



SHEBOYGAN TRANSIT COMMISSION AGENDA

November 29, 2022 at 5:00 PM

**City Hall - Conference Room 106, 828 Center Avenue,
Sheboygan, WI**

It is possible that a quorum (or a reverse quorum) of the Sheboygan Common Council or any other City committees/boards/commissions may be in attendance, thus requiring a notice pursuant to State ex rel. Badke v. Greendale Village Board, 173 Wis. 2d 553, 494 N.W.2d 408 (1993).

Persons with disabilities who need accommodations to attend this meeting should contact Shoreline Metro, (920) 459-3285. Persons other than commission, committee, and board members who wish to participate remotely shall provide notice to Shoreline Metro at 920-459-3285 at least 24 hours before the meeting so that the person may be provided a remote link for that purpose.

OPENING OF MEETING

1. Call Meeting to Order
2. Pledge of Allegiance
3. Public Input (Time limits are at the discretion of the Transit Commission - Input on non-service adjustment related items.

MINUTES

4. Review and Approve the Minutes from the August 16, 2022 Sheboygan Transit Commission Meeting.

ITEMS FOR DISCUSSION AND POSSIBLE ACTION

5. Review and Approve the 2022 Community Development Block Grant Agreement.
6. Review and Approve the 2023 title VI Program for Shoreline Metro.
7. Review and Approve the Final Public Transit Agency Safety Program (PTASP) for Shoreline Metro
8. Director's Report

NEXT MEETING

9. Next meeting date: January 17, 2023

ADJOURN

In compliance with Wisconsin's Open Meetings Law, this agenda was posted in the following locations more than 24 hours prior to the time of the meeting:

*City Hall • Mead Public Library
Sheboygan County Administration Building • City's website*

CITY OF SHEBOYGAN**SHEBOYGAN TRANSIT COMMISSION MINUTES****Tuesday, August 16, 2022**

MEMBERS PRESENT: Chair Heather Cleveland, Vice-Chair Sara Knaub, Alderperson Dean Dekker, Alderperson Barb Felde, Police Chief Christopher Domagalski, Mayor Ryan Sorenson, Director of Planning and Development Chad Pelishek, Roy Kluss

MEMBERS EXCUSED: Alderperson Trey Mitchell

STAFF/OFFICIALS PRESENT: Director of Parking and Transit Derek Muench, Administrative Coordinator Ann Koeller, Jeff Agee-Aguayo Bay-Lake Regional Planning Commission, Heena Bhatt Bay-Lake Regional Planning Commission

OPENING OF MEETING

1. Call to Order at 5:00 P.M.

Chair Heather Cleveland called the meeting to order at 5:00 P.M.

2. Pledge of Allegiance

Chair Heather Cleveland lead the Commission in the Pledge of Allegiance.

3. Public Input (Time limits are at the discretion of the Transit Commission - Input on non-service adjustment related items.

Introduction of Committee members, staff and guests.

MINUTES

4. Review and Approve the Minutes from the May 17, 2022 meeting.

A motion was made by Mayor Ryan Sorenson, seconded by Police Chief Christopher Domagalski to approve the minutes from the May 17, 2022 meeting. Motion passes.

ITEMS FOR DISCUSSION AND POSSIBLE ACTION

5. Review and Approve the Second Quarter Reports for Transit and Parking Utilities.

A motion was made by Mayor Sorenson, seconded by Roy Kluss to approve the reports as presented. Motion passes.

6. Review and Approve the 2023 Transit Budget for Shoreline Metro.

A motion was made by Director Pelishek, seconded by Roy Kluss to support the 2023 transit budget for Shoreline Metro as presented by the Director of Transit & Parking and its inclusion into the City of Sheboygan 2023 Executive Budget. Motion passes.

7. Review and Approve the Agency Fare Increase for 2023.

A motion was made by Director Pelishek, seconded by Roy Kluss to approve the Agency Fare increase effective 01/01/2023. Motion Passes.

8. Review and Approve the Shoreline Metro Table of Organization (Reorganization).

A motion was made by Roy Kluss, seconded by Mayor Sorenson to approve the revised Table of Organization for Transit and Parking and its inclusion into the City's Table of Organization. Motion passes.

