

CITY OF OAKLAND

# AGENDA REPORT


**TO:** Jestin D. Johnson  
City Administrator

**FROM:** Scott Means  
Interim Director,  
Human Services

**SUBJECT:** Paratransit Measure BB Funds  
For Fiscal Year 2024-2025

**DATE:** July 3, 2024

City Administrator Approval

  
Jestin Johnson (Jul 9, 2024 10:36 PDT)

Date: Jul 9, 2024

## RECOMMENDATION

**Staff Recommends That The City Council Adopt A Resolution:**

- 1. Accepting And Appropriating Direct Local Program Distribution Measure BB Funds In The Amount Of \$3,235,969 For Fiscal Year (FY) 2024-2025 From The Alameda County Transportation Commission To Provide Paratransit Services; And**
- 2. Awarding Agreements For Paratransit Services For FY 2024-2025 In The Amounts Of \$850,000 (Five Rivers Transit Solutions, Inc.), \$600,000 (Quality Transit, LLC), \$350,000 (Bay Area Charters, Inc.), \$25,000 (One Access Medical Transportation), \$75,000 (GoGo Technologies, Inc.), \$50,000 (Lyft, Inc.), And \$40,000 (Easy Does It Emergency Services Program; And**
- 3. Awarding A Grant Agreement In The Amount Of \$75,000 (City Of Emeryville) For Paratransit Services; And**
- 4. Authorizing The City Administrator To Accept And Appropriate Any Additional Direct Local Distribution Funds That May Become Available For FY 2024-2025 And Amend The Aforementioned Agreements To Increase The Amounts Within The Limits Of The Funding.**

## EXECUTIVE SUMMARY

The City of Oakland is an eligible recipient of Measure BB funds. As such, staff is seeking City Council approval to receive and administer revenue from the Alameda County Transportation Commission (Alameda CTC) in the amount of \$3,235,969 to provide non-mandated (due to the absence of Federal regulations) 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.

Life Enrichment Committee  
July 23, 2024

## **BACKGROUND / LEGISLATIVE HISTORY**

The City of Oakland began operating City-based paratransit services in 1978 with State Transportation Development Act (TDA 4.5) funds to assist frail-elderly and adult persons with disabilities who experience public transportation access challenges.

In November 1986, Alameda County voters approved the Measure B half-cent sales tax initiative dedicated for expansion of mass transit systems, improved highway infrastructure, local street and road improvement, bicycle and pedestrian safety and expanded special transportation for seniors and persons with disabilities or disabling health conditions. The Alameda County Transportation Authority (ACTA) was formed to administer the funds as outlined in the Measure B Expenditure Plan through 2002. The City of Oakland was an eligible recipient of Measure B funds and utilized the source to supplement its existing services.

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. Therefore, in 1994, to fulfill the ADA requirements, Alameda-Contra Costa Transit District (AC Transit) and San Francisco Bay Area Rapid Transit (BART), major public transit operators in this service area, formed the East Bay Paratransit Consortium (EBPC) and developed a Coordinated Paratransit Plan. Thus, launched East Bay Paratransit as the primary ADA paratransit provider in Alameda County and adjacent West Contra Costa County.

In December 1996, the City of Oakland began offering supplemental paratransit services solely funded by Measure B. The program was designed to meet the needs of Oakland and Piedmont residents who require assistance beyond the parameters of the EBPC program.

In November 2000, voters approved the reauthorization of Measure B through March 31, 2022, to be administered by the Alameda County Transportation Improvement Authority (ACTIA) and then later by the newly formed Alameda County Transportation Commission (Alameda CTC) as of July 2010.

In November 2014, voters approved Measure BB, a supplemental half-cent sales tax for transit funding to run concurrently with Measure B through March 31, 2022, and then transition to a whole-cent Measure BB initiative from April 1, 2022, through March 31, 2045. The City of Oakland receives Measure BB funding as an eligible recipient.

The specialized transit Measure B and Measure BB funds have historically been divided among the four zones of Alameda County (North, Central, South, and East) by legislation and allocated to the respective cities and eligible transit agencies on a formula basis developed by the Paratransit Planning and Advisory Committee (PAPCO) and as adopted by the Alameda CTC. This will continue with the sole Measure BB funding.

## **ANALYSIS AND POLICY ALTERNATIVES**

### ***Programming***

The City of Oakland is currently under Master Funding Agreement #A16-0061 with Alameda CTC for the period July 1, 2016 to June 30, 2026. The Agreement authorizes Alameda CTC to collect and allocate Direct Local Distribution (DLD) funds derived from Measure B and Measure BB as described in their respective voter-approved expenditure plans. As previously mentioned, Measure B fund collection has sunset on March 31, 2022, and only Measure BB is currently collected through June 30, 2026.

