

Minutes

Transportation Accessibility Advisory Committee



Meeting date: October 04, 2023

Time: 12:30 PM

Location: 390 Robert Street

Members present:

- Chair, David Fenley, at large
- Vice Chair, Darrell Paulsen, Precinct F
- Sam Jasmine, Precinct A
- Christopher Bates, Precinct B
- Patsy Murphy, Precinct C
- Ken Rodgers, Precinct D
- Jeffrey Dains, Precinct E
- Kari Sheldon, Precinct G
- Rachel Garaghty, Precinct H

- Trevor Turner, MCD
- Erik Henriksen, MCD
- Diane Graham-Raff, MAAA
- Patty Thorsen, MAAA
- Heidi Myhre, M CCD
- Claudia Fuglie, M CCD
- Richard Rowen, AARP MN

Members excused:

Jeffrey Dains, Diane Graham-Raff, Claudia Fuglie, Richard Rowen

Ex-officio:

- Phillip Sterner, Council Member Liaison
- Andy Streasick, Metro Mobility
- Douglas Cook, Metro Transit Customer Advocate
- Guthrie Byard, ADA & Title VI Administrator
- = present, E = excused

Guests present:

Kimberly Malone
Kimberly Stine

Staff present:

Christine Kuennen
Jason Tintes

Call to order

A quorum being present, Committee Chair Fenley called the regular meeting of the Transportation Accessibility Advisory Committee to order at 12:33 p.m.

Chair Fenley reminded the committee of the emergency broadcast test occurring at 1:20 p.m.

Agenda approved

It was moved by Paulsen, seconded by Thorsen to approve the agenda. Committee members did not have any comments or changes to the agenda. **Motion carried.**

Approval of minutes

It was moved by Murphy, seconded by Paulsen to approve the minutes of the September 6, 2023, regular meeting of the Transportation Accessibility Advisory Committee. **Motion carried.**

Business and information items

1. ADA Complaints and Investigations - Kimberly Malone, Manager, Investigation and Resolution Unit, Met Council Office of Equity and Equal Opportunity (OEEO)

Following a brief introduction, Malone shared that she participates in TAAC meetings "in the background" on a regular basis and recently reached out to Chair Fenley and Streasick requesting the opportunity to share what the Office of Equity and Equal Opportunity team does behind the scenes with customer complaints pertaining to protected class and to assure TAAC that the Office of Equity and Equal Opportunity is compassionately working on customer complaint investigations.

The committee was provided an overview of the Customer Complaints Regarding ADA, Disabilities, and Other Protected Classes PowerPoint document. The various types of protected classes and complaints were defined, information on how to file an ADA complaint and how they are processed, and clarification of the role of Metro Transit Customer Relations was provided. It was noted that although Customer Relations is a Metro Transit entity, they receive complaints originating from all Met Council transit entities - Metro Transit, Transit Services providers, and Metro Mobility.

Malone provided an overview on how the Office of Equity and Equal Opportunity reviews and investigates customer complaints related to protected class. Complaints in violation of the Council ADA policy that prohibits discrimination against transit customers are communicated to the appropriate management team for appropriate action based on the findings of the investigation. Malone pointed out that the Office of Equity and Equal Opportunity does not typically make recommendations on operator discipline because it is the responsibility of the appropriate transit management team.

To foster awareness that customer complaints do not disappear, Malone explained why the Office of Equity and Equal Opportunity does not reach out to customers after a complaint has been filed. Minnesota statute, Minnesota government Data Practices Act states that investigation or complaint data is considered private data until discipline reaches final disposition data; therefore, investigative outcomes cannot be shared with customers.

Malone concluded the presentation summarizing that the Office of Equity and Equal Opportunity looks at and interviews videos on every single customer complaint and then decides for each complaint whether there has been a protected class policy violation.

Discussion:

In reference to long customer complaint line hold times, Rodgers proposed creating a communications campaign on transit vehicles that would seek out customer comments and complaints utilizing a QR code to provide ease of access and communication potentially resulting in a reduction of dropped complaints. Rodgers questioned if the Office of Equity and Equal Opportunity could be contacted for questions and concerns and whether a meeting could be held regarding a Metro Transit policy that puts some disabled riders, especially blind and deaf-blind riders, in unsafe situations. Malone expressed support for Rodgers' communications campaign idea assuring the appropriate person would be contacted to pursue further action, and requested clarification on the Metro Transit policy to better determine who should be involved in further communications regarding this policy.

