



CITY OF OAKLAND 2016 MAY 12 PM 12: 55

FILED
OFFICE OF THE CITY CLERK
OAKLAND

AGENDA REPORT

TO: Sabrina B. Landreth
City Administrator

FROM: Sara Bedford
Director, Human Services

SUBJECT: Paratransit Measure B & BB Funds
For Fiscal Year 2016-2017

DATE: May 10, 2016

City Administrator Approval

Date:

5/12/16

RECOMMENDATION

Staff Recommends That The City Council Adopt A Resolution Authorizing The City Administrator To Accept And Amend The Appropriations Of Direct Local Distribution Funds In The Amount Of \$1,079,924 Measure B And \$1,122,690 Measure BB And Accept And Appropriate Up To \$105,680 Measure B Gap Grant Funds For Fiscal Year 2016-2017 From The Alameda County Transportation Commission To Provide Paratransit Services; And Authorizing The City Administrator To Execute Reimbursement Agreements For Fiscal Year 2016-2017 In Amounts Of: 1) \$500,000 To Friendly Transportation, Inc. DBA Friendly Transportation, Friendly Cab Company And Metro Yellow Cab Company, 2) \$200,000 To St. Mini Cab Corporation DBA Veterans Cab, 3) \$250,000 To Quality Transit, LLC, And 4) \$125,000 To Bay Area Charters, Inc.; And Authorizing The City Administrator To Accept And Appropriate Any Additional Grant Funds That May Become Available For Fiscal Year 2016-2017 And Amend The Fiscal Year 2016-2017 Agreements Without Returning To City Council.

EXECUTIVE SUMMARY

As the City of Oakland is an eligible recipient of Measure B and Measure BB funds, staff is seeking City Council approval to receive and administer the revenue from the Alameda County Transportation Commission (ACTC) in the amount of \$2,308,294 to provide non-mandated paratransit services aimed at improving the mobility of seniors and persons with disabilities within respective service areas through the Oakland Paratransit for the Elderly and Disabled (OPED) Program.

BACKGROUND / LEGISLATIVE HISTORY

The City of Oakland began operating city-based paratransit services in 1978 with State Transportation Development Act (TDA 4.5) funds, which was later supplemented with dedicated specialized transit funds through Alameda County's Measure B half-cent sales tax initiative approved by voters in November 1986. The Alameda County Transportation Authority (ACTA) was formed to oversee the Measure B Expenditure Plan as it funded various highway projects, mass transit and local transportation needs of cities.

Item: _____
Life Enrichment Committee
May 24, 2016

The Americans with Disabilities Act (ADA), effective July 26, 1990, mandates that all public transit operators provide complementary or corresponding paratransit services for persons who cannot use fixed route transit due to a disability. To fulfill these requirements, Alameda-Contra Costa Transit District (AC Transit) and Bay Area Rapid Transit (BART), major public transit operators in this service area, formed the East Bay Paratransit Consortium and developed a Coordinated Paratransit Plan. Historically, East Bay Paratransit has been the primary paratransit provider in Alameda County.

ANALYSIS AND POLICY ALTERNATIVES

In December 1996, the City of Oakland began offering a new supplemental paratransit service solely funded by Measure B. The program was designed to meet the needs of Oakland residents who require assistance beyond the parameters of the Consortium's program. To date, the City of Oakland has contracted with local taxicab companies and wheelchair accessible van companies to provide service.

The reauthorization of Measure B through 2022 was approved by voters in November 2000 to be administered by the Alameda County Transportation Improvement Authority (ACTIA) and then newly-formed ACTC as of July 2010. The funds have been divided among the four zones of the County (North, Central, South and East) by legislation and are allocated to the respective cities on a formula basis.

Upon initiation of the second measure, the City of Oakland received the largest allocation of 70.45% of North County's share to serve both Oakland and Piedmont residents. At that time, the funding formula was based on data from the 2000 U.S. Census and the most recent Supplemental Security Income (SSI) data for Oakland residents.

