

INTER OFFICE MEMO

To: Advisory Committee

Date: 01/31/2025

From: John Sanderson, Director of ADA and Specialized Services

Reviewed by: *Ref*

SUBJECT: Accessible Transportation Strategic Plan Update – Accessibility Advisory Committee bylaws

Background:

The Accessible Transportation Strategic Plan (ATSP) adopted in 2021 by the Contra Costa County Board of Supervisors and the Contra Costa Transportation Authority (CCTA) Board calls for 21 separate initiatives aimed at improving the accessible transportation ecosystem for persons with disabilities, seniors, and low-income residents in Contra Costa County. Recognizing the complexity of organizing such a wide-ranging program, the ATSP also called for the creation of a single Coordinating Entity (CE) to coordinate the implementation of the various recommendations. To that end, CCTA convened the ATSP taskforce in late 2021 to oversee the creation of the CE and the opening stages of the other ATSP elements.

In December 2024, the ATSP concluded its work and adopted a single motion recommending the CCTA Board approve the draft AAC bylaws, thus phasing out the Paratransit Coordinating Council and establishing a new AAC and also approve the Authority's role in becoming the Coordinating Entity also known as the Office of Accessibility and Equity. Although approved by a majority vote of the ATSP taskforce, the motion passed without support from any of the four Transit Operators in attendance (AC Transit, BART, County Connection, and WestCat).

In late January 2025, CCTA staff presented a revised slate of AAC bylaws to the PCC along with the same recommendation – that the PCC endorse the designation of CCTA as the CE, the replacement of the PCC with the AAC, and the revised draft AAC bylaws. Following the approval of the ATSP taskforce and the PCC, the same recommendation would then be made to the CCTA board, for final approval.

Update:

At the January 27 PCC meeting, the PCC endorsed the designation of CCTA as the CE but declined to immediately approve either its replacement by the AAC, or the revised AAC bylaws (see Attachment 1). A special PCC meeting has been scheduled for Monday, February 24, to discuss the AAC bylaws and brainstorm recommended changes, which will then be presented for approval at the next regular PCC meeting, currently scheduled for March 17, 2025. Questions of particular concern include the proposed

composition of the AAC, as well as jurisdictional confusion between CCTA (as the CE) and the Transit Operators arising from several sections of the proposed AAC bylaws.

Although neither the PCC nor the proposed AAC explicitly include representatives of any Transit Operator advisory committees, the Ad-Comm bylaws do call for an Ad-Comm member to be appointed as liaison to the PCC. Additionally, many CCTA activities and much of the work of the PCC/AAC interface with the programs that County Connection provides, including fixed route bus and paratransit services, marketing and outreach, transportation planning, technological innovations, and others. As the main body tasked with providing the public's input to the County Connection Board of Directors, it is important for the Ad-Comm to be made aware of these issues.

Financial Implications:

None

Recommendation:

Staff recommends that the Ad-Comm review and discuss the draft AAC bylaws included as Attachment 1 and offer any feedback or opinions as the members see fit.

Action Requested:

Staff requests that the Ad-Comm provide feedback on the draft AAC bylaws, to be included with the County Connection comments on the same, submitted to the PCC for the February 24 PCC meeting.

Attachments:

Attachment 1: CCTA AAC Bylaws DRAFT 1/24/2025

AUTHORITY'S ACCESSIBILITY ADVISORY COMMITTEE (AAC) PROPOSED BYLAWS, DECEMBER 2024

ARTICLE 1. Purpose

The purpose of the AAC is to:

