

MINUTES OF THE NOVEMBER 9, 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, November 9, 2011 at 3:30 p.m. The quarterly meeting tentatively scheduled for October 12, 2011 was canceled due to lack of quorum. Due to the absence of David Barnhill – Board Chairperson at the beginning of the meeting, John Pleveich, New General Manager called the meeting to order. Mr. Barnhill arrived late. The following members were present:

Patsy Daniel	Debra Turner	David Alcala	Donna Reiff
Bill Daniel	James Shepard	David Barnhill	

Also present and attending the meeting: James Condry, Director Traffic and Transportation, Stanley Smith, City Attorney, John Pleveich, New General Manager, Bobby Sharpe, Grants Administrator, Shirley Burns, Paratransit Supervisor, Leah Beltran, Not Without Us, E’Lisa Smetana, MPO Director, Mary Kindrick, Mike Vandervoort, and Michelle Nall.

Members not present: Pamela Barnhill

Item 2: Introduction of John Pleveich, New General Manager. Mr. Pleveich introduced himself as CityLink’s new General Manager of 3 months. Mr. Pleveich gave a brief history of his transit experience. Mr. Pleveich introduced Ms. Shirley Burns, Paratransit Supervisor.

Item 3: Approval of Minutes. The minutes from the Board meeting of July 13, 2011 were approved by general consent. Regarding the minutes from the April 13, 2011 meeting (carried forward from previous meeting), Mrs. Daniel stated she doesn’t believe the minutes reflect all that took place during the meeting. Mrs. Daniel stated she has listened to the tape recording of the April 13, 2011 meeting. Mrs. Daniel stated she still does not agree with the minutes that were written from the meeting. Ms. Reiff stated additional discussion occurred at the April meeting but it happened after the recorder was turned off. Mr. Pleveich stated his understanding was that there were questions that were not a part of the agenda and that the previous General Manager had stated that she would address all questions after the Board meeting since they were not agenda items. Mr. Smith, City Attorney, stated due to the questions at the April meeting were not agenda items and a quorum was present, his advice at that time was to address these questions at the next Board meeting by having them listed as agenda items. Mrs. Daniel recognized that the minutes from the April meeting can be approved by majority but requests the minutes reflect her disapproval. A motion was made by David Alcala to approve the minutes of the April 13, 2011 meeting. Donna Reiff seconded. All Board members present approved with the exception of Mrs. Daniel.

Item 4: Records/Minutes of Meetings- Mrs. Reiff suggested that the audio recordings from the Board meetings should be kept for several months. Ms. Reiff stated that at times, minutes from some meetings have been too paraphrased and comments were not recorded in the minutes. Mr. Sharpe informed that the audio recordings are usually kept for one year unless significant

circumstances occur to maintain the audio recordings for a longer length of time. After one year, the audio tapes are recorded over. The Board agreed to maintain audio recordings of the meetings for one year.

Item 5: Board Reorganization- Mr. Sharpe informed the Board that prior to today's meeting, the Oath of Office was administered to Patsy Daniel and Donna Reiff as reappointments to the Board. The Oath of Office will be administered to David Barnhill immediately following today's meeting.

Item 6: Transit System Operations- Mr. Sharpe gave report on ridership statistics for the month of September 2011. Fixed route ridership for the current month has increased by over 8% compared to this month last year, reporting 41,655 passengers during the month of September 2011. Demand response passenger trips equaled 7,358 for the month of September 2011, a decrease of over 22% as compared to September 2010. Evening Service ridership for the month of September 2011 has decreased over 22% reporting 1,264 as compared to 1,631 for September of last year. Ridership for Charter service has increased by over 532% with 1,095 passengers for the month of September 2011 compared to 173 passengers for September 2010. The reason for the drastic increase in Charter passengers was due to the Optimist club using the Charter as a shuttle service for the Balloon Fest during the month of September. The system totals for all passenger trips year to date is 528,987 compared to year to date last year of 559,843 which reflects an overall decrease of over 5%.

