

Minutes of the REGULAR MEETING OF THE TAAC COMMITTEE

Wednesday, December 2, 2015

Committee Members Present: Chair Kjensmo Walker, Julianne Bina, Christopher Bates, Ken Rodgers, Robert Platz, Kari Sheldon, Bob Anderson and Patty Thorsen.

Committee Members Absent: Adora Sage and Heidi Myhre.

Committee Members Excused: Nichole Villavicencio, Margot Imdieke Cross and David Fenley.

Council Staff Present: Metropolitan Council Member Jennifer Munt, John Harrington from Transit Police, Pam Steffen from Metro Transit, Brad Utecht, Cole Hiniker, Heidi Schallberg, Andrew Krueger, Andy Streasick and Alison Coleman.

Public Present: None.

CALL TO ORDER

A quorum being present, Committee Chair Walker called the regular meeting of the Council's TAAC Committee to order at 12:36 p.m. on Wednesday, December 2, 2015.

APPROVAL OF AGENDA AND MINUTES

It was moved by Bates, seconded by Thorsen to approve the agenda. **Motion carried.**

It was moved by Bates, seconded by Thorsen to approve the minutes of the November 4, 2015 regular meeting of the TAAC Committee. **Motion carried.**

BUSINESS & INFORMATION

1. The Metropolitan Council and the TAAC

Metropolitan Council member Jennifer Munt spoke to the TAAC committee. The advice that this committee gives matters to her and the Metropolitan Council. It is important to understand the structure of the Metropolitan Council and where you plug in. The advice the TAAC committee gives is making a difference. The Metropolitan Council is a unique organization. Not only are they the lead planner but they are the largest provider of transportation services. They are designated as the metropolitan region's planning organization. That means they do all of the region's transportation planning. In shorter term federal funding programming. The Metropolitan Council gets all the newest census data that tells them about the population, about the kind of housing that they will want to live in. The population of people over 65 will double by 2040. They know they need to have the kind of transportation and the kind of housing to accommodate their needs. It is about planning for the future so that they can meet the needs of a changing population. It is not just about the here and now of the services they are providing but planning for a future that is going to be able to create opportunity for all people and share prosperity for the people in the region.

The Metropolitan Council is also the largest transportation provider in the region. It is about providing the contract and coordinating the Metropolitan Transit Operations like bus and rail. It is Metro Transit, the Opt Outs and the suburban providers. As the planner and provider, the Metropolitan Council is in the unique position to influence things that make sure that people have access and mobility.

The TAAC committee is created by statute. The Legislature told the Metropolitan Council that the TAAC advisory committee's role is to advise the Council on the development and management of policies regarding accessibility in all aspects of fixed regular route and special transportation services for persons with disabilities. The legislature wanted the TAAC to have a seat at the table and a voice in the planning and the services that the Metropolitan Council provides.

How do the TAAC recommendations go through the Metropolitan Council process? The process is both formal and informal. Sometimes the TAAC gives recommendations on things that are no brainers. They tell Andy Streasick and he tells Arlene McCarthy, the Director of Metropolitan Transportation Services or Brian Lamb at Metro Transit, and they get this done without going through the Metropolitan Council's Transportation Committee. There are other issues that delve more deeply into policy and funding issues. Those issues come before the Transportation Committee.

An example of the informal process is when Ken Rodgers needed to come to Metro Mobility to get a badge. He is blind. He took four trips around the building before he could find the door. He asked if people could send their own picture to Metro Mobility and have them send the badge to the new person. Andy asked Arlene and she said they could do this. Now new people to Metro Mobility can get their badge without coming to the office.

An example of the formal process is vertical circulation at the Cedar station along the Central Corridor. Folks couldn't get into the skyway in order to get to their homes. The suggestion was made. Rick Cardenas was the champion for that happening. It required money. At the end of the day, Mayor Chris Coleman and the folks from the Central Corridor Project Office were able to make sure that they had the funding to get that vertical circulation. A lot of people went to the groundbreaking when the elevator was put in. It was necessary to give transit customers access to the skyway and access to where they live. It was a policy decision with funding attached to it. Then they take that to the Transportation Committee.