- Advise the Contra Costa Transportation Authority (hereinafter "Authority") Board and staff on issues affecting public transportation, including paratransit service, for older adults and persons with disabilities in Contra Costa County.
- Facilitate cooperation and serve as a forum for accessible transportation stakeholders to discuss issues of mutual interest, troubleshoot service gaps, assist in the resolution of concerns related to accessible transportation service delivery, and provide input on all stages of implementation including planning, policy, engagement, design, operations, and evaluation. Stakeholders will include human service agencies that serve older adults and persons with disabilities, transit agencies, including paratransit, elected officials, disability and older adult advocates representing a range of segments of these communities, consumers of transit services, veterans, all county sub-regions, funding bodies, and other representatives.
- Provide input to the Office of Accessibility and Equity (OAE) to its vision for older adults and persons with disabilities in Contra Costa County to experience seamless, accessible and dignified transportation that fosters independence and inclusivity in their daily lives, and to its mission to create a collaborative ecosystem that brings together existing transit agencies, community-based organizations, and local government with strong partnerships to streamline and optimize services and incorporating accessible transportation into routine transportation.

- Monitor progress of the implementation of the Accessible Transportation Strategic Plan (ATSP) and any future updates. The Authority will serve as the Coordinating Entity (CE) authority and activities will be derived from the ATSP. AAC engagement will include conducting bi-annual assessments on ATSP implementation, achievement toward the OAE vision, and recommending updates or amendments to the ATSP when needed.

ARTICLE 2. Definitions

2.1. Persons with Disabilities: Individuals who have physical or mental impairments that substantially limits one or more major life activities, a person who has a history or record of such an impairment, or a person who is perceived by others as having such an impairment. Major life activities include:

- Caring for oneself
- Performing manual tasks
- Seeing, hearing, eating, sleeping, walking, standing, lifting, bending, speaking, breathing, learning, reading, concentrating, thinking, communicating, and working
- Operating a major bodily function, such as the immune, digestive, bowel, bladder, neurological, respiratory, circulatory, cardiovascular, reproductive, and endocrine systems

2.2. Older Adults: Persons who are 60 and above or who meet the minimum age requirement for services designed for older adults.

2.3. Accessible Transportation: Transportation services or programs designed for people with disabilities or older adults with mobility challenges, including but not limited to Americans with Disabilities Act of 1990 (ADA)-mandated paratransit, city/town paratransit programs, accessible functions of fixed route transit, volunteer driver programs, travel training, and subsidized on-demand programs for people with disabilities and/or older adults.

2.4. Accessible Transportation Strategic Plan (ATSP): The ATSP was completed by the Authority and Contra Costa County and was adopted in 2021. The ATSP

incorporated extensive community and public sector (including all Contra Costa transit agencies) engagement, identified needs in Contra Costa County, and recommended strategies for coordination, leadership, and service improvements.

2.5. ATSP Task Force (TF): This TF led the implementation of the ATSP prior to the formation of the AAC and CE.

2.6. Americans with Disabilities Act of 1990 (ADA) Paratransit: ADA-mandated paratransit services that are complimentary to fixed route transit. People with disabilities are eligible if their disabilities prohibit them from using regular fixed-route transit some or all the time and will be required to go through the certification process. Service is either pre-scheduled or demand-responsive, without predefined origins and destinations, and is wheelchair accessible.

2.7. Bus Transit Coordinating Committee (BTCC): The BTCC is composed of staff of the four bus transit operators in Contra Costa County: Alameda-Contra Costa Transit District (AC Transit), Central Contra Costa Transit Authority dba County Connection (CCCTA), Eastern Contra Costa Transit Authority dba Tri Delta Transit (ECCTA) and West Contra Costa Transit Authority dba WestCAT (WCCTA). The BTCC also consists of non-voting representatives from the Bay Area Rapid Transit (BART) and the Water Emergency Transportation Authority. The primary role of the BTCC is defined in the Measure J Expenditure Plan to make recommendations for the programming and expenditures of Measure J transit and express bus funds. In addition, the BTCC provides a forum to consider countywide bus issues and inform the ex-officio bus transit representative of those issues in order to inform the Authority Board.

