

Metro Transit Advisory Committee

May 8, 2024

6:30 p.m.

**This meeting is open to the public*

Location: Metro Administrative Offices - Board room

2222 Cuming Street, Omaha, NE 68102

Please enter through the front lobby doors, facing Cuming Street at the top of the ramp

Digital:

Join Zoom Meeting

<https://us06web.zoom.us/j/81362662191>

Meeting ID: 813 6266 2191

Attendance:

Call to Order: 6:35pm

(verify quorum is 7)

TAC Voting Members Present: Clyde Anderson, Tamara Dwyer, Cedric Ludlow, Maria Brady, Isabelle Dunning-Ward, Jeff Spiehs, Joey Yamada

Members of the Public: John Sullivan, Andrew D, Che Barnette (N 24th BID), several other anonymous attendees online

TAC Voting Members Absent: David Baker, Clarice Dombeck, Alex Mendoza, Dayton Headlee

Staff Facilitators: Evan Schweitz, Bridget Battafarano, Alicia Johnson

Meeting Minutes:

1. Introductions
2. Opening: Public Comment Period
 - a. Clyde – Do we offer any promotions for Berkshire weekend? Evan – we did not, but can pass along the feedback and explore that as an option in the future. Alicia – Lauren and Nicole attended a Berkshire networking event and can look into expanding that in the future
3. Approval of Minutes of Previous Meeting
 - a. Motion by Clyde, 2nd by Maria. Approved.

New Business:

1. HR update:

- a. Alicia J – Hiring on track to be better positioned with service changes later in May. Still dealing with supply chain issues, but optimistic about progress. Full HR update not available at this time, will update when available. Metro does have an Extraboard to ensure operator coverage.
- b. Discussion about Extraboard – It is meant to provide backup; Extraboard operators are on-site to fill in if there is a last-minute call-out. They are paid for this time whether they pick up a route or not.
- c. Committee Question – How does Metro ensure drivers know the route if they are filling in? Answer – All operators are trained to know all routes. If they are unsure, they can use resources presented to them and route changes are always posted. It is possible that they may still miss a stop, but we do all we can to ensure they have what they need.
- d. Discussion of 20% spare ratio: Federal regulation only allows funded agencies to retain 20% more buses than we need in our busiest time of year. Currently, our peak need is 81 buses. So we have 20% more than that. We wouldn't want to go lower than 20% on standby so that, in the event of maintenance – planned or not – or accidents, we have the minimum number we need to fill service day-to-day. We hover around that number to be good stewards of public money.

2. Metro updates:

- a. Board resolution approving our three-year Public Transit Agency Safety Plan (PTASP).
- b. Metro awarded contract for sustainability upgrades to allow future electric vehicle charging in the building, solar panels.
- c. Yearly financial audit found and corrected several small issues.
- d. HVAC maintenance contract for bus air conditioning granted: 2-year
- e. Engine Maintenance contract granted: 1 year, 4 months.
- f. Service Equity Analysis approved which will allow 13 and 15 short route service changes to take effect May 19th. TAC approval and comment noted with gratitude expressed by board. Assured that board/Metro will be transparent with updates.
- g. Family Hiring Policy update: Policy from the 80s revised, approved by board to allow family members to be hired but not within the same department. Exception is Operations, which can hire a Moby driver and a fixed route driver who are related. Going through policy manual to update 80s and 90s

policies. There was a special request for update to nepotism policy from union.

- h. Clarice working to bring Better Blocks to present at a future meeting.
- i. Field work for bus stop audits complete, summary info forthcoming. 162,510 datapoints to go through. This looked at every one of the stops in the service area – around 2100 – to assess safety and accessibility.
- j. Committee Question – What was the financial audit? Answer – Annual financial audit. We’re also in our triennial review period for federal compliance. First round submissions were in February, they’ll ask us for more information by July, site visit at the end of July. Any findings will be addressed with a Metro plan to correct.
- k. Committee Question – What was the reason for the new HVAC contract? Answer – previous contract expired, required a new procurement.
- l. Committee Question – Do design standards exist for bus stops? Answer – No, Only current policy for stops is accessibility for Title IV requirements. Will be revisited based on bus stop audit analysis. Looking to work with stakeholders, developers to update stops and infrastructure. If city is doing work on a section of road with stops, the hope is to request updates while they are doing that.
- m. Civil Rights & Inclusion Presentation (Substitute for HR) Alicia Johnson.
 - i. Perform equity analyses for Title VI [under the Civil Rights act] compliance
 - ii. Committee Question – Is Equity Analysis required for all changes? Even if consequences to protected populations is unintentional or strictly a decision based on numbers? Answer – Yes, all major changes, to ensure no accidental negative impacts to protected populations.
 - iii. Disadvantaged Business Enterprises [DBE] program serves to equitably include and contract with registered historically disadvantaged business owners when looking at the bids for contracts and subcontracts for any kind of work. Goal to increase percentage of contracts for these businesses to 4.6% of contracts. Previous goal was 0.25%.
 - iv. Committee Question – How is DBE percentage measured? Answer – It is the dollar amount of contracts awarded to DBEs compared to overall upcoming contracts
- n. Discussion – What characterizes equity in the context of Metro?

