

# MINUTES

## San Gabriel Valley Governance Council

El Monte City Hall East  
11133 Valley Blvd.,  
Council Chambers  
El Monte, CA 91731

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Called to Order at: 5:05 p.m.

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Council Members Present:

Rosie Vasquez, Chair  
Steven Ly, Vice Chair  
Roger Chandler  
Harry Baldwin  
Alex Gonzalez

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Officers:

Jon Hillmer, Director Governance  
Council  
David Hershenson, Comm. Rel. Mgr  
Michele Chau, Council Secretary



Metropolitan Transportation Authority

**Metro**

1. Pledge of Allegiance.
2. Roll Called.
3. **APPROVED Minutes of Meeting held December 12, 2011.**
4. **Public Comment** - none.
5. RECEIVED report on **Public Hearing Guidelines and Title VI.**

Dan Levy, Director, Civil Rights Program Compliance, indicated that MTA follows federal regulations based on Title VI of the Civil Rights Act and Executive Order on Environmental Justice (EJ). Title VI and EJ guidance was last updated in 2007. New updates are being proposed by the FTA.

Representative Baldwin asked if the guidelines are customer-oriented. Mr. Levy responded affirmatively. He stated that the changes do not significantly change the requirements; however, it makes sense for the MTA to update its policies based on new guidance.

Chair Vasquez asked which department conducts the equity analysis when implementing service changes.

Mr. Levy responded that Conan Cheung, Deputy Executive Officer, Operations, and his staff conduct the equity analysis.

Mr. Levy provided a civil rights and environmental primer. He stated that the role of the equity analysis is to determine if there are disparate impacts or disproportionate, high and adverse impacts from service or fare changes. There is a need to define the nature of disparate impacts or disproportionate, high and adverse impacts. Staff will request that the Board amend the administrative code to add definitions of major service and fare changes. Both changes would require an equity analysis. The current service change policy mixes requirements for public hearings and equity analysis, and does not consider cumulative impacts or other special conditions.

Mr. Levy reviewed the proposed service change definition. A proposed service change would entail the following:

- 1) Revision to an existing transit route that increases or decreases the revenue miles operated by the lesser of 25%, or by 250,000 revenue service miles cumulatively over any consecutive 24 month period;
- 2) A revision to an existing transit service that increases or decreases the revenue hours operated by at least 25% or by 25,000 revenue service hours cumulatively over any consecutive 24 month period;
- 3) The implementation of a new transit route that results in a net increase of more than 25,000 annual revenue hours or 250,000 annual revenue miles;
- 4) A change of more than 25% over any consecutive 24month period in the number of total revenue trips scheduled on routes serving a rail or BRT station, or an off street bus terminal serving at least 4 bus routes;
- 5) During the planning and programming stage of any new guideway project (e.g. BRT line or rail line) or off a street transit station serving at least four routes and resulting in route adjustments;
- 6) Experimental or emergency service changes may be instituted for 180 days or less without an Equity Analysis being completed and considered by the Board of Directors. If the service is required to be operated beyond 180 days the Equity Analysis must be completed and considered by the Board of Directors within 270 days of the start of the service;
- 7) A Title VI Equity Analysis shall not be required if a Metro transit service is replaced by a different mode or operator providing a service with the same headways, fare, transfer options, span of service and stops;
- 8) Fare Equity Analysis shall be prepared for any fare change (increase or decrease). This includes, but is not limited to permanent fare changes, temporary changes, promotional fare changes and pilot fare programs. This includes fares not available to the general public such as special discount programs for students, groups or employers; and
- 9) An Equity Analysis is not required for changes to fares set at levels to comply with FTA requirements (off peak fares for seniors, persons with disabilities and Medi-Care card holders).
- 10) The fare Equity Analysis shall not be limited to an analysis of changes in price of fare products, but will also consider changes in fare media types, or availability of outlets to purchase fare media products.

