



# Metropolitan Transportation Commission

Bay Area Metro Center  
375 Beale Street  
San Francisco, CA 94105

## Meeting Agenda

### Policy Advisory Council Equity & Access Subcommittee

*Ilaf Esuf, Chair                      Genay Markham, Vice Chair*

*Members*

*Christine Fitzgerald, Dwayne Hankerson,  
Gabriela Orantes, Vinay Pimple, Terry Scott,  
Frank Welte, Walter Wilson, and Howard Wong*

*Alternates*

*Pamela Campos and Anne Olivia Eldred*

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Friday, January 27, 2023

9:00 AM

REMOTE

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In light of Governor Newsom's State of Emergency declaration regarding COVID-19 and in accordance with the recently signed Assembly Bill 361 allowing remote meetings, this meeting will be accessible via webcast, teleconference, and Zoom for all participants. A Zoom panelist link for meeting participants will be sent separately to Equity and Access Subcommittee members.

The meeting webcast will be available at <http://mtc.ca.gov/whats-happening/meetings>. Members of the public are encouraged to participate remotely via Zoom at the following link or phone number. Council Members and members of the public participating by Zoom wishing to speak should use the "raise hand" feature or dial \*9. When called upon, unmute yourself or dial \*6. In order to get the full Zoom experience, please make sure your application is up to date.

Attendee Link: <https://bayareametro.zoom.us/j/82256413923>

iPhone One-Tap: US: +13462487799,,82256413923# or +16694449171,,82256413923#

Join by Telephone Dial (for higher quality, dial a number based on your current location) US:  
888 788 0099 (Toll Free) or 877 853 5247 (Toll Free)

Webinar ID: 822 5641 3923

International numbers available: <https://bayareametro.zoom.us/j/kdFtNwguXk>

Detailed instructions on participating via Zoom are available at:

<https://mtc.ca.gov/how-provide-public-comment-board-meeting-zoom>

Members of the public may participate by phone or Zoom or may submit comments by email at [info@bayareametro.gov](mailto:info@bayareametro.gov) by 5:00 p.m. the day before the scheduled meeting date. Please include the committee or board meeting name and agenda item number in the subject line. Due to the current circumstances there may be limited opportunity to address comments during the meeting. All comments received will be submitted into the record.

The Policy Advisory Council advises the Metropolitan Transportation Commission on transportation policies in the San Francisco Bay Area, incorporating diverse perspectives relating to the environment, the economy, and social equity.

## 1. Call Meeting to Order / Roll Call / Confirm Quorum

*Quorum: A quorum of this subcommittee shall be a majority of its regular voting members (6).*

## 2. Welcome - Ilaf Esuf, Policy Advisory Council Equity & Access Subcommittee Chair

3.     [22-1819](#)     Approval of the November 30, 2022 Meeting Minutes  
  
      Action:         Subcommittee Approval  
  
      Attachments:   [03 22-1819 11-30-2022 Policy Advisory Council Equity and Access Subco](#)
  
4.     [22-1822](#)     Transit Transformation Action Plan: Accessibility Actions Update  
  
          Update on the Transit Transformation Action Plan: Accessibility Actions.  
  
      Action:         Information  
  
      Presenter:     Drennen Shelton  
  
      Attachments:   [04 22-1822 Summary Sheet Transit Transformation Action Plan Accessibil](#)
  
5.     [22-1820](#)     Plastic and Mobile Clipper® Card Acquisition Fees  
  
          Title VI of the Civil Rights Act of 1964 protects people from discrimination based on race, color, and national origin in programs receiving federal financial assistance. This item presents findings of an analysis (required under Title VI) to determine whether there are disparate impacts or disproportionate burdens on specific populations related to fees for acquiring new plastic and mobile Clipper cards.  
  