2.8. Coordinating Entity (CE): The ATSP recommended creating a Countywide CE responsible for countywide ATSP strategy implementation in order to address long-standing barriers to progress. The OAE is responsible for delivering the CE functions for the Authority.

2.9. Paratransit Coordinating Council (PCC) – Precursor to the AAC: Responsibility for the PCC was transferred to the Authority from Contra Costa County in September 1993 and was made up of paratransit riders, service providers, service and funding agency staff. The PCC advises the Authority Board and staff on issues affecting paratransit service in Contra Costa County. The PCC fulfills statutory

obligations found in California Public Utilities Code Section (§) 99238. The PCC will be modified and will transition to become the AAC on [DATE].

2.10. Office of Accessibility and Equity (OAE) – The OAE promotes and supports the provision and coordination of a comprehensive, integrated, person-centered, user-friendly, and seamless accessible transportation system, relying on best practices and adopted plans while ensuring equitable and effective access to transportation for older adults and persons with disabilities in Contra Costa County.

2.11. Transportation Equity: The benefits and burdens of transportation systems, services and spending are fair and just to meet the needs of all community members. Marginalized communities have historically been and often continue to be excluded from equitable benefits of public policy and funding including transportation. In part, it is this legacy that led to the development and approval of the ATSP, to improve mobility for older residents and persons with disabilities. The implementation of the ATSP is intended to address this legacy and increase equity in the transportation system. This will result in an expansion of mobility opportunities to those communities most in need, creating more choices for those who have few. It is important to note that transportation equity does not mean equal treatment of all community members. Equitable transportation plans and budgets address the current and historic circumstances impacting a community's mobility and connectivity needs, and this information is used to determine the measures needed to develop an equitable transportation network.

ARTICLE 3. Membership

3.1. Membership shall comply with the Public Utilities Code (Div 10, § 99238(a)) and consist of representatives of transportation providers, representatives of human service agencies and nonprofit organizations, and consumers of transit services, agencies, organizations, and individuals whose interests are consistent with the purpose of the AAC and who shall represent diverse communities in Contra Costa County. There will be nineteen (19) members which includes one non-voting member:

- 3.1.a Accessible Transportation Public Transit Riders (4 members)

Two senior adults and two persons with a disability who have direct and current experience with using the Contra Costa County public transportation system and who understand the system and its services. The riders will represent a diversity of representatives of public transportation riders who use fixed route or other forms of transportation services, a mix of older adults and people with disabilities, and people who work or live within Contra Costa County. Rider representatives must live or work in Contra Costa County and have current relevant experience using the services in the service area.

- 3.1.b Staff of the following Transportation Providers (7 members) “Transportation Provider Staff”
 - A representative of each of the following seven paratransit service providers:
 - Five representatives (one representative each) of the public paratransit operators in Contra Costa County: AC Transit, BART, CCCTA, ECCTA, and WCCTA.
 - Two representatives (nonspecific number of representatives from any combination of the following categories) of the cities/towns/Non-Profit Transportation Providers that receive either Measure J funds or *Enhanced Mobility of Seniors & Individuals with Disabilities* (49 U.S.C. 5310) funding to provide accessible transportation services in Contra Costa County.

- 3.1.c Staff of Agencies that Provide Social Services (3 members) “Service Agency Staff”

Three members of agency staff that represent or serve persons who use public transit services in Contra Costa County (“Service Agency Staff”). These agencies can be either governmental, private non-profit, or private for profit in nature, and will include one representative of an agency serving seniors in Contra Costa County, one representative of an agency serving persons with disabilities in Contra Costa County, and one

representative of a agency serving people with developmental disabilities in Contra Costa County.

3.1.d Representatives from the Authority Board (2 members).

These representatives will be appointed to the AAC by a vote of the Authority Board. Authority Board members cannot represent a transit agency or serve on a transit agency board.

- 3.1.e A Contra Costa County Board of Supervisor (BOS) or, at the discretion of the BOS, a county staff representative (2 members).