9. Res. No. 46-22-23 by Alderpersons Felde, Dekker, and Mitchell authorizing the filing of an application with the Wisconsin Department of Transportation and authorizing the executing of the contract pertaining to grants for calendar year 2023, under Federal Mass Transit Operating Assistance program, 49 U.S.C. 5307, and State Urban Mass Transit Operating Assistance program, Wis. Stat. § 85.20, as amended. REFER TO TRANSIT COMMISSION

A motion was made by Director Pelishek, seconded by Mayor Sorenson to approve Res. No. 46-22-23 and adopt the resolution and send resolution to the Sheboygan Common Council for consideration, acceptance and adoption at the next meeting. Motion passes.

10. Review and Approve the Shoreline Metro 2023 Parking Budget for the Parking Utility.

A motion was made by Alderperson Dekker, seconded by Alderperson Felde to approve the 2023 parking utility budget as presented by the Director of Transit & Parking and its inclusion into the City of Sheboygan 2023 Executive Budget. Motion Passes.

11. Review and Approve the Shoreline Metro 2022 Transit Asset Management Plan.

A motion was made by Alderperson Dekker, seconded by Alderperson Felde to approve the Shoreline Metro Transit Asset Management Plan as presented by Jeff Agee-Aguayo of Bay-Lake Regional Planning Commission. Motion passes.

12. Presentation of the 2022-2023 SASD Free Student Rides Program.

The Director of Transit & Parking presented the 2022-2023 SASD Free Student Rides Program. No action required.

13. Director's Report

A motion was made by Alderperson Felde, seconded by Alderperson Dekker to accept and file the Director's Report as presented. Motion passes.

NEXT MEETING

14. Next meeting date: October 18, 2022

ADJOURN

A motion was made by Chief Domagalski, seconded by Roy Kluss to adjourn the meeting at 6:35 P.M. Motion passes

In compliance with Wisconsin's Open Meetings Law, this agenda was posted in the following locations more than 24 hours prior to the time of the meeting:

City Hall • Mead Public Library
Sheboygan County Administration Building • City's website

Item 4.



COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM

SUBRECIPIENT AGREEMENT

**Agreement between THE CITY OF SHEBOYGAN
and
SHORELINE METRO
for the 2022-2023 Program Year**

Communication and details concerning this contract shall be directed to the following contract representatives:

FOR THE CITY:

Abby E. Block, Grant Coordinator
City of Sheboygan
828 Center Ave, Ste 208
Sheboygan, WI 53081
P: (920)459-3378
abby.block@sheboyganwi.gov

FOR THE SUBRECIPIENT:

Derek Muench, Director, Transit & Parking
Shoreline Metro
608 S Commerce Street
Sheboygan, WI 53081
(920)459-3140
dmuench@shorelinemetro.com

THIS AGREEMENT, entered by and between the **CITY OF SHEBOYGAN** (herein called the “CITY”) and **SHORELINE METRO**, a public transit operator with its principal office located at **608 S COMMERCE STREET** in **SHEBOYGAN**, Wisconsin (herein called the “SUBRECIPIENT.”)

WHEREAS, the CITY was awarded funds from the United States Government under Title I of the Housing and Community Development Act of 1974, Public Law 93-383; and

WHEREAS, the CITY has the authority to enter into a binding agreement for the expenditures of all or a portion of its allocated Community Development Block Grant (CDBG) funds;

NOW, THEREFORE, in consideration of the recitals, covenants and agreements herein mentioned, the parties mutually agree as follows:

I. SCOPE OF SERVICES

A. STATEMENT OF WORK

The CITY has allocated funds in the amount of **\$42,493** to the SUBRECIPIENT to support **PUBLIC TRANSIT SERVICE ON WEEKDAY EVENINGS AND SATURDAYS**.

B. NATIONAL OBJECTIVE

The SUBRECIPIENT certifies that the activities carried out under this agreement will meet Low- or Moderate-Income Eligibility, with at least 70% of those served with CDBG funds being low- or moderate-income persons.

C. USE OF FUNDS

The SUBRECIPIENT attests that all activities eligible for reimbursement with CDBG funds will be carried out in accordance with the SUBRECIPIENT’s stated and intended purpose.