- i. Historically, low-floor buses and ramps and kneeling features were major upgrades for seniors and those with mobility challenges [Americans with Disabilities Act]
 - ii. Initiatives to equitably serve communities that have been historically impacted by both active and passive discrimination
 - iii. Initiatives to equitably serve those who don't drive such as students participating in the K-12 program
 - iv. Potentially measuring a reduced stigma towards transit riders over time indicating broader acceptance
- o. Alicia J to send follow up questions for more thought. Shared 2021 resolution supporting DEIAJ
- p. Committee question – Noticed a decline in women riding due to security concerns. What can be done to improve? Answer – Alicia J working with LA Metro to become field site for women's transit toolkit
- 3. CWS plans: No Stadium Circulator this year due to low usage in years past. Routes in the area may be adjusted to better serve the area with congestion.
- 4. Events
 - a. Public Transit Week went well, hundreds of individual interactions, positive interactions with kids, and bus tours. Thank you to those who came out.
 - b. Upcoming: Cinco de Mayo parade on Saturday, May 11. Will send out logistics information - please join us!
 - c. Future parades and events information forthcoming.
- 5. Set June Agenda
 - a. Cedric – coordinating with Clarice on a couple future items
 - b. Brainstorming around outreach strategies

Next Meeting:

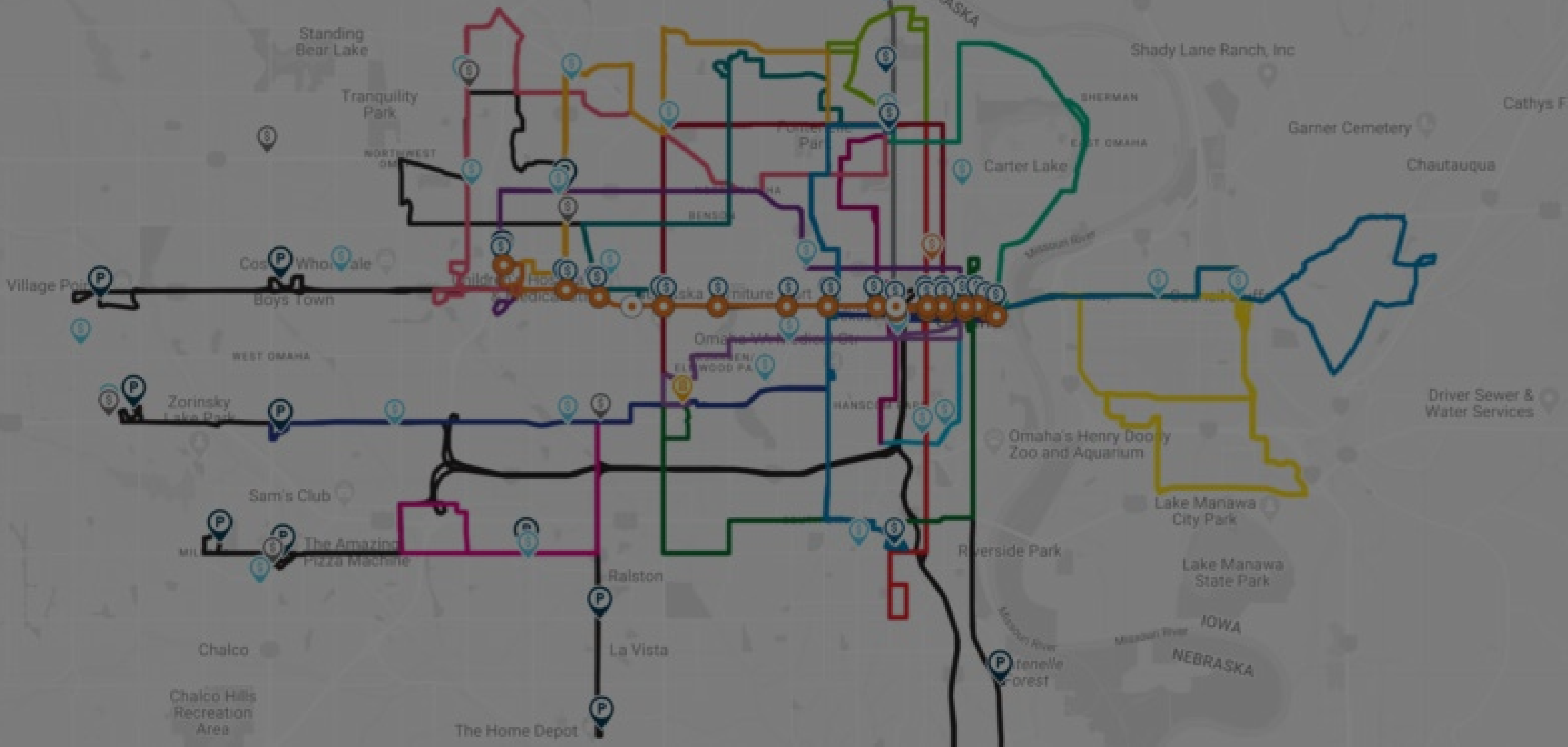
June 12, 2024 6:30 p.m. Metro administrative offices