Item 7: Para-transit Brochure "Draft"- Mr. Pleveich distributed to the Board a copy of the "Draft" Para-transit brochure to be given to new ADA Para-transit clients. Mr. Pleveich asked that the Board review the brochure and make any comments. Mrs. Reiff asked about the Medical Release form. Mr. Pleveich explained the form is used to gather additional information from an applicant's physician to aid in determining eligibility for the Para-transit service. Mrs. Reiff asked if CityLink would be willing to fax portions of the application to the physician for completion. Mr. Pleveich stated the preference is to receive all documentation at the same time but we have made exceptions in the past. CityLink will continue to accept faxed documentation. Ms. Turner asked what changes have been made to the brochure. Mr. Pleveich explained some verbiage has been revised such as CityLink ADA Para-transit service from CityLink Para-transit van service; essentially the service is an ADA service not a van service as used in the Evening service. Mrs. Daniel explained an issue she experienced on her trip today. Mrs. Daniel stated that she would've been late for today's meeting via her ADA Para-transit trip if she had not been able to contact Ms. Burns. Mrs. Daniel stated she now has Ms. Burns phone number to contact her. This was due to Mrs. Daniel's inability to contact the schedule office. Mr. Pleveich informed that CityLink has added more staff to the schedule office to handle the influx of calls. Mrs. Reiff asked if trip reservations could be made via email. Mr. Pleveich indicated that CityLink is not set up to accommodate this type of request at the present time but could review this in the future. Mrs. Reiff stated she had success with this method in the past. Mrs. Reiff further stated that she could not continue to try to make phone requests due to the amount of time required to contact someone to schedule trips. Mr. Pleveich stated an email response may be delayed due to the primary focus of the schedule office is to address the phone calls but we could address this in the future. Mr. Pleveich informed that the method of emailing trip requests is not in CityLink policy but with the addition of scheduling staff, wait time has been considerably

diminished. Ms. Burns informed that the scheduling office phone lines have been departmentalized so staff has been divided into customer service, MTP coordinator, and dispatch. Mrs. Reiff requested time to review the brochure outside of today's meeting. Mr. Pleveich stated that would be fine. Mr. Condry informed the Board, CityLink is not asking for actual approval of the brochure but requesting comments regarding the informational content. Mr. Pleveich asked that he receive any comments by December 1, 2011. Ms. Reiff asked what is the point of the Board having input if it doesn't mean anything. Mr. Pleveich stated it does mean something. Mr. Condry stated this review is not to change ADA policy but is to review ADA information conveyed to passengers through the brochure. Mr. Condry explained if a change to ADA policy is warranted, then the policy change would need to follow proper procedures. Mr. Pleveich again reminded that this brochure is a "draft". Mr. Pleveich outlined minor changes to the brochure such as the omission of an operator would carry light parcels/packages, revision of service boundary definition from 1 ½ miles beyond fixed routes to ¾ mile beyond fixed routes which was changed years ago through ADA policy. Ms. Reiff asked if the change regarding carrying light packages is a policy change. Mr. Condry responded that this is what current policy dictates. Ms. Reiff stated she understood the ADA federal guidelines require an operator to assist with packages. Mr. Condry stated the guidelines do not require this level of assistance but an operator can assist if needed. Discussion continued in attempts to clarify federal ADA policy changes. Mr. Sharpe informed the federal policy change recommendations originated from the Department of Justice which does not have jurisdiction over Department of Transportation. Policy changes would need to be dictated from the Department of Transportation to effect public transportation. Ms. Reiff stated that policy should allow for an operator to use common sense to assist a passenger in need instead of hard and fast rules preventing an operator to offer aid. Mr. Pleveich responded that operators have the leeway to make common sense judgments and operators will not be disciplined if they need to offer extra assistance for a passenger to cross the raised threshold of their doorway however, operators are not to cross the threshold. Mrs. Daniel stated that the previous General Manager made a statement that passengers in need would be required to use a personal care attendant. Mr. Daniel provided an example of a passenger using a walker that may have a couple of bags to carry; does the operator assist or not? Ms. Burns stated the operator can assist but may not cross the threshold of the doorway. Mr. Pleveich addressed the issue of tenured operators may have been trained differently compared to new operators and CityLink is in the process of training all operators on the approved procedures of providing assistance. Ms. Reiff asked for the bottom line ruling on assisting passengers. Mr. Condry responded that operators have been given the parameters of normal operations with the allowance to make certain deviations which may be too numerous to define. An operator may call in via radio to obtain clarification as needed. Mr. Condry informed that CityLink is not publishing that we carry items because this is not a service we provide. CityLink provides transportation services. When unique circumstances arise, the operators will be given guidance. Mrs. Reiff stated that exceptions should be made. Mr. Pleveich informed that the ADA paratransit application requests details from a potential passenger regarding their physical limitations such as ability to lift only 5 lbs. Mr. Daniel asked if a passenger is observed as having difficulty unlocking their door, can an operator assist. Mr. Pleveich stated that CityLink will not unlock or lock any door due to being a liability issue.