Since then, the funding formula has been revised for five fiscal years, FY 2012-2013 through FY 2016-2017, based on updated data from the 2010 U.S. Census. In addition, the ACTC has approved the utilization of annual updates of American Community Survey (ACS) income data as a replacement for SSI data. Therefore, under the new formula, Oakland has seen a percentage decline of approximately 3.76% or approximately 66.69% of North County's share, which still ranks as the largest distribution.

Measure BB was approved by voters in November 2014 to augment Measure B with an additional half-cent sales tax and then supplant Measure B at its sunset in 2022 and transition to a one-cent initiative Measure BB would be in effect through 2045. The current Measure B distribution formula for North County will be applied to determine the Measure BB shares for Oakland and Piedmont. However, the formula used for allocation to the planning areas will differ from the Measure B calculation as it will also account for an additional age factor of 70 plus; thus, there will be a disparity in the funding amount under each Measure that is received. Therefore, each half-cent Measure will come to North County in different amounts and be distributed based on the county-wide age factor. When Measure B sunsets in 2022, Measure BB distribution rules will apply moving forward.

Thus, staff does not foresee any significant concerns or key issues that will adversely impact Oakland Paratransit for the Elderly and Disabled Program to function at full capacity for the upcoming fiscal year.

The Request for Proposals/Qualifications (RFP/Q) requirement is not applicable because the agreements are not professional services contracts but rather direct distribution agreements. The City of Oakland enters into reimbursement agreements, on a non-exclusive basis, with any taxi and van company that provides paratransit services for the elderly and disabled, has a minimum fleet of five vehicles, is permitted to provide service in Oakland and meets the City's other requirements for paratransit services.

Each recommended taxi and wheelchair accessible van company meets all applicable laws and regulations and complies with City contracting requirements such as possession of appropriate business permits, proof of vehicle insurance, workers' compensation insurance, drug and alcohol testing for drivers, hire and in-service driver trainings, and other outlined conditions. Thus, staff has determined that the recommended companies providing taxi and/or wheelchair van services meet all necessary requirements.

Because of the increase in funding from the passage of Measure BB, OPED is in the process of developing additional programs and services for seniors and adults with disabilities. Based on input from City of Oakland Senior Centers Advisory Boards and staff, in 2015 OPED established a shuttle service for qualified groups to attend local cultural events. The Group Trip Program will expand to serve community based senior programs in 2016. Undistributed funds will be used to establish a surplus to ensure that paratransit services for seniors and adults with disabilities will not be disrupted by changes in tax generated revenue and to compensate for unanticipated increases in current service utilization.

FISCAL IMPACT

The FY 2016-2017 Proposed Policy Budget for OPED Program includes appropriations for Measure B direct local distribution funds and projected fare revenue budgeted in Measure B Paratransit – ACTC Fund (2213), Oakland Paratransit for the Elderly and Disabled Organization (75621), OPED Administration Project (G486110), OPED Taxi Project (G486120) and OPED Van Project (G486130). The FY 2016-2017 projected fare revenue is budgeted at \$115,000. The accompanying resolution seeks to amend the appropriation for Measure B direct local distribution funds to the amount of \$1,079,924.

Measure B Gap Grant funds up to \$105,680 that Oakland will receive from ACTC for FY 2016-2017 will be accepted and appropriated to Measure B Paratransit – ACTC Fund (2213), Oakland Paratransit for the Elderly, Disabled Organization (75621), and OPED Gap Project (G460920).

The FY 2016-2017 Proposed Policy Budget for Oakland Paratransit for the Elderly and Disabled Program includes an appropriation for Measure BB direct local distribution funds budgeted in Measure BB Paratransit – ACTC Fund (2216), Oakland Paratransit for the Elderly and Disabled Organization (75621), and OPED Measure BB Paratransit Category Project (C491310). The accompanying resolution seeks to amend the appropriation for Measure BB direct local distribution funds to the amount of \$1,122,690.

