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March 12, 2013

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Ms. Anita Heard
Program Analyst
FTA Office of Civil Rights
1200 New Jersey Ave, SE
Washington, DC 20590

Re: **MTC Third Quarterly Clipper® Title VI Status Report**

Dear Ms. Heard:

In September 2011, the Federal Transit Administration (FTA) conducted an on-site Title VI Compliance Review ("the Review") of the Metropolitan Transportation Commission (MTC). FTA's Final Report on the Review was issued on April 12, 2012. Corrective actions were requested in two areas: 1) Language access to Limited English Proficiency ("LEP") Persons; and 2) Clipper® Program Fare Equity Analysis. MTC responded to the FTA on May 11 and June 11, 2012 with its proposed corrective actions as required per the Review, and continues to work to complete the corrective actions related to the language access to LEP and Clipper® program.

With respect to the Clipper® Program, FTA asked MTC to provide quarterly updates on its activities to correct identified disparate impacts and implement the Program with the least discriminatory impacts. The prior quarterly status reports were submitted to FTA on September 12, 2012, and December 12, 2012. The third report is attached for your information.

If you have any questions about this report, please contact Denise Rodrigues, Contract Compliance Officer at (510) 817-5897 or drodri@mtc.ca.gov.

Sincerely,

Ann Flemer
Deputy Executive Director, Policy

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CLIPPER® TITLE VI STATUS REPORT March 12, 2013

Background

On June 12, 2012, MTC provided the Federal Transit Administration (FTA) with a response to the findings of the *Title VI Compliance Review of the Metropolitan Transportation Commission*. MTC's response to FTA included a commitment to provide updates on the Clipper® fare payment system every 90 days. This is the third such update covering the period from December 13, 2012 – March 12, 2013.

Key Actions Taken in the Past 90 Days

Using the planned activities identified by MTC in *Final Title VI Report: Clipper® Fare Media Transitions (Final Title VI Summary Report)* as a guideline, MTC has taken key actions over the last 90 days as follows:

1. Establish a process that enables youths (or their parents/guardians) and seniors to apply for Clipper cards by mail or email.

The new mail/email/fax application process for youth and senior Clipper cards is still in development. MTC planned to implement this new process in the fall of 2012, but the new process requires a change order to the Clipper design-build-operate-maintain (DBOM) Contract between MTC and Cubic Transportation Systems, Inc. (Clipper Contractor). Negotiation and execution of this change order has experienced several delays, but the change order is now nearing execution. Once MTC and the Clipper Contractor execute the change order, the Clipper Contractor will provide a schedule for implementation of the new process. MTC expects to be able to provide an implementation date as part of the next quarterly report to FTA on June 12, 2013.

2. Accept school identification cards that include birthdates and explore the feasibility of accepting additional forms of identification that indicate a youth's age, or other methods by which youths can prove their eligibility for a Youth Clipper card.

As reported in the December 12, 2012, Clipper Title VI Status Report to FTA, this item has been completed.

3. Engage in partnership arrangements with community-based organizations (CBOs), through which the CBOs will provide Clipper cards and information to constituents.

This item has been started and will continue as an ongoing program. MTC launched the program in August, 2012. As of March 12, 2013, 13 CBOs have ordered 990 cards. These

CBOs serve Title VI-protected individuals in San Francisco's Chinatown and Mission neighborhoods, Berkeley, Fremont, Concord, San Jose, Richmond and Oakland. MTC staff has identified additional CBOs in neighborhoods considered to be high priorities for reaching Title VI-protected individuals – particularly in the Bayview-Hunter's Point area of San Francisco – and MTC is preparing to encourage additional organizations to participate.

4. Set a consistent \$5 Clipper card and balance replacement fee that applies to all customers at all locations.

This item is in progress. MTC has directed the Clipper Contractor to update the Clipper system software in order to standardize the fees charged for card replacement and balance restoration. The Clipper Contractor is in the process of making the changes to the different components of Clipper system (website, terminals located at the in-person customer service centers, etc.). MTC expects this change will be completed by the next quarterly report.

5. Actively monitor the Clipper retailer network to ensure adequate and comprehensive geographic coverage, particularly for minority and low-income individuals.

