

**PIERCE TRANSIT BOARD MEETING  
Training Center, Rainier Room**

**February 11, 2013  
4:00 P.M.**

**AGENDA**

pages

**CALL TO ORDER**

**ROLL CALL**

<b>1-3</b>	<b>APPROVAL OF MINUTES</b>	<b>December 10, 2012</b>
<b>4-8</b>		<b>January 14, 2013</b>

**APPROVAL OF VOUCHERS**

**PUBLIC COMMENT**

**PRESENTATIONS**

Legislative Update

Justin Leighton  
Government Relations Officer

Operator of the Month of December – Julius Pacheco

Hazel Whitish  
Transit Operator Assistant Manager

**ELECTION OF OFFICERS**

**PUBLIC HEARINGS**

1. Title VI Policies on Major Service Change, Disparate Impact, and Disproportionate Burden	Janine Robinson Sr. Capital Planner
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**ACTION AGENDA**

<b>9-16</b>	1. Approval of Major Service Change Policy, Disparate Impact Policy, and Disproportionate Burden Policy	Janine Robinson
<b>17-20</b>	2. Approval of a Revised Service Reduction Plan Reducing Transit Service by Approximately 28 Percent No Later than September 29, 2013	Lynne Griffith CEO

**PUBLIC HEARINGS CONT.**

2. 2013 Vanpool Fare Revision, Toll Recovery and Service Area Change Proposal	Lani Fowlkes Vanpool Assistant Manager
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**INFORMATIONAL BOARD ITEM**

1. Sound Transit Update	Commissioners Strickland and McCarthy
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**STAFF/POLICY DISCUSSIONS**

1. Financial Update	Wayne Fanshier VP Finance
2. Performance Audit Recommendations	Lynne Griffith

**ADJOURNMENT**

**PIERCE TRANSIT  
BOARD OF COMMISSIONERS  
MINUTES  
December 10, 2012**

**CALL TO ORDER**

Vice Chair Talbert called the meeting to order at 4:01 p.m.

Commissioners present:

Rick Talbert, Vice Chair of the Board, Pierce County Councilmember  
Don Anderson, Lakewood Deputy Mayor  
Glenn Hull, Fife Mayor Pro Tem (*representing Fife/Edgewood/Milton*)  
Steve Vermillion, Puyallup Councilmember  
Derek Young, Gig Harbor Councilmember (*4:15 pm*)  
(*representing Auburn/Gig Harbor/Fircrest/Pacific/Ruston/Steilacoom*)  
Don McKnight, President/Business Agent, ATU Local 758

Commissioners excused:

Marilyn Strickland, Chair of the Board, Tacoma Mayor  
Jake Fey, Tacoma Councilmember  
Kent Keel, University Place Councilmember  
Pat McCarthy, Pierce County Executive

Staff present:

Lynne Griffith, CEO  
Wayne Fanshier, VP Finance  
Alberto Lara, VP Administration  
Doug Middleton, VP Operations  
Lars Erickson, Public Relations Officer  
Terry Artz, Risk Manager  
Dan Dzyacky, Sr. Manager Transportation  
Kelly Hayden, Service Planning Manager  
Kelly Johnston, Organizational Development Manager  
Jay Peterson, Sr. Manager Development  
Cathie Reid, Budget Assistant Manager  
Robin Sopher, Purchasing Supervisor  
Bill Spies, Maintenance Manager  
Paul Strozewski, Public Safety Security Sergeant  
Kathy Sullivant, Finance Manager  
Andee Handeland, Labor Relations Officer  
John Harkins, Security Specialist  
Debra McAdam, Data Specialist, Shuttle Archivist  
Peter Prysxlak, Sr. Systems Analyst  
Monnett Ross, Sr. Executive Assistant  
Lind Simonsen, Public Relations Coordinator  
Amanda Smith, Administrative Specialist II  
Barbara Schatz, Acting Clerk of the Board

Others present:

Tammie Cox, Citizen

Ken Paulson, Citizen

Raul Silva, First Transit General Manager

Tiffany Steele, Citizen

Tom Wolfendale, Legal Counsel

## **APPROVAL OF VOUCHERS**

Vouchers audited and certified by the auditing officer as required by RCW 42.24.080, and those expense reimbursement claims certified as required by RCW 42.24.090, have been recorded on a listing that was made available to the Board on December 6, 2012. Commissioners Vermillion and Anderson **moved** and seconded to approve the vouchers subject to proper audit.

Those vouchers included in the listing are further described as follows:

Operating Fund #10

Self-Insurance Fund #40

Capital Fund #90

Voucher numbers were 327287 through 327785 and wire numbers were 1049 through 1064 for a total of \$4,971,586.63. Motion **carried**.

## **PUBLIC COMMENT**

**Ken Paulson.** He said the most important thing for Pierce Transit is the rider. He suggested that buses should run in the morning for four hours and in the evening for four hours, making it a split shift. He also mentioned using minibuses and farming out routes to private industries.