Myhre expressed concern over receiving no communication pertaining to customer complaint outcomes. Malone acknowledged that the restriction on data sharing is very difficult as it creates a lack of closure to the customer who is being served by transit, although is willing to pursue cases where the Office of Equity and Equal Opportunity could be doing more for the customer.

Henricksen requested sharing the Office of Equity and Equal Opportunity policy information relative to the work of TAAC if it's available. Malone stated the current policy was published in 2018 and is currently undergoing changes, however it can be shared soon and again at a date prior to finalization. Chair Fenley recommended adding the policy review as a future TAAC meeting agenda item.

Thoreson questioned if the Office of Equity and Equal Opportunity could provide a list of complaints, what was learned from them, and any planned action through a newsletter or bi-annual conversations. Chair Fenley clarified that aggregate data could be reviewed by category and provided examples such as disability and culture. Thoresen suggested adding any corresponding lessons learned and action taken in each area versus looking at percentages of complaints received in each area.

Chair Fenley questioned whether this information would be available to the public outside of the Data Practices Act. Malone explained that something could be done as data is reviewed



internally on a regular basis and provided to the Transit Authority. The Council should be contacted and then would decide whether disciplinary data could be shared. The Office of Equity and Equal Opportunity could share lessons learned and what was done on a quarterly basis; summary data would be provided. It was noted that complaint specifics would require a data request. Myhre said that it is important to know how the Office of Equity and Equal Opportunity operates as it is how problems are solved.

Referencing Rodger's communication campaign suggestion, Chair Fenley questioned if the Office of Equity and Equal Opportunity has any oversight to ensure action was taken. Malone recapped the Office of Equity and Equal Opportunity's role in handling customer complaints and explained that additional information is pursued if a video does not disclose a protected class violation. Unsubstantiated claims are cases where there was not enough evidence to take disciplinary action. Garage management can take disciplinary action prior to the completion of the Office of Equity and Equal Opportunity review of the complaint; however, they must obtain approval from the Office of Equity and Equal Opportunity in cases where action or discipline has been recommended but not applied.

Myhre questioned whether Metro Mobility has these checks and balances. Chair Fenley reiterated that Metro Mobility fits into the structure being presented and therefore cannot ignore customer complaints. Malone added that the Office of Equity and Equal Opportunity has been firming up this process with Metro Transit. Meetings have been set up with Metro Mobility to continue this conversation to ensure clarity. All complaints funnel through Customer Relations within Metro Transit, which can be confusing, but all customer complaints reach the Office of Equity and Equal Opportunity. Malone provided an example of a protected class violation complaint that was communicated through the Metro Mobility customer service.

Kuennen clarified that the Metro Mobility customer service center takes customer service complaints; customer service complaints related to protected class are forwarded to the Office of Equity and Equal Opportunity. Chair Fenley named types of protected class such as attitude stereotypes, implicit environments, and technical standards that pertain to disability rights. Malone informed the committee of the Office of Equity and Equal Opportunity team's disability rights background. Three of the four team members are disability rights attorneys and the ADA Coordinator position, which is currently open, requires disability rights technical experience.

2. 2023 MN State Fair Feedback - Kimberly Stine, Assist. Mgr., Street Operations, Dist. Street Supervisor, Metro Transit

Stine provided an overview of ADA items added to the 2023 MN State Fair event and ADA items that will be addressed for 2024 as detailed on the presentation document entitled TAAC Minnesota State Fair Transit Update for 2023. Chair Fenley thanked Stine for providing an update and the efforts of the Metro Transit State Fair Committee to look ahead to 2024. An update to the committee was requested for June or July next year.

Discussion:

Co-Chair Paulsen recommended the placement of Porta Potties in accessible areas with good lighting, bringing back two previous accessible parking locations, making signage clearer and more visible on route 3 near Gate Nine, and keeping a traffic controller on site all day. Metro Transit, Metro Mobility and the State Fair should get together and discuss these concerns. Stine offered to bring the concerns to the State Fair staff.