      Action:         Information  
  
      Presenter:     David Weir  
  
      Attachments:   [05i 22-1820 Summary Sheet Plastic and Mobile Clipper Card Acquisition](#)  
                          [05ii PowerPoint Plastic and Mobile Clipper Card Acquisition Fees.pdf](#)

## 6. New Business

*Members of the subcommittee may bring up new business for discussion or addition to a future agenda.*

## 7. Public Comments / Other Business

*Note: The subcommittee will not take action on items not listed on today's agenda.*

*Equity and Access Subcommittee Members and members of the public participating by Zoom wishing to speak should use the "raise hand" feature or dial \*9. When called upon, unmute yourself or dial \*6.*

[23-0273](#)

General Public Comment Received

**Attachments:**

[07\\_General\\_Public\\_Comment\\_Received\\_OBAG\\_3\\_Grant\\_approval.pdf](#)

## 8. Adjournment / Next Meeting

**The next meeting of the Policy Advisory Council Equity and Access Subcommittee will be held Friday, February 24, 2023 at 9:00 a.m. Any changes to the schedule will be duly noticed to the public.**

**Public Comment:** The public is encouraged to comment on agenda items at Committee meetings by completing a request-to-speak card (available from staff) and passing it to the Committee secretary. Public comment may be limited by any of the procedures set forth in Section 3.09 of MTC's Procedures Manual (Resolution No. 1058, Revised) if, in the chair's judgment, it is necessary to maintain the orderly flow of business.

**Meeting Conduct:** If this meeting is willfully interrupted or disrupted by one or more persons rendering orderly conduct of the meeting unfeasible, the Chair may order the removal of individuals who are willfully disrupting the meeting. Such individuals may be arrested. If order cannot be restored by such removal, the members of the Committee may direct that the meeting room be cleared (except for representatives of the press or other news media not participating in the disturbance), and the session may continue.

**Record of Meeting:** Committee meetings are recorded. Copies of recordings are available at a nominal charge, or recordings may be listened to at MTC offices by appointment. Audiocasts are maintained on MTC's Web site ([mtc.ca.gov](http://mtc.ca.gov)) for public review for at least one year.

**Accessibility and Title VI:** MTC provides services/accommodations upon request to persons with disabilities and individuals who are limited-English proficient who wish to address Commission matters. For accommodations or translations assistance, please call 415.778.6757 or 415.778.6769 for TDD/TTY. We require three working days' notice to accommodate your request.

**可及性和法令第六章:** MTC 根據要求向希望來委員會討論有關事宜的殘疾人士及英語有限者提供服務/方便。需要便利設施或翻譯協助者，請致電 415.778.6757 或 415.778.6769 TDD / TTY。我們要求您在三個工作日前告知，以滿足您的要求。

**Acceso y el Titulo VI:** La MTC puede proveer asistencia/facilitar la comunicación a las personas discapacitadas y los individuos con conocimiento limitado del inglés quienes quieran dirigirse a la Comisión. Para solicitar asistencia, por favor llame al número 415.778.6757 o al 415.778.6769 para TDD/TTY. Requerimos que solicite asistencia con tres días hábiles de anticipación para poderle proveer asistencia.

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Attachments are sent to Committee members, key staff and others as appropriate. Copies will be available at the meeting.

All items on the agenda are subject to action and/or change by the Committee. Actions recommended by staff are subject to change by the Committee.

MTC's Chair and Vice-Chair are ex-officio voting members of all standing Committees.



# Metropolitan Transportation Commission

## Meeting Minutes - Draft

### Agenda Item 3

Bay Area Metro Center  
375 Beale Street  
San Francisco, CA 94105

## Policy Advisory Council Equity & Access Subcommittee

*Ilaf Esuf, Chair                      Genay Markham, Vice Chair*  
*Members*

*Christine Fitzgerald, Dwayne Hankerson,  
Gabriela Orantes, Vinay Pimple, Terry Scott,  
Frank Welte, Walter Wilson, and Howard Wong*

*Alternates*  
*Pamela Campos and Anne Olivia Eldred*

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Wednesday, November 30, 2022

11:00 AM

REMOTE

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### 1. Call Meeting to Order / Roll Call / Confirm Quorum

**Present:** 11 - Member Pimple, Member Welte, Member Hankerson, Member Wilson, Member Scott, Member Wong, Member Fitzgerald, Vice Chair Markham, Chair Esuf, (Alternate) Eldred and (Alternate) Campos

**Excused:** 1 - Member Orantes

Policy Advisory Council Members Michael Baldini, Richard Hedges, Adina Levin, and Johnny Parker Jr. were also in attendance.

