

TEHAMA COUNTY TRANSPORTATION COMMISSION

MINUTES OF MARCH 17, 1999

1. Call to Order at 9:30 a.m. by Chairman Warner.

Present: Ron Warner, Earl Wintle, George Russell, Rex Roush and Ross Turner.
Absent: Charles Willard.

Also present: Debbie Pederson, Ed Lapkin and Gary Otremba of Caltrans, Chuck Hayden, City of Red Bluff, Bidwell High School Students, Bob Lucas, Executive Director of the Learning Center, Gary Plunkett, Executive Director, Barbara O'Keeffe, Transit Manager and Larry Stevens, Jay Harris, Allen Skaggs, Roy Berlinghoff and Charles Githens, of the ADA Implementation Plan Consumer Advisory Committee.

Ross Turner, speaking on behalf of himself, commented on the input for three alternatives for the North Red Bluff Interchange Project. Mr. Turner said the project has been presented, reviewed and studied. If there was nothing new to contribute, Mr. Turner felt that action should be taken immediately and go on with Alternative No. 1.

2. NORTH RED BLUFF INTERCHANGE PROJECT RESOLUTION 3-1999

Gary Plunkett, Executive Director, reiterated that subsequent to the meeting on February 24, 1999, correspondence was received from Caltrans requesting the Commission to adopt a resolution recommending one of the three alternative for the North Red Bluff Interchange Project. The Commission's Technical Advisory Committee met, reviewed all three alternatives and recommended Alternative No. 1 including a recommendation that the mitigation measures in accordance with environmental requirements be implemented.

Motion by Commissioner Turner to Adopt Resolution 3-1999, TCTC endorse Alternative 1, replace Adobe Road overcrossing with a wider structure and provide full access to the freeway via off-and on-ramps in a "tight diamond" configuration. Motion seconded by Commissioner Wintle.

Comments: Pierre Peets of Lisa Way, commented that he spoke to Caltrans and they had dropped the truck acceleration lane from Alternate No. 2 which means that this alternative would be \$1 million cheaper. Lisa Way residents feel that their concerns are not going to be satisfied. Mr. Peets stated that nothing from Caltrans

or the Commission has come up saying "You have some legitimate concerns and we will address them". Mr. Peets also stated that there are certain people in his area that are willing to accept this project without any more fights or taking it into court if acknowledgment that these concerns will be addressed.

Commissioner Wintle answered that when the environmental impact report is received, most of these issues will be addressed. As part of the process, it will then be mitigated at that time.

Chairman Warner addressed Resolution 3-1999 which states that ".....Alternative No. 1 provides the greatest public benefit and formally recommends Alternative No. 1 and mitigation in accordance with environmental requirements". This was discussed with Caltrans and the Commission (TAC). The TAC recommended also that the problems discussed are mitigated to the fullest extent. Chairman Warner stated that he would push for that all the way through the project.

Commissioner Russell stated he would vote for Adobe and the reason being that with the great many people in the Wilcox area and Surry Village, including comments received, everyone in that area favored Adobe. Secondly, Commissioner Russell lives within one mile of the freeway and as far as noise is concerned, he can hear the freeway traffic noise especially in the summer. Living close, you do hear more, but with the barrier it will be helpful. Thirdly, there is an advantage in having "two interchanges" as opposed to one. By choosing the other two, you reduce it to one. By having Adobe, we will continue having the one we have now along with Adobe and split the traffic. With the growth of the community, having two will be advantageous to everyone. Commissioner Russell also stated, he sympathized with the residents directly affected, but he hoped and believed that maybe it will split the traffic and the barrier, even though not as long as people would like it to go, would be a positive asset.

Chairperson Warner acknowledged receipt of a petition at this meeting from Lisa Way. There were 39 signatures and it was assumed that all signatures were from Lisa Way residents.

With no further comments, the motion carried 5-0 with 1 absent.

3. UPDATE ON COUNTY WIDE BIKE PLAN

Chuck Hayden, Director of Community Development for City of Red Bluff, presented the Bike Plan update. This plan is being developed by Northern California Planning and Research (NCPR). The plan preparation was authorized by the Commission in January 1998 and the Commission budgeted a little over \$21,000 for this task. Workshops have been conducted throughout Tehama County. The purpose of these workshops were to identify bike users, barriers to cyclists, and opportunities to enhance cycling as an alternative to automobiles.

Mr. Hayden said the workshops identified school children as users, commuters, parents, recreational users and exercisers, both novice and experienced cyclists. One of the primary opportunities for the Plan would be accommodating children which is an important community priority.