**Tammie Cox.** She said wheelchairs are put in the wheelchair space on buses, but regular passengers use the same seats. She asked why there aren't any water fountains in Pierce Transit's Building 5. She said buses are full on some routes, and wondered if the disabled/student vouchers will be brought back.

**Tiffany Steele.** She asked why Pierce Transit did not use three versions on Proposition 1.

## **ACTION AGENDA**

1. Commissioners Hull and Vermillion **moved** and seconded to approve Resolution 12-034, **Adoption of 2013 Legislative Priorities.** Motion **carried**.
2. Commissioners Hull and Vermillion **moved** and seconded to approve Resolution 12-035, **Adoption of the Annual Budget for Fiscal Year.** Motion **carried**.
3. Commissioners Anderson and Hull **moved** and seconded to approve Resolution 12-036, **Resolution of Appreciation for Commissioner Jake Fey.**

WHEREAS, Commissioner Jake Fey has brought thoughtful and thorough attentiveness to the deliberations and details of the business of the Pierce Transit Board of Commissioners; and

WHEREAS, he has skillfully and professionally represented the City of Tacoma through his tenure on the Pierce Transit Board from January 2010 through December 2012; and

WHEREAS, he has also ably served and supported Pierce Transit and its Board of Commissioners through his participation on the Board Committees; and

WHEREAS, he has provided unwavering support of Pierce Transit; and

WHEREAS, he has contributed to the Board's positive relationship with Pierce Transit's staff by continually providing both support and direction.

NOW, THEREFORE, BE IT RESOLVED by the Board of Commissioners of Pierce Transit that Jake Fey is hereby commended for his outstanding public service to Pierce Transit and is wished much success in all his future endeavors.

ADOPTED by the Board of Commissioners of Pierce Transit at a regular meeting thereof held on the 10<sup>th</sup> day of December 2012.

Vice Chair Talbert said that even though Commission Fey was not in attendance he wanted to say for the record that he commended Commissioner Fey for his service and commitment to public transportation. Vice Chair Talbert also said that he had the honor to serve with Commissioner Fey on the City of Tacoma Council for a number of years and Jake was always very committed to issues of transportation. Motion **carried**.

### **ELECTION OF OFFICERS**

Commissioners Young and Vermillion **moved** and seconded to confirm the current board leadership until the February 2013 board meeting. Motion **carried**.

### **INFORMATIONAL BOARD ITEMS**

**Financial Update** ~ Vice President of Finance Wayne Fanshier said the sales tax collections for September 2012 were 2.7 percent **above** September 2011.

### **ADJOURMENT**

Vice Chair Talbert adjourned the meeting at 4:52 p.m.

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Barbara B. Schatz, CMC  
Acting Clerk of the Board

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Marilyn Strickland, Chair  
Board of Commissioners

**PIERCE TRANSIT  
BOARD OF COMMISSIONERS  
MINUTES  
January 14, 2013**

**CALL TO ORDER**

Chair Strickland called the meeting to order at 4:02 p.m. She welcomed Pierce Transit's newest commissioner, Lauren Walker, City of Tacoma.

Commissioners present:

Marilyn Strickland, Chair of the Board, Tacoma Mayor  
Rick Talbert, Vice Chair of the Board, Pierce County Councilmember  
Don Anderson, Lakewood Deputy Mayor  
Glenn Hull, Fife Mayor Pro Tem (*representing Fife/Edgewood/Milton*)  
Kent Keel, University Place Councilmember  
Pat McCarthy, Pierce County Executive (*4:11 pm*)  
Steve Vermillion, Puyallup Councilmember  
Lauren Walker, Tacoma Councilmember  
Derek Young, Gig Harbor Councilmember (*exited meeting at 5:10 pm*)  
(*representing Auburn/Gig Harbor/Fircrest/Pacific/Ruston/Steilacoom*)

Commissioners absent:

Don McKnight, President/Business Agent, ATU Local 758

Staff present:

Lynne Griffith, CEO  
Wayne Fanshier, VP Finance  
Alberto Lara, VP Administration  
Doug Middleton, VP Operations  
Lars Erickson, Public Relations Officer  
JoAnn Artis, Transportation Manager Service Support  
Terry Artz, Risk Manager  
Bill Cassio, Deputy Chief Transit Police  
Tony D'Andrade, Warehouse Assistant Manager  
Carlos Davis, Fleet Maintenance Manager  
Dan Dzyacky, Sr. Manager Transportation  
Scott Gaines, Transit Operator Assistant Manager  
Marvino Gilliam, Safety & Service Quality Administrator  
Jody Guy, Customer Service Supervisor  
Kelly Hayden, Service Planning Manager  
Jerry Heath, Transit Operator Assistant Manager  
Kelly Johnston, Organizational Development Manager  
Judy Larson, Acting Paratransit Assistant Manager  
Tina Lee, Capital Planning Manager  
Keith Messner, Information Technology Manager  
Heidi Neideigh, Acting Executive Project Manager  
Tony Oliver, Security Sergeant  
Jay Peterson, Sr. Manager Development  
Cathie Reid, Budget Assistant Manager  
Mike Severino, Bus Safety and Training Supervisor  
Robin Sopher, Purchasing Supervisor

