

# WMATA RIDERS' ADVISORY COUNCIL

## Meeting Minutes

July 5, 2006

### Introduction

Dennis Jaffe, Chairman of the Riders' Advisory Council, called the meeting to order at 6:30 p.m.

Chairman Jaffe welcomed members to the meeting and proceeded to address items listed on the agenda.

### Public Comment

Chairman Jaffe opened the floor to receive public comment.

Dr. Swami from Arlington, VA stated that WMATA needed to improve its ability to charge differentially to be able to implement future fare increases intelligibly. Dr. Swami suggested that WMATA implement a three-tier fare structure that includes off-peak, shoulder and peak fares. The goal of the peak fare would be to spread the peak period demand by pricing some people off the system during peak hours. Dr. Swami stated that this three-tier fare structure would help WMATA meet its rehabilitation needs and decrease overcrowding during peak hours.

Richard Chang from the Northern Virginia Endependence Center for Disabilities expressed concerns with the elevators and lighting in the Metrorail system. He stated that increased lighting in the Metrorail system and improved maintenance of elevators would greatly help passengers with disabilities to better navigate through the system. Sharon Conn asked Mr. Jones if he could specifically identify stations that had significant lighting and elevator problems. Mr. Jones stated that the majority of the stations with such problems were located on the Blue and Yellow Metrorail lines.

Doris Ray from the Northern Virginia Endependence Center for Disabilities echoed Mr. Chang's remarks that lighting in Metrorail stations needs to be improved, especially in stairwells. Ms. Ray stated that at the Clarendon station and other older stations on the Orange line, the stairwells are not adequately lit. Additionally, Ms. Ray stated that the bus stop signage at bus bays at Metrorail stations was difficult to see for visually impaired individuals. She stated that the bus stop signs are placed too high on the poles and the print on the signs is too small. Ms. Ray suggested that WMATA take into consideration the visually impaired when installing Nextbus displays at bus bays and not place the signs too far up for visually impaired individuals to see. Ms. Ray also stated that the U.S. Department of Transportation was accepting comments on possible changes to the Department's regulations of the Americans with Disabilities Act. Ms. Ray stated that these changes include requiring all ADA covered entities to provide reasonable modifications and door-to-door paratransit service. Ms. Ray asked for the RAC's assistance in determining if WMATA had already submitted comments on the proposed changes, and urged that if WMATA had not already submitted comments, that they do so in favor of adding the proposed modifications to the Americans with Disabilities Act. Ms. Ray stated that the deadline to submit comments to the Department of Transportation was July 28, 2006.

### Introduction of New RAC Members

Chairman Jaffe announced the appointment of two new members, Patricia Daniels and Francisco Semiao to WMATA's Riders' Advisory Council. Chairman Jaffe proceeded to introduce Mr.

Semiao. Mr. Semiao stated that he was a Virginia resident and long time Metro rider. He stated that he was interested in being a member of the RAC to represent riders who have long commutes and to represent the Latino community.

Later in the meeting, Chairman Jaffe introduced Patricia Daniels. Ms. Daniels stated that she was a handicapped rider from the Columbia Heights area. She stated that the issue she was eager to address was the enforcement of WMATA's priority seating policy.

Chairman Jaffe then opened the floor for RAC members to introduce themselves to new members.

**Review of Minutes**

Chairman Jaffe asked for a motion to approve the minutes from the June 7, 2006 RAC meeting. Don Padou moved to accept the minutes. Kevin Moore seconded the motion. Chairman Jaffe asked for a discussion regarding the minutes. Denise Brown stated that on page 7 of the minutes under the "New Business" subtitle, the language should reflect that the letter composed to Jack Johnson was to urge him to consider enrolling all P.G. County employees in the SmartBenefits program, not all Maryland state employees. Rodney Elin noted a grammatical error on page 5. Chairman Jaffe stated that this error would be corrected. Chairman Jaffe asked for a vote on the motion to approve the minutes. The results were as follows:

<b><u>RAC Member</u></b>	<b><u>In Favor</u></b>	<b><u>Not in Favor</u></b>	<b><u>Abstain</u></b>
Justin Chittams	√		
Katy Chang			√
Don Padou	√		
Francisco Semiao			√
Denise Brown	√		
Sharon Conn	√		
Rodney Elin	√		
Hitoshi Sakamoto	√		
Michael Snyder	√		
Stephen Cerny	√		
Nancy Iacomini	√		
Charles Metcalf	√		
Lillian White	√		
Kevin Moore	√		
Patrick Sheehan	√		
Dennis Jaffe	√		
<b>TOTALS</b>	<b>14</b>	<b>0</b>	<b>2</b>

The motion to approve the minutes from the June 7, 2006 meeting was passed.

