

CONTRA COSTA TRANSPORTATION AUTHORITY'S ACCESSIBILITY ADVISORY COMMITTEE (AAC) BYLAWS

ARTICLE 1. Purpose of the AAC

To advise the Contra Costa Transportation Authority (hereinafter "Authority") Board and staff on matters related to the Authority's projects and programs as they pertain to accessibility and accessible transportation.

To monitor and advise the Authority Board regarding the implementation of the Contra Costa Accessible Transportation Strategic Plan; and

To satisfy the State of California requirement in Public Utilities Code (PUC) §99238, by serving as Contra Costa County's Social Service Transportation Advisory Council.

ARTICLE 2. Definitions

Accessible Transportation:

Transportation services or programs designed to meet the unique needs of people with disabilities and/or older adults.

Accessible Transportation Strategic Plan (ATSP):

The ATSP, adopted by both the Authority Board and the Contra Costa County Board of Supervisors in March 2021, recommended strategies to both facilitate countywide transportation coordination efforts and address specific gaps in Contra Costa County's accessible transportation system through mobility strategies.

Americans with Disabilities Act (ADA)

The Americans with Disabilities Act (ADA) is a federal civil rights law enacted in 1990 that prohibits discrimination against individuals with disabilities in various areas of life, including employment, public services, and commercial facilities

pursuant to 42 U.S.C. § 12101 et seq by providing a clear and comprehensive mandate to eliminate discrimination.

ADA Paratransit:

ADA Paratransit refers to the transportation service mandated by the ADA for individuals with disabilities who are unable to use fixed-route public transit systems. This service ensures equal access to public transportation by providing origin-to-destination transit within a ¾-mile radius of existing fixed routes, operating during the same days and hours. Eligibility for ADA Paratransit is defined under 49 C.F.R. § 37.123 and includes individuals who, due to a physical or mental impairment:

- Are unable to board, ride, or disembark from accessible fixed-route transit without assistance (excluding the use of a wheelchair lift or similar device);
- Can use accessible fixed-route transit but the route is not accessible or the boarding/disembarking location is inaccessible; or
- Have a specific impairment-related condition that prevents them from traveling to or from a boarding location.

Coordinating Entity

The entity responsible for countywide ATSP strategy implementation to address long-standing barriers to progress. The Office of Accessibility and Equity is responsible for delivering this function for the Authority.

Human Service Transportation Provider (Provider):

A public or non-governmental entity that provides specialized transportation service to specific groups or demographics. Typical Human Service Transportation services include senior dial-a-ride services, van transportation to and from adult day programs, and volunteer driver programs.

Person of Limited Means

An individual qualified as “low-income,” “very low income,” or “extremely low income” pursuant to California Health and Safety Code §50093.

Office of Accessibility and Equity (OAE):

The OAE is a division within the Authority that is tasked with fulfilling the Authority's responsibilities under the ATSP.

Older Adults:

Persons who are 60 and above, as defined in PUC §99238.

Persons with Developmental Disabilities:

Individuals who have a disability that originates before an individual attains 18 years of age, continues, or can be expected to continue, indefinitely, and constitutes a substantial disability for that individual. As defined by the Director of Developmental Services, in consultation with the Superintendent of Public Instruction, this term shall include intellectual disability, cerebral palsy, epilepsy, and autism. This term shall also include disabling conditions found to be closely related to intellectual disability or to require treatment similar to that required for individuals with an intellectual disability, but shall not include other handicapping conditions that are solely physical in nature, as defined in California Welfare & Institutions Code §4512.

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, as defined in 28 CFR Part 35.

Public Transit Operator (Operator):

A public entity that operates fixed-route transit service. An Operator provides transportation services to the general public, establishes routes and frequency of service, regulates and collects fares, and otherwise controls the efficiency and quality of the system it operates.