D. PERFORMANCE GOALS

The SUBRECIPIENT agrees to provide the following levels of service prior to the expiration of the funding period:

- achieving a range of 362,000 to 366,000 riders over the program year.
- achieving a range of 1,300 to 1,320 riders per weekday over the program year.
- achieving a range of 510 to 540 riders per Saturday over the program year.
 - o approximately 88.6 percent of riders are projected to be at an income level below 80 percent of median income for Sheboygan County (based on results from the Shoreline Metro Passenger Opinion Survey conducted in January and February of 2020 and the most recent estimates of low income limits provided with this application).

E. TIME OF PERFORMANCE

The length of time of this agreement is contingent on compliance with HUD regulations for the entirety of the grant term.

F. PERFORMANCE MONITORING

The CITY will monitor the performance of the SUBRECIPIENT against performance standards as stated above. Substandard performance as determined by the CITY will constitute noncompliance with this agreement. If action to correct such substandard performance is not taken by the SUBRECIPIENT within a reasonable period of time after being notified by the CITY, contract suspension or termination procedures will be initiated.

G. PAYMENT

It is expressly agreed and understood that the total amount to be paid by the CITY under this agreement shall not exceed **\$42,493**. Payments may be contingent upon certification of the SUBRECIPIENT's financial management system in accordance with the standards specified in 24 CFR 84.21.

H. NOTICES

Notices required by this agreement shall be in writing and delivered via mail or personal delivery or sent via electronic mail. Any notice delivered or sent as aforesaid shall be effective on the date of delivery or sending. All notices and other written communications under this agreement shall be addressed to the individuals in the capacities indicated above, unless otherwise modified by subsequent written notice.

II. GENERAL CONDITIONS**A. GENERAL COMPLIANCE**

SUBRECIPIENT covenants and agrees to comply with all of the obligations and conditions applicable to public contracts as though each obligation or condition were set forth fully herein. This agreement shall be governed by and construed in accordance with the laws of the State of Wisconsin.

The SUBRECIPIENT agrees to comply with all other applicable Federal, state and local laws, regulations, and policies governing the funds provided under this contract. The SUBRECIPIENT will assure that all necessary city/county building permits are obtained.

B. INDEPENDENT CONTRACTOR

Nothing contained in this agreement is intended to, or shall be construed in any manner, as creating or establishing the relationship of employer/employee between the parties. The SUBRECIPIENT shall at all times remain an "independent contractor" with respect to the services to be performed under this agreement. The CITY shall be exempt from payment of all Unemployment Compensation, FICA, retirement, life and/or medical insurance and Workers' Compensation Insurance, as the SUBRECIPIENT is an independent contractor.

C. HOLD HARMLESS

The SUBRECIPIENT shall hold harmless, defend and indemnify the CITY from any and all claims, actions, suits, charges and judgments whatsoever that arise out of the SUBRECIPIENT's performance or nonperformance of the services or subject matter called for in this agreement.

D. WORKERS' COMPENSATION

The SUBRECIPIENT shall provide Workers' Compensation Insurance coverage for all of its employees involved in the performance of this agreement.

E. INSURANCE & BONDING

The SUBRECIPIENT shall carry sufficient insurance coverage to protect assets from loss due to theft, fraud and/or undue physical damage, and as a minimum shall purchase a blanket fidelity bond covering all employees in an amount equal to cash advances from the CITY.

F. CITY RECOGNITION

The SUBRECIPIENT shall insure recognition of the role of the CITY in providing services through this agreement. All activities, facilities and items utilized pursuant to this agreement shall be prominently labeled as to funding source. In addition, the SUBRECIPIENT will include a reference to the support provided herein in all publications made possible with funds made available under this agreement.

G. AMENDMENTS

The CITY or SUBRECIPIENT may amend this agreement at any time provided that such amendments make specific reference to this agreement, and are executed in writing, signed by a duly authorized representative of each organization, and approved by the CITY's governing body. Such amendments shall not invalidate this agreement, nor relieve or release the CITY or SUBRECIPIENT from its obligations under this agreement.