**Hiring Committee's Adherence to Standards of Conduct**

Chairman Jaffe explained the RAC's Hiring Committee and its responsibilities. He acknowledged that the committee was comprised of four RAC members (himself, Nancy Iacomini, Kevin Moore and Denise Brown) and one WMATA employee (Debra Johnson) designated by WMATA's General

Manager. Chairman Jaffe stated that the committee was responsible for drafting a job description and conducting interviews for the position of RAC Staff Coordinator. He stated that he had learned that one of the members of the Hiring Committee, Denise Brown, submitted an application for the RAC Staff Coordinator position. Chairman Jaffe stated that Debra Johnson had informed Ms. Brown that it would be a conflict to submit an application for the position while serving on either the RAC Hiring Committee or the full RAC. Chairman Jaffe noted that impartiality and neutrality are key concepts for RAC members to abide by and expressed his concern of Ms. Brown's attempt to obtain the RAC Staff Coordinator position while serving on the RAC. Chairman Jaffe stated that he spoke to Debra Johnson and Mark Pohl from WMATA's Office of the General Counsel to obtain an understanding of exactly how Ms. Brown's attempt to gain employment with WMATA coincided with the RAC's Standards of Conduct. Chairman Jaffe then introduced Mark Pohl to further explain. Mr. Pohl referencing Article III.A of the RAC Standards of Conduct stated that RAC members should avoid engaging in activities that may create or give the appearance of creating a conflict of interest. Mr. Pohl stated that Ms. Brown's involvement in drafting the job description for the position which she applied for does indeed create a conflict of interest. He noted that from a legal perspective, there were two ways to resolve this matter: either Ms. Brown could resign from the RAC and RAC Hiring Committee and continue to pursue employment with WMATA, or she could withdraw her application from WMATA and continue to serve on the RAC.

Denise Brown stated that the RAC Hiring Committee only met twice and did not provide substantial input into the job description for the RAC Staff Coordinator position. She stated that Debra Johnson provided the committee with a draft job description and the hiring committee only made minor adjustments to make the description unique to the RAC. Ms. Brown acknowledged that she had already resigned from the RAC Hiring Committee as she saw how some may perceive her membership in that committee as a conflict of interest. However, Ms. Brown stated that she did not feel that her membership in the full RAC created a conflict of interest. Lillian White asked if Ms. Brown was immediately notified that applying for the RAC Staff Coordinator position would create a conflict of interest. Chairman Jaffe stated that Debra Johnson told Ms. Brown in April 2006 that applying for the position would create a conflict of interest. Nancy Iacomini stated that as a member of the Hiring Committee, she felt that Ms. Brown put members of the committee in a precarious situation. She stated that if Ms. Brown proceeded with applying for the RAC Staff Coordinator position, that members of the Hiring Committee would be wondering if they were favoring her too much or too little based upon her involvement with the RAC. Ms. Iacomini stated that if Ms. Brown wished to continue to serve on the RAC, she should withdraw her application from WMATA. Kevin Moore asked Ms. Brown if she resigned from the Hiring Committee when she applied for the Staff Coordinator position or once she realized that applying the position might pose a conflict of interest. Ms. Brown stated that she resigned from the Hiring Committee after she submitted her application and after Chairman Jaffe spoke with WMATA's Office and General Counsel and recommended that she resign.

To resolve the issue of creating a conflict of interest by being a RAC member and applying for the RAC Staff Coordinator position, Ms. Brown stated that she would withdraw her application for the position.

Sharon Conn stated that the only issue for RAC members to consider was whether Ms. Brown created a conflict of interest by applying for the Staff Coordinator position. Ms. Conn stated that if the RAC deemed that Ms. Brown did create a conflict of interest, then a decision needed to be made on her continued membership on the RAC. Mark Pohl, referencing Article IV, Section A.IV of the RAC by-laws stated that RAC members could vote a member off the RAC by a majority 2/3 vote if said member failed to comply with the RAC's Standards of Conduct.

Michael Snyder asked Mark Pohl if RAC members were allowed to apply for any WMATA positions while serving on the RAC or after their terms were completed. Mark Pohl stated that if an individual's RAC term had expired, then that individual was no longer a member of the RAC and therefore no longer bound to the RAC's Standards of Conduct. Therefore, said individual could apply for any position at WMATA. Mr. Pohl stated that an active member of the RAC could apply for positions at WMATA depending on the nature of the job and the means by which said individual went about obtain the job. Mr. Pohl stated however that many positions at WMATA would be associated with the RAC in one form or another and therefore may create the perception of a conflict of interest.

Kevin Moore moved that the RAC accept Denise Brown's retraction of her application for RAC Staff Coordinator as a remedy to the conflict of interest that her submittal of the application caused. Don Padou stated that he was uncomfortable with Kevin's motion. Sharon Conn moved to amend Mr. Moore's motion to explicitly state that there was a conflict of interest and that the remedy of the conflict of interest was Ms. Brown's retraction of her application. Pat Sheehan seconded the motion. Chairman Jaffe took a vote on the amendment. The results were as follows:

<u>RAC Member</u>	<u>In Favor</u>	<u>Not in Favor</u>	<u>Abstain</u>
Justin Chittams		√	
Katy Chang			√
Don Padou		√	
Francisco Semiao	√		
Denise Brown			√
Sharon Conn	√		
Rodney Elin		√	
Hitoshi Sakamoto	√		
Michael Snyder	√		
Stephen Cerny	√		
Nancy Iacomini		√	
Charles Metcalf	√		
Lillian White			√
Kevin Moore		√	
Patrick Sheehan		√	
Dennis Jaffe	√		
Patricia Daniels		√	
<b>TOTALS</b>	<b>7</b>	<b>7</b>	<b>3</b>

The motion did not pass.

### Jurisdictional Coordinating Committee Presentation

Chairman Jaffe introduced Gary Erenrich, Special Assistant to WMATA for Montgomery County's Department of Public Works and Transportation and Chair of the Jurisdictional Coordinating Committee (JCC).

Mr. Erenrich explained that the JCC is a sanctioned body of the WMATA Board of Directors that provides comments and reviews on WMATA issues. He stated that the JCC represents the three jurisdictions that WMATA serves. Mr. Erenrich noted that the JCC was actively involved in several projects, including coordinating a regional bus meeting in late September 2006. He also stated that the Committee recently made a presentation to WMATA's Board on the FY07 budget. Some of the recommendations included in that presentation included suggesting that WMATA engage in a diesel swap that allows WMATA to purchase diesel fuel at a fixed price. Other topics included examining overtime wages, examining projected ridership, adjusting the budget for unused products/services (i.e. unused car miles from the 6000 series railcars that WMATA never received) and developing better information for bus service.

Michael Snyder asked when does the JCC meet and are its meetings open to the public. Mr. Erenrich stated that the JCC meets the 4<sup>th</sup> Friday of every month at 9:00 a.m. in the WMATA Meeting Room. He noted that the JCC does not have a definitive stance on allowing the public to attend its meetings. Kevin Moore asked if the JCC has received any estimates of FY08 revenues and expenses. Mr. Erenrich stated that the JCC received a package on July 4, 2006 on the FY08 budget, but it was not very elaborate. Don Padou asked why the JCC was skeptical about WMATA's projected ridership. Mr. Erenrich replied that WMATA had underestimated Metrorail riders by as much as \$15M to \$20M and the issue needed to be examined.

Chairman Jaffe thanked Mr. Erenrich for his attendance and presentation and proceeded with the agenda. .

**Rules and Administrative Subcommittee Report**

Michael Snyder, Chair of the Rules and Administrative Subcommittee, stated that some of the items addressed at the Rules and Administrative Subcommittee meeting on June 14, 2006 included ways to speed up the agenda at the RAC monthly meetings, extending the RAC monthly meetings to two and half hours and balancing jurisdictional RAC terms. Mr. Snyder provided RAC members with a chart outlining adjustments to the RAC terms to ensure balanced terms for each jurisdiction. Mr. Snyder moved that the RAC accept the term changes and submit to WMATA's Board of directors for consideration. Nancy Iacomini seconded the motion. Chairman Jaffe took a vote on the motion. The results were as follows:

<b><u>RAC Member</u></b>	<b><u>In Favor</u></b>	<b><u>Not in Favor</u></b>	<b><u>Abstain</u></b>
Justin Chittams	√		
Katy Chang	√		
Don Padou	√		
Francisco Semiao	√		
Denise Brown	√		
Sharon Conn	√		
Rodney Elin		√	
Hitoshi Sakamoto	√		
Michael Snyder	√		
Stephen Cerny	√		
Nancy Iacomini	√		

Charles Metcalf	√		
Lillian White	√		
Kevin Moore	√		
Patrick Sheehan	√		
Dennis Jaffe	√		
Patricia Daniels	√		
<b>TOTALS</b>	<b>16</b>	<b>1</b>	

The motion was passed.

**RAC Metrobus Subcommittee Report**

Hitoshi Sakamoto, Chair of the RAC Metrobus Subcommittee stated that his committee discussed the availability of bus maps in and out of Metrorail stations and the regional bus conference scheduled for September 2006. Mr. Sakamoto stated that Edward Thomas, WMATA's Assistant General Manager of PAIT, provided the committee with an outline of the program for the conference and asked for further input from committee members. Mr. Sakamoto stated that he will ensure that the RAC is represented in the bus regional conference.

**RAC MetroAccess Subcommittee Report**

Pat Sheehan, Vice Chair of the RAC MetroAccess Subcommittee provided a report of the committee's initiatives. He stated that several changes were being considered for MetroAccess. These changes include converting MetroAccess from a curb-to-curb service to a door-to-door service and creating a MetroAccess committee representative of the RAC and E&D Committees that will make recommendations to WMATA's Board of Directors.

**RAC Metrorail Subcommittee Report**

Stephen Cerny, Chair of the RAC Metrorail Subcommittee stated that presentations were made by WMATA staff at the June meeting on three topics: lighting in stations, the audibility of announcements and newspaper recycling. He stated that WMATA had implemented several short term lighting improvements for stations including changing lights every two months instead of every three months and installing different bulbs. Mr. Cerny stated that several steps were also being taken to improve the audibility of announcements and the recycling of newspapers.

Kevin Moore asked Mr. Cerny if he knew why WMATA rejected using clear plastic receptacles as recycling bins. Nancy Iacomini stated that WMATA staff informed the subcommittee that plastic containers could not be used on the platforms. The platform area was reserved for bomb-proof receptacles only.

**Riders' Advisory Council Member Resignation**

Chairman Jaffe announced that Hitoshi Sakamoto submitted his resignation from the RAC. Chairman Jaffe opened the floor for Mr. Sakamoto to address the RAC. Mr. Sakamoto stated that he accepted a position in Japan, and thus, would be resigning from the RAC effective July 27, 2006. Chairman Jaffe asked for a motion to accept Mr. Sakamoto's resignation. Charles Metcalf moved to accept Mr. Sakamoto's resignation from the RAC. Sharon Conn seconded the motion. Chairman Jaffe took a vote on the motion. The results were as follows:

<u>RAC Member</u>	<u>In Favor</u>	<u>Not in Favor</u>	<u>Abstain</u>
Justin Chittams	√		
Katy Chang	√		
Don Padou	√		
Francisco Semiao	√		
Denise Brown	√		
Sharon Conn	√		
Rodney Elin	√		
Hitoshi Sakamoto			√
Michael Snyder	√		
Stephen Cerny	√		
Nancy Iacomini	√		
Charles Metcalf	√		
Lillian White	√		
Kevin Moore	√		
Patrick Sheehan	√		
Dennis Jaffe	√		
Patricia Daniels	√		
<b>TOTALS</b>	<b>16</b>		<b>1</b>

The motion was passed.

**New Business and Agenda Items for Next Meeting**

Chairman Jaffe informed the RAC that he, Sharon Conn, Michael Snyder, Nancy Iacomini and Kevin Moore would be meeting with the new Director of Customer Service in the coming weeks. He asked RAC members to provide him with any questions, comments or recommendations they may have for the new Director.

**Adjournment**

The meeting was adjourned at 8:33 p.m.

**Present**

Justin Chittams  
 Don Padou  
 Katy Chang  
 Denise Brown  
 Sharon Conn  
 Rodney Elin  
 Dennis Jaffe  
 Hitoshi Sakamoto  
 Michael Snyder  
 Stephen Cerny

**Not Present**

Pedro Erviti (excused)  
 Mary Williams (excused)  
 Susan Holland (excused)  
 Mary Blyther (excused)

Nancy Iacomini  
Charles Metcalf  
Lillian White  
Kevin Moore  
Pat Sheehan  
Patricia Daniels  
Francisco Semiao