### 2. Welcome - Ilaf Esuf, Policy Advisory Council Equity & Access Subcommittee Chair

### 3. [22-1686](#) Approval of the October 20, 2022 Meeting Minutes

**Action:** Subcommittee Approval

**Attachments:** [03 22-1685 10-20-2022 Policy Advisory Council Equity and Access Subcommittee Meeting Minutes Draft.pdf](#)

**Upon the motion by Member Scott and second by Member Wilson, the October 20, 2022 Meeting Minutes were approved. The motion carried by the following vote:**

**Aye:** 7 - Member Pimple, Member Hankerson, Member Wilson, Member Scott, Member Wong, Vice Chair Markham and Chair Esuf

**Nay:** 1 - Member Welte

**Absent:** 2 - Member Fitzgerald and Member Orantes

Subcommittee Members Fitzgerald arrived after the approval of the October 20, 2022 Meeting Minutes.

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4. [22-1687](#) Blue Ribbon Action Plan Access and Mobility Work Plan Update

**Action:** Information

**Presenter:** Drennen Shelton

Adina Levin spoke on this item.

5. [22-1536](#) MTC's Community Choice Program

Overview of the Development and Design of MTC's Community Choice Program.

**Action:** Information

**Presenter:** Judis Santos

**Attachments:** [05i 22-1536 Summary Sheet Community Choice Program.pdf](#)

[05ii 22-1536 PowerPoint Community Choice Program.pdf](#)

Rich Hedges spoke on this item.

**6. New Business**

**7. Public Comments / Other Business**

**8. Adjournment / Next Meeting**

The next meeting of the Policy Advisory Council Equity and Access Subcommittee will be held Friday, January 27, 2023 at 9:00 a.m. Any changes to the schedule will be duly noticed to the public.

**Metropolitan Transportation Commission  
Policy Advisory Council Equity and Access Subcommittee**

January 27, 2023

Agenda Item 4

**Transit Transformation Action Plan: Accessibility Actions Update**

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**Subject:**

Update on the Transit Transformation Action Plan: Accessibility Actions.

**Background:**

In July 2021, MTC’s Blue Ribbon Transit Recovery Task Force developed the Bay Area Transit Transformation Action Plan (Action Plan). The Action Plan identified five desired outcomes with associated near term action items to achieve a more connected, efficient, and user-focused mobility network. One outcome was “Accessibility: Transit services for older adults, people with disabilities, and those with lower incomes are coordinated efficiently” and with it came five actions, listed below.

Action #	Action Description
Action 21	Designate a Mobility Manager to coordinate rides and function as a liaison between transit agencies in each county, consistent with the Coordinated Plan
Action 22	Fund additional subregional one-seat paratransit ride pilots and develop cost-sharing policies for cross jurisdictional paratransit trips
Action 23	Integration of Americans with Disabilities Act (ADA)-paratransit services on Clipper Next Generation
Action 24	Identify key paratransit challenges and recommend reforms through the Coordinated Plan update
Action 25	Adopt standardized eligibility practices for programs that benefit people with disabilities ( <i>ADA-paratransit and Clipper® Regional Transportation Connection</i> )

**Developments on Action 25**

MTC staff and consultants from Nelson\Nygaard have developed summary research that detail how Bay Area transit agencies are currently determining eligibility for ADA paratransit, and research on industry best practices for determining eligibility outside the Bay Area. This work has been reviewed by members of the Bay Area Partnership Accessibility Committee (BAPAC) working group, and their input has been integrated. MTC staff will share this summary research with members of the Equity and Access Subcommittee in the coming days.

**Next Steps:**

MTC staff will share the summary research with the Transit Caucus Planning and Operations Subcommittee and to other interested parties in the coming days. MTC staff and consultant will begin developing options for recommendations to enhance the quality and consistency of eligibility certification practices in the Bay Area. These draft recommendations can be expected in late winter/early spring of 2023.

If you have any questions, please contact Drennen Shelton at [dshelton@bayareametro.gov](mailto:dshelton@bayareametro.gov).