Supervisors or county staff representatives cannot represent a transit agency or serve on a transit agency board.

- 3.1.f A Regional Metropolitan Transportation Commission (MTC) representative (non-voting) (1 member)

3.2. Vacancies

Open notices will be posted and circulated when a vacancy occurs on the AAC consistent with Public Utilities Code (Div 10, § 99238(b)). The Authority Board is responsible for the appointment of new members to the AAC. All potential applicants for seats on the AAC must complete an application and be recommended by the AAC Nominating Subcommittee and approved by a majority vote of the appointed AAC members. The AAC will consider and appoint nonprofit and other representative organizations that represent a diverse range of disabilities and older adults whenever such vacancies arise.

Transportation providers will be expected to work collaboratively with the Authority and the AAC to facilitate participation and attendance at AAC meetings.

3.3. Term of office

Members are appointed for a staggered two-year term. Members may volunteer to continue to serve upon confirmation by the AAC.

The AAC may solicit applications for a replacement to fill the remainder of an unexpired term if an alternate is not available.

3.4. Alternates

Each appointing agency, organization, and/or individual shall name its representative and shall also designate one alternate. Each member of the AAC shall have one vote. An alternate member may serve on subcommittees and shall assume that right to vote when acting on behalf of the primary member representative. Alternates shall vote in the place of the member only if the member is not in attendance at the same meeting.

3.5. Absences

Three consecutive unexcused absences are considered resignation from the AAC. If a member is unable to attend, it is that member's responsibility to inform OAE staff and contact their alternate to attend on their behalf. An excused absence is defined as one where the AAC member notifies the OAE staff in advance of the meeting that they cannot attend due to illness, travel, or prior commitment. All other absences will be deemed unexcused.

3.6. Subcommittees

There will be three standing subcommittees (Nominating Subcommittee, Measure J Claims Review Subcommittee, and a Work Plan Review Subcommittee) established at the start of every calendar year to review which support the AAC's function by reporting their findings and activities back to the AAC, additional subcommittees may be appointed at the discretion of the AAC to address issues related to the AAC's mission and to carry out short-term defined special activities. AAC members will be appointed to subcommittees by the AAC. No subcommittee shall have fewer than three members. Subcommittee members will serve for a one-year term. Alternates for committee members shall be subject to the requirements of the section above. Ad Hoc Subcommittees may be formed from time to time for work on special projects of interest to the AAC.

ARTICLE 4. Duties

4.1. In addition to responsibilities as described in Public Utilities Code (Div 10, § 99238(c)), the duties of the AAC membership are to:

- 4.1.1 Advise the Authority, MTC, State and other appropriate agencies on issues affecting accessible transportation services in Contra Costa County,

provided such engagement with external agencies does not conflict with adopted Authority policies.

- 4.1.2 Advise the OAE and Authority on CE implementation as described in the ATSP, including oversight of the regular, five-year updates to the ATSP. The AAC will also advise the Authority regarding the mobility management function.
- 4.1.3 Advise the Authority and other appropriate organizations on ways to improve and increase cooperation, coordination and effectiveness of specialized transportation services for older adults and persons with disabilities, including by minimizing overlap and duplication in the use of resources at the policy, management, and service delivery levels provided such advice is consistent with adopted Authority policies.
- 4.1.4 Review, based on the OAE mission and AAC purpose, annual claims for Measure J funds, applications for Federal Section 5310 funds, and/or other applicable funds and make recommendations regarding these claims and applications as appropriate.
- 4.1.5 Provide a forum for accessible transportation stakeholders to discuss common goals and recommended actions affecting paratransit between agencies, organizations, AAC members and the public. Also, provide a forum for stakeholders to provide input on all stages of accessible transportation implementation including planning, policy, engagement, design, operations, and evaluation.
- 4.1.6 Provide information and recommendations to the Authority on issues affecting transportation for older adult and persons with disabilities, including updates to the Countywide Transportation Plan and Measure J Strategic Plan and any new or updated Transportation Expenditure Plan.
- 4.1.7 Exchange information with, and make recommendations regarding transportation to, agencies that provide services to older adults and persons with disabilities.
- 4.1.8 Fulfill State requirements to maintain a Social Service Transportation Advisory Council (Public Utilities Code § 99238) and help the Authority to

fulfill its mobility management responsibilities pursuant to MTC Resolution No. 4321, Revised.