Motion to close: Tamara, 8:11pm

Please call Bridget Battafarano at 402-341-7560 EXT 2560 or email at bbattafarano@ometro.com if you are not able to attend.



Civil Rights and Inclusion



Civil Rights and Inclusion Department

Director
Alicia Johnson
ajohnson@ometro.com

ADA Coordinator

Title VI Coordinator

Disadvantaged Business
Enterprise Liaison Officer

Internal and external
diversity, equity, and
inclusion efforts

**Accessibility and
Customer Service
Coordinator**

Rene DeLeon
rdeleon@ometro.com

Access:

- Paratransit (MOBY) applications
- Half-fare program
- Reasonable modification of policy and procedures

Customer Service:

- Customer complaints and feedback
- Customer experience trends analysis

**Community Mobility
Coordinator**

Bridget Battafarano
bbattafarano@ometro.com

Rider education and
training

Outreach event
coordination

Transit Advisory
Committee

Public participation
meetings



EQUITY IS NOT A DESTINATION



We are striving to be more and more equitable
as we

GROW + GO

Compliance is the floor, not the ceiling. We're striving to go beyond what is required!

Federal Protections

- Title VI of the Civil Rights Act of 1964 + 49 CFR Part 21: No discrimination on the basis of race, color, and national origin
- Title VII of the Civil Rights Act of 1964 (Title VII), as amended by the Equal Employment Opportunity Act of 1972 and the Civil Rights Act of 1991
- Federal Transit Laws (49 U.S.C. § 5332) includes protections on the basis of religion, sex, disability, and age. In this context, the term 'sex' includes pregnancy, childbirth, or related medical conditions; gender identity; and sexual orientation.

Federal Protections - Disability

- Section 504 of the Rehabilitation Act of 1973, as amended
 - 49 CFR Part 27
 - 49 CFR Part 28
- Americans with Disabilities Act of 1990, as amended
 - 49 CFR Part 37
 - 49 CFR Part 38
 - Web Content Accessibility Guidelines (WCAG) 2.2
- Section 504 + ADA
 - 49 CFR Part 39
- 49 CFR Part 609 – Transportation for Elderly and Handicapped Persons
- ADA + Architectural Barriers Act of 1968 (ABA)
 - Accessibility Guidelines for Pedestrian Facilities in the Public Right-of-Way

Metro & CBA Policies

- Metro Operating Policies
 - 2: Equal Employment Opportunity
 - 3: Disadvantaged Business Enterprise
 - 28: Harassment
 - 29: Sexual Harassment
- TWU Collective Bargaining Agreement
 - Article 8: Non-Discrimination Policy (pp. 10-11)
- Teamsters Collective Bargaining Agreement
 - Article 8: Non-Discrimination Policy (p. 8)

Title VI of the Civil Rights Act of 1964 exists because of the activism of the Civil Rights Movement.