Staff submitted the FY 2024-2025 Program Plan to Alameda CTC (**Attachment A**) staff on March 29, 2024, which outlines the City's plan for service provision as an eligible recipient of Measure BB funds to provide access to specialized transportation services for seniors and persons with disabilities. Oakland has successfully coordinated these services prior to and since the passage of Measure B in 1986.

The Alameda CTC Paratransit Program Implementation Guidelines provide program eligibility and fund usage guidelines, definitions, additional requirements, and guideline adoption details that the City has complied with successfully over the years. The City has appropriate policies, procedures, and accounting systems in place to comply with all Alameda CTC rules for the sole purpose of coordinating the transportation services alluded to in this report.

### ***Contracting***

As in previous years, the Request for Proposals/Qualifications (RFP/Q) requirement is not applicable because the agreements herein are not professional services agreements, as the City of Oakland reimburses vendors for the services they provide to the public at large with Direct Local Distribution (DLD) funding received from the Alameda CTC.

The City of Oakland enters reimbursement agreements, on a non-exclusive basis, with taxi companies with a minimum fleet of five or more vehicles; accessible vans, accessible shuttle or charter bus companies with adequate fleet capacity and design; and supplemental service and/or coordination transportation entities qualified, capable and permitted to provide specialized transportation services for seniors, frail-elderly and adult persons with disabilities in Oakland.

Over the years, smaller taxi providers have approached staff to contract but were deemed unable to qualify due to small fleet sizes, lack of 24-hour dispatch capabilities, insurance requirements, etc. They have also been unsuccessful in partnering with other small companies to form co-ops. As exemplified, Driver/Owner Leasing Co., Inc., approached staff to provide expanded taxi scrip service beginning FY 2019-2020. However, the company ultimately decided not to pursue an agreement with the City. St. Mini Cab Corporation dba Veterans Cab suspended services with OPED during FY 2019-20 based on business feasibility.

It should be noted that competition from Transportation Network Companies (TNCs) such as Uber and Lyft have had an adverse impact on the taxi industry over the years causing many taxi companies to go out of business. COVID-19 also impacted taxi companies and TNCs due to the dramatic decline in business demand due to shelter-in-place orders and social distance

cautions. As a safety net and supplemental service to taxis to enhance additional same-day transportation availability, the City contracted with GoGo Technologies, Inc. dba GoGo Grandparent to launch a pilot TNC service during FY 2020-2021, and the partnership continues.

GoGo Grandparent operates a call center for OPED's 70 years and older clients that do not have or have difficulty using smart phones or other key barriers to hail Uber or Lyft rides. Upon receiving a call from a client, GoGo Grandparent call center staff contacts Uber or Lyft and coordinates the rides for the caller. OPED currently applies an \$8.00 subsidy for the first eight rides each month with a carryforward rule, so no subsidies are lost month to month. The program has continued to be in good standing since its inception, with the potential for expansion.

The proposed agreement with Lyft will also provide a subsidized safety net and supplemental service to taxis but will be targeted at more independent travelers capable of arranging their own transportation through Lyft with smart phones with no added need for transportation coordination.

In relation to wheelchair accessible van and shuttle services, there are other operators within Oakland, but they have their own independent business focus and function; thus, have not expressed interest to provide services through OPED.

Alameda CTC also serves as a potential source for identifying other contracting possibilities. The agency conducts a county-wide call for transportation projects through a Discretionary Grant Program approximately every four years. The last call was conducted during FY 2023-2024.

Easy Does It Emergency Services was a successful applicant and is now slated to be a transportation provider for the City of Oakland as proposed herein.

The City of Oakland's intent is to continually identify potential new contracting opportunities or to support new, innovative, and viable transportation programs beyond the Alameda CTC grant expiration periods that can be incorporated into OPED's array of services. This will remain a vital strategy for any future call-for-projects that Alameda CTC may conduct.

Periodically, the City of Oakland conducts an informal Request for Interest (RFI) process to also seek new transportation partnerships. One Access Medical Transportation was identified during this process and launched a pilot same-day and door-through-door assistance wheelchair van service in August 2018 and has continued providing service to date.

All contractors proposed herein have passed the preliminary qualification and will undergo final contracting verification. Staff will provide on-going monitoring of contractors to ensure continued compliance with meeting all applicable laws and regulations and compliance with City contracting requirements, such as but not limited to possession of appropriate business permits, insurance, driver/operator drug and alcohol testing, hire and in-service driver/operator training, and other outlined conditions.