Before Munt was on the Metropolitan Council she worked on the Hiawatha Light Rail Line. At that time Minnesotans had never had a light rail line. Margot Imdieke Cross went with them to several different cities to see how they made their light rail system accessible. They were able to test what worked well and what didn't work well in other cities. They were able to build the first light rail line in a way that made it as accessible as it could be.

Now they are hearing from folks that there are dangerous situations for people when they come off of the platforms. Ken Rodgers told them about some of the challenges that when people came off of the platform they could get hit by automobiles. He told the staff how to make it safer. Folks created a video showing where those danger points were and they fixed the problem. They are now avoiding those mistakes when they build the Southwest Light Rail Line.

Funding is a big problem. Metro Mobility service mirrors the Regular Route service. If they could get more funding for the regular route service they would then be required to provide Metro Mobility service. There are a lot of ways where people could work together to get more and better transit service.

A light rail project takes between eight to 10 years. The first two years they do a corridor study to identify where the line should go and what the preferred mode should be. Once all of the elected officials and the community get on the same page with that decision then they have a locally preferred alternative. Then they start doing the studies about how it affects the people and the environment. Then they start doing the engineering studies. That is another two years each. Two years for the corridor study and another two years to look at the environmental impacts and another two years to actually get the engineering piece done. Then once all of that is done the project development can take another one to two years. All of this together is eight to 10 years for a light rail project to go from idea to construction drawings. Then they build it. This takes another two to four years. It really matters to follow the project to help avoid mistakes like Ken Rodgers did on the Southwest project because he learned what did and didn't work. When people come off of the platforms on the Central Corridor.

When they are doing a bus rapid transit line because the investment is less and the construction is less, it is much faster than the eight years but it still is four to six years for a BRT line to go from idea to construction.

She talked about the Egan Transit station improvements they made with the New Freedom grant. It provided upgrades to the station by improving the heating in the waiting area, improving the lighting in the waiting area, improving the security cameras, adding a handicapped door with an access button and adding signage.

The Metropolitan Council members are going to the legislature to get more funding for more and better transit service. When they talk about transportation they often make it about buses and trains and concrete and steel. Transportation is really about human beings. It is really about giving people the opportunity to lead full and better lives. It's those buses and trains that connect people to family, food, medical appointments, jobs, school, to a better life. If people start seeing transportation as human rather than inanimate, they will be more successful when asking for funding.

2. Metro Transit Police Update

John Harrington spoke to the TAAC committee. He is the Chief of Police at Metro Transit. He became Police Chief in September of 2012. At the time the department was in need of reorganization. As part of the reorganization they began to change the mission and focus from being a security operation to being one of a full fledge urban police department. They reframed the mission to one of being reflective of the community they serve and also more responsive to the community they serve. In 2013 having reviewed the training that the officers were getting as they were putting them out on the street they recognized they were deficient in preparing them for the realities of urban police work. They initiated a police academy. Up until that time Metro Transit officers would come in, would be given a very brief policy overview and then they would be put out on the streets to do some field training. There was no in classroom training and no real orientation. Many of those officers came from other small departments from outstate. They were not adequately prepared for the realities of the Twin Cities. So they began in 2013 by offering their own academy.

At that time in a very abbreviated fashion it was a four week academy. One of the first things they added in was training from St. Stephens, working with the homeless community, working on cultural poverty training and beginning to start opening the door to understanding how do they interact with those who are less fortunate than they are and those who have disabilities. It was a baby step in the progression of what do they need to do in order to be truly responsive to all of the different citizens who ride on Metro Transit. At that time there was already a policy, Policy 370, which required a couple of things:

1. Biannual training for all members of the department for contact with people with disabilities. This was done in 2012 before he got there. They did ADA training in 2014. They are in the process of setting up the 2016 training and would be open to conversations with the TAAC committee as to what kind of topics and how should they format the training for 2016. That training will be given to all 200 officers that work for Metro Transit. Both full time and part time and all of the support staff. In 2016 they will have an additional opportunity to get new material out in front of the officers.
2. In addition to the biannual training it also requires for them to make sure that all members of the department are trained for how to interact with individuals who are deaf, hard of hearing, who have impaired speech or vision or blind. It does not speak about people who have motor function disabilities. They need to have additional training there. It also doesn't speak about those who have cognitive or emotional issues or seniors. They are starting to do more outreach to those areas in particular over the last couple of years. Not only are the officers trained on how to interact with folks with disabilities but the call takers at the Transit Control Center are also trained. The TCC is Metro Transit's 911 system. If someone on a train or bus needs police service they will call 911. Typically that will go to the local public safety answering point which will then transfer it to Metro Transit. Metro Transit's TCC does have TTY and other accommodations that if folks with disabilities need police service they can get it through their home agency where the crime or complaint took place or get it through the TCC also.

