

THIS PRINT COVERS CALENDAR ITEM NO.: 13

**MUNICIPAL TRANSPORTATION AGENCY
City and County of San Francisco**

DIVISION: Transit

BRIEF DESCRIPTION:

Requesting approval of the SFMTA's 2013 Title VI Program pursuant to the Federal Transit Administration's (FTA) updated Circular 4702.1B issued on October 1, 2012, and the results of the required system-wide monitoring of service standards and policies conducted by SFMTA's Service Planning Division.

SUMMARY:

- Title VI of the Civil Rights Act of 1964 applies to programs and services receiving federal funding and prohibits discrimination based on race, color or national origin from federally funded programs such as transit.
- As a long-standing requirement, and in order to remain compliant with Title VI requirements to ensure continued federal funding, the SFMTA must submit an updated Title VI Program every three years to the FTA. Approval of this Program by the Board of Directors is now required pursuant to the FTA's updated Circular 4702.1B.
- The Title VI Program update includes both General Requirements and Transit-Specific Requirements.
- In addition, FTA requires transit providers to monitor the performance of their transit system relative to their system-wide service standards and service policies (i.e., vehicle load, vehicle assignment, transit amenities, etc.) not less than every three years in order to remain in compliance with Title VI.
- SFMTA must submit the results of its monitoring program as well as documentation verifying the Board's approval of the monitoring results as part of its Title VI Program to the FTA.

ENCLOSURES:

1. MTAB Resolution
2. SFMTA's 2013 Title VI Program

APPROVALS:

DATE

DIRECTOR: _____

____10/29/13____

SECRETARY: _____

____10/29/13____

ASSIGNED SFMTAB CALENDAR DATE: November 5, 2013

PAGE 2.

PURPOSE:

Requesting approval of the SFMTA's 2013 Title VI Program pursuant to the Federal Transit Administration's (FTA) updated Circular 4702.1B issued on October 1, 2012, and the results of the required system-wide monitoring of service standards and policies conducted by SFMTA's Service Planning Division.

GOAL:

This program supports the following SFMTA Strategic Plan objectives:

- Goal 2: Make transit, walking, bicycling, taxi, ridesharing and carsharing the preferred means of travel
 - Objective 2.1: Improve customer service and communications
 - Objective 2.2: Improve transit performance
- Goal 4: Create a workplace that delivers outstanding service
 - Objective 4.4: Improve relationships and partnerships with our stakeholders

DESCRIPTION:

Title VI of the Civil Rights Act of 1964 addresses discrimination in almost all aspects of public services and programs administered or funded by the federal government in the United States. Title VI states that "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."

SFMTA receives federal funds through the Federal Transit Administration (FTA) and is required to have in place a Title VI program that achieves the following objectives:

- Ensure that the level and quality of public transportation service is provided in a nondiscriminatory manner;
- Promote full and fair participation in public transportation decision-making without regard to race, color, or national origin;
- Ensure meaningful access to transit-related programs and activities by persons with limited English proficiency.

Pursuant to FTA Circular 4702.1B, dated October 1, 2012, the SFMTA, as a recipient of federal funds, is required to submit an updated Title VI Program to FTA's regional Civil Rights Officer once every three years. Approval of the SFMTA's Program by the Board of Directors is now required pursuant to the FTA's updated guidance. The FTA conducted a compliance review of the SFMTA's Title VI program in June 2012 and found the program to be in compliance with these requirements, with no deficiencies.

PAGE 3.

In addition, FTA requires transit providers to monitor the performance of their transit system relative to their system-wide service standards and service policies (i.e., vehicle load, vehicle assignment, transit amenities, etc.) not less than every three years in order to remain in compliance with Title VI requirements. SFMTA must submit the results of its monitoring program as well as documentation verifying the Board's approval of the monitoring results to the FTA as part of its Title VI Program.

The 2013 report provides an update to the SFMTA's December 2010 Title VI Program, which was submitted to the FTA in December 2010. All documents related to the General Requirements and Requirements for Transit Providers listed below are included in the attached Title VI Program and represent either updates to the information that was included in the 2010 Title VI Program, or are new requirements, pursuant to the new Circular, with the exception of the SFMTA's service standards.