### **Summary**

The City of Oakland targets paratransit services toward seniors and adult persons with disabilities by historically filling service gaps in the community, such as same-day service,

underserved geographic areas, and supplemental wheelchair accessible van services for trips that cannot be provided or can be made more conveniently than through other local services.

These types of services have been selected to meet the trip needs of consumers over other eligible services based on historical and current consumer feedback and the input of knowledgeable staff and consumer advocate input. However, as time progresses and other modes of transportation become relevant and/or available, the City of Oakland will remain open to any new possibilities and continue to seek feedback from clients and other community stakeholders through open lines of communication and targeted outreach.

The City of Oakland services continue to be important for persons connecting with the community at-large, as well as, accessing social and community services. It has and continues to be essential for transit dependent adults with disabilities and seniors to be able to access medical services, grocery stores, friend and family visits, school attendance, etc., which leads to enhanced independent living and prevents social isolation in many cases.

As the world recalibrates from the significant impacts of COVID-19, in relation to decreased public transportation service demand, the City of Oakland will continue to analyze transportation patterns and trends and work along Alameda CTC staff to determine any needed strategies to support sustaining successes or any issues that may arise with the goal of implementing any service adaptations to the City's service model to alleviate service gaps or identified service expansions.

Staff does not foresee any additional significant concerns or key issues that will adversely impact the OPED Program to function effectively for the upcoming fiscal year and continue to offer essential and impactful transportation options. To date, the proposed transportation entities herein have reaffirmed their commitment to coordinate and provide service for the upcoming year and the new providers targeted for supplemental transportation.

OPED will enter the programming year, focusing on providing essential transportation services through the proposed paratransit providers and grantees herein. In addition, the City of Oakland remains dedicated to providing seniors and people with disabilities with affordable transportation access to the bordering City of Piedmont through pre-established legislation and agreement as Piedmont does and has not historically received Measure B/BB paratransit funding.

The approval of the staff recommendation herein allows for non-interruption and continuance of valuable, accessible transportation services for seniors and adult persons with disabilities, which advances the Citywide priority of **responsive, trustworthy government**. Therefore, services would continue and be readily available city-wide to eligible residents needing specialized transportation for access to medical, social, and other important destinations that allow for healthier living and fuller participation in the community.

At the time of this report, client enrollment was 1,639, reflected in **Table 1** below:

**Table 1: FY 2023-2024 OPED Registered Client Demographics**

| OPED Unduplicated Client Count |         |         |       |      |      |     |     |     |     |        |      |
|--------------------------------|---------|---------|-------|------|------|-----|-----|-----|-----|--------|------|
| Zip                            | Clients | Percent | Race* |      |      |     |     |     |     | Gender |      |
| -                              | -       | -       | AA    | A/PI | C    | H   | NA  | O   | UN  | M      | F    |
| 94601                          | 78      | 4.8     | 40    | 12   | 12   | 11  | 0   | 3   | 0   | 26     | 52   |
| 94602                          | 107     | 6.5     | 34    | 29   | 36   | 1   | 0   | 7   | 0   | 23     | 84   |
| 94603                          | 59      | 3.6     | 43    | 2    | 3    | 8   | 0   | 3   | 0   | 23     | 36   |
| 94605                          | 129     | 7.9     | 92    | 4    | 17   | 7   | 0   | 8   | 1   | 38     | 91   |
| 94606                          | 133     | 8.1     | 49    | 57   | 16   | 2   | 0   | 9   | 0   | 34     | 99   |
| 94607                          | 147     | 9       | 62    | 71   | 7    | 2   | 0   | 4   | 1   | 44     | 103  |
| 94608                          | 74      | 4.5     | 56    | 7    | 7    | 0   | 0   | 4   | 0   | 20     | 54   |
| 94609                          | 70      | 4.3     | 44    | 5    | 15   | 1   | 0   | 5   | 0   | 17     | 53   |
| 94610                          | 137     | 8.4     | 42    | 20   | 65   | 2   | 0   | 8   | 0   | 31     | 106  |
| 94611                          | 321     | 19.6    | 38    | 137  | 122  | 5   | 0   | 19  | 0   | 90     | 231  |
| 94612                          | 158     | 9.6     | 27    | 97   | 27   | 1   | 0   | 6   | 0   | 48     | 110  |
| 94618                          | 34      | 2.1     | 4     | 12   | 13   | 0   | 1   | 4   | 0   | 8      | 26   |
| 94619                          | 80      | 4.9     | 40    | 19   | 14   | 4   | 0   | 3   | 0   | 24     | 56   |
| 94620                          | 3       | 0.2     | 1     | 0    | 0    | 0   | 0   | 1   | 1   | 0      | 3    |
| 94621                          | 73      | 4.5     | 44    | 12   | 4    | 5   | 0   | 8   | 0   | 26     | 47   |
| Others                         | 36      | 2.0     | 10    | 12   | 8    | 3   | 0   | 2   | 1   | 10     | 26   |
| TOTALS                         | 1639    | -       | 626   | 496  | 366  | 52  | 1   | 94  | 4   | 462    | 1177 |
| %                              | -       | 100     | 38.2  | 30.3 | 22.3 | 3.2 | 0.1 | 5.7 | 0.2 | 28.2   | 71.8 |