NCPR staff has begun the draft plan and is incorporating the results of background research, field research and public input into the plan.

Five students from Bidwell School's fifth grade gave a presentation to the Commission asking the TCTC to provide safe routes for children to ride to school. There are no bicycle paths for students to use and they must ride on the streets with many intersections and residential areas without stop signs, making it even more dangerous for the students. The students presented a map showing a plan for safe routes. They also talked to property owners about the trails and will be completing a feasibility plan. The students hoped the TCTC will support the plans of the Red Bluff Trails United by allocating money to build the paths.

Chairman Warner thanked the students for their presentation and their recommendations would be taken under consideration.

4. RED BLUFF TRAILS UNITED

Chuck Hayden, City of Red Bluff and member of Trails United (RBTU), gave information to the Commission describing the group. RBTU's main objective is to provide a travel path independent of vehicle routes for the purpose of separating children and adults from vehicles. Class one bike paths have an extreme positive impact on safety. RBTU is utilizing the services of two grant research consultants, Community Housing Improvement Program and the CSU, Chico University Foundation. To date, adequate grant funding is not available to acquire land and/or easements, complete design plans and construction of trails. General Fund resources at the local level are also limited. RBTU hopes to obtain the support of the TCTC and submit a Transportation Enhancement Activities (TEA) project application for consideration of funding in the future.

Commissioner Turner felt there would be no question of endorsement of the trail. He had concerns for operation and maintenance funding.

Mr. Hayden commented that a large segment of the trail is along school property and already has verbal commitment for maintenance from the school. Commitments from City Staff for Police Patrol, and the Public Works Director is aware. No commitments from outside the City limits has been received as yet, but there is a large population who would volunteer to maintain trails.

5. AMEND THE 1998 REGIONAL TRANSPORTATION IMPROVEMENT PROGRAM

Barbara O’Keeffe, Transit Manager, presented two resolutions to the Commission. Resolution 3-1999 approves the 1998 Regional Transportation Improvement Program (RTIP) Amendment No. 1. This resolution identifies the preceding actions of the Regional Transportation Planning Agency. It also recognizes the projects from the City of Red Bluff, Corning and the County of Tehama to be amended into the RTIP.

Motion to adopt Resolution 3-1999 by Commissioner Russell and seconded by Commissioner Wintle. Motion carried 5-0 with 1 absent.

The second resolution presented to the Commission by Barbara O’Keeffe, was Resolution 4-1999 authorizing the Executive Director and Transit Manager to prepare and execute all necessary documents for the 1998 RTIP Amendment No. 1.

Motion by Commissioner Turner and seconded by Commissioner Russell to adopt Resolution 4-1999. Carried 5-0 with 1 absent.

Thanks was given to Marlene Woods, District 2 Liaison, for her assistance in the preparation of this item. She has worked diligently to help TCTC meet the March 30th deadline.

6. DRAFT ADA IMPLEMENTATION PLAN

Mark Wall of Mark Wall Associates presented the draft ADA Implementation Plan and introduced members of the Consumer Advisory Committee for the ADA Plan. These minutes high-lite issues that were presented and discussed.

Mr. Wall began by stating that he originally became involved in the project thru the State Transit Association, California Association for Coordinated Transportation (CalACT). A review of the Tehama County transit system was completed in order to determine if the system was in compliance with the American Disabilities Act (ADA). That review recommended that the system was not in full compliance and the ADA Implementation Plan began.

Mr. Wall commented on the ADA Advisory Committee, which includes in its membership some disabled citizens who were surprised to learn they may not be eligible for this ADA service due to the strict ADA definitions. The intent of the presentation, Mr. Wall stated, was the document would be scheduled for a public hearing in April, prior to its adoption. This plan has been prepared to meet the following objectives:

Evaluate existing services, determine compliance with the ADA, forecast potential demand for a fully ADA compliant transit system, to review service models and options and

determine service parameters, eligibility criteria and process, implementation process and milestones.

This plan is to serve as a guide to implement services that are fully compliant with the ADA and to provide a reference book for the future. It is important to recognize that we are speaking about civil rights with this document. Not a special service, unmet needs, we are addressing civil rights legislation that is intended to assure that disabled individuals have equality of opportunity. Nothing more and nothing less. Quality of opportunity means full access to all facilities and opportunities offered to non-disabled persons. A very important message is we are seeking equivalent service, but we are not (the ADA) intending to solve unmet needs, or provide a higher standard of service for targeted populations.