Chair Fenley requested clarification on who should members of the disability community reach out to with accessibility concerns. Stine advised the committee to bring concerns to the Metro Transit customer service line. Chair Fenley added, the Metro Transit Customer Service line will route accessibility concerns to the appropriate area, either the State Fair staff or Metro Transit staff, referring to the close collaboration between Metro Transit and the State Fair. Co-Chair Paulsen requested clarification on which MN State Fair areas are within

the Metro Transit ADA accessibility jurisdiction. Stine named the Metro Transit ADA accessibility areas: the transit turnaround center, anything associated with Metro Transit buses that run through the transit turnaround center, routes 3 and 21, and the A Line. Myhre pointed out the absence of Gate Nine on Google maps and questioned how entities could work together to resolve accessibility issues. Stine assured the committee that this concern would be put in notes for the next Metro Transit State Fair Committee meeting.

3. Free Fares Pilot Update - Christine Kuennen, Senior Manager, Metro Mobility

Kuennen opened the presentation announcing that she was filling in for Andy Streasick who was unable to attend the meeting and would be presenting on the Free Fares Pilot from a Metro Mobility standpoint. The incorrect naming of this business item was noted.

Kuennen explained how legislation involving free fare pilots is multi-pronged and provided a comprehensive overview of the pilot program. The Free Rides Pilot Program is managed by Metro Transit with free rides for all Metro Transit customers on routes 32 and 62 and the Free Fares Pilot Program for Metro Mobility customers on the fixed route system. Kuennen clarified she is partnering with Metro Transit however only speaking to the Metro Mobility Free Fares Pilot Program, not the focus of both pilot programs.

On Free Fares Pilot routes, Metro Mobility customers have received free rides on Metro Transit Routes 32 and 62 since July 1, 2023. Metro Mobility offers free rides on those same routes as part of para transit comparability federal law. Counts are available as the Trapeze booking system identifies rides within those routes as free rides, so Metro Mobility staff can identify and correct routes on the 32 and 62 pilot routes that should be free of charge. This information is available to drivers on the manifest. Since July 1, 2023, 3,206 rides were booked on routes 32 and 4,349 were booked on route 62 “footprint” on the Metro Mobility system as Metro Mobility origin and destinations.

There was little time to prepare communications systems on the Metro Transit side due to the short timeframe between the legislative approval and commencement of the pilot program, so flash passes were implemented and counted by drivers on the fareboxes. As a result, analysis of travel patterns and behavior has not been possible. Since Oct. 1, all Metro Mobility ID cardholders with Go To cards have the free fare product imbedded in them. Once tapped, rides show up as a free pass resulting in a no charge for the ride.

Discussion:

Jasmine questioned how long the free rides pilots be going and whether there is someone working on reimbursements when rides are charged on those routes. Kuennen pointed out to the committee that the pilot program dates were not mentioned in the presentation and stated the pilot program started on July 1, 2023, and runs through December 31, 2024. It has been noticed that fares are accidentally being paid. A process is being automated that will accept the fare collected on a Metro Mobility bus and match it with the rider’s Go To card to the Cubic system to validate the deduction of the fare followed by an auto-load reimbursement.

Rodgers reminded the committee of the change to the Premium Same Day program reimbursement. Chair Fenley clarified that this comment was not related to the Free Fares Pilot Program. Kuennen informed the committee that legislation called for an increase in availability and span of On Demand service so Metro Mobility implemented the fare policy change that increased the Metro Mobility fare subsidy to twenty dollars.

Myhre requested clarification on how free fare rides are reimbursed. Kuennen responded with an overview of the reimbursement process. Metro Mobility program participants should use their ID cards as their tags; this is the only way for Metro Mobility to know who has the card and to verify Metro Mobility certification, Cards will be reimbursed for overpayments whether the county or individual has provided the card. It’s an auto-load fare product loaded on to the Go-To Card system. Kuennen emphasized that all Metro Mobility ID cards have a



Go-To Card imbedded in them.

Rodgers questioned the meaning of the 2200 expiration date on the paper re-certification cards. Kuennen explained that the date designates permanent eligibility and recommended adding an explanation to the re-certification letter. Murphy questioned if ID cards were going to paper. Kuennen clarified that paper certifications are temporary and stated that this should also be explained in the re-certification letter. Committee members were encouraged to call in with any further questions.

Paulsen questioned why the Metro Mobility ID needs to be shown to the Metro Transit driver when taking a free fare ride. Kuennen responded that this would be a Metro Transit concern and emphasized the importance of showing the Metro Mobility card to the driver if tagging malfunctions noting that Metro Transit's fare policy requires tagging for free rides. Chair Fenley added that Metro Mobility cannot speak for Metro Transit's policies.