Bill Spies, Maintenance Manager  
Kathy Walton, Marketing Services Assistant Manager  
Hazel Whitish, Transit Operator Assistant Manager  
Dena Withrow, Transportation Manager - Transit Operators  
Monica Adams, Bus Stop Program Planner II  
Jean Archer, Principal Planner  
Lorie Bartnes, Sr. Marketing Design Specialist  
Lane Chase, Transit Operator  
Judith Choate, Service Supervisor  
Barb Cieslak, Organizational Development Specialist  
Ellen Cintron, Vanpool Coordinator  
Lynn Cunningham, Vanpool Coordinator  
Paula Davis, Data Analyst  
Victoria Feiten, HR Generalist  
Brenda Gatchell, Telecom Support Assistant  
Mary Ann Gillespie, HR Generalist  
Kim Grimes, ADA Eligibility Coordinator  
Angie Haggard, Risk Management Assistant  
Andee Handeland, Labor Relations Officer  
John Harkins, Security Specialist  
Rob Harrington, Business Analyst  
James Hubly, Transit Operator  
Heidi Hunter, Vanpool Coordinator  
Tracy Klein, Vanpool Specialist  
Brenda Lacey, Purchasing Agent  
Justin Leighton, Government Relations Officer  
Kim McGilvery, Vanpool Coordinator  
Tammy Messner, Service Supervisor  
Syl Pelesasa, Transit Operator  
Kim Ponsler, Vanpool Coordinator  
Ozzie Rico, Marketing Design Specialist  
Monnett Ross, Sr. Executive Assistant  
Lind Simonsen, Public Relations Coordinator  
Amanda Smith, Administrative Specialist II  
Ashley Smith, Project Controls Assistant  
Brenda Smith, Relief Transit Operator  
Peter Stackpole, Principal Planner  
Sharon Stockwell, Business Relations Coordinator  
Barbara Schatz, Acting Clerk of the Board

**Others present:**

Laurie Alvaro, Citizen  
John Ernest Berry III, Citizen  
Richard Boyce, Citizen  
Tammie Cox, Citizen  
Allen Douglass, Citizen  
Chelsea Levy, Citizen  
Ken Paulson, Citizen  
Raul Silva, General Manager First Transit  
Kate Whiting, Citizen  
Tom Wolfendale, Legal Counsel  
Renee Workman, Citizen

## **APPROVAL OF VOUCHERS**

Vouchers audited and certified by the auditing officer as required by RCW 42.24.080, and those expense reimbursement claims certified as required by RCW 42.24.090, have been recorded on a listing that was made available to the Board on January 10, 2013. Commissioners Anderson and Vermillion **moved** and seconded to approve the vouchers subject to proper audit.

Those vouchers included in the listing are further described as follows:

Operating Fund #10  
Self-Insurance Fund #40  
Capital Fund #90

Voucher numbers were 327786 through 328239 and wire numbers were 1065 through 1077 for a total of \$4,257,424.46. Motion **carried**.

## **APPROVAL OF MINUTES**

Commissioners Keel and Talbert **moved** and seconded to approve the November 19, 2012, regular Board meeting minutes as presented by staff. Motion **carried**.

## **PUBLIC COMMENT**

**Richard Boyce, 7024 – 86<sup>th</sup> ST, Lakewood 98499.** He asked the Board members to help get the public CNG facility up and running. He bought a ‘green’ car because of Pierce Transit’s CNG pumps, and can’t drive it without CNG accessibility.

**Tammie Cox, 6615 – 150<sup>th</sup> ST SW #127, Lakewood 98439.** She said she received a letter from Mr. Hill. She hopes the Board will be able to delay the weekend cuts for about a year. She would like to see revenue from the state gas tax be applied at Pierce Transit.

**Allen Douglass, 2314 – 70<sup>th</sup> AVE W #27, University Place 98466.** He is worried about local businesses closing because transit customers will no longer be able to get out shopping. He says University Place pays about \$1,500,000 to Pierce Transit in sales tax.

**John Ernest Berry III, 502 – 4<sup>th</sup> ST SW, Puyallup.** He said he is involved with a club that meets every Monday, and he goes to the Mall. Please don’t cut the bus service. There are others more disabled than he that need bus service.

**Ken Paulson.** He said it’s time to re-invent bus service. Other cities have privatized routes. Pierce Transit could do the same. Large buses cost between \$500,000 and \$650,000 each. If Pierce Transit uses smaller buses that cost around \$50,000 or so, money would be saved.

**Renee Workman, Tacoma.** She said area service could be based on sales taxes paid. People can’t afford a car, that’s why they ride the bus. People who vote for transit taxes should get more service.

**Laurie Alvaro, 8101 – 83<sup>rd</sup> AVE SE #C2, Lakewood 98498.** She said she works weekends in Fife. She walks a great distance already from home to the bus stop. If bus service is cut, how will she get to work?