The funding for OPED contracts is included in the FY 2016-2017 Proposed Policy Budget under Human Services Department (HSD) as follows:

Measure B Paratransit – ACTC Fund (2213), Oakland Paratransit for Elderly and Disabled Organization (75621), OPED Admin FY 2016-2017 Project (G486110), OPED Taxi FY 2016-2017 Project (G486120), OPED Van FY 2016-2017 Project (G486130) and Empowering Seniors and People with Disability Program (YS14).

Measure BB Paratransit – ACTC Fund (2216), Oakland Paratransit for the Elderly and Disabled Organization (75621), OPED Measure BB Paratransit Category FY 2016-2017 Project (C491310) and Empowering Seniors and People with Disability Program (YS14). HSD is requesting as it has in prior years, a contribution from general purpose fund in an amount equivalent to Central Services Overhead in an estimated amount of \$60,110 for Measure B Fund (2213), and \$44,674 for Measure BB Fund (2216).

If additional funds become available for the same paratransit service purposes herein, within the existing term, staff is seeking authorization to accept and appropriate funds for the OPED program without returning to Council within the duration of the grant term.

PUBLIC OUTREACH / INTEREST

Program status and activities are continually captured and made available to the public annually by the ACTC through the following requirements:

- Annual article publication in a mass generated print or electronic medium;
- Submission of a year-end program compliance report and independent audit that is accessible to the public;
- Participation in Paratransit Technical Advisory Committee (ParaTAC) meetings that are open to the public; and,
- Participation and attendance at Paratransit Advisory and Planning Committee (PAPCO) meetings that are open to the public.

Staff also continues to attend and participate in meetings held by the Mayor's Commission on Persons with Disabilities and the Mayor's Commission on Aging. Annual presentations are made for these respective commissions for outreach and feedback from the commissioners and the general public that is considered in annual program planning.

Additional consumer input has been derived through verbal and written feedback, as well as information solicited through OPED's annual participant survey process.

Services will continue to be available city-wide to eligible applicants. At the time of this report, client enrollment was 1,351 and reflected in **Table 1** below:

Table 1: FY 2015-2016 OPED Registered Client Demographics

OPED Unduplicated Client Count											
Zip Code	Total Count	Percent	Race							Sex	
			African American	Asian/Pacific Islander	Caucasian	Hispanic	Native American	Other	Unidentified	M	F
94601	73	5.4	34	14	13	8	1	3	0	23	50
94602	70	5.2	19	20	27	2	0	2	0	16	54
94603	54	4.0	46	3	4	1	0	0	0	12	42
94605	119	8.8	88	10	14	0	0	5	2	29	90
94606	90	6.7	46	22	14	2	0	6	0	21	69
94607	101	7.5	42	48	7	0	0	2	2	35	66
94608	64	4.7	53	3	3	1	0	0	4	11	53
94609	58	4.3	42	3	9	0	1	2	1	17	41
94610	145	10.7	38	20	77	2	0	6	2	30	115
94611	246	18.2	29	74	121	7	1	13	1	74	172
94612	173	12.8	38	62	61	4	0	5	3	46	127
94618	31	2.3	1	4	24	2	0	0	0	8	23
94619	48	3.6	21	6	14	2	0	5	0	8	40
94620	1	0.1	1	0	0	0	0	0	0	0	1
94621	56	4.1	44	2	2	5	0	0	3	9	47
Others	22	1.6	12	1	6	0	0	1	2	8	14
TOTALS	1351	100	554	292	396	36	3	50	20	347	1004

COORDINATION

In preparation of this report and resolution, the Office of the City Attorney, Controller's Bureau, and HSD Fiscal Services have been consulted.

PAST PERFORMANCE, EVALUATION AND FOLLOW-UP

Friendly and Veterans have been utilized for service delivery for several years. They have performed at a satisfactory level with a consistent track record for safety and overall customer satisfaction. They are well versed in the program's policies and procedures and submit legible and organized invoices for reimbursement. Combined, they provided 17,366 passenger trips during FY 2014-2015.

Quality and Bay Area Charters are entering their second year of service with OPED. They were newly formed companies during FY 2015-2016 by employees that worked and managed services for VIP Express Transport and Eastshore Charter Lines respectively of which had longtime service agreements with OPED and provided exemplary service to riders; and as predicted, the spinoff companies performed at a very high level during the year.