Jasmine thanked Kuennen for presenting and expressed a need for more frequent presentations from Metro Mobility as things are continuously changing. Jasmine reminded the committee that not everyone who is disabled is Metro Mobility certified and acknowledged there are frustrations.

4. TAAC Work Plan Review - David Fenley, TAAC Chair

The review was held during Member Comment.

Reports

Subcommittee

1. Blue Line – Ken Rodgers

There were no meetings in September.

An e-mail went out on 10/4 for greater distribution requesting people along the route or those familiar with those on the route who identify as protected class to take a short survey. The survey was not accessible, so the Blue Line office is working on making the survey accessible. Rodgers encouraged the committee to forward any names of those with disabilities who live along the route to provide to the Blue Line office.

2. Green Line – Christopher Bates

No report. The committee was encouraged to read the Star Tribune for project updates.

3. Gold Line – Darrell Paulsen

Downtown construction should be done within the next few weeks by the end of September.

4. Purple Line – Darrell Paulsen

The Public Comment period related to the realignment of the Purple Line (instead of the Bruce Vento Trail) going down White Bear Avenue as a dedicated lane debate involved debate as to whether the lane should be mixed traffic or a center lane. The committee was encouraged to go to the Metro Transit Purple Line information area for public comment.

Co-Chair Paulsen presented at a conference over the weekend on the Purple Line; the presentation was well received.

Bus Priority Seating TAAC Work Group

No report.

Chair

No report.

Public invitation

No comments.

Member comment

Thorsen announced that fall conversations will be held at the A.H. Wilder Center on 10-17-23; Myhre added, the online conversation will be held on 10-25-23. The committee was referred to the Fall 2023 Metro Mobility newsletter for more information.

Bates requested status on the Bus Priority Seating from the bus driver Union president. The discussion should include conversations on how TAAC might provide assistance. Henricksen suggested having an update via a meeting or an e-mail. Myhre emphasized the need to look at bus priority seating post-pandemic. Henricksen added that it's important to know where things are at, what impacts have been noted, and what the numbers look like now. Paulsen expressed concern over the appropriate use of funds regarding the video cameras. Chair Fenley noted the need to receive an update from the Bus Priority Seating Committee.

Chair Fenley initiated the TAAC Work Plan Review stating the purpose of the TAAC Work Plan document, to organize both reoccurring and one-off presentations on the 2024 calendar and read the list of thirty-four focus areas included in the 2024 Work Plan for those not in attendance at the September 6 TAAC meeting. Chair Fenley opened the discussion to additional focus area suggestions and reminded the committee to provide any updates via e-mail.

- State Fair Update
- Legislative Updates
- Metro Mobility Updates – semi-annually/quarterly
- Metro Mobility Service Providers
- TNCs – Lift and Uber
- Premium On Demand Service (POD)
- Bus Stop Accessibility
- Agency Service Update
- Free Fare/Rides Program
- Metro Transit Process to Adjust Routes – QR Codes
- Transportation to Underserved Communities Update - Metro Transit
- ADA Transition Plan Update
- Metro Mobility Operator Recognition
- Road Construction – Temporary Access for ADA stops During Construction – QR Codes
- Training – What, When and How?
- National Para Transit Organizations –
 - What they are doing – Similarities and Differences
- Capital Programs Update
- Office Of Equity and Equal Opportunity Data and Policy Impacts to Transportation
- Sub Committee Reports
- Pass Ups
- Bus Priority Seating
- Disability Day at the Capital - Metro Mobility Role
- Aira Pilot Project – Annual Update
- On Demand Accessible Pilot Program in NE Minneapolis
- Safety in General – Who is Responsible
- Maintenance Update
- Technology – QR Codes Update
- Wayfinding General
- Union Representative Update
- Transit Plus Update

Focus Area Items Added 10-4:

- Transit Plus Update
- Texting and E-mail Updates – Technology Updates.
- QR codes to Construction Updates and Metro Transit Process to Adjust Routes
- Policy Impacts to Transportation Accessibility Office Of Equity and Equal Opportunity

Adjournment

Business completed; the meeting adjourned at 2:31 p.m.

Certification

I hereby certify that the foregoing narrative and exhibits constitute a true and accurate record of the Transportation Accessibility Advisory Committee meeting of October 4, 2023.

Approved this 25th day of October 2023.



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