In 2014 they did an outreach to the deaf community as part of a policing effort they were doing. There has been for a number of years two primary issues: the inability for police officers to communicate effectively with the deaf but also the issues around crimes being committed against the deaf because of their sign language. There were several notable cases where individuals were signing on buses or signing in neighborhoods where those sign language gestures were mistaken for gang gestures and those folks were attacked based on that. They wanted to make sure they were doing an outreach to the deaf by being sure of their safety and to help get them ready. There are several major deaf schools that are right along the Green Line. They wanted to make sure they did their due diligence to make sure they were aware of the Green Line and aware of the Metro Transit Police safety precautions and also to get better acquainted with the community at that time.

In 2014 all 200 officers went through ADA training. They expanded the police academy from four weeks to six weeks that year. They began to advance CIT training. CIT is a term meaning Crisis Intervention Training. It is the training that was piloted out of Memphis that deals with how police should interact with individuals who are in an emotional or behavioral crisis. They then added Train the Trainers to their own staff so that they not only had individuals trained in their academy and training in service but also have subject matter experts to deal with new issues that came up. The subject matter experts are keeping them abreast of what the current state of the art is in that field.

In 2015 they expanded the CIT and added an additional Train the Trainer. Because of some high profile incidents that happened on Metro Transit they expanded their training in the areas of interacting with those with mental health issues. They brought in mental health first aid, which everyone in the last academy has gone through and they plan to have everyone in the department to go through this. They expanded the amount of CIT training they did. They also reached out to the autism society to bring in additional training for that. They expanded cultural poverty training. They did refreshers on how to interact with individuals who have service dogs or service animals. They were used to individuals coming on with German Shepherds. It was not as common to see other types of animals that were service animals. So they did a refresher for the officers to make sure they are aware of the policy that guided service dogs also should go along with any other service animal. If it didn't look like the traditional German Shepherd service dog the behavior should be guided by the same policy.

In 2015 they increased the training to eight weeks as they continued to expand communications training and other forms of training for the department.

In 2016, as they are closing out this year, there are a couple of things going on. They have their own internal mandate that they will do their biannual refresher on working with folks with disabilities. They are very interested in having a conversation about what that should look like. The training director was Jason Lindner. He is the point of contact for that.

They have also been doing community outreach. Over the last three years they have been doing outreach to the African community, the Latino community, the Hmong community and the Somali community. In the last year they have begun outreach to the senior community by working at some nursing homes and other areas. They recognize that seniors are a significant proportion of the ridership and they did not feel that they were as well informed about what services the Metro Transit Police could provide. In many cases they are very nervous about a lot of the youth activities that is going on on the trains. They wanted to let them know that they can contact the Metro Transit Police and what can be expected when they did contact them. They started that outreach but it is in the first baby steps. They have been doing youth outreach. This year is the most youth outreach they have been engaged in. They are hoping that that will calm some of the youth issues down. They hired a juvenile officer this year and they have been doing Police Athletic League activities with them. They have been doing outreach in the suburban and metropolitan areas trying to get a better handle on this. They just recently contracted with the YWCA to put additional youth ambassadors on the trains and on buses to try and help modify some of the behavior where they have seen with youth which we hope will reduce negative interactions with youth and seniors and the regular customers. They know they have had some unpleasant encounters with youth and members of the disability community. They recognize they have the responsibility to try to provide a safe and pleasant ride for everyone in the community and the disability community. He would enjoy having additional information on how they can do a better job and outreach the community and what they should be training for in the future. Send the information to him and he will distribute it to the appropriate staff.

In the past they have not done any training for Metro Mobility drivers. They would be open to doing this.