\*(AA) African American; (A/PI) Asian /Pacific Islander; (C) Caucasian; (H) Hispanic; (NA) Native American; (O) Other; (UN) Unidentified

**RACE & EQUITY**

Adult and Aging Services management and OPED leadership are beginning a racial equity impact analysis process that will address racial disparities in the community and services while centering equity outcomes. The City of Oakland’s Department of Race & Equity has agreed to provide technical support with OPED’s plans to apply an equity framework and develop equity strategies consistent with City policy. Through the equity analysis process, stakeholders will be identified, systems to gather data on the impact of the program will be designed and implemented, additional data will be researched as needed, and any equity gaps will be identified, along with solutions to close gaps. The process will seek to maximize equitable impacts of the programs for seniors and disabled people, especially those most impacted by racial disparities.

**FISCAL IMPACT**

There is no General Fund impact or cost. Transportation operations will be supported by projected FY 2024-2025 Alameda County Measure BB sales tax revenue and the prior year’s accumulated reserve funds.

The FY 2024-2025 Proposed Midcycle Budget for the OPED Program includes an appropriation of \$3,107,604 in FY 2024-2025 for Measure BB direct local distribution funds in Measure BB Paratransit Fund (2220), Oakland Paratransit for Elderly and Disabled Organization (75621), OPED FY 2024-2025 Measure B/BB Projects (1006724 and 1006725), and Empowering Seniors & People With Disability Program (YS14).

The acceptance of \$3,235,969, as requested herein, is the City of Oakland’s revised revenue projection by the Alameda CTC. The amount is slightly higher than the Proposed Midcycle Budget Measure BB revenue projection based on Alameda CTC’s February 8, 2024, revised FY 2024-2025 Measure BB projection; thus, it is reflected as the acceptance amount of this resolution action. **(Attachment B)**.

The funding for OPED contracts is partially included in the FY 2024-2025 Midcycle Budget with the balance on hand per the year-end reserves of \$3,748,801 identified in the attached audited FY 2022-2023 Financial Statement on page 5 **(Attachment C)** under the Human Services Department (HSD). Approval of the resolution will authorize reimbursement agreements with the following paratransit providers/coordinators for the amounts specified below:

- Five Rivers Transit Solutions, Inc. \$ 850,000
- Quality Transit, LLC \$ 600,000
- Bay Area Charters, Inc. \$ 350,000
- One Access Medical Transportation \$ 25,000
- GoGo Technologies, Inc. \$ 75,000
- Lyft, Inc. \$ 50,000
- Easy Does It Emergency Services Program \$ 40,000

And grant agreement with the paratransit coordination entity:

- City of Emeryville \$ 75,000

Total \$2,065,000

If additional funds become available from the same funding source, for the same purposes and within the agreements’ terms, the staff is seeking authorization for the City Administrator or designee to accept and appropriate funds for the OPED program and amend the agreements by increasing award amounts herein.

**PUBLIC OUTREACH / INTEREST**

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

- Annual article publication in a mass generated print or electronic medium;

- Submission of a year-end program compliance report and financial audit statements that are accessible to the public [here](#);
- 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 as necessary. Annual presentations are made for these respective commissions for outreach and feedback from the commissioners and the public, which is considered in annual program planning.

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

### **COORDINATION**

The Human Services Department coordinated with the Budget Bureau, the Office of the City Attorney, and the City Administrator's Office in the preparation of this report and resolution.

### **PAST PERFORMANCE, EVALUATION AND FOLLOW-UP**

Independent of staff evaluation, OPED relies on informal feedback from many of the riders through office visits, phone calls, and letters that inform 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 to collect information for the City Council, Alameda CTC, and PAPCO.