Social Service Agency (Agency):

Any public, municipal, or non-governmental organization that provides specialized social or transportation services to Older Adults, Persons with Disabilities, or Persons of Limited Means, in accordance with PUC §99238. Social Services is interpreted broadly and may include rehabilitation services, counseling, occupational therapy, translation services, public health services, nutrition assistance, money management, supportive housing, advocacy, etc.

Transportation Equity:

Inclusion into a Contra Costa County where everyone can participate, prosper, and reach their full potential, as envisioned by the Metropolitan Transportation Commission (MTC).

ARTICLE 3. AAC Membership

3.1. AAC Membership shall consist of the following service categories and members:

Public Transit Riders (4 members)

Regular riders of public transit who have direct and current experience with using the Contra Costa County public transportation system and who understand the system and its services. Rider representatives must live or work in Contra Costa County and have current relevant experience using public transit in Contra Costa County, and will include:

- Two (2) public transit riders who are Older Adults, and
- Two (2) public transit riders who are Persons with Disabilities.

Social Service Agencies (4 members)

Agency representatives will include:

- One (1) representative of an agency serving Older Adults,
- One (1) representative of an agency serving Persons with Disabilities,
- One (1) representative of an agency serving Persons of Limited Means, and
- One (1) representative of an agency serving People with Developmental Disabilities.

Human Service Transportation Providers (2 members)

Two (2) members representing Providers, in Contra Costa County that receive Measure J and/or *Enhanced Mobility of Seniors & Individuals with Disabilities* (49 U.S.C. 5310) funding to provide accessible transportation services, including: City of Antioch, City of El Cerrito, City of Richmond, City of San Pablo, Mobility Matters, Rossmoor, and any other qualifying Providers.

Public Transit Operators (5 members)

One representative each of the following Operators:

- AC Transit,
- BART,
- County Connection,
- Tri Delta Transit, and
- WestCat.

Contra Costa County Representative (1 member and 1 optional additional ex officio member)

One (1) staff representative of Contra Costa County and one (1) optional additional Contra Costa County Board of Supervisor (BOS) representative both at the discretion of the BOS. The representative cannot represent a transit agency or serve on a transit agency board or be serving as a primary member of the Authority Board.

Authority Board Representative (1 ex officio advisory member)

One (1) non-elected representative chosen by the Authority Board. The representative cannot represent a transit agency or serve on a transit agency board.

Metropolitan Transportation Commission (MTC) (1 ex officio member)

One (1) non-voting representative of MTC.

It is the intention of the Authority to have members that represent more than one service category and represent a diversity of user perspectives.

3.2. AAC Member Appointments

Public Transit Rider Appointments

Public Transit Rider representatives will be appointed by the Authority Board, in accordance with PUC § 99238(b)). The Authority and Nominating and Recruitment Subcommittee will recruit candidates representing Older Adults, Persons with Disabilities, People with Developmental Disabilities, or Persons of Limited Means, and shall strive to attain geographic and minority representation among the AAC Public Transit Rider representatives.

All Public Transit Rider applicants shall be approved by a majority vote of the AAC and confirmed by the Authority Board.

Social Service Agency and Human Service Transportation Provider Appointments

Agencies and Providers will be selected to serve on the AAC by the Authority Board and recruited by the Nominating and Recruitment Subcommittee, in accordance with PUC § 99238(b)). Selections shall run concurrently with member terms as described in 3.3, below.

Once selected, the Agencies and Providers will be responsible for appointing their own AAC representatives and alternates.

Public Transit Operator, Contra Costa County, Authority Board and MTC Appointments

The Public Transit Operators (AC Transit, BART, County Connection, Tri Delta Transit, and WestCat), Contra Costa County, and MTC will be responsible for appointing their own AAC representatives and alternates.

3.3. Term of office

In accordance with PUC § 99238(b)), appointments will be for three years. Of the initial appointments, one-third of them shall be for a one-year term, one-third shall be for a two-year term, and one-third shall be for a three-year term. After the initial term, appointments may be renewed for additional three-year terms. Agency and Provider selection renewals, and Public Transit Rider term renewals

shall be subject to a majority vote of the AAC and approval by the Authority Board.