Independent of staff evaluation, OPED relies on informal feedback from many of the riders through office visits, phone calls, and letters that informs staff of unmet needs, customer service experiences, and overall impressions of the program.

In addition, staff conducts an annual mail survey of riders to gain additional qualitative information. The survey was developed for the collection of information for City Council, ACTC and the Paratransit Advisory and Planning Committee (PAPCO). The survey for FY 2015-2016 will be conducted throughout the month of May. The FY 2014-2015 survey results are provided in Table 2 below and are based on 363 client returns:

Table 2: FY 2014-2015 Paratransit Survey Summary

1) Most common purpose of trips?	Shopping	Medical	Social	Recreation	Other
	39%	73%	17%	11%	10%
2) Wait-time on the phone to request a ride?	< 10 minutes	> 10 minutes	-	-	-
	76%	24%	-	-	-
3) Rides on time?	Always	Mostly	Sometimes	Seldom	Never
	25%	56%	16%	2%	1%
4) Vehicles clean and in good condition?	Always	Mostly	Sometimes	Seldom	Never
	36%	50%	12%	1%	1%
5) Drivers helpful and friendly?	Always	Mostly	Sometimes	Seldom	Never
	31%	46%	19%	3%	1%
6) Trips on an average in minutes?	5-10 min	10-15 min.	15-20 min	20-25 min.	Over 25 min.
	6%	36%	35%	17%	7%
7) Overall satisfaction with service?	Excellent	Very Good	Good	Fair	Poor
	30%	42%	22%	5%	1%

SUSTAINABLE OPPORTUNITIES

Economic: Funds from Measure B and Measure BB will be used for agreements with local vendors to improve current paratransit services. Vendors will subscribe to the City's Living Wage Ordinance.

Environmental: The Paratransit Program encourages shared ride transportation that reduces the emission of carbon dioxide into the atmosphere and lessens traffic congestion, reduces fuel consumption, improves commute times and reduces the frequency of costly road repairs.

Social Equity: Paratransit funds will make services accessible for residents who due to age or disability would not be able to have access. Access to services will improve the quality of life for paratransit participants.

ACTION REQUESTED OF THE CITY COUNCIL

Staff recommends that the City Council adopt a resolution authorizing the City Administrator to accept and amend the appropriations of Direct Local Distribution Funds in the amount of \$1,079,924 Measure B and \$1,122,690 Measure BB and accept and appropriate up to \$105,680 Measure B Gap grant funds for fiscal year 2016-2017 from the Alameda County Transportation Commission to provide paratransit services; and authorizing the City Administrator to execute reimbursement agreements for fiscal year 2016-2017 in amounts of: 1) \$500,000 to Friendly Transportation, Inc. DBA Friendly Transportation, Friendly Cab Company and Metro Yellow Cab Company, 2) \$200,000 to St. Mini Cab Corporation DBA Veterans Cab, 3) \$250,000 to Quality Transit, LLC, and 4) \$125,000 to Bay Area Charters, Inc.; and authorizing the City Administrator to accept and appropriate any additional grant funds that may become available for fiscal year 2016-2017 and amend the fiscal year 2016-2017 agreements without returning to City Council.

For questions regarding this report, please contact Scott Means, Aging and Adult Services Manager at 510-238-6137.

Respectfully submitted,


SARA BEDFORD
Director, Human Services Department

AGING AND ADULT SERVICES DIVISION

Reviewed by: Scott Means, Manager

Prepared by: Hakeim McGee, Supervisor
Oakland Paratransit for the Elderly & Disabled

Item: _____
Life Enrichment Committee
May 24, 2016

W. McCarthy
City Attorney

OAKLAND CITY COUNCIL

FILED

CLERK OF THE CITY OF OAKLAND

16 MAY 12 PM 12:55

RESOLUTION NO. _____ C.M.S.