The CITY may, in its discretion, amend this agreement to conform with Federal, state or local governmental guidelines, policies and available funding amounts, or for other reasons. If such amendments result in a change in the funding, the scope of services, or schedule of the activities to be undertaken as part of this agreement, such modifications will be incorporated only by written amendment signed by both CITY and SUBRECIPIENT.

H. SUSPENSION OR TERMINATION

In accordance with 24 CFR 85.43, the CITY may suspend or terminate this agreement if the SUBRECIPIENT materially fails to comply with any terms of this agreement, which include (but are not limited to) the following:

1. Failure to comply with any of the rules, regulations or provisions referred to herein, or such statutes, regulations, executive orders, and HUD guidelines, policies or directives as may become applicable at any time;
2. Failure, for any reason, of the SUBRECIPIENT to fulfill in a timely and proper manner its obligations under this agreement;
3. Ineffective or improper use of funds provided under this agreement; or
4. Submission by the SUBRECIPIENT to the CITY reports that are incorrect or incomplete in any material respect.

This agreement may also be terminated for convenience by either the CITY or the SUBRECIPIENT, in whole or in part, by setting forth the reasons for such termination, the effective date, and, in the case of partial termination, the portion to be terminated. However, if in the case of a partial termination, the CITY determines that

the remaining portion of the award will not accomplish the purpose for which the award was made, the CITY may terminate the award in its entirety.

I. TAXPAYER IDENTIFICATION NUMBER

SUBRECIPIENT agrees to complete a Request for Taxpayer Identification Number and Certification (W-9 Form) as a condition of the CITY's obligation to make payment. If the SUBRECIPIENT fails to complete and return the W-9 Form to the CITY, payment to SUBRECIPIENT may be delayed, or the CITY may, in its discretion, terminate the Contract.

J. DEBARMENT

The SUBRECIPIENT certifies that neither it, nor its principals or members, is presently debarred suspended, or proposed for debarment, declared ineligible, or voluntarily excluded from participation in this transaction by any Federal department or agency; and, that the SUBRECIPIENT shall not knowingly enter into any contract or covered transaction with a person who is similarly debarred or suspended from participation in any project that is Federally funded.

III. ADMINISTRATIVE REQUIREMENTS

The SUBRECIPIENT agrees to comply with the Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards found at 2 CFR Part 200

A. FINANCIAL MANAGEMENT

1. Accounting Standards

The SUBRECIPIENT agrees to adhere to the accounting principles and procedures required therein, utilize adequate internal controls, and maintain necessary source documentation for all costs incurred.

B. DOCUMENTATION AND RECORD-KEEPING

1. Records to be Maintained

- a. Records providing a full description of each activity undertaken;
- b. Records demonstrating that each activity undertaken meets one of the National Objectives of the CDBG program;
- c. Records required to determine the eligibility of activities; Records required to document the acquisition, improvement, use or disposition of real property acquired or improved with CDBG assistance;
- d. Records documenting compliance with the fair housing and equal opportunity components of the CDBG program;
- e. Financial records as required by 24 CFR 570.502, and 24 CFR 84.21 28; and
- f. Other records necessary to document compliance with Subpart K of 24 CFR Part 570.

2. Retention

The SUBRECIPIENT shall retain all financial records, supporting documents, statistical records, and all other records pertinent to the agreement for a period of seven (7) years. The retention period begins on the date of the submission of the CITY's annual performance and evaluation report to HUD in which the activities assisted under the agreement are reported on for the final time.

Notwithstanding the above, if there is litigation, claims, audits, negotiations or other actions that involve any of the records cited and that have started before the expiration of the four-year period, then such records must be retained until completion of the actions and resolution of all issues, or the expiration of the seven-year period, whichever occurs later.

3. Disclosure

The SUBRECIPIENT understands that client information collected under this agreement is private and the use or disclosure of such information, when not directly connected with the administration of the CITYs or SUBRECIPIENTs responsibilities with respect to services provided under this agreement, is prohibited by Wisconsin and Federal law unless written consent is obtained from such person receiving service and, in the case of a minor, that of a responsible parent/guardian.