3. Regional Performance Measures

Brad Utecht spoke to the TAAC committee. He is a Senior Planner in the MTS department of the Metropolitan Council. He will speak on the Regional Performance Measures for the Transportation Policy Plan. He will go over some MAP-21 requirements for performance based planning. MAP-21 is the current federal transportation bill. It has some requirements of what the Metropolitan Council has to do for performance based planning for its long range plan. For the first time ever they were applying the performance measures in that plan. They have been responding to those requirements as the Metropolitan Planning Organization in the Twin Cities. In response to that they did a performance based planning study a few years ago to look at what other areas are doing and what are some best practices for performance based planning.

In the Transportation Policy Plan that was completed and finalized earlier this year in January they had some advisory performance measures for that Transportation Policy Plan. The final federal performance measures were not finalized yet so that is why they are calling them advisory performance measures in the current TPP. This current effort they are doing is to identify recommended performance measures for the next TPP. That process is looking to be complete by next summer. Then the next TPP will be complete in 2018. These performance measures are identified specifically to evaluate and invest in investment strategies that are in the TPP. That is what our groups have been working on identifying in this process.

The structure they have set up. They have five modal work groups. There is a highway group, a transit group, a bike/ped group, a freight group and then there is the aviation group. They also have TAC Planning as the steering committee which is looking at the measures from all of the different groups and are looking multi-modally across modes regionally. The TAC is the Technical Advisory Committee. It is part of the staff structure that exists at the Metropolitan Council for advancing some of the policy initiatives. They also have a project management team at the Council that is leading the effort. They are also including some policy maker involvement which would be from some Council members here at the Metropolitan Council.

The schedule from July to about now. The modal groups are meeting a list of potential performance measures. Then for the next couple of months they have some presentations to the Metropolitan Council, the TAC and TAB. In the spring of next year they are looking to bring back the modal groups to present the performance measures with what kind of data they have and respond to TAB, TAC and Council comments. In 2017 they will begin the TPP update which will be complete in 2018.

Since the last time he was at the TAAC they have created the modal work groups. They get participation from local, state and regional agencies as well as advocacy groups. They have participation from the TAAC on the transit and bike/ped modal groups. The charge of these groups are to identify one to three measures that would help evaluate the investment in the TPP. They are looking for these groups to meet three to four times between August and December to develop recommended targets, if desired.

The work completed to date. Modal groups have met two to three times and have identified high and medium priority performance measures. They started a list. It is in the handout for this meeting. They presented the priority measures to the TAC Planning committee.

The next steps. They are looking to identify the highest priority measures for each modal group with up to five for each group. They will present the highest priority measures to the TAB, TAC, Council and TAC Planning committees. They will reconvene modal groups in the spring of 2016 to respond to feedback and present current and forecasted data for each measure. Accessibility at transit stops and stations is a medium priority. Metro Transit is looking into doing an analysis at their stops to look at what kind of facilities are at each of the stops. Accessibility of sidewalks and ped ramps overall in the highway system is another issue they are looking at. They are also looking into access to jobs.

Every four years the Metropolitan Council is required to do the Transportation Policy Plan for the region in terms of transportation. It is a federal requirement. It looks at long range planning. It includes many different modes including highways. They are identifying performance measures to look at how that group of policies and investments is really performing for the region. If they did everything they said they would do, what would they get for it? They are looking at some of the outputs from the TPP. They also do investment scenarios.

4. Metro Mobility Incident Response

Andrew Krueger spoke to the TAAC committee. He is the Senior Manager at Metro Mobility. There were a couple of incidents that happened on Metro Mobility that were in the news. They reported a sexual assault that allegedly took place on a Metro Mobility vehicle on Tuesday, November 3. On Monday, November 9, a Metro Mobility driver was charged in Hennepin County with third degree criminal sexual conduct, which is technically rape for allegedly assaulting a Metro Mobility passenger. The incident allegedly did occur on the vehicle. The driver involved in this incident was terminated immediately by the contractor. Then on Saturday, November 14, the Star Tribune reported on another incident of sexual misconduct between a driver and a passenger. In that Saturday article the paper reported on an incident that occurred on June 25. The incident on June 25 involved a Metro Mobility driver and a passenger. The driver was off duty. It occurred when he was not working and the incident that occurred on that day allegedly ended with the passenger and the Metro Mobility driver having sexual intercourse. The driver was terminated. Even though the Ramsey County Attorney's office did not file charges in that incident. The paper reported that both incidents allegedly involved drivers of the Minneapolis based provider Transit Team. In both instances the drivers were terminated from employment once things came out.