What comes to mind when you think about the Civil Rights Movement?

The O & CB Street Railway Company, a public service, has little regard for community welfare. They refuse to hire qualified Negro Drivers.

Don't Ride Omaha Buses and Streetcars. If You Must Ride,

PROTEST

By Using 18 Pennies.

OMAHA DE PORRES CLUB

was the third such arraignment to be scheduled.

The accused, John A. Baker, was arrested last September and was accused of committing Night-Time Burglary, a charge which

NAACP to represent the defendant Dr. G. A. Rogers, dentist and president of the Anniston branch NAACP has led a campaign to secure support for defending Baker.

Girl, 15, Convicted Under Alabama Segregation Law

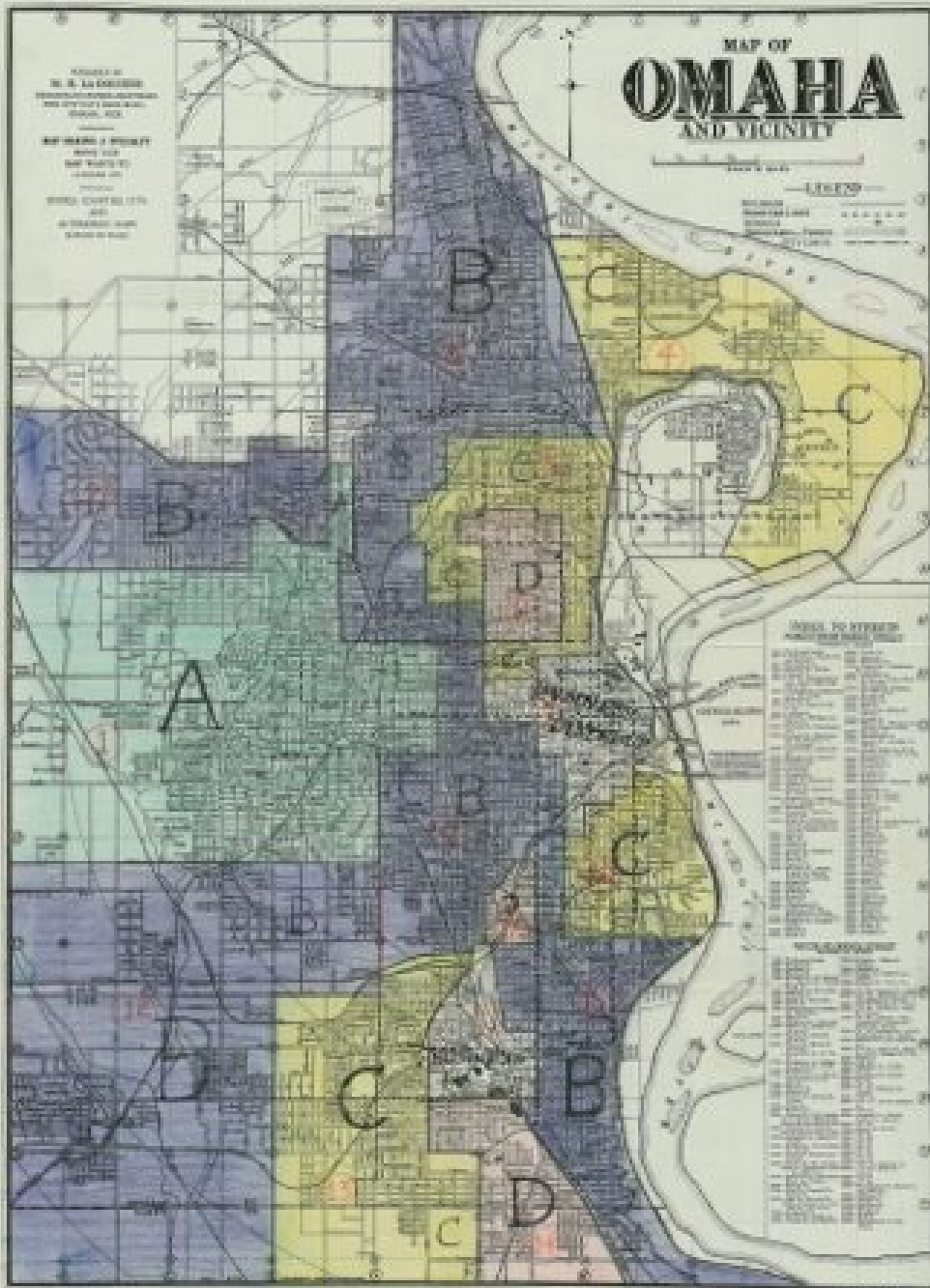
Montgomery, Ala — Claudette Colvin, age 15, student at Booker Washington High School, Montgomery, was convicted for refusing to give her seat to another white passenger boarding the same bus. Prior to the trial in Juvenile Court, she was given 3 charges, Assault and Battery Disorderly Conduct, and Violating