General Requirements

- Title VI Notice to the Public, including a list of locations where the notice is posted
- Title VI Complaint Procedures (i.e., instructions to the public regarding how to file a Title VI discrimination complaint) and a sample Title VI Complaint Form
- List of transit-related Title VI investigations, complaints, and lawsuits
- Public Participation Plan, including information about outreach methods to engage minority and limited English proficient populations (LEP), as well as a summary of outreach efforts made since the last Title VI Program submission
- Language Assistance Plan for providing language assistance to persons with limited English proficiency (LEP), based on the DOT LEP Guidance
- A table depicting the membership of non-elected committees and councils, the membership of which is selected by the recipient, broken down by race, and a description of the process the agency uses to encourage the participation of minorities on such committees
- Primary recipients shall include a description of how the agency monitors its subrecipients for compliance with Title VI, and a schedule of subrecipient Title VI Program submissions
- A Title VI equity analysis if the recipient has constructed a facility, such as a vehicle storage facility, maintenance facility, operation center, etc. (not applicable during the timeframe of the report)
- A copy of board meeting minutes, resolution, or other appropriate documentation showing the board of directors or appropriate governing entity or official(s) responsible for policy decisions reviewed and approved the Title VI Program. The approval must occur prior to submission to FTA.

Specific Requirements for Transit Providers

A. Service Standards and Policies

- Service standards
 - Vehicle load for each mode
 - Vehicle headway for each mode
 - On time performance for each mode
 - Service availability for each mode
- Service policies
 - Transit Amenities for each mode
 - Vehicle Assignment for each mode

B. Transit Providers that operate 50 or more fixed route vehicles in peak service and are located in an Urbanized Area (UZA) of 200,000 or more people, such as the SFMTA, must also submit:

- Demographic and service profile maps and charts
- Demographic ridership and travel patterns, collected by surveys
- Results of their monitoring program and report, including evidence that the board or other governing entity or official(s) considered, was aware of the results, and approved the analysis
- A description of the public engagement process for setting the “major service change policy,” disparate impact policy, and disproportionate burden policy
- Results of service and/or fare equity analyses conducted since the last Title VI Program submission, including evidence that the board or other governing entity or official(s) considered, was aware of, and approved the results of the analysis

The required information described above is attached to the calendar item as a comprehensive Title VI Program Update. The results of our Title VI Monitoring Program are discussed below.

Results of SFMTA’s Service Standards and Policies Monitoring Program

The FTA requires the SFMTA to monitor the performance of its transit system relative to the agency’s system-wide service standards and service policies. Although this monitoring program is required every three years, the SFMTA will begin performing the monitoring program annually starting this year as a best practice. SFMTA is required to monitor key service standards and policies against actual performance. The results will be presented to the SFMTA Board each year for approval.

For the purpose of meeting Title VI requirements, the SFMTA studied the demographics of the population that resides within the U.S. Census block groups that are completely or partially within a quarter-mile radius of a bus stop or surface light rail stop, and/or within a half-mile radius around an underground Metro stop of each Muni route. The total number of minority

PAGE 5.

residents along each route was divided by the total number of people along each route to derive the percent of minorities served by the subject route. Routes with minority populations exceeding the citywide average of 58% were classified as minority routes and routes with the total proportion of the minority population under 58% were classified as non-minority routes.

For the monitoring program, performance was reviewed compared to service standards for the following metrics:

- Vehicle Loads
- On-Time Performance
- Vehicle Headways
- Service Availability (coverage and span)
- Transit Amenity availability (shelters, stop markings, real time displays, and maps)
- Vehicle assignment

Program Results

Vehicle Loads

Standard: No more than 4% of peak period trips experiencing a load factor of 125%

Result: All route types were within the standard except for non-minority radial rail routes. Minority routes performed better or similarly to non-minority routes. As a result, no disparate impact was found.

Comparing how the crowded conditions vary by route type, the radial bus and feeder/community routes designated as minority experienced fewer overcrowded conditions than the non-minority radial bus routes during the morning and afternoon peak periods. For crosstown routes, minority routes experienced slightly more crowded trips than the non-minority routes during the morning and afternoon peak periods. The rail radial non-minority lines experienced significantly more crowding than the minority rail line (T-Third) during both periods of the day. The table below shows the percentage of trips for each route type that exceed a load factor of 125% as measured by Automatic Passenger Counters and Traffic Checker data.