**Metropolitan Transportation Commission  
Policy Advisory Council Equity and Access Subcommittee**

**January 27, 2023**

**Agenda Item 5**

**Plastic and Mobile Clipper® Card Acquisition Fees**

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**Subject:**

Title VI of the Civil Rights Act of 1964 protects people from discrimination based on race, color, and national origin in programs receiving federal financial assistance. This item presents findings of an analysis (required under Title VI) to determine whether there are disparate impacts or disproportionate burdens on specific populations related to fees for acquiring new plastic and mobile Clipper cards.

**Background:**

The mobile Clipper card was introduced to the public in the spring of 2021, as an alternative for Clipper customers to the plastic Clipper card. The fee to customers for a new plastic, adult Clipper card is \$3. New mobile cards are currently free of charge to customers.

In the summer of 2022, MTC contracted for an analysis of the equity impacts of differing card acquisition fees. The analysis, required by Title VI of the 1964 Civil Rights Act, was to determine whether there are disparate impacts on historically disenfranchised / Black, Indigenous, or People of Color populations, or disproportionate burdens on low-income populations, if a lower (down to zero) fee is charged to get a mobile Clipper card, compared to the fee to get a plastic Clipper card.

The attached PowerPoint presentation highlights the findings of that analysis, after describing the history and policy of card acquisition fees for both plastic and mobile Clipper cards.

**Issues:**

None identified.

**Recommendations:**

Information only.

**Attachments:**

- Attachment A: PowerPoint - “Plastic and Mobile Clipper® Card Acquisition Fees: Findings of a Title VI Analysis”



# Plastic and Mobile Clipper<sup>®</sup> Card Acquisition Fees

Findings of a Title VI Analysis

Policy Advisory Council Equity  
and Access Subcommittee  
January 27, 2023

# History and Background of Clipper Card Acquisition Fees: Plastic Card

The Clipper program charges customers a “card acquisition” fee for a new adult Clipper card.

- New youth, senior, RTC, and Clipper START cards are free.

Two reasons for charging a fee:

- It costs Clipper to obtain plastic cards so a fee helps offset those costs, and
- A fee discourages customers from throwing away a card after using it only once.

The card acquisition fee for plastic adult Clipper cards has been \$3 since 2012.



# Introduction of Mobile Clipper Card

- In April 2021 the Clipper program introduced the mobile Clipper card.
- Use of mobile cards is increasing in all fare categories.
- As of November 2022, 28% of all adult Clipper cards used were mobile Clipper cards.
- To encourage adoption of the new mobile card, there is no fee for new adult mobile Clipper cards.