## **PRESENTATION**

**Operator of the Month of November – James Hubly** ~ Transit Operator Assistant Manager Hazel Whitish presented James Hubly with November's Operator of the Month Award. James has been employed as a Transit Operator since July 2003. Since then, he has received an Accident Free Driving Award every year. James has received many wonderful compliments over the years, including compliments for his work with the disabled. He is better known as HUBBA-BUBBA to his transit family.

## **ACTION AGENDA**

1. Commissioners Vermillion and Hull **moved** and seconded to approve Resolution 13-001, **Appointing Members to the Community Transportation Advisory Group (CTAG).**

### **PUBLIC COMMENT**

**Tammie Cox.** She said she was a candidate and she thinks the CTAG is a good thing.

**Allen Douglass.** He congratulated the members and hoped they are a good reflection of the transit community.

**John Ernest Berry III.** He said he was not invited to participate.

Motion **carried**.

2. Commissioners Talbert and Keel **moved** and seconded to approve Resolution 13-002, **Authorizing approval of a Service Reduction Plan – Reducing Transit Service by Approximately 34 Percent No Later than February 16, 2014.**

### **PUBLIC COMMENT**

**Tammie Cox.** She asked the commissioners to choose the February date because the workers at the Puyallup Fair will need transportation.

**Allen Douglass.** He said choosing the September date provides more time for the riders to understand what is happening.

Commissioners Anderson and Hull **moved** and seconded to amend the resolution to **Authorizing approval of a Service Reduction Plan – Reducing Transit Service by Approximately 34 Percent No Later than September 30, 2013.**

### **PUBLIC COMMENT**

**Sylvie Pelesasa, 734 Berg Court NW, Gig Harbor 98553.** She said things should be more balanced. Why must weekend service be cut? Take more time and take another look.

**Allen Douglass.** He said we could do a better job without knowing the future. He prefers the September 30, 2012 date.



**Brenda Smith.** She said she is a Pierce Transit relief bus operator. She said they (*relief operators*) will all work when needed.

**Tammie Cox.** She hopes Pierce Transit will be able to run some buses in the evening hours. People are used to arriving early at their destinations.

The vote was called; the motion **carried** on a roll call vote of six to two (*Commissioners Talbert and Keel voted no; Commissioner Young was excused at the time of the vote*).

## **STAFF/POLICY DISCUSSIONS**

**Financial Update** ~ Vice President of Finance Wayne Fanshier said the sales tax collections for October 2012 were 14.6 percent **above** October 2011.

**February Public Hearings ~ Proposed Changes to Vanpool Fares and Policies; and Proposed Title VI Policies.** Acting Sr. Manager of Development Jay Peterson said there would be two public hearings on the February Board meeting agenda. One is for the Pierce Transit’s proposed Title VI policies; the other is for proposed changes to the Vanpool program.

## **EXECUTIVE SESSION**

At 6:45 p.m., Chair Strickland adjourned to Executive Session *pursuant to RCW 42.30.110(1)(i)(i) and (iii). To discuss with legal counsel representing the agency, litigation to which the agency, the governing body, or a member acting in an official capacity is a party when public discussion of the legal risks is likely to result in an adverse legal or financial consequence to the agency* for a period not to exceed 15 minutes. Chair Strickland reconvened the meeting at 7:00 p.m.

## **ADJOURMENT**

Chair Strickland adjourned the meeting at 7:01 p.m.

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Barbara B. Schatz, CMC  
Acting Clerk of the Board

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Marilyn Strickland, Chair  
Board of Commissioners

## FACT SHEET

TITLE: Approval of Major Service Change Policy, Disparate Impact Policy, and Disproportionate Burden Policy

DIVISION: Transit Development

ORIGINATOR: Janine Robinson

PRECEDING ACTION: NA

COORDINATING DEPARTMENTS: Administration & Transit Development

APPROVED FOR SUBMITTAL:

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Vice President

APPROVED FOR AGENDA:

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Chief Executive Officer

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Legal Counsel

ATTACHMENTS: (1) Major Service Change Policy (2) Disparate Impact Policy (3) Disproportionate Burden Policy (4) Pierce Transit Code Chapter 1.60.010 – Legal communication requirements (5) Resolution

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### BUDGET INFORMATION

2013 Budget Amount	Required Expenditure	Impact
N/A	N/A	N/A

Explanation:

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BACKGROUND: The Federal Transit Administration (FTA) issued Title VI Requirements and Guidelines for Federal Transit Administration Receipts Circular 4702.1B on October 1, 2012. The purpose of the circular is to provide recipients of FTA financial assistance with guidance and instructions necessary to carry out U.S. Department of Transportation Title VI regulations. These policies define the procedures related to Title VI of the Civil Rights Act of 1964, which states: "no person in the United States shall, on the ground of race, color or national origin, be excluded from participation in, denied the benefits of, or be subjected to discrimination under any program or activity receiving Federal financial assistance." As required by the Federal Transit Administration's new Title VI Circular 4702.1B, Pierce Transit will hold a public hearing on proposed policies related to "major service change," "disparate impact," and "disproportionate burden."