3.4. Alternates

Each appointing agency, organization, and/or individual shall name its representative and shall also designate one alternate to represent them. The alternate member does not have to be staff of the same agency they are representing, as long as they maintain the membership requirements in Article 3. Alternate members may serve on subcommittees. Each member shall have a single vote in all matters before the AAC. Alternates shall vote in the place of their primary member only if the member is not in attendance at the same meeting.

3.5. Absences

Four (4) unexcused absences within a 12-month period are considered resignation from the AAC. If a member is unable to attend, it is that member's responsibility to inform Authority staff and contact their alternate to attend on their behalf. An excused absence is defined as one where the AAC member notifies the authority staff in advance of the meeting that they cannot attend, or that the member is unable to attend for reasons beyond their control. All other absences will be deemed unexcused. If an Agency or a Provider representative has four unexcused absences within 12 months, the Authority Board may select another Agency or Provider to fill the seat. If an Operator representative, or the Contra Costa County or MTC representative has four consecutive unexcused absences, its organization shall designate another representative to serve on the AAC.

3.6. Subcommittees

There will be three standing AAC subcommittees: a Nominating and Recruitment Subcommittee, a Claims Review Subcommittee, and an ATSP Work Plan Review Subcommittee. Standing subcommittee members will be recommended and appointed at the start of every calendar year by the AAC chair and confirmed by a majority vote of the AAC. The Claims Review Subcommittee members will serve for a one-year term. The Nominating and Recruitment Subcommittee and the ATSP Work Plan Review Subcommittee will serve for a two-year term. Additional

ad-hoc subcommittees may be created, and members appointed, at the discretion of the AAC Chair to address issues related to the AAC's mission and to carry out short-term defined special projects. No subcommittee shall have fewer than three members. Alternates may serve on standing and ad-hoc subcommittees.

3.7 Removal of Officers and Members

- Any officer or member of the AAC can be removed from office for good cause, such as:
- Violating the Federal Drug-Free Workplace Act of 1988 and the California Drug-Free Workplace Act of 1990
- Being under the influence of alcohol in such a manner as to substantially impair or impede the performance of the officer or member's ability to perform AAC duties
- Harassing, bullying, or intimidating other members of the AAC, Authority staff, or members of the public.
- Failure to attend regular meetings as specified in Section 3.5.

Removal from office shall be by a minimum two-thirds (2/3) vote of the AAC, subject to approval by the Authority Board. An officer or member of the AAC who presents a direct threat to health or safety may be immediately suspended from the AAC by the Executive Director of the Authority or their designee, pending removal.

ARTICLE 4. Duties of the AAC

4.1. Requirements of Public Utilities Code (Div 10, § 99238(c))

In accordance with PUC § 99238(c)), the AAC will:

- a. Annually participate in the identification of transit needs in Contra Costa County, including unmet transit needs that are within the jurisdiction of the Authority and that may be reasonable to meet by expanding existing services or by supporting existing Operators and Providers to establish or contract for new public specialized transportation services.

- b. Annually review and recommend action by the Authority for matters within the Authority's jurisdiction, by resolution, that (A) there are no unmet transit needs, (B) there are no unmet transit needs that are reasonable to meet, or (C) there are unmet transit needs, including needs that are reasonable to meet.
- c. Advise the Authority on any other major transit issues, including the coordination and consolidation of specialized transportation services that are within its jurisdiction.

4.2 General

Advise the Authority on issues within the Authority's jurisdiction that are related to accessible transportation services in Contra Costa County.

4.3 ATSP

Advise the Authority on initiatives related to the ATSP that are within the Authority's jurisdiction, including:

- Oversight of regular, five-year updates to the ATSP.
- Partner with Authority staff to develop a biennial ATSP Workplan. Review and provide recommendations to the Authority Board regarding consideration and adoption of the ATSP Workplan.
- Monitor progress of the implementation of the ATSP, including conducting annual assessments on ATSP implementation, achievement toward the OAE vision, and making recommendations to the Authority Board regarding updates or amendments to the ATSP when needed.