ATTENDS MEETING IN CHICAGO

the Chapter 6, Section 11 of the City Court. However when the case came up for trial the presiding Attorney, Mr. Thetford asked for an Amendment to the charge which was in effect saying the girl was violating the segregation law of the State of Alabama. This was upheld by Judge Hill, who was presiding over the case at Juvenile Court. The Amendment was sustained under violent observation of the Defense and the Defendant. The girl was placed on probation for an indefinite period.



MAP OF OMAHA AND VICINITY



DESIGNED BY
W. B. LAURENCE
ENGINEERING ARCHITECT
1001 F STREET N.W.
WASHINGTON, D.C.

REPRODUCED BY
THE UNITED STATES GOVERNMENT
OFFICE OF MILITARY AND NAVAL AFFAIRS
WASHINGTON, D.C.

LEGEND

Water

Highways

Railroads

Streets

Buildings

Vegetation

Topography

TABLE OF ELEVATIONS
AND DISTANCES

Point	Elevation (Feet)	Distance (Miles)
Omaha	2,200	0.0
Lincoln	2,800	100.0
St. Louis	2,200	180.0
Chicago	1,200	250.0
St. Paul	1,200	280.0
Minneapolis	1,200	290.0
Denver	5,000	350.0
Phoenix	1,000	450.0
San Francisco	1,000	480.0
Los Angeles	1,000	490.0
Houston	1,000	500.0
New York	1,000	550.0
Washington	1,000	560.0
Baltimore	1,000	570.0
Philadelphia	1,000	580.0
Atlanta	1,000	600.0
Memphis	1,000	620.0
Indianapolis	1,000	650.0
Columbus	1,000	680.0
Richmond	1,000	700.0
Washington	1,000	720.0
Baltimore	1,000	750.0
Philadelphia	1,000	780.0
Atlanta	1,000	800.0
Memphis	1,000	820.0
Indianapolis	1,000	850.0
Columbus	1,000	880.0
Richmond	1,000	900.0
Washington	1,000	920.0

LEGEND

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AN EQUITY MEDIA DOCUMENTARY



DIVISIBLE

Title VI

“ No person in the United States shall, on the ground of race, color, or national origin, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any program or activity receiving Federal financial assistance. ”

Equity Analyses

Fares

Facilities

Transit
Amenities

Vehicle
Assignment

Service
Changes

Service
Standards

Policies and reports require approval from the governing body (Metro Board of Directors) and must be submitted to the FTA.

Disadvantaged Business Enterprise Program

- Seeks to
 - ensure nondiscrimination in the award and administration of DOT-assisted contracts
 - create a level playing field on which DBEs can compete fairly for DOT-assisted contracts
- Expressed as a percentage of Metro's anticipated overall federal funds during Federal Fiscal Years 2024-2026, what level of DBE participation does Metro expect absent the effects of discrimination?
 - 4.6%

Language Assistance Plan

- Language assistance must be provided to Limited English Proficiency populations that constitute a certain percentage of the total service area population.
- Part of the nondiscrimination on the basis of national origin.
- For Metro, that means all our vital materials need to be in English and Spanish.
- Provide additional language assistance to the best of our ability. Working to provide more resources for language assistance to Operations.

Americans with Disabilities Act of 1990

- Most sweeping civil rights legislation since 1964
- Prohibits discrimination
 - Employment
 - Public accommodations
 - State and local government programs and services
 - *Metro is a form of local government.
- Transportation is a key part



Why the Protests?