Introduced by Councilmember _____

RESOLUTION AUTHORIZING THE CITY ADMINISTRATOR TO ACCEPT AND AMEND THE APPROPRIATIONS OF DIRECT LOCAL DISTRIBUTION FUNDS IN THE AMOUNT OF \$1,079,924 MEASURE B AND \$1,122,690 MEASURE BB AND ACCEPT AND APPROPRIATE UP TO \$105,680 MEASURE B GAP GRANT FUNDS FOR FISCAL YEAR 2016-2017 FROM THE ALAMEDA COUNTY TRANSPORTATION COMMISSION TO PROVIDE PARATRANSIT SERVICES; AND

AUTHORIZING THE CITY ADMINISTRATOR TO EXECUTE REIMBURSEMENT AGREEMENTS FOR FISCAL YEAR 2016-2017 IN AMOUNTS OF:

- 1) \$500,000 TO FRIENDLY TRANSPORTATION, INC. DBA FRIENDLY TRANSPORTATION, FRIENDLY CAB COMPANY AND METRO YELLOW CAB COMPANY,
- 2) \$200,000 TO ST. MINI CAB CORPORATION DBA VETERANS CAB,
- 3) \$250,000 TO QUALITY TRANSIT, LLC, AND
- 4) \$125,000 TO BAY AREA CHARTERS, INC.; AND

AUTHORIZING THE CITY ADMINISTRATOR TO ACCEPT AND APPROPRIATE ANY ADDITIONAL GRANT FUNDS THAT MAY BECOME AVAILABLE FOR FISCAL YEAR 2016-2017 AND AMEND THE FISCAL YEAR 2016-2017 AGREEMENTS WITHOUT RETURNING TO CITY COUNCIL

WHEREAS, voters in Alameda County passed Measure B in November 2000 and Measure BB in November 2014, thereby providing sales tax revenues for paratransit services; and

WHEREAS, Measure B and Measure BB funds will be required by the City of Oakland for Fiscal Year (FY) 2016-2017 for the purpose of providing subsidized transportation by taxi or by van to the elderly and persons with disabilities who are deemed unable to use public transit; and

WHEREAS, the City of Oakland is an eligible recipient for Alameda County Measure B and Measure BB funds; and

WHEREAS, the City of Oakland Proposed Policy Budget for FY 2016-2017 includes Measure B fund appropriation in Measure B Paratransit –ACTIA Fund (2213), Oakland Paratransit for the Elderly and Disabled Organization (75621), OPED Administration Project (G486110), OPED Taxi Project (G486120), OPED Van Project (G486130) ; and

WHEREAS, the City of Oakland Proposed Policy Budget for FY 2016-2017 includes Measure BB fund appropriation in Measure BB Paratransit – ACTC Fund (2216), Oakland Paratransit for the Elderly and Disabled Organization (75621), Measure BB Paratransit Category Project (C491310); and

WHEREAS, the City wishes to offset all central services overhead charges in an estimated amount of \$60,110 for Measure B Fund (2213) and \$44,674 for Measure BB Fund (2216) associated with this grant through a contribution from the General Purpose Fund, as has been done in all of the past years; and

WHEREAS, the RFQ/RFP process is not applicable because these agreements are not professional services contracts and the City of Oakland enters agreements on a non-exclusive basis, with any taxi and van companies that provide paratransit services for the elderly and disabled, have a minimum fleet of five or more vehicles, permitted to provide service in Oakland, and meet the City’s other requirements for paratransit services; and

WHEREAS, the City desires to maintain this service without interruption; and

WHEREAS, the City lacks the fleet, the van equipment and the support structure to operate this service with City employees and has never provided or operated such a service; and

WHEREAS, all of the companies for which agreement authorization is being requested meet the City’s requirements for paratransit services; and

WHEREAS, the City wishes to enter into agreements with the following paratransit providers for the amounts as specified below:

- Friendly Transportation, Inc. dba
Friendly Transportation, Friendly Cab Company,
and Metro Yellow Cab Company \$500,000
- Quality Transit, LLC \$250,000
- St. Mini Cab Corporation dba
Veterans Cab \$200,000
- Bay Area Charters, Inc. \$125,000