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The FY 2022-2023 survey results are provided in **Table 2** below and are based on 464 client returns providing feedback on primary base taxi and accessible wheelchair van program services provided by Five Rivers Transit Solutions, Inc., and Quality Transit, LLC:

**Table 2: FY 2022-2023 Paratransit Survey Summary**

|                                     |           |           |           |            |       |          |
|-------------------------------------|-----------|-----------|-----------|------------|-------|----------|
| 1) Common purpose of trips?         | Social    | Medical   | Shopping  | Recreation | Other | -        |
|                                     | 24%       | 79%       | 46%       | 17%        | -     | -        |
| 2) Wait time to request a ride?     | < 10 min  | > 10 min  | No Reply  | -          | -     | -        |
|                                     | 66%       | 28%       | 6%        | -          | -     | -        |
| 3) Rides on time?                   | Always    | Mostly    | Sometimes | Seldom     | Never | No Reply |
|                                     | 25%       | 47%       | 17%       | 5%         | 2%    | 3%       |
| 4) Vehicles clean & good condition? | Always    | Mostly    | Sometimes | Seldom     | Never | No Reply |
|                                     | 39%       | 43%       | 11%       | 2%         | 1%    | 4%       |
| 5) Drivers helpful & friendly?      | Always    | Mostly    | Sometimes | Seldom     | Never | No Reply |
|                                     | 45%       | 32%       | 15%       | 2%         | 0%    | 6%       |
| 6) Satisfaction with service?       | Excellent | Very Good | Good      | Fair       | Poor  | No Reply |
|                                     | 34%       | 36%       | 15%       | 7%         | 4%    | 4%       |

The survey process for FY 2023-2024 has been initiated and results will be made available in future publications once completely compiled. Various assessments of the program's other more recently added or expanded services will also be developed and will occur in the upcoming contracting year, moving forward, will be shared as demanded.

The City of Emeryville operates individual services independent of OPED, but the transport of Oakland residents that reside in the shared zip code of 94608 benefit from Emeryville's service. Therefore, partial sponsorship is desired to continue to extend to support their efforts and a way to incorporate Emeryville's survey results will be developed as well.

### **SUSTAINABLE OPPORTUNITIES**

**Economic:** Funds from Measure BB incoming and reserves will be used to enter into agreements with local vendors to provide services. Vendors will comply with 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.

**Race & Equity:** Paratransit funds will make services accessible for all qualifying adult residents who only, due to age or disability, would not otherwise have access. Age of 70 and over is determined by identification documents, generally government issued. Disability for ages 18-69

is determined by medical professionals that qualify individuals based on Americans with Disabilities Act guidelines through partnerships with ADA Transportation providers.

**ACTION REQUESTED OF THE CITY COUNCIL**

**Staff Recommends That The City Council Adopt A Resolution:**

- 1. Accepting And Appropriating Direct Local Program Distribution Measure BB Funds In The Amount Of \$3,235,969 For Fiscal Year (FY) 2024-2025 From The Alameda County Transportation Commission To Provide Paratransit Services; And**
- 2. Awarding Agreements For Paratransit Services For FY 2024-2025 In The Amounts Of \$850,000 (Five Rivers Transit Solutions, Inc.), \$600,000 (Quality Transit, LLC), \$350,000 (Bay Area Charters, Inc.), \$25,000 (One Access Medical Transportation), \$75,000 (GoGo Technologies, Inc.), \$50,000 (Lyft, Inc.), And \$40,000 (Easy Does It Emergency Services Program; And**
- 3. Awarding A Grant Agreement In The Amount Of \$75,000 (City Of Emeryville) For Paratransit Services; And**
- 4. Authorizing The City Administrator To Accept And Appropriate Any Additional Direct Local Distribution Funds That May Become Available For FY 2024-2025 And Amend The Aforementioned Agreements To Increase The Amounts Within The Limits Of The Funding.**

For questions regarding this report, please contact Ana P. Bagtas, Aging and Adult Services Manager at (510) 238-6794.

Respectfully submitted,

*Scott Means*

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SCOTT MEANS  
Interim Director, Human Services Department

Prepared by:  
Hakeim McGee, Senior Services Supervisor  
Aging & Adult Services

Attachment(s) (3):

Attachment A - Oakland Paratransit Annual Program Plan Application FY 24-25  
Attachment B – Alameda CTC Direct Local Distribution (DLD) projections for FY 2024-25  
Attachment C – City of Oakland FY 22-23 Measure BB Financial Statements