The circular affects transit providers receiving federal funding in urbanized communities of more than 200,000 people and operating at least 50 vehicles during peak service hours. These agencies must establish policies that define the threshold for major service changes and the determination of disparate impact/disproportionate burden applied to Title VI service and fare equity analyses. These analyses will examine the impact to minority and low-income populations of any fare change or major service change proposed by Pierce Transit.

To develop this proposed policy language Pierce Transit staff studied the new circular and participated in FTA webinars to learn about the new guidance and to develop policies we feel best reflect our service area. We also coordinated directly with FTA technical staff seeking their guidance and input on the policies that are being recommended for approval. Staff contacted other transit agencies to learn about their Title VI policies, processes, and lessons learned through their experiences. The following reflects the policies that we believe will address potential Title VI impacts and FTA guidance.

### **Major Service Change Policy**

A major service change is defined as any change in service on any individual route that would add or eliminate more than twenty percent of the route revenue miles or twenty percent of the route revenue hours. All major service changes will be subject to an equity analysis which includes an analysis of adverse effects.

### **Disproportionate Impact Policy**

A disproportionate burden occurs when the low-income population adversely affected by a fare or service change is five percent more than the average low-income population of Pierce Transit's service area.

### **Disparate Impact Policy**

A disparate impact occurs when the minority population adversely affected by a fare or service change is ten percent more than the average minority population of Pierce Transit's service area.

As with all major decisions that affect our community, Pierce Transit is committed to a robust communication effort and providing opportunities for input by the community. A variety of outreach methods were utilized to provide information to individuals who would potentially be interested in these policies. A legal notice for the public hearing was advertised on January 18, 2013 and February 6, 2013 to provide 20 and 5 calendar days' notice. A public meeting will be hosted on February 5 at Sheridan Elementary School and February 6 at Centro Latino to share the proposed policies and gather input. Both of these locations represent areas along existing Pierce Transit routes with minority and low income populations. Additionally staff met with numerous groups including the Eastside Neighborhood Advisory Council of Tacoma, Tacoma Ministerial Alliance, Centro Latino, Aging and Disability Resource Center Community Forum, and Tacoma Area Coalition of Individuals with Disabilities (TACID) to share information about the proposed policies and public hearing. Staff also requested that these groups notify their constituents of the draft policy. Each jurisdiction in the PTBA was sent an email with information on the public hearing and comment period. Rider alerts were distributed through the system and on buses to notify passengers of the public hearing and comment period. Social media including Facebook and PT NewsFlash was utilized to communicate information about the policies and the comment period.

The Pierce Transit Citizens Transportation Advisory Group (CTAG) reviewed the proposed policies at their January 31, 2013 meeting. The CTAG recommended that the proposed policies be approved.

**RECOMMENDATION:** Adopt the proposed Major Service Change Policy, the Disproportionate Burden Policy, and the Disparate Impact Policy and direct staff to update the Pierce Transit Code Chapter 1.60.010 – Legal communication requirements to be consistent with the new Major Service Change Policy.

**ALTERNATIVES:** Direct staff to amend the Major Service Change Policy, the Disproportionate Burden Policy, or the Disparate Impact Policy and return to the Board of Commissioners at a later date with alternative policy language. This is not recommended for it could impact the timely review of the proposed service reduction plans and Title VI equity analysis efforts



## **PIERCE TRANSIT MAJOR SERVICE CHANGE POLICY**

The requirement for this policy comes from Federal Transit Administration (FTA) Circular 4702.1B, "Title VI Requirements and Guidelines for Federal Transit Administration Recipients" which became effective October 1, 2012. The Circular requires any FTA recipient that operates 50 or more fixed route vehicles in peak service and serving a population of 200,000 persons or greater to evaluate any fare change and any major service change at the planning and programming stages to determine whether those changes have a discriminatory impact.

The purpose of this policy is to establish a threshold that defines a major service change and to define an adverse effect caused by a major service change.

A major service change is defined as any change in service on any individual route that would add or eliminate more than twenty percent of the route revenue miles or twenty percent of the route revenue hours. All major service changes will be subject to an equity analysis which includes an analysis of adverse effects.

An adverse effect is defined as a geographical or time-based reduction in service which includes but is not limited to: span of service changes, frequency changes, route segment elimination, re-routing, or route elimination.



## **PIERCE TRANSIT DISPARATE IMPACT POLICY**

The requirement for this policy comes from Federal Transit Administration (FTA) Circular 4702.1B, "Title VI Requirements and Guidelines for Federal Transit Administration Recipients" which became effective October 1, 2012. The Circular requires any FTA recipient that operates 50 or more fixed route vehicles in peak service and serving a population of 200,000 persons or greater to evaluate any fare change and any major service change at the planning and programming stages to determine whether those changes have a discriminatory impact.

The purpose of this policy is to establish a threshold which identifies when adverse effects of a major service change or any fare change are borne disproportionately by minority populations.

A disparate impact occurs when the minority population adversely affected by a fare or service change is ten percent more than the average minority population of Pierce Transit's service area.

Disparate impacts on routes with either span of service changes and/or frequency changes will be determined by analyzing all routes with such changes together. Disparate impacts on routes with segment elimination, re-routing, or route elimination will be determined on a route by route basis.