Definition of "disability" was addressed. Under the ADA, it clearly looks at disability as being a condition a person may have that limits their activities. It is not a definition of an individual, but descriptive of a condition that limits their ability. The Plan addresses "Paratransit" or "Complimentary Paratransit". It is not intended to replace transit or be a special service, but intended to take someone into the transit system to provide access. Basic requirements for all modes of transit is non-discrimination. ADA is primarily targeted to the "fixed route". That is what brought the plan into being; TRAX fixed route bus service. Requirements are simple:

All vehicles purchased or leased after 1990 must be accessible. Fixed route systems must also adopt policies that for example allow personal care attendants to ride free of charge; other requirements are the drivers announce all major stops. The most difficult requirement for most transit systems is complimentary comparable paratransit service provided to persons unable to use the fixed route system.

Mr. Wall identified that in other areas of the County, outside of the Red Bluff area, there is no comparable paratransit service.

This is the focus of the conversation at this meeting. There must be a comparable service area. The paratransit service must respond in a comparable amount of time to fixed route (1-hour of the time requested if calling one day ahead) and comparable fares. Also, no restrictions for trip purposes, hours and days of service must be comparable and no capacity constraints.

The key issue, Mr. Wall stated, was eligibility. People who are eligible fall into one of these three categories: 1). Because of the nature of the disability, they cannot navigate even a transit system that is otherwise accessible. The vast majority of disabled people can use the accessible bus route. 2). People who could use an accessible bus route, but the vehicle has not been equipped with accessible features as of yet. 3). Individuals who have impairment conditions which prevent

them from getting to or from a boarding or disembarking location.

Certification was discussed by Mr. Wall. The eligibility process will require more discussion. Some areas around the country use self-certification, which is the most abused method of eligibility. Telephone interviews or face-to-face interviews (the most effective) done by the transit agency or under contract with a community and/or medical agency. It was Mr. Wall's recommendation the service have a very "stringent eligibility process". The disabled community, the Consumer Advisory Committee and Federal Government agree with that and ask that you comply.

Continuing with regard to certification, Mr. Wall said it was easy to recommend what should be done, but the question is who will do it. Staffing levels today are not adequate to do this. The cost of contract operation would be based on a tight screen regimentation. It is anticipated that in the first thru the third year, not more than one vehicle would be needed for ParaTRAX.

Mr. Wall ended his presentation by stating that it is important this issue be completed. Because ADA is a civil right, non-compliance brings with it the potential of civil law suits.

Commissioner Turner questioned that basically, this is a mandated service we must have, no matter what the cost, subject of civil action or federal retention of funding for other projects. Mr. Wall answered there is one other option, other than this. That would be not to have fixed route service. Mr. Turner continued, that in order to provide the ADA service, Mr. Wall was inferring that we are subject to civil action by clients who need to avail themselves of a service we don't provide; and if we don't avail ourselves of this service, we would also be subject to retention of federal funds that are inadvertently tied to transportation. Mr. Wall confirmed federal and state funds would be involved.

Commissioner Russell recognized the fact, it is an issue with not much choice. Commissioner Russell also stated that he did not feel compelled to look at the schedule established, other than an advisory schedule to follow. We have staffing problems, and through no fault of the staff, something has to be done and Barbara does not have time for policy writing. Mr. Wall noted that the policies are already drafted and would be adopted with the Plan.

Disruptive behavior on the bus was discussed. Allen Skaggs, North Valley Services, commented that he felt Laidlaw/TRAX has done a good job, but the way he interpreted ADA draft policy is that you are "almost putting yourself into a diagnosing type situation". 80% of the individuals North Valley Services assists, their behaviors are greatly caused by their disabilities. A big proportion falls into disruptive/violent. "I believe we should coordinate and work as a team if the person's disability is that. Are you precluding these people from the service? It is directly tied to a disability."

Mark Wall answered the policy came out of the ADA regulations. In the committee process it was discussed that these decisions must be collaborative and the need for agencies to work together. If it is a safety issue, the transit system protects the safety of its riders.

Commissioner Wintle agreed the time frame is aggressive. Public Hearings before each city should be held and be presented before City Council of Red Bluff. Commissioner Rex Roush also agreed this was true for Corning.

7. AGREEMENT TO PROVIDE TRANSIT SERVICES

Bob Lucas, Executive Director of the Learning Center informed the Commission of a two-year EDD grant received by the Learning Center. The proposal is to provide transit for the Rancho Tehama residents, on public assistance, who do not have transportation through TRAX. Two main areas for removing people from public assistance are transportation and childcare. Social Services addresses the childcare issue with their funds and the Learning Center with their grant and can address the transportation issues. Collaboration between the three agencies is presented in this proposal.