Item 8: Assisting with Appeals of Passenger Suspensions- Mr. Pleveich provided a "draft" copy of an appeals process policy. This "draft" policy addresses serious abusive or disruptive

passenger behavior that would constitute a suspension of service. Mr. Pleveich is requesting 3 Board members participation in the final step of the process which would be to review the appeal. Mr. Pleveich proposed that Board members be used on a rotating basis but hopefully the process will not be used very often. All Board members agreed to participate as needed.

Item 8: Rules of Order and Procedure- Mr. Sharpe informed the Board this issue is carried forward from the previous meeting. This issue is pertaining to specific rules of order and procedure the Board wants to adopt. Mrs. Reiff stated the Board by-laws dictate the Board is to write their own rules of order and procedure which is to be filed with the CityLink General Manager. Mr. Sharpe informed the Board the City's Legal department has suggested the Board adopt Robert's Rules of Order. This Board has always functioned rather informally and has been successful in doing so with no major issues or problems. Mr. Smith stated the Board has functioned well under informal proceedings. If the Board were to adopt more formal parliamentary procedures, it may be a hindrance to the Board. Ms. Reiff stated that during the meetings earlier this year, it was very unsettling that the Board could not discuss issues that were not on the posted agenda. Ms. Reiff further stated that parliamentary procedures allows for any new business to be discussed. Mr. Smith stated discussion of any new business is addressed under the State of Texas Open Meetings Act which dictates that issues to be addressed by any Board must be published giving 72 hour notice to the public of specific items to be discussed and only those items on the agenda can be discussed. Ms. Reiff asked if an item could be discussed that just came up. Mr. Smith stated that if an item comes up it would need to be added to the next meeting agenda. Ms. Reiff stated that if a serious issue needed to be discussed then another special meeting could be called. Ms. Reiff further stated a serious issue arose earlier this year and some Board members requested a special meeting but the request was ignored. Mr. Condry referred to the Board's by-laws which state the procedures to call a special meeting but those procedures were not followed. Ms. Reiff asked the proper procedure to follow. Mr. Alcalá referred to the Open Meetings Act training video which outlines the proper procedures. Mr. Smith stated according to the Board's by-laws, the Board Chairperson can call a special meeting or upon petition of a simple majority of Board members. Ms. Reiff stated that if they were told this then proper procedure would have been followed but phone calls regarding this issue were not returned. Mr. Pleveich stated that if critical issues arise that require a special Board meeting and he is informed, then he will ensure a special meeting is conducted. Mr. Pleveich asked that issues from the past be dropped and that the Board move forward to a better future. Mr. Pleveich stated that CityLink would look into the possibility of posting the Board by-laws on our website. Ms. Daniel stated that she remembers reading somewhere that the Board Chairperson is to be elected every January but the Board has never done this. Mr. Sharpe reported the by-laws state the Chairperson, vice Chairperson and Secretary shall be elected annually at the first Board meeting of every year. Mr. Sharpe informed for at least the last 8 years, the Board has functioned with only a Chairperson. Ms. Reiff asked if the Board by-laws are suggestions. Mr. Sharpe stated the by-laws serve as the operating procedures of this Board as adopted by the City Council. Mr. Condry stated that by the Board's inaction to elect officers, essentially the Board has taken action and is not in violation of the by-laws. Mr. Condry further explained the issue of Rules of Order and Procedure whereas if the Board conducts its business by general consent, the Board is not in violation of the by-laws as this serves as the adopted rules of order by the Board. Mr. Daniel asked to clarify the procedure to call a special Board meeting. Mr. Sharpe read the by-laws to the Board which indicates a meeting can be called by the Chairperson or the vice

Chairperson in the absence of the Chairperson or by simple majority of Board members which would require 4 voting members.

With no further discussion concerning Agenda items, the meeting was adjourned at 4:30 p.m.

The minutes approved this _____ day of _____.

Chairperson, CityLink ADA Advisory Board