- 1970 – Urban Mass Transit Act (UMTA) mandated lifts on all new buses purchased
- 1973 - Section 504 of the Rehabilitation Act was signed into law as the first federal civil rights protection for people with disabilities
 - “no otherwise qualified handicapped individual in the United States shall solely on the basis of his handicap, be excluded from the participation, be denied the benefits of, or be subjected to discrimination under any program or activity receiving federal financial assistance.”
- APTA and transit industry lobbyists worked against these requirements because of the cost “burden” to add lifts

Why the Protests?

- 1982 – Surface Transportation Act mandated that transit authorities need not spend more than 3.5% of budgets to serve customers with disabilities
 - Also required either lifts on buses or van service (paratransit) – known as the ‘local option’
- 1990 – Americans with Disabilities Act signed into law
 - Lifts on buses was the only piece required to be implemented within 30 days of passage

*Paratransit has historically been a point of division. Many see it as a segregated system. The FTA describes it as a safety net.

Accessibility at Metro

<https://www.ometro.com/accessibility>

Civil Rights & Community Engagement



Why engage the community?

- The community is who Metro serves!
- Community members have a right to provide input on Metro's service.
- Public participation is a requirement for Title VI, DBE, and ADA compliance.
- Work towards healing historic exclusion from decision making processes.

<https://www.ometro.com/civilrights/>

Metro is committed to a policy of non-discrimination, ensuring that no person is denied service on the basis of race, color, national origin, disability, or other protected status.

Community Feedback

Complaints that allege discrimination on the basis of a protected class also get routed to me for review from Customer Service and other staff.

Report Discrimination

DISCRIMINATION COMPLAINT PROCESS

DISCRIMINATION COMPLAINT FORM – ENGLISH (PRINT)

DISCRIMINATION COMPLAINT FORM – ENGLISH (FILLABLE)

For questions about the process, contact the Civil Rights & Inclusion Director:

Email: civilrights@ometro.com

Phone: 402.341.7560 x 2550 (Voice) | 402.341.0807 (TDD)

Title VI Documents

TITLE VI POLICY STATEMENT

TÍTULO VI FORMA DE QUEJAS – ESPAÑOL

TITLE VI PLAN

Previous updates to Metro's Title VI Plan can be requested by email or phone:

Email: civilrights@ometro.com

Phone: 402.341.7560 x 2550 (Voice) | 402.341.0807 (TDD)

Keeping this history and the federal compliance requirements in mind . . .

What characterizes equity in the context of Metro?

What should the metrics or indicators of equity be for Metro?

What actions need to be taken by Metro to achieve these metrics or indicators of equity?

Voting to
support this
Board Action
could be a
possible
future action
for TAC!



RESOLUTION:

Board Action in Support of Diversity, Equity, Inclusion, Accessibility and Justice

EXPLANATION:

Vision: Metro is a valued transportation choice for all members of our community and a vital partner in Omaha's future.

Mission: Metro connects people, places and opportunities through quality transit service.

We aim to realize this vision by cultivating and investing in a culture of mutual respect, appreciation, and teamwork.

We value care: We care about our customers and each other.

A vision is what we journey toward. We are on this journey together. We strive to always be learning and evolving. Part of this learning and evolving is doing the work to deepen our care of our customers and one another through valuing diversity, equity, inclusion, accessibility, and justice. This work is important. This work can be hard. This work makes us stronger. We are committed to this work and helping our customers (riders), employees and partners do the same.

The most resilient organizations, communities, and groups of people are ones that are created together with all of the unique perspectives and backgrounds found within those groups.

We are making strides to get better through...

- Accessible services including MOBY
- Title VI analyses whenever major changes occur
- Audio announcements
- Real-time arrival information
- Umo fare payment system and monthly fare-capping
- MetroNEXT planning study
- Investing in Metro's future leaders

These strides are helping us to support this work...and there is still more to do. We acknowledge that we always need to be learning and evolving and we aim to be better.

Because we value Diversity, Equity, Inclusion, Accessibility, and Justice and this work is critical to making us stronger and better able to support our employees and customers, we make this motion to direct staff to develop a Diversity, Equity, Inclusion, Accessibility, and Justice plan of action to continue to learn and more fully embody living these values for our customers, our team, and our partners.

Unanimously approved on October 28, 2021.

Questions, comments, concerns

- ajohnson@ometro.com
- 402.341.7560 ext. 2550