If Pierce Transit finds a potential disparate impact, the agency will take steps to avoid, minimize or mitigate impacts and then reanalyze the modified service plan to determine whether the impacts were removed. If Pierce Transit chooses not to alter the proposed changes, the agency may implement the service or fare change if there is substantial legitimate justification for the change AND the agency can show that there are no alternatives that would have less of an impact on the minority population and would still accomplish the agency's legitimate program goals.



## **PIERCE TRANSIT DISPROPORTIONATE BURDEN POLICY**

The requirement for this policy comes from Federal Transit Administration (FTA) Circular 4702.1B, "Title VI Requirements and Guidelines for Federal Transit Administration Recipients" which became effective October 1, 2012. The Circular requires any FTA recipient that operates 50 or more fixed route vehicles in peak service and serving a population of 200,000 persons or greater to evaluate any fare change and any major service change at the planning and programming stages to determine whether those changes have a discriminatory impact.

The purpose of this policy is to establish a threshold which identifies when the adverse effects of a major service change or any fare change are borne disproportionately by low-income populations.

A disproportionate burden occurs when the low-income population adversely affected by a fare or service change is five percent more than the average low-income population of Pierce Transit's service area.

Disproportionate burden on routes with either span of service changes and/or frequency changes will be determined by analyzing all routes with such changes together. Disproportionate burden on routes with segment elimination, re-routing, or route elimination will be determined on a route by route basis.

If Pierce Transit finds a potential disproportionate burden, the agency will take steps to avoid, minimize or mitigate impacts and then reanalyze the modified service plan to determine whether the impacts were removed. If Pierce Transit chooses not to alter the proposed changes, the agency may implement the service or fare change if there is substantial legitimate justification for the change AND the agency can show that there are no alternatives that would have less of an impact on low-income population and would still accomplish the agency's legitimate program goals.

## **Pierce Transit Code Update: Strikeout language with updates to match Major Service Change Policy.**

### **Chapter 1.60 - PUBLIC HEARING PROCEDURES**

#### **1.60.010 - Legal communication requirements.**

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A.

Pierce Transit will hold a public hearing when any fare changes are proposed or major service changes are proposed. For purposes of this section major service changes shall be defined as any change in service on any individual route that would add or eliminate more than twenty percent of the route revenue miles or twenty percent of the route revenue hours. All major service changes will be subject to an equity analysis which includes an analysis of adverse effects on minority and low income populations.

B.

Pierce Transit will publicize the hearing in a major newspaper with general circulation in the urbanized area of Pierce County and other newspapers which are directed at specifically affected groups. Legal notices will be advertised 20 and 5 calendar days in advance of the hearing date.

*(Res. 92-024 §1(part); Res. 00-059 §1)*

## RESOLUTION NO. 13-003

A RESOLUTION of the Board of Commissioners of Pierce Transit  
Authorizing Approval of Major Service Change Policy, Disparate  
Impact Policy, and Disproportionate Burden Policy

WHEREAS, The Federal Transit Administration (FTA) issued Title VI Requirements and Guidelines for Federal Transit Administration Recipients, Circular 4702.1B on October 1, 2012; and

WHEREAS, the circular affects transit providers receiving federal funding in urbanized communities of more than 200,000 people and operating at least 50 vehicles during peak service hours; and

WHEREAS, these agencies must establish policies that define the threshold for major service changes and the determination of disparate impact/disproportionate burden applied to Title VI service and fare equity analyses; and

WHEREAS, these analyses will examine the impact to minority and low-income populations of any fare change or major service change proposed by Pierce Transit; and

WHEREAS, the public hearing date and proposed policies were shared with the community through a robust communication effort including publishing a legal notice 20 and 5 calendar days before the public hearing; rider alerts distributed on buses and throughout the PTBA; posters on board buses to notify passengers of the public meetings and hearing; through the use of social media including Facebook and the PT NewsFlash email distribution group; with meetings of key stakeholder groups such as the Eastside Neighborhood Advisory Council of Tacoma, Tacoma Ministerial Alliance, Centro Latino, Aging and Disability Resource Center Community Forum, and Tacoma Area Coalition of Individuals with Disabilities(TACID); and via email notice to each jurisdiction in the PTBA of the public hearing and comment period; and

WHEREAS, public meetings were held on February 5, 2013 at Sheridan Elementary School, 5317 McKinley Ave., Tacoma, and February 6, 2013 at Centro Latino, 1208 S 10th St., Tacoma, to share information about the proposed policies and public hearing. These meeting locations are along existing Pierce Transit routes in areas identified with high minority and low income populations; and

WHEREAS, the Pierce Transit Citizens Transportation Advisory Group (CTAG) was engaged and reviewed the proposed policies at its January 31, 2013 meeting and recommended that the proposed policies be approved; and

WHEREAS the Pierce Transit Board of Commissioners is required to adopt the Major Service Change Policy, the Disparate Impact Policy, and the Disproportionate Burden Policy as a requirement of the Title VI Circular 4702.1B as directed by the Federal Transit Administration;

NOW, THEREFORE, BE IT RESOLVED by the Board of Commissioners of Pierce Transit as follows:

Section 1.The Board of Commissioners authorizes the adoption of the Major Service Change Policy: A major service change is defined as any change in service on any individual route that would add or eliminate more than twenty percent of the route revenue miles or twenty percent of the route revenue hours. All major service changes will be subject to an equity analysis which includes an analysis of adverse effects.