4.4 Coordination

Advise the Authority on ways to improve and increase cooperation, coordination and effectiveness of specialized transportation services for older adults and persons with disabilities that are within the Authority's jurisdiction, including by minimizing overlap and duplication in the use of resources at the policy, management, and service delivery levels.

4.5 Claim Review

Review annual claims for Measure J funds, applications for 49 USC § 5310 funds, and/or other applicable funds and make recommendations to the Authority Board regarding these claims and applications as appropriate.

4.6 Forum

Provide a forum for accessible transportation stakeholders, including Agencies, Providers, AAC members, Older Adults, Persons with Disabilities, People with Developmental Disabilities, or Persons of Limited Means and the public to discuss common goals related to accessible transportation services that are within the Authority's jurisdiction.

4.7 Recommendations

Provide information and recommendations to the Authority on issues within its jurisdiction affecting transportation for Older Adults, Persons with Disabilities, People with Developmental Disabilities, or Persons of Limited Means, including updates to the Countywide Transportation Plan, Measure J Strategic Plan, and any new or updated Transportation Expenditure Plan.

4.8 Information Exchange

Exchange information with, and make recommendations regarding transportation to, Agencies that provide services to Older Adults, Persons with Disabilities, People with Developmental Disabilities, or Persons of Limited Means.

4.9 Stakeholder Facilitation

Facilitate cooperation between accessible transportation consumers and providers, serve as a forum for stakeholders to discuss service gaps and other issues of mutual interest, facilitate cooperation in the resolution of concerns related to accessible transportation, and provide input on all stages of the Authority's programs as they relate to accessibility and accessible transportation. Stakeholders will include Agencies, Operators, Older Adults, Persons with Disabilities, People with Developmental Disabilities, or Persons of Limited Means, or their advocates representing all county sub-regions.

4.10 OAE

Provide input to the Authority regarding the OAE and its vision for Older Adults, Persons with Disabilities, People with Developmental Disabilities, or Persons of Limited Means in Contra Costa County to experience seamless, accessible and dignified transportation that fosters independence and inclusivity in their daily lives, and the OAE's mission to create a collaborative ecosystem that brings together accessible transportation consumers with Operators, Providers, Agencies, and other stakeholders to foster strong partnerships, encourage the streamlining and optimization of accessible transportation services, and help incorporate accessibility into routine transportation planning in Contra Costa County.

4.11 Other

Perform other duties to support accessible transportation that may be assigned by the Authority.

ARTICLE 5. Officers

5.1 At the first AAC meeting following ratification of these bylaws by the Authority Board, the AAC shall elect a Chair and Vice Chair for one-year terms. Provided that candidates from different service categories are available, the Chair and Vice Chair shall not represent the same categories.

5.2 Election of officers shall occur at the first regular meeting of each calendar year with the new officers to be seated at the next regularly scheduled meeting. Nomination of officers shall be limited to those members who have attended more than half of the AAC meetings in the previous one year. Officers may serve additional terms without term limits.

5.3 The Chair shall preside over all meetings, appoint members to subcommittees in coordination with the AAC members, call special meetings, cancel meetings as appropriate in coordination with the Authority, and assist Authority staff in the preparation of the agendas for all AAC meetings.

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

5.5 Vacancies of Officers: Vacancies shall be filled by special election at the next regular meeting following notification of the vacant position, by a majority vote of the members in attendance, 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, cancelled at the discretion of the Chair in coordination with the Authority, with additional meetings as needed being called by the Chair or staff as required.

6.3 The Authority shall give written notice of each regular meeting at least 72 hours in advance, in accordance with the Brown Act. In the event of a special meeting, members and the public shall be notified at least 24 hours in advance of said meeting.

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

6.5 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.

6.6 The Authority will administer the AAC and will ensure equitable access to meetings by mitigating access barriers for members and the public whenever possible and at least 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 the AAC.

ARTICLE 8. Conflict of Interest

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.