Route Type	AM Peak (6-9AM)		PM Peak (4-7PM)	
	Minority	Non-Minority	Minority	Non-Minority
Radial Rail	0.00%	5.73%	0.00%	9.55%
Radial Bus	0.04%	0.22%	0.25%	0.43%
Crosstown	0.62%	0.21%	0.36%	0.28%
Feeder/Community	0.12%	0.20%	0.00%	0.00%
Radial Express	0.08%	0.00%	0.00%	0.00%

PAGE 6.

In order to mitigate crowding on radial rail routes, SFMTA is actively seeking to improve vehicle availability through improving rail performance, testing shuttle trains, and expanding the fleet. Rehabilitating rail vehicles to improve reliability will increase the number of trains that are available for service each day and expanding the fleet will also allow for more scheduled service. Shuttle trains in the subway can reduce crowding through the most impacted portion of the rail service.

On-Time Performance

Standard: 85% of vehicles should be on-time as measured by arriving less than 1 minute earlier or 4 minutes later than scheduled

Result: No individual minority or non-minority route met the 85% performance standard. The difference between the minority and non-minority route averages classified by route type ranges from two percent to four percent, below the 8% threshold established by the Disparate Impact Policy. As a result, no disparate impact was found.

Comparing the route types, the minority routes performed slightly better than the non-minority routes on the crosstown routes and radial routes. The non-minority routes performed slightly better than the minority routes under the feeder/community route, radial express, and radial rail classifications.

Route Type	Minority Route Average	Non-Minority Route Average
Radial Rail	42%	46%
Radial Bus	62%	60%
Crosstown	63%	61%
Feeder/Community	64%	68%
Radial Express	71%	73%

On-time performance is based on numerous factors, including ridership, congestion, and length of route. On-time performance needs to improve across all lines however. SFMTA is working to improve on-time performance through implementing the Transit Effectiveness Project, implementing a regular review of schedules, and focusing supervision resources on low performing lines. In addition, vehicle rehabilitation and replacement programs are underway to reduce vehicle related service delays.

Vehicle Headway

Standard: Minimum headways are defined for specific times of day for each category of service. Minimum headways are intended to provide customers with a base level of service regardless of how heavily the route is used. Many routes have frequencies that exceed the minimum policy headways because demand warrants more service to avoid crowding. Different categories of service have different minimum headways based on the role they play in the network.

SFMTA’s Policy Headways - Weekday

Route Type	Peak	Base	Evening	Owl
Radial Rail	10	15	20	30
Radial Bus	10	15	20	30
Crosstown Bus	15	15	20	30
Express Bus	10	n/a	n/a	n/a
Community Bus	20	30	30	n/a

SFMTA’s Policy Headways - Weekend

Route Type	Base	Evening	Owl
Radial Rail	15	20	30
Radial Bus	15	20	30
Crosstown Bus	20	20	30
Community Bus	30	30	n/a

Results: Minority routes were more likely to meet or exceed the minimum policy headways than non-minority routes in all service categories except for “crosstown.” For radial rail, both minority and non-minority routes met or exceeded the minimum policy headways for all times of day. For the radial bus routes, the minority routes were more likely to meet the policy headways than the non-minority routes, 74% versus 63%. The finding for the feeder/community routes was similar with minority routes meeting policy headways 94% of the time versus 88% for non-minority routes. Crosstown minority routes met the headway standard for service 63% of the time and non-minority routes met this headway 97% of the time, exceeding the 8% threshold set forth in the SFMTA’s Disparate Impact Policy. As a result, there is a disparate impact for these routes.

Only four crosstown routes are categorized as minority – the 18 46th Avenue, 23 Monterey, 29 Sunset, and 44 O’Shaughnessy – compared to nine non-minority routes such as the 22 Fillmore, 43 Masonic, and 49 Van Ness/Mission . The 18 and 23 lines did not meet the headways for cross-town service during most time periods resulting in lower overall performance for minority routes in the crosstown category.

Route Type	Minority Route Average	Non-Minority Route Average
Radial Rail	100%	100%
Radial Bus	74%	63%
Crosstown	63%	97%
Feeder/Community	94%	88%
Radial Express	81%	80%

Mitigation: As part of the Transit Effectiveness Project’s (TEP) mission to comprehensively review and update service in order to meet today’s needs, extensive public outreach was received on route categorization and on service levels. Based on the outreach process, the TEP recommends re-categorizing routes based on the role they play in the network and ridership patterns.