4. Close-outs

The SUBRECIPIENT's obligation to the CITY shall not end until all close-out requirements are completed. Activities during this close-out period shall include, but are not limited to:

- a. making final payments
- b. disposing of program assets (including the return of all unused materials, equipment, unspent cash advances, program income balances, and accounts receivable to the CITY), and
- c. determining the custodianship of records.

Notwithstanding the foregoing, the terms of this Agreement shall remain in effect during any period that the SUBRECIPIENT has control over CDBG funds, including program income.

C. REPORTING AND PAYMENT PROCEDURES

1. Program Income

The SUBRECIPIENT shall report quarterly all program income generated by activities carried out with CDBG funds made available under this agreement. The SUBRECIPIENT may use such income during the agreement period for activities permitted under this contract and shall reduce requests for additional funds by the amount of any such program income balances on hand. All unexpended program income shall be returned to the CITY at the end of the contract period. Any interest earned on cash advances from the U.S. Treasury and from funds held in a revolving fund account is not program income and shall be remitted promptly to the CITY.

2. Indirect Costs

If indirect costs are charged, the SUBRECIPIENT will develop an indirect cost allocation plan for determining the appropriate SUBRECIPIENT's share of administrative costs and shall submit such plan to the CITY for approval, in a form specified by the CITY.

3. Payment Procedures

The CITY will pay to the SUBRECIPIENT funds available under this agreement based upon information submitted by the SUBRECIPIENT and consistent with any approved budget and CITY policy concerning payments. Payments will be adjusted by the CITY in accordance with advance fund and program income balances available in SUBRECIPIENT accounts. In addition, the CITY reserves the

right to liquidate funds available under this contract for costs incurred by the CITY on behalf of the SUBRECIPIENT.

4. Progress Reports

The SUBRECIPIENT shall submit a Progress and Financial Report to the CITY each quarter.

E. PROCUREMENT

1. Compliance

The SUBRECIPIENT shall comply with current CITY policy concerning the purchase of equipment and shall maintain inventory records of all non-expendable personal property as defined by such policy as may be procured with funds provided herein. All program assets (unexpended program income, property, equipment, etc.) shall revert to the CITY upon termination of this agreement.

2. Travel

The SUBRECIPIENT shall obtain written approval from the CITY for any travel outside the metropolitan area with funds provided under this agreement.

F. USE AND REVERSION OF ASSETS

The use and disposition of real property and equipment under this agreement shall comply with, but not limited to, the following:

1. The SUBRECIPIENT shall transfer to the CITY any CDBG funds on hand and any accounts receivable attributable to the use of funds under this agreement at the time of expiration, cancellation, or termination.
2. Real property under the SUBRECIPIENT's control that was acquired or improved, in whole or in part, with funds under this agreement in excess of \$25,000 shall be used to meet one of the CDBG National Objectives until five (5) years after expiration of this agreement [or such longer period of time as the CITY deems appropriate]. If the SUBRECIPIENT fails to use CDBG-assisted real property in a manner that meets a CDBG National Objective for the prescribed period of time, the SUBRECIPIENT shall pay the CITY an amount equal to the current fair market value of the property less any portion of the value attributable to expenditures of non-CDBG funds for acquisition of, or improvement to, the property. Such payment shall constitute program income to the CITY. The SUBRECIPIENT may retain real property acquired or improved under this agreement after the expiration of the five-year period [or such longer period of time as the CITY deems appropriate].
3. In all cases in which equipment acquired, in whole or in part, with funds under this agreement is sold, the proceeds shall be program income (prorated to reflect the extent to that funds received under this agreement were used to acquire the equipment). Equipment not needed by the SUBRECIPIENT for activities under this agreement shall be
 - a. transferred to the CITY for the CDBG program or
 - b. retained after compensating the CITY [an amount equal to the current fair market value of the equipment less the percentage of non-CDBG funds used to acquire the equipment].
 - c.

IV. PERSONNEL & PARTICIPANT CONDITIONS

A. CIVIL RIGHTS

1. Compliance

The SUBRECIPIENT agrees to comply with Title VI of the Civil Rights Act of 1964 as amended, Title VIII of the Civil Rights Act of 1968 as amended, Section 104(b) and Section 109 of Title I of the Housing and Community Development Act of 1974 as amended, Section 504 of the Rehabilitation Act of 1973, the Americans with Disabilities Act of 1990, the Age Discrimination Act of 1975, Executive Order 11063, and Executive Order 11246 as amended by Executive Orders 11375, 11478, 12107 and 12086.