Here is the Council's response to both instances. First of all the safety and security of Metro Mobility passengers is and has to be the highest priority. Following each of the incidents that occurred, Metro Mobility staff was notified by the contractors immediately after the incidents. Both incidents were reported to Metro Transit Police. The incident that happened in November, it was the Metro Transit Police that investigated and ultimately turned the case over to Hennepin County.

A couple of things they have in place to make sure these incidents don't happen. First of all they have talked with both of the providers, Transit Team and First Transit. Both companies have a policy in place and have in writing about professional and personal boundaries. Both contractors have written policies saying the drivers are not under any circumstances to have a relationship with a passenger. Drivers don't have information about any of the passengers' disabilities or abilities. Drivers don't know if it is a vulnerable adult or not a vulnerable adult. The policy for both of the contractors as well as for the Met Council is no relationships. Any relationship is inappropriate.

Under Minnesota state law criminal history background checks are required before a driver can provide service for Metro Mobility. The state requires that a criminal history background check is done with the Minnesota Bureau of Criminal Apprehension or any other state where that driver has lived within the last 10 years. Following both of these incidents an audit was done of Transit Team's files. These criminal history background checks were done on these drivers prior to them being employed. Transit Team also does a criminal history background check annually on all of their drivers. So they did confirm that that was in place and was being followed. The criminal history background check tells if someone was caught or arrested or convicted of something but it doesn't necessarily tell you if they are prone to that.

Driver training. Under Minnesota state law they have to have training in how to handle people who might have a disability. Also it talks about how to handle people who might be vulnerable adults. Following both of these incidents they went back through the training records of the drivers involved to make sure they were given training. Both of the drivers were. First when they started and then Transit Team has made it a habit based on an incident that happened long before Andrew was there. Every safety meeting they talk about inappropriate relationships with passengers. So the driver in the June incident had been employed for several years. They are required to attend a safety meeting once a month, every month. This driver had been told over 60 times to not have relationship with a passenger and chose to do it anyway knowing his job was on the line.

One of the reasons they put cameras in the vehicles is in case something like this should happen. It was the cameras and the GPS technology that made the investigation from the Metro Transit Police a lot easier. It also made the decision very easy to terminate that driver immediately. After both incidents occurred Metropolitan Council staff did an investigation. They sat down with the provider and looked through their training records, hiring records, practices, their policies. It is their belief that the provider acted responsibly and appropriately in both of those instances. The Council and the providers both have a zero tolerance policy. Behavior like this will not, should not be tolerated. They are going to continue to work with the contractors to act as quickly and appropriately as they can when instances like this come up.

In the instance that occurred on November 3, it was a group home staff that called the provider, Transit Team. The staff member called and got a reservationist at Transit Team who then talked to a supervisor. The allegation was that the driver touched a passenger inappropriately. All of the trips by that driver were taken off and he was brought back to Transit Team for a conversation. They checked the AVL records and saw that the vehicle had been sitting for 15 minutes in an area that it shouldn't be sitting. When the driver got back he didn't admit to any inappropriate relationship. He admitted that he asked the passenger if she would be his girlfriend. Based on that statement the driver was terminated. After that there was a police investigation. A very detailed report was filed. Then the media picked it up.

STS law requires an annual background check. Transit Team exceeds that. They also run a Department of Motor Vehicles report every six months. Because of these instances Metro Mobility staff did an audit of the other two contractors as well to make sure there is a practice in place. All of them say there is a policy in place but they did an audit to make sure they are following the same procedures. They are.

Subcommittee Reports

1. Blue Line – Ken Rodgers and Julianne Bina

This item was not presented.

2. Green Line – Christopher Bates

This item was not presented.

3. Orange Line – Nichole Villavicencio

This item was not presented.

PUBLIC COMMENT

None.

MEMBER COMMENT

Chair Walker spoke to the TAAC committee. Douglas Moody resigned his position on the TAAC committee effective immediately.

They are making some changes in the ByLaws. If anyone has any changes give them to Chair Walker.

Patty Thorsen was appointed to the Midway Redevelopment Advisory Committee. This is where the new soccer stadium will be built. She will be providing input for the accessibility issues in the developing area.

ADJOURNMENT

Business completed, the meeting adjourned at 2:36 p.m.

Alison Coleman
Recording Secretary