Mr. Levy stated that the proposed guidance requires a definition of disparate impact for equity analyses. Staff proposes a definition of disparate impact based on case law and long standing practice for EEO and Title VII of the Civil Rights Act.

There are disparate impacts if a service change creates a 20% or greater negative impact on travel time, walking distance or cost for Title VI routes, than for services that are not Title VI. In addition, if the cost of a specific fare product used disproportionately by Title VI populations is increased more than 20% higher than those fare products not disproportionately used by Title VI populations it shall be considered to have disparate impact (unless caused by rounding to the nearest \$0.05).

The new guidance does not require Metro to define disproportionate, high and adverse impacts but it seems appropriate to do so.

An Environmental Justice (EJ) route is any service with at least 50% minority or low income ridership, or any service where the proportion of minority or low income ridership is significantly greater than the countywide average (in LA applies to low income).

Disproportionately high and adverse impacts exist if results of the service change create a 20% or greater negative impact on travel time, walking distance or cost of taking a trip for EJ routes than for services that are not EJ routes, and there are no mitigating or offsetting benefits. If there are no services that are not EJ routes, any change that results in a 20% or greater negative impact compared to the original service shall be deemed to have a disproportionately high and adverse impact.

If the cost of a specific fare product that is disproportionately used by EJ populations is increased more than 20 percent higher than the increase in the Consumer Price Index (since the last fare increase) it shall be considered to have a disproportionately high and adverse effect.

Mr. Levy reviewed the three major questions that Metro would like to ask patrons regarding suggested changes in fares or services. Next steps include presentations to all five Service Councils, public outreach in early January including meetings and social media activities, refining proposals based on input received, and presenting proposals to the Board in February.

Representative Chandler asked which president made the executive order. Mr. Levy responded that president Clinton made the executive order.

Mr. Hillmer mentioned that staff is seeking suggestions from the public, particularly transit users who do not speak English as their primary language.

Representative Gonzalez stated that he hopes staff can look at municipal and local service as well. He noted that East Los Angeles has great transit service, but portions of Altadena and northwest Pasadena are not as well served. It is important to examine the technical aspects of low-performing routes.

He indicated that there are already disparate impacts in the existing system and that staff should evaluate the system as a whole.

Mr. Hillmer clarified that when reviewing the system from the standpoint of Title VI, the focus is on Metro services. Local services may come into play when analyzing mitigating impacts or environmental justice.

Chair Vasquez inquired about how the current guidelines were developed.

Mr. Levy responded that the 25% standard mentioned earlier for defining a route change was developed by the FTA and has been adopted by many agencies. He added that there is a long-standing practice of using the 20% standard mentioned earlier for defining disparate impacts.

Mr. Hillmer mentioned that the San Fernando Valley (SFV) Service Council agreed with the standard for defining route changes, but suggested that staff also consider changes that impact 25% or more of passengers. The SFV Council requested having the ability to examine the equity analyses and reviews prior to making any service changes. The SFV Council also indicated that, whenever possible, the MTA Board should refrain from over-riding service changes recommended by the Council.

Mr. Hershenson stated that a more simplified version of this PowerPoint will be presented next month.

6. **CARRIED OVER update on status of El Monte Division, and Express Lanes Construction**, Timothy Lindholm, Director of Capital Projects.

7. **RECEIVED Director's report.**

Jon Hillmer, Director, presented the performance report for November 2011.

Chair Vasquez asked if the upcoming service change public hearings include any major changes in the San Gabriel Valley (SGV) region.

Mr. Hillmer responded that proposed Line 177 changes represent the only major service changes in the SGV region.

Carl Torres, Transportation Planning Manager, stated that Line 177 does not represent an Environmental Justice (EJ) route as defined in the presentation for Item 6.