2. Nondiscrimination

The SUBRECIPIENT agrees to comply with the non-discrimination in employment and contracting opportunities as found in Executive Order 13279. The applicable non-discrimination provisions in Section 109 of the HCDA are still applicable.

3. Land Covenants

This agreement is subject to the requirements of Title VI of the Civil Rights Act of 1964.) In regard to the sale, lease, or other transfer of land acquired, cleared or improved with assistance provided under this agreement, the SUBRECIPIENT shall cause or require a covenant running with the land to be inserted in the deed or lease for such transfer, prohibiting discrimination as herein defined, in the sale, lease or rental, or in the use or occupancy of such land, or in any improvements erected or to be erected thereon, providing that the CITY and the United States are beneficiaries of and entitled to enforce such covenants. The SUBRECIPIENT, in undertaking its obligation to carry out the program assisted hereunder, agrees to take such measures as are necessary to enforce such covenant, and will not itself so discriminate.

4. Section 504

The SUBRECIPIENT agrees to comply with all Federal regulations issued pursuant to compliance with Section 504 of the Rehabilitation Act of 1973 (29 U.S.C. 794), which prohibits discrimination against the individuals with disabilities or handicaps in any Federally assisted program. The CITY shall provide the SUBRECIPIENT with any guidelines necessary for compliance with that portion of the regulations in force during the term of this agreement.

B. AFFIRMATIVE ACTION

1. Approved Plan

The SUBRECIPIENT agrees that it shall be committed to carry out pursuant to the CITY's specifications an Affirmative Action Program in keeping with the principles as provided in President's Executive Order 11246.

2. Women- and Minority-Owned Businesses (W/MBE)

The SUBRECIPIENT will use its best efforts to afford small businesses, minority business enterprises, and women's business enterprises the maximum practicable opportunity to participate in the performance of this agreement. As used in this agreement, the terms "small business" means a business that meets the criteria set forth in section 3(a) of the Small Business Act, as amended (15 U.S.C. 632), and "minority and women's business enterprise" means a business at least fifty-one (51) percent owned and controlled by minority group members or women. For the purpose of this definition, "minority group members" are

Afro- Americans, Spanish-speaking, Spanish surnamed or Spanish-heritage Americans, Asian- Americans, and American Indians. The SUBRECIPIENT may rely on written representations by businesses regarding their status as minority and female business enterprises in lieu of an independent investigation.

3. Access to Records

The SUBRECIPIENT shall furnish and cause each of its own SUBRECIPIENTs or subcontractors to furnish all information and reports required hereunder and will permit access to its books, records and accounts by the CITY, HUD or its agent, or other authorized Federal officials for purposes of investigation to ascertain compliance with the rules, regulations and provisions stated herein.

4. Notifications

The SUBRECIPIENT will send to each labor union or representative of workers with which it has a collective bargaining agreement or other contract or understanding, a notice, to be provided by the agency contracting officer, advising the labor union or worker's representative of the SUBRECIPIENT's commitments hereunder, and shall post copies of the notice in conspicuous places available to employees and applicants for employment.

5. Equal Employment Opportunity and Affirmative Action (EEO/AA) Statement

The SUBRECIPIENT will, in all solicitations or advertisements for employees placed by or on behalf of the SUBRECIPIENT, state that it is an Equal Opportunity or Affirmative Action employer.

C. EMPLOYMENT RESTRICTIONS

1. Prohibited Activity

The SUBRECIPIENT is prohibited from using funds provided herein or personnel employed in the administration of the program for: political activities; inherently religious activities; lobbying; political patronage; and nepotism activities.