- 4.1.9 Serve as a leadership body to advance improved accessible transportation services, policies, and funding with outside agencies and in federal, State and regional planning processes.
- 4.1.10 Partner with OAE staff to develop the OAE Annual Workplan, and review and recommend the OAE Annual Workplan for consideration and adoption by the Authority Board.
- 4.1.11 Perform other duties to support accessible transportation that may be assigned by the Authority.

ARTICLE 5. Officers

5.1. The AAC shall elect a Chair and Vice Chair for one-year terms.

5.2. Election of officers occurs at the last regular meeting before July 1st of each year. Nominations of officers shall be limited to those members who have attended more than half of AAC meetings in the previous one year. Officers may serve additional terms without term limits.

5.3. A Nominating Subcommittee, consisting of three members, shall be selected at the last regular meeting before June 1 of each year. A slate of prospective officers shall be presented to the AAC at the last regular meeting before July 1 and an opportunity provided for nominations from the floor. The election of officers shall take place at the end of this meeting with the new officers to be seated at the July meeting.

5.4. The Chair shall preside over all meetings, appoint members to subcommittees, and assist in the preparation of the agenda for meetings.

5.5. The Vice Chair shall assume the duties of the Chair in the event of absence of the Chair.

5.6. Removal from Office: Any officer of the AAC can be removed from office for good cause. Removal from office shall be accomplished only by a minimum two-thirds (2/3) vote. Refer also to Article 3, Section 3.5 Absences.

5.7. Vacancies of Officers: Vacancies shall be filled by special election following notification of a vacant position (Chair or Vice Chair), by a majority vote of the quorum of the members present after a nomination has been made and seconded.

ARTICLE 6. Meetings

6.1. The AAC and its subcommittees will conduct meetings in accordance with the Brown Act.

6.2. The AAC shall meet monthly with additional meetings being called by the Chair or staff as required.

6.3. Roberts Rules of Order shall govern AAC meetings.

6.4. The AAC shall give written notice of each regular meeting in accordance with the Brown Act. In the event of a special meeting, members shall be notified at least 24 hours in advance of said meeting.

6.5. A written record of all meetings shall be made and shall be distributed to all members and interested members of the public upon request.

6.6. Meetings shall be held at the office of the Authority. With prior notification, special meetings or subcommittee meetings may be held at other locations. Meeting locations shall be ADA compliant.

6.8. A quorum is reached when the number of AAC members at any meeting totals one more than half of the filled (non-vacant) seats on the AAC.

6.9 In light of the membership and focus of the AAC, the Authority will administer the AAC to ensure equitable access to meetings by mitigating access barriers for members to the extent required by law.

ARTICLE 7. Public Statements

Only the Authority Board is authorized to speak publicly on behalf of the Authority and AAC.

ARTICLE 8. Conflict of Interest

8.1 Members of the AAC are required to comply with all applicable regulations and requirements of the Fair Political Practices Commission, including the filing of a Form 700, Statement of Economic Interest.

ARTICLE 9. Amendments

Recommendations to amend the AAC Bylaws require a 2/3 vote at any meeting of the AAC, provided that a copy of any amendment proposed for consideration is transmitted to each member at least ten (10) days prior to the meeting date.

Recommendations to amend the AAC Bylaws that modify the Authority's Administrative Code, must be submitted for approval to the Authority Board.

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