; now, therefore, be it

RESOLVED: That the City Administrator or her designee is hereby authorized to accept and amend the appropriation for the FY 2016-2017 Measure B direct local program distribution funds in the amount of \$1,079,924 for the Oakland Paratransit Program to be deposited into Measure B – Paratransit – ACTC Fund (2213), Oakland Paratransit for the Elderly and Disabled Organization (75621), OPED Admin FY 2016-2017 Project (G486110); and be it

FURTHER RESOLVED: That the City Administrator or her designee is hereby

authorized to accept and appropriate FY 2016-2017 Measure B Gap Grant funds up to \$105,680 for the Oakland Paratransit Program to be deposited into Measure B – Paratransit – ACTC Fund (2213), Oakland Paratransit for the Elderly and Disabled Organization (75621), OPED Gap Project (G460920); and be it

FURTHER RESOLVED: That the City Administrator or her designee is hereby authorized to accept and amend the appropriation for the FY 2016-2017 Measure BB direct local program distribution funds in the amount of \$1,122,690 for the Oakland Paratransit Program to be deposited into Measure BB – Paratransit – ACTC Fund (2216), Oakland Paratransit for the Elderly and Disabled Organization (75621), OPED Measure BB Paratransit Category FY 2016-2017 Project (C491310); and be it

FURTHER RESOLVED: That should additional Measure B/ Measure BB funds become available during FY 2016-2017 for paratransit services, the City Administrator is authorized to accept and appropriate those funds to Measure B/Measure BB – Paratransit – ACTC Fund (2213/2216), Oakland Paratransit for the Elderly and Disabled Organization (75621), and amend the FY 2016-2017 reimbursement agreements without returning to Council; and be it

FURTHER RESOLVED: That the City Administrator is authorized to enter into reimbursement agreements with the following paratransit providers for the amounts as specified below:

- Friendly Transportation, Inc. dba
Friendly Transportation, Friendly Cab Company,
and Metro Yellow Cab Company \$500,000
 - Quality Transit, LLC \$250,000
 - St. Mini Cab Corporation dba
Veterans Cab \$200,000
 - Bay Area Charters, Inc. \$125,000
- ; and be it

FURTHER RESOLVED: That the City Administrator is authorized to execute any necessary amendments to the agreements with the service providers for FY 2016-2017 without returning to City Council; and be it

FURTHER RESOLVED: That estimated fees to be collected in the amount of \$115,000 by Oakland Paratransit for the Elderly and Disabled (OPED) in conjunction with van voucher sales, taxi scrip sales and other service fares for OPED transportation services have been appropriated in accordance with the terms of the existing agreements, for the exclusive use of OPED to Measure B Paratransit – ACTC Fund (2213), Oakland Paratransit for the Elderly and Disabled Organization (75621), OPED Taxi Project (G486120) and OPED Van Project (G486130); and be it

FURTHER RESOLVED: That all central services overhead charges associated with this grant in an estimated amount of \$60,110 for Measure B Fund (2213) and \$44,674 for Measure BB Fund (2216) will be offset through a contribution of the General Purpose Fund as approved in the Proposed Budget; and be it

FURTHER RESOLVED: That the City Administrator or her designee is hereby authorized to conduct all negotiations, execute and submit all documents including but not limited to applications, agreements, amendments, modifications, and payment requests, to conduct all related actions that may be necessary for the completion of the delivery of Measure B and Measure BB taxi and van service to the elderly and disabled; and be it

FURTHER RESOLVED: That the Office of the City Attorney will approve the proposed agreements as to form and legality and copies will be on file in the Office of the City Clerk.

IN COUNCIL, OAKLAND, CALIFORNIA, _____

PASSED BY THE FOLLOWING VOTE:

AYES - BROOKS, CAMPBELL WASHINGTON, GALLO, GUILLEN, KALB, KAPLAN, REID, AND PRESIDENT GIBSON MCELHANEY

NOES -

ABSENT -

ABSTENTION -

ATTEST: _____

LaTonda Simmons
City Clerk and Clerk of the Council
of the City of Oakland, California