2. Labor Standards

The SUBRECIPIENT agrees to comply with the requirements of the Secretary of Labor in accordance with the Davis-Bacon Act as amended, the provisions of Contract Work Hours and Safety Standards Act (40 U.S.C. 327 et seq.) and all other applicable Federal, state and local laws and regulations pertaining to labor standards insofar as those acts apply to the performance of this agreement. The SUBRECIPIENT agrees to comply with the Copeland Anti-Kick Back Act (18 U.S.C. 874 et seq.) and its implementing regulations of the U.S. Department of Labor at 29 CFR Part 5. The SUBRECIPIENT shall maintain documentation that demonstrates compliance with hour and wage requirements of this part. Such documentation shall be made available to the CITY for review upon request.

The SUBRECIPIENT agrees that, except with respect to the rehabilitation or construction of residential property containing less than eight (8) units, all contractors engaged under contracts in excess of \$2,000.00 for construction, renovation or repair work financed in whole or in part with assistance provided under this contract, shall comply with Federal requirements adopted by the CITY pertaining to such contracts and with the applicable requirements of the regulations of the Department of Labor, under 29 CFR Parts 1, 3, 5 and 7 governing the payment of wages and ratio of apprentices and trainees to journey workers; provided that, if wage rates higher than those required under th

regulations are imposed by state or local law, nothing hereunder is intended to relieve the SUBRECIPIENT of its obligation, if any, to require payment of the higher wage. The SUBRECIPIENT shall cause or require to be inserted in full, in all such contracts subject to such regulations, provisions meeting the requirements of this paragraph.

3. **“Section 3” Clause**

a. **Compliance**

Compliance with the provisions of Section 3 of the HUD Act of 1968, as amended, and as implemented by the regulations set forth in 24 CFR 135, and all applicable rules and orders issued hereunder prior to the execution of this agreement, shall be a condition of the Federal financial assistance provided under this agreement and binding upon the CITY, the SUBRECIPIENT and any of the SUBRECIPIENT’s subcontractors. Failure to fulfill these requirements shall subject the CITY, the SUBRECIPIENT and any of the SUBRECIPIENT’s subcontractors, their successors and assigns, to those sanctions specified by the agreement through which Federal assistance is provided. The SUBRECIPIENT certifies and agrees that no contractual or other incapacity exists that would prevent compliance with these requirements.

The SUBRECIPIENT further agrees to comply with these “Section 3” requirements and to include the following language in all subcontracts executed under this agreement:

“The work to be performed under this agreement is a project assisted under a program providing direct Federal financial assistance from HUD and is subject to the requirements of Section 3 of the Housing and Urban Development Act of 1968, as amended (12 U.S.C. 1701). Section 3 requires that to the greatest extent feasible opportunities for training and employment be given to low- and very low-income residents of the project area, and that contracts for work in connection with the project be awarded to business concerns that provide economic opportunities for low- and very low-income persons residing in the metropolitan area in which the project is located.”

The SUBRECIPIENT further agrees to ensure that opportunities for training and employment arising in connection with a housing rehabilitation (including reduction and abatement of lead-based paint hazards), housing construction, or other public construction project are given to low- and very low-income persons residing within the metropolitan area in which the CDBG-funded project is located; where feasible, priority should be given to low- and very low-income persons within the service area of the project or the neighborhood in which the project is located, and to low- and very low-income participants in other HUD programs; and award contracts for work undertaken in connection with a housing rehabilitation (including reduction and abatement of lead-based paint hazards), housing construction, or other public construction project to business concerns

that provide economic opportunities for low- and very low-income persons residing within the metropolitan area in which the CDBG-funded project is located; where feasible, priority should be given to business concerns that provide economic opportunities to low- and very low-income residents within the service area or the neighborhood in which the project is located, and to low- and very low-income participants in other HUD programs. The SUBRECIPIENT certifies and agrees that no contractual or other legal incapacity exists that would prevent compliance with these requirements.

b. Notifications

The SUBRECIPIENT agrees to send to each labor organization or representative of workers with which it has a collective bargaining agreement or other contract or understanding, if any, a notice advising said labor organization or worker's representative of its commitments under this Section 3 clause and shall post copies of the notice in conspicuous places available to employees and applicants for employment or training.

c. Subcontracts

The SUBRECIPIENT will include this Section 3 clause in every subcontract and will take appropriate action pursuant to the subcontract upon a finding that the subcontractor is in violation of regulations issued by the grantor agency. The SUBRECIPIENT will not subcontract with any entity where it has notice or knowledge that the latter has been found in violation of regulations under 24 CFR Part 135 and will not let any subcontract unless the entity has first provided it with a preliminary statement of ability to comply with the requirements of these regulations.