PAGE 8.

The new categories – Rapid, Local, Community, and Specialized Services - better reflect current travel patterns, ridership density, and network role, rather than the current system which is focused primarily on the routes' destination. For example, the current distinction between radial and crosstown gives more importance to downtown focused service, when in fact many of San Francisco's crosstown routes carry heavier passenger loads than lighter used radial routes. The current categories were developed in the 1980s and do not reflect how the City's land uses and travel patterns have changed over the past few decades. These new categories will be considered by the SFMTA Board of Directors in 2014.

Once the revised service categories are adopted, we will re-evaluate service frequencies to determine if the disparate impact is addressed and to ensure that no new impacts are identified. We will also conduct a service equity analysis for the TEP to ensure that proposed frequency changes benefit minority and low-income communities and do not create disparate impacts for minority customers.

Service Availability

Standard: Bus routes and rail lines should be spaced approximately one-half mile apart throughout the City, except where constrained by geography or the street grid. Additionally, all residential locations in San Francisco should be within approximately one-quarter mile of a Muni bus route or rail line that operates at least 19 hours per day. SFMTA's combined network of radial and crosstown bus routes and rail lines should operate at least 19 hours a day from 5 am to midnight. A subset of routes should also be operated 24 hours per day.

Results: Overall, 95% of San Francisco is within a quarter of a mile of a Muni bus or rail stop and 100% of residential areas regardless of minority or non-minority block groups are within a quarter of a mile of a Muni bus or rail stop. All radial and crosstown bus and rail routes operate at least 19 hours a day from approximately 5am to midnight regardless of minority or non-minority status.

Transit Amenities

Standards:

Stop IDs and Markings and Flags - Every Muni transit stop should have a marking or sign indicating the route(s) that serve the stop. All transit stops should have a unique five digit stop identification number to be used by customers to access real-time vehicle arrival predictions and information about planned service changes.

PAGE 9.

Transit Shelters and System Maps - Shelters are prioritized at stops with more than 125 boardings per day. To the extent possible, the SFMTA endeavors to provide transit shelters in as many locations as possible system-wide to ensure that all customers benefit equally from their placement taking into account physical constraints, such as sidewalks that are too narrow to allow pedestrian access required by Federal and State law, sidewalk obstacles such as trees, fire hydrants and sub-sidewalk basements that can impact the location of a shelter, and public hearing and feedback.

Real-Time Arrival Displays – In shelters where electricity is available, real-time arrival signs should be provided when possible.

Amenities at Underground Metro Rail Stations - It is policy that all of the SFMTA's underground stations provide access between platforms, main station areas and streets via elevators and escalators. System maps, real-time vehicle-arrival time, and destination information should be provided by digital displays and an automated-voice information system. All SFMTA underground stations should be staffed by agents who can provide information and assistance to customers.

Results:

Stop IDs and Stop Markings - All transit stops regardless of minority or non-minority status have a unique five digit stop identification number that can be used by customers to access real-time vehicle arrival predictions and information about planned service changes. A current, comprehensive database of stop markings is in the process of being updated.

Transit Shelters and Real-Time Arrival Displays – Of the stop locations with 125 or more boardings per day, 58% have shelters in minority Census block groups and 66% have shelters in non-minority Census block groups meeting the 8% threshold set forth in the SFMTA's Disparate Impact Policy. As a result, there is a disparate impact for this amenity.

Transit shelters are being scheduled for replacement based on a number of factors including customer stop activity and equitable geographic distribution. The replacement of all transit shelters is scheduled to be completed in 2014.

For real-time arrival displays, 41% of stops meeting the boarding threshold in minority Census block groups have real time arrival displays and 48% of stops meeting the threshold in non-minority Census block groups have real time arrival displays.

Sheltered stops are equipped with system maps at all locations except where narrow shelters are installed on locations such as Market Street.

	Stops with 125 or More Boardings	Percent with Shelters	Percent with Real-Time Displays
Stops in Minority Census Block Groups	480	58%	41%
Stops in Non-Minority Census Block Groups	597	66%	48%

Mitigation: The SFMTA is continuing to prioritize new transit shelter installations in minority Census block groups with the goal of installing at least five new shelters per year in minority Census block groups. In a typical year, only 5-10 new shelters are installed across San Francisco. Of the nine new shelters installed over the last 12 months, seven have been in minority Census block groups.