1           Section 2.The Board of Commissioners authorizes the adoption of the Disparate Impact Policy: A  
2 disparate impact occurs when the minority population adversely affected by a fare or service change is ten  
3 percent more than the average minority population of Pierce Transit's service area.

4           Section 3.The Board of Commissioners authorizes the adoption of the Disproportionate Burden  
5 Policy: A disproportionate burden occurs when the low-income population adversely affected by a fare or  
6 service change is five percent more than the average low-income population of Pierce Transit's service  
7 area.

8           ADOPTED by the Board of Commissioners of Pierce Transit at a regular meeting thereof held on  
9 the 11<sup>th</sup> day of February 2013.

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Marilyn Strickland, Chairman  
Board of Commissioners

ATTEST:

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Barbara B. Schatz, CMC  
Acting Clerk of the Board

## FACT SHEET

TITLE: Approval of a Revised Service Reduction Plan-  
Reducing Transit Service by Approximately 28 Percent  
No Later than September 29, 2013

DIVISION: Transit Development

ORIGINATOR: Kelly Hayden

PRECEDING ACTION: Resolution No. 13-002 - Board Adoption of Service Reduction Plan – Reducing Transit Service by Approximately 34 Percent No Later than February 16, 2014; Resolution No. 11-013 -Board Adoption of 15 Percent Service Reductions Effective October 2, 2011; Resolution No. 12-021 Board Authorization for Proposition 1

COORDINATING DEPARTMENT: Service Planning & Scheduling

APPROVED FOR SUBMITTAL:

\_\_\_\_\_  
Vice President

APPROVED FOR AGENDA:

\_\_\_\_\_  
Chief Executive Officer

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Legal Counsel

ATTACHMENTS: (1) Resolution for Option #1 (2) Resolution for Option #2

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### BUDGET INFORMATION

2013 Budget Amount	Required Expenditure	Impact
N/A	N/A	N/A

Explanation:

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**BACKGROUND:** On January 14, 2013 the Board adopted Resolution 13- 002 which authorized a service reduction plan of 34 percent no later than February 16, 2014. The service reduction plan was required to respond to the effects of: the economic recession; the failure of two sales tax increase ballot initiatives (February 8, 2011 and November 6, 2012); a smaller service area that generates less sales tax revenue. The reduction plan assumed approximately 275,000 annual service hours and no transit service on Saturdays and Sundays. Since our last financial forecast we now estimate additional revenue of \$700,000 from the alternative fuel tax credit, \$5.5 million from Federal Transit Administration (FTA) State of Good Repair grants and \$19.5 million in savings from a revised 10 year capital budget.

The additional revenue and capital savings will help provide approximately 25,000 annual service hours. Staff is putting forward two options for the Board to consider. Option #1 would use the 25,000 annual service hours to restore the frequency and span of **weekday** service. Option #2 would use the 25,000 annual service hours to restore limited **weekend** service. Because of information staff is receiving from the public, staff recommends the 25,000 hours be used to

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restore limited Saturday and Sunday service. Staff will also continue to look for innovative options for addressing additional weekend service and will present such options to the Board as they are developed.

The revised plan will eliminate approximately 28 percent of the fixed route service from an annual service level of 417,000 hours to approximately 300,000 annual service hours. The primary impacts of the proposed reductions are:

OPTION #1:

- Reduced weekday span of service on fixed route and SHUTTLE.
- Reduced weekday trips on fixed route and SHUTTLE.
- Elimination of Saturday and Sunday fixed route and SHUTTLE service.
- SHUTTLE paratransit service for eligible people with disabilities operates during the same days and times as fixed route bus service strictly within  $\frac{3}{4}$  of a mile of the fixed route bus service. As bus service is reduced or eliminated on the fixed route bus system, SHUTTLE service will also be reduced or eliminated.
- Elimination of Route 62 which serves Northeast Tacoma.
- Elimination of holiday service.
- No restoration of special service to events like the Puyallup Fair.

OPTION #2:

- Reduced weekday span of service on fixed route and SHUTTLE.
- Reduced weekday trips on fixed route and SHUTTLE.
- Reduced Saturday and Sunday trips on fixed route and SHUTTLE.
- Saturday span of service from approximately 8:30 AM – 6:30 PM. Service is based on current passenger per hour figures and not all routes will operate on Saturday. Frequency of service will be between 30 to 90 minutes, depending on demand and will vary by route.
- Sunday span of service from approximately 9:00 AM – 5:00 PM. Service is based on current passenger per hour figures and not all routes will operate on Sunday. Frequency of service will be between 30 to 120 minutes, depending on demand and will vary by route.
- SHUTTLE paratransit service for eligible people with disabilities operates during the same days and times as fixed route bus service strictly within  $\frac{3}{4}$  of a mile of the fixed route bus service. As bus service is reduced or eliminated on the fixed route bus system, SHUTTLE service will also be reduced or eliminated.
- Elimination of Route 62 which serves Northeast Tacoma.
- Elimination of holiday service.
- No restoration of special service to events like the Puyallup Fair.