This item is ongoing. MTC is continuing to actively monitor the Clipper retailer network to ensure adequate and comprehensive geographic coverage. In the last 90 days, the Clipper retailer network has not lost any retailers in areas considered to be priorities for Title VI compliance.

6. Provide Clipper materials at MTC-sponsored public meetings.

This item is ongoing. MTC is continuing to provide Clipper materials at MTC-sponsored public meetings.

Upcoming Activities

MTC has launched a marketing/awareness campaign targeting low-income and limited English-proficient transit riders. The campaign will include 46 outreach events at transit stops and stations in neighborhoods where Title VI-protected transit riders reside. Outreach events are also being scheduled at locations such as One-Stop Career Centers that cater to low-income and limited English-proficient individuals. Outreach staff will distribute free adult and senior Clipper cards and accept applications for youth cards at the outreach events. Outreach events will be accompanied by advertising in multilingual newspapers. Copies of ads and a tentative schedule for outreach are attached, as Attachment A.

Attachment A

Copies of Ads and Tentative Schedule for Clipper[®] Outreach Events

**Samples of Transit Ads for February/March 2013
Low-Income/Limited English Proficiency Campaign**



Outreach Schedule for February/March Low-Income/Limited English Proficiency Campaign

Saturday, February 23	Chinese New Year Street Fair	San Francisco
Sunday, February 24	Chinese New Year Street Fair	San Francisco
Sunday, March 3	San Jose/Berryessa Flea Market	San Jose
Tuesday, March 5	BART West Oakland – AC Transit stops	West Oakland
Tuesday, March 5	BART Hayward Station	Hayward
Tuesday, March 5	BART Union City Station	Union City
Wednesday, March 6	SFMTA stop/station – Mission	San Francisco
Wednesday, March 6	SFMTA stop/station – Bayview/Hunter's Point	San Francisco
Wednesday, March 6	SFMTA stop/station - Tenderloin	San Francisco
Thursday, March 7	BART Richmond Station	Richmond
Thursday, March 7	BART Fruitvale Station	Oakland
Saturday, March 9	San Rafael Transit Center	San Rafael
Sunday, March 10	Oakland Swap Shop and Coliseum Public Market	Oakland
Monday, March 11	BART Daly City Station	Daly City
Monday, March 11	BART SSF Station	South San Francisco
Tuesday, March 12	VTA Eastridge Transit Center	San Jose
Tuesday, March 12	VTA Valley Fair Transit Center	San Jose
Tuesday, March 12	VTA Gilroy Transit Center	Gilroy
Wednesday, March 13	SamTrans bus stop	TBD
Wednesday, March 13	SamTrans bus stop	TBD
Wednesday, March 13	SamTrans bus stop	TBD

Thursday, March 14	VTA Great Mall Transit Center	San Jose
Thursday, March 14	San Rafael Transit Center	San Rafael
Tuesday, March 19	AC Transit Uptown Transit Center	Oakland
Tuesday, March 19	Eastmont Transit Center	Oakland
Tuesday, March 26	US Immigration naturalization ceremonies	Oakland

The following locations are in the process of being scheduled:

TBD	Gilroy Library	Gilroy
TBD	King Library	San Jose
TBD	Biblioteca	San Jose
TBD	The Unity Council * Affiliate One-Stop	Oakland
TBD	Lao Family Community Development, Inc. * Affiliate One-Stop	Oakland
TBD	Marin Employment Connection (one-stop)	San Rafael
TBD	work2future (one-stop)	Gilroy
TBD	Campbell One Stop	Campbell
TBD	Visitacion Valley One Stop Career Link Center	San Francisco
TBD	Chinatown One Stop Career Link Center	San Francisco
TBD	Western Addition One Stop Career Link Center	San Francisco
TBD	EASTBAY Works One-Stop Career Center – San Pablo	San Pablo
TBD	RichmondWORKS	Richmond
TBD	Eden Area One-Stop Career Center	Hayward

TBD	Bayview Hunters Point Community Foundation	San Francisco - BVHP
TBD	Bayview Hunters Point YMCA African American Holistic Wellness Program	San Francisco - BVHP
TBD	San Francisco Food Bank #1	San Francisco
TBD	San Francisco Food Bank #2	San Francisco
TBD	Mt. Diablo USD ESL Classes	Concord
TBD	EPA CAN DO	East Palo Alto