Amenities at Underground Metro Rail Stations - All Metro Rail Stations are equipped with the following amenities regardless of minority or non-minority routes:

- Street level and platform level elevators and escalators
- System maps
- Real-time vehicle-arrival time and destination information
- Automated-voice information system
- Agents who can provide information and assistance to customers

Fleet Assignment

Standard: The SFMTA policy is to assign vehicles in a manner that prevents discrimination to minority and low-income communities and considers technical criteria including peak load factors, route type, physical route characteristics such as street widths and grades, required headways, vehicle availability and transit operator availability.

Results: Flynn and Woods Divisions have the highest proportion of minority routes and have the lowest average fleet age of the motor coach divisions. Trolley coach divisions and light rail divisions have equal distributions of minority and non-minority lines. There is no disparate impact found on fleet assignment.

Division	Mode	Average Age (Years)	Percentage of Lines that are Minority at Division
Green	Light Rail	18	17%
Metro East	Light Rail	18	17%
Flynn	Articulated Motor Coach	11	71%
Kirkland	Forty Foot Motor Coach	12	13%
Woods	Thirty and Forty Foot Motor Coach	8	62%
Potrero	Forty Foot and Articulated Trolley Coach	11	14%
Presidio	Forty Foot Trolley Coach	13	14%
Geneva	Historic Streetcar	Varies - Historic	0%
Cable Car	Cable Car	Varies - Historic	67%

ALTERNATIVES CONSIDERED:

None. Approval of the SFMTA’s 2013 Title VI Program and results of the agency’s system-wide monitoring of service standards and policies is required by the FTA.

FUNDING IMPACT:

The 2013 Title VI Program and system-wide monitoring of service standards and policies have no funding impact.

OTHER APPROVALS RECEIVED OR STILL REQUIRED:

None.

The City Attorney’s Office has reviewed this report.

RECOMMENDATION:

Staff recommends that the SFMTA Board approve the SFMTA’s 2013 Title VI Program, and the results of the required system-wide monitoring of service standards and policies conducted by SFMTA’s Service Planning Division.

SAN FRANCISCO
MUNICIPAL TRANSPORTATION AGENCY
BOARD OF DIRECTORS

RESOLUTION No. _____

WHEREAS, Title VI of the Civil Rights Act of 1964 addresses discrimination in almost all aspects of public services and programs administered or funded by the federal government in the United States, such as SFMTA's public transit service; and

WHEREAS, The SFMTA receives federal funds through the Federal Transit Administration (FTA) and is required to have in place a Title VI program that ensures that the level and quality of public transportation service is provided in a nondiscriminatory manner, promotes full and fair participation in public transportation decision-making without regard to race, color, or national origin, and ensures meaningful access to transit-related programs and activities by persons with limited English proficiency; and

WHEREAS, The FTA's updated Title VI Circular (FTA C 4702.1B), issued on October 1, 2012, requires that the SFMTA Board of Directors approve SFMTA's Title VI Program Update and the results of the SFMTA's Service Standards and Policies Monitoring Program; and

WHEREAS, As part of FTA's Title VI Program requirements, SFMTA must submit the Program Update and Service Standards and Policies Monitoring Program to the FTA every three years; and

WHEREAS, As a best practice, the SFMTA plans to monitor the agency's Service Standards and Policies every year and seek SFMTA Board approval of the results; and

WHEREAS, The Service Standards and Policies Monitoring Program compares the level of transit service and performance in predominantly minority areas with the level of transit service and performance in predominantly non-minority areas to ensure service equity; and

WHEREAS, If a disparate impact is found, SFMTA shall consider alternatives to avoid, minimize, or mitigate the impact in order to take corrective action to remedy the disparity to the greatest extent possible and shall discuss the identified impacts and proposed actions in the Title VI Program Update; and

RESOLVED, That the SFMTA Board of Directors approves the SFMTA's 2013 Title VI Program, and the results of the required system-wide monitoring of service standards and policies conducted by SFMTA's Service Planning Division.

I certify that the foregoing resolution was adopted by the San Francisco Municipal Transportation Agency Board of Directors at its meeting of November 5, 2013.

Secretary to the Board of Directors
San Francisco Municipal Transportation Agency