D. CONDUCT

1. Assignability

The SUBRECIPIENT shall not assign or transfer any interest in this agreement without the prior written consent of the CITY.

2. Subcontracts

a. Approvals

The SUBRECIPIENT shall not enter into any subcontracts with any agency or individual in the performance of this agreement without the written consent of the CITY prior to the execution of such agreement.

b. Monitoring

The SUBRECIPIENT will monitor all subcontracted services on a regular basis to assure contract compliance. Results of monitoring efforts shall be summarized in written reports and supported with documented evidence of follow-up actions taken to correct areas of noncompliance.

c. Content

The SUBRECIPIENT shall cause all of the provisions of this contract in its entirety to be included in and made a part of any subcontract executed in the performance of this agreement.

d. Selection Process

The SUBRECIPIENT shall undertake to ensure that all subcontracts assigned in performance of this agreement shall be awarded on a fair and

open competition basis in accordance with applicable procurement requirements. Executed copies of all subcontracts shall be forwarded to the CITY along with documentation concerning the selection process.

3. Hatch Act

The SUBRECIPIENT agrees that no funds provided, nor personnel employed under this agreement, shall be in any way or to any extent engaged in the conduct of political activities in violation of Chapter 15 of Title V of the U.S.C.

4. Conflict of Interest

The SUBRECIPIENT agrees to abide by the following provisions:

- a. The SUBRECIPIENT shall maintain a written code or standards of conduct that shall govern the performance of its officers, employees or agents engaged in the award and administration of contracts supported by Federal funds.
 - i. No employee, officer or agent of the SUBRECIPIENT shall participate in the selection, or in the award, or administration of, a contract supported by Federal funds if a conflict of interest, real or apparent, would be involved.
- b. No covered persons who exercise or have exercised any functions or responsibilities with respect to CDBG-assisted activities, or who are in a position to participate in a decision-making process or gain inside information with regard to such activities, may obtain a financial interest in any contract, or have a financial interest in any contract, subcontract, or agreement with respect to the CDBG-assisted activity, or with respect to the proceeds from the CDBG-assisted activity, either for themselves or those with whom they have business or immediate family ties, during their tenure or for a period of one (1) year thereafter. For purposes of this paragraph, a "covered person" includes any person who is an employee, agent, consultant, officer, or elected or appointed official of the CITY, the SUBRECIPIENT, or any designated public agency.

5. Lobbying

The SUBRECIPIENT hereby certifies that:

- a. No Federal appropriated funds have been paid or will be paid, by or on behalf of it, to any person for influencing or attempting to influence an officer or employee of any agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with the awarding of any Federal contract, the making of any Federal grant, the making of any Federal loan, the entering into of any cooperative agreement, and the extension, continuation, renewal, amendment, or modification of any Federal contract, grant, loan, or cooperative agreement;
- b. If any funds other than Federal appropriated funds have been paid or will be paid to any person for influencing or attempting to influence an officer or employee of any agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with this Federal contract, grant, loan, or cooperative agreement, it will complete and submit Standard Form-LLL, "Disclosure Form to Report Lobbying," in accordance with its instructions; and

- c. It will require that award documents for all subawards at all tiers (including subcontracts, subgrants, and contracts under grants, loans, and cooperative agreements) will include the following statement and that all SUBRECIPIENTS shall certify and disclose accordingly:

Lobbying Certification

This certification is a material representation of fact upon which reliance was placed when this transaction was made or entered into. Submission of this certification is a prerequisite for making or entering into this transaction imposed by section 1352, title 31, U.S.C. Any person who fails to file the required certification shall be subject to a civil penalty of not less than \$10,000 and not more than \$100,000 for each such failure.

6. Copyright

If this contract results in any copyrightable material or inventions, the CITY and/or grantor agency reserves the right to royalty-free, non-exclusive and irrevocable license to reproduce, publish or otherwise use and to authorize others to use, the work or materials for governmental purