access. Mr. Swanson summarized that the ADA door to door policy has not been changed however some lapses have occurred but CityLink is correcting these issues. In the past, para-transit service was allowed to go beyond door to door to include inside the residence. CityLink is following the approved ADA policy. Ms. Leah Beltran, Not Without Us, stated that passengers had become accustomed to the leniency of the para-transit service and now that CityLink is making adjustments to follow the policy as written, some people are having adjustment issues. Ms. Beltran offered her agency's assistance in delineating this information.

Item 8: Rules of Order and Procedure- Mrs. Daniel stated that Ms. Donna Reiff has completed a lot of research regarding rules of order and procedure and requested that a Board workshop be conducted to discuss rules of order and procedure. Mr. Smith stated that a workshop would be considered a public meeting if a quorum is present but the workshop could occur as a sub-committee of the Board with 3 or less Board members. Mr. Smith stated that the Board could adopt Robert's Rules of Order. Mrs. Daniel requested that this item be carried forward to the next meeting.

With no further discussion concerning Agenda items, the meeting was adjourned at 5:00 p.m.

The minutes approved this _____ day of _____.

Chairperson, CityLink ADA Advisory Board