Commissioner Wintle questioned if this became a fixed route would it become ParaTRAX and an ADA issue? Mark Wall answered that as the service is described now, it is not subject to ADA requirements. In the future, there are a variety of things to examine as options to a traditional fixed route for this particular service. Commuter service or a general commuter service, as long as it carefully follows some criteria, is exempt. It does present a need for careful analysis.

Motion by Commissioner Turner that the agreement between the Learning Center of Tehama County, Tehama Rural Area Express (TRAX), and Laidlaw Transit Services to provide transit service for clients referred to TRAX/Laidlaw by the Learning Center. Motion seconded by Commissioner Wintle. Carried 5-0 with 1 absent.

Commissioner Turner stated that the ADA Consultant should be consulted to insure no violations with regard to ADA standards or service.

8. RURAL LOCAL ROADS REHABILITATION SURVEY REPORT

Barbara O'Keeffe, in the interest of time, reported to the Commission the Rural Counties Task Force, sponsored by the CTC, has conducted a Rural Roads Rehabilitation Survey. The Rural Counties Task Force represents 28 Counties. The summary was included in the packet for review. The survey concluded that there is an average of \$38.5 million per County in need to bring the county road systems back to standard.

9. CORRESPONDENCE

Accepted as is, no questions.

10. PUBLIC COMMENT

None

11. WARRANT REGISTER

<u>Warrant Register - February</u>	
Pacific Bell (800 Line)	\$7.25
Pacific Bell (385-2200)	\$32.85
CalACT (Membership dues)	\$140.00
(Payment executed by transit contract for February)	
Mark Wall & Assoc.	
(Transit Planning & Mgmt. ADA Plan)	\$3,071.13
(Payment executed by transit contract for February)	
Laidlaw Transit Service (Vantrans)	\$19,168.53
Laidlaw Transit Service (TRAX)	<u>\$21,615.12</u>
Subtotal	\$44,034.88
<u>Warrant Register - March</u>	
Pacific Bell (800 Line)	\$6.45
APA - Trans. Planner Ad	\$30.00
Pacific Bell (385-2200)	\$44.43
Intuit (METS checks)	\$64.34
Theresa Valenzuela (translation of survey)	\$65.00
Impressive Print (copies)	\$119.32
Tehama Trader (Survey)	<u>\$129.00</u>
Subtotal	\$458.54
(Payment executed by transit contract for March)	
Mark Wall & Assoc. (Transit Planning & Mgmt. ADA Plan)	\$4,832.43
(Payment executed by transit contract for March)	
Laidlaw Transit Service (Vantrans)	\$17,917.16
Laidlaw Transit Services (TRAX)	<u>\$21,696.82</u>
Subtotal	\$44,446.41
Total	\$88,939.83

With regard to Warrant's, Commissioner Wintle asked that Vantrans and TRAX be broken down giving more information on the register. Staff reiterated that due to limited staff, the Commission advised the reports would be given quarterly. Commissioner Russell stated he did not need the information monthly. Motion to approve the Warrants as is by Commissioner Russell and second by Commissioner Roush. Carried 5-0 with 1 absent.

12. CLAIMS

<u>Claims - March</u>	
Tehama County Public Works (Svs from 10/1/98 - 12/31/98)	\$88.35
Dow & Associates (Svs 2/19/99)	\$337.50
Amador County Transportation Commission (Rural Road Survey)	\$500.00
Tehama County Public Works (Admin. Svs. From 10/1/98-12/31/98)	\$7,294.39
Total	\$8,220.24
	\$7,720.24

Motion by Commissioner Turner to accept the claims. Commissioner Wintle questioned the \$500 Amador County Transportation Commission Rural Road Survey as being part of the County Public Works. It was agreed by Executive Director Gary Plunkett the \$500 would come from the County share of the Local Transportation Fund allocation. Amended motion by Commissioner Turner to delete the Amador County Claim of \$500 and to accept the claims in the amount of \$7,720.24. Seconded by Commissioner Russell. Carried 5-0 with 1 absent.

13. APPROVAL OF FEBRUARY 24, 1999 MINUTES

Motion to accept minutes as is by Commissioner Russell and seconded by Commissioner Wintle. Carried 5-0 with 1 absent.

With no further business the meeting adjourned at 11:10 a.m.

Chairman

Deputy/Secretary