Mr. Hillmer reported that SGV has the highest On-Time Performance (OTP) rating of any of the five regions. He presented a chart showing Metro lines that averaged less than 66.6% OTP from January 2010 to November 2011. He reviewed the OTP action plan. A task force has been created to develop and implement programs to improve OTP on problem lines. The task force is to include the following departments: Scheduling, Operations Planning, Vehicle Operations, Bus Operations Control, Instruction, Divisions and others.

Mr. Hillmer stated that there were nearly 4,000 Miles Between Mechanical Road Calls in SGV in November 2011. SGV Clean Bus Rating was above the target at 8.54. SGV has the best accident rate of all five regions with 2.58 Accidents per 100,000 miles. SGV monthly Ridership was above the target in November. Mr. Hillmer added that there are seasonal ridership trends. November is traditionally a low ridership month. Mr. Hillmer presented a chart with average daily ridership for all bus lines. He reviewed Silver Line and Gold Line ridership trends. Ridership on the Silver Line dipped in November. Gold Line ridership increased from the previous month. There were 4.05 Complaints per 100,000 passengers for SGV in the month of November. This is higher than the target of 2.73.

Mr. Hillmer reviewed customer complaints by type. The top three bus system complaints include operator-related complaints, pass-ups and no-show buses. The top three operator complaint sub-types include operator discourtesy, unsafe operation, and accident-related complaints. Mr. Hillmer reviewed ADA monthly complaint trends, including ADA monthly pass up complaint trends.

He provided an overview of the following ADA complaint categories. Performance ratings for November 2011 are shown.

- 1) Did the lift or ramp work properly? Yes, 99% of the time.
- 2) Did the operator offer assistance to secure the wheelchair? Yes, 83% of the time.
- 3) Did the operator comply with securement procedure described in Ops #11-070? Yes, 71% of the time.
- 4) Did the operator pass up any patrons in wheelchairs? Yes, 2% of the time.
- 5) Did the operator deploy lift or ramp for non-wheelchair passenger upon request? Yes, 100% of the time.
- 6) Was the non-disabled requested to move from priority seating when necessary? Yes, 85% of the time.
- 7) Interior AVA used or voice announcements made? Yes, 96% of the time.
- 8) Exterior AVA used or voice announcements made? Yes, 93% of the time.
- 9) Did operator offer assistance to passenger with visible disability without being asked? Yes, 80% of the time.
- 10) Did operator treat customers with courtesy and respect? Yes, 98% of the time.
- 11) Cell phone/electronic device used? Yes, 0.8% of the time.
- 12) Did operator run a red light? Yes, 1.2% of the time.

Mr. Hillmer presented a chart showing weekday percentage of bus trips in various load categories. He presented a chart showing percentage of bus trips with passenger loads of over 1.30 passengers per seat by region, and a listing of lines with 10% of bus trips or more with loads over 1.30.

Mr. Hillmer stated that in regards to the bus station monthly evaluation program, 15 of the 20 selected bus stations were evaluated in December. Metro staff will partner with a Service Council volunteer to select a date/time in January for a station evaluation and explain criteria and scoring. Team evaluation in future months will be encouraged but not mandated. A slide was shown of the bus stations evaluated in December.

The next quarterly Meet and Confer will be Tuesday, January 17, 2012 from 2:00-4:00 p.m. at the Metro Gateway Building. Topics to be discussed include Title VI agency policy guidelines, Expo Line and more.

Mr. Hillmer announced that pre-revenue service will start soon on the Expo Light Rail Line. There will be a Service Council Expo Line tour. Bus service changes related to the Expo Line will be implemented in late June 2012.

All Service Council regions will be holding public hearings in February 2012 at the regular meeting date and time.

Mr. Hillmer indicated that additional East 1<sup>st</sup> Street service in East Los Angeles recently approved by the Council has been postponed. Staff hopes to implement the new service next week.

8. **Chair and Council Member comments** – none.

Adjourned at 5:45 p.m.

A handwritten signature in cursive script that reads "Michele Chau".

Michele Chau, Council Secretary