The Service Reduction Plan, if adopted, will be implemented no later than September 29, 2013.

1. ALTERNATIVES: Direct staff to propose a different service reduction plan. This is not recommended for it could impact the timely reduction of service and Title VI equity analysis efforts.

RECOMMENDATION: Adopt the proposed OPTION #2 Service Reduction Plan.

**RESOLUTION NO. 13-004**

1 A RESOLUTION of the Board of Commissioners of Pierce Transit  
2 Authorizing approval of a Service Reduction Plan – Reducing Transit Service by  
3 Approximately 28 Percent No Later than September 29, 2013  
4

5 WHEREAS, Pierce Transit must reduce expenses as a result of the effects of the economic  
6 recession, a smaller service area and the failure of Proposition 1; and

7 WHEREAS, Pierce Transit reduced transit service 20 percent with the June 12, 2011  
8 service change; and

9 WHEREAS, Pierce Transit further reduced transit service 15 percent with the October 2,  
10 2011 service change; and

11 WHEREAS, in early November 2012, Proposition 1 failed which would have preserved  
12 transit service to the community; and

13 WHEREAS the Pierce Transit Board of Commissioners adopted a service reduction plan of  
14 34 percent at its January 11, 2013 Board Meeting; and

15 WHEREAS Pierce Transit has identified revenues and capital savings since the January 11,  
16 2013 Board Meeting providing for approximately 25,000 additional annual service hours; and

17 WHEREAS Pierce Transit must revise the service reduction plan to approximately 28  
18 percent to operate at a sustainable level, providing approximately 300,000 annual service hours; and

19 WHEREAS the 25,000 annual service hours will be used for increased weekday service;  
20 and WHEREAS the Pierce Transit Board of Commissioners needs to adopt a service plan for  
21 use in soliciting public comment and allow for Title VI service equity analysis as directed by the  
22 Federal Transit Administration; and

23 WHEREAS the proposed Service Reduction Plan is aligned with the current service design  
24 derived from an extensive system redesign project, robust public outreach efforts and Board direction.

25 NOW, THEREFORE, BE IT RESOLVED by the Board of Commissioners of Pierce  
26 Transit as follows:

27 Section 1. The Board of Commissioners authorizes the implementation of the attached  
28 Amended Service Reduction Plan no later than September 29, 2013.

29 ADOPTED by the Board of Commissioners of Pierce Transit at a regular meeting thereof  
30 held on the 11<sup>th</sup> day of February 2013.

ATTEST:

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Marilyn Strickland, Chairman  
Board of Commissioners

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Barbara B. Schatz, CMC  
Acting Clerk of the Board

## RESOLUTION NO. 13-004

A RESOLUTION of the Board of Commissioners of Pierce Transit  
Authorizing approval of a Service Reduction Plan – Reducing Transit Service by  
Approximately 28 Percent No Later than September 29, 2013

WHEREAS, Pierce Transit must reduce expenses as a result of the effects of the economic recession, a smaller service area and the failure of Proposition 1; and

WHEREAS, Pierce Transit reduced transit service 20 percent with the June 12, 2011 service change; and

WHEREAS, Pierce Transit further reduced transit service 15 percent with the October 2, 2011 service change; and

WHEREAS, in early November 2012, Proposition 1 failed which would have preserved transit service to the community; and

WHEREAS the Pierce Transit Board of Commissioners adopted a service reduction plan of 34 percent at its January 11, 2013 Board Meeting; and

WHEREAS Pierce Transit has identified revenues and capital savings since the January 11, 2013 Board Meeting providing for approximately 25,000 additional annual service hours; and

WHEREAS Pierce Transit must revise the service reduction plan to approximately 28 percent to operate at a sustainable level, providing approximately 300,000 annual service hours; and

WHEREAS the 25,000 annual service hours will be used for limit weekend service; and

WHEREAS the Pierce Transit Board of Commissioners needs to adopt a service plan for use in soliciting public comment and allow for Title VI service equity analysis as directed by the Federal Transit Administration; and

WHEREAS the proposed Service Reduction Plan is aligned with the current service design derived from an extensive system redesign project, robust public outreach efforts and Board direction.

NOW, THEREFORE, BE IT RESOLVED by the Board of Commissioners of Pierce Transit as follows:

Section 1. The Board of Commissioners authorizes the implementation of the attached Amended Service Reduction Plan no later than September 29, 2013.

ADOPTED by the Board of Commissioners of Pierce Transit at a regular meeting thereof held on the 11<sup>th</sup> day of February 2013.

ATTEST:

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Marilyn Strickland, Chairman  
Board of Commissioners

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Barbara B. Schatz, CMC  
Acting Clerk of the Board