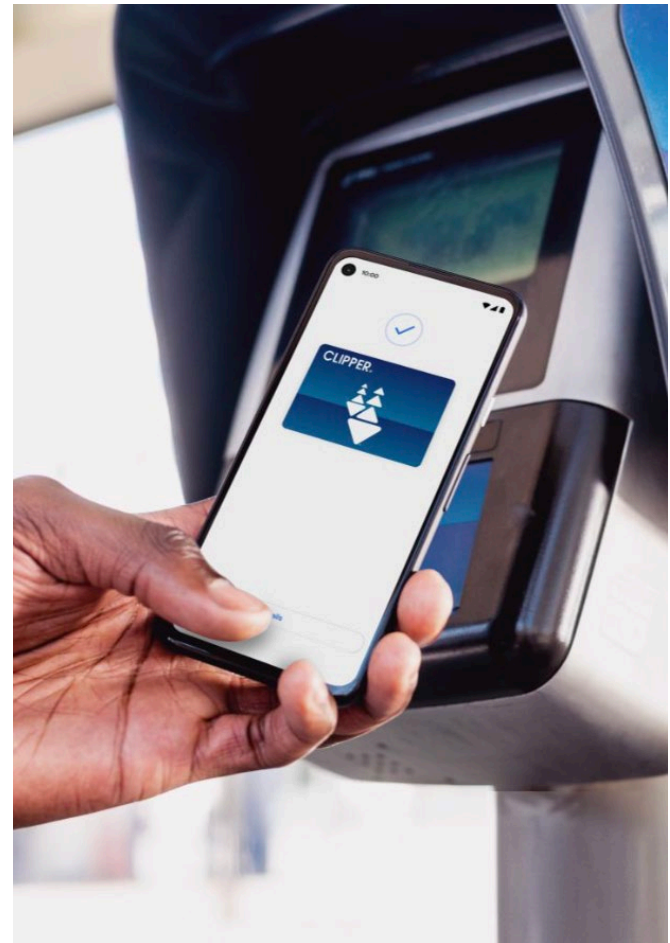


# Considerations for Charging a Fee for New Mobile Cards

- A mobile card fee would defray costs incurred by the Clipper program for issuing mobile cards and would be consistent with fee for plastic card.
- No mobile card fee encourages use of mobile cards.
  - Can be more convenient for customers
  - Relieves need for plastic cards, which have faced supply chain issues
  - Helpful during special events when demand for cards spikes

# Analysis: Disparate Impacts of Different Fees?

- Determine whether there are disparate impacts on historically disenfranchised / Black, Indigenous, or People of Color populations, or disproportionate burdens on low-income populations, if a lower (down to zero) fee is charged to get a mobile Clipper card, compared to the fee to get a plastic Clipper card.



# Summary of the Findings

- For historically disenfranchised / Black, Indigenous, or People of Color populations – no disparate impact.
  - These populations benefit from a lower card acquisition fee for mobile Clipper cards because they use the mobile card at a higher rate than white customers.
- For low-income populations – some disproportionate burden, but not excessive.



# Current Situation/Conclusion

- New plastic adult Clipper cards cost \$3.00
- New mobile adult Clipper cards remain free, for a limited time
- Based on this equity analysis the Clipper program could charge a fee of up to the same price as plastic Clipper cards, without violating Title VI.





# Questions? Contact:

David Weir

Clipper Principal

[dweir@bayareametro.gov](mailto:dweir@bayareametro.gov)

Michael Brinton

Assistant Director

[mbrinton@bayareametro.gov](mailto:mbrinton@bayareametro.gov)



**From:** [Buckley Hughes](#)  
**To:** [MTC-ABAG Info](#); [Kimberly Ward](#); [Martha Silver](#); [Kỳ-Nam Miller](#); [Elizabeth Bugarin](#)  
**Subject:** 1/25 MTC meeting - Agenda Item #13a - OBAG 3 Grant approval  
**Date:** Saturday, January 21, 2023 9:54:36 AM

\*External Email\*

Dear Commissioners and P & A Committee Members, RAWG group, Equity & Access Subcommittee,

To: Ms. Rommell, Mr. Arndt, MTC Programming & Allocations Committee, MTC Commissioners, Equity & Access subcommittee, RAWG committee,

**APPROVAL OF THIS GRANT IS NOT SUPPORTIVE OF MTC'S CLAIM TO EQUITY IN THE COMMUNITY ! THIS SHOULD BE VIEWED AS MILLION'S GIVEAWAY TO RICH NEIGHBORHOODS**

I'm writing to object to the inclusion of Topper Lane in the City of Lafayette's OBAG-3 grant application for the School Street Project, and MTC's recommendation to fund this project based on the following:

PLEASE RECONSIDER FUNDING THIS GRANT

**PLEASE DO NOT RUBBER STAMP THIS GRANT APPLICATION** - THEIR IS A CONCERN OF OWNERSHIP OF **RIGHT OF WAY** ON TOPPER LANE !

- The grant application did not include the necessary information required to accurately evaluate Topper Lane, as it relied solely on the benefits on School Street to represent this project during the evaluation and scoring process.
- The City of Lafayette recently secured \$3.1M in additional federal funds for School Street, and now plans to allocate these OBAG-3 funds for Topper Lane, when Topper Lane attributes were not **originally** assessed or scored during the application evaluation process.
- This funding will be used to build a Class 1 pathway on Topper Lane for the benefit of only 6-8 students. There is no reasonable justification for granting \$3.45M for the benefit of such a limited few.
- Topper Lane is not a high priority location for the City of Lafayette, and is not supported by the City's Local Roadway Safety Plan.

**We expect MTC to promote a fair evaluation process based on complete and accurate information, and request MTC provide transparency to the public as to how they prioritized this grant application for funding.**

**PLEASE RECONSIDER FUNDING THIS OBAG 3 GRANT TO LAFAYETTE**

Sincerely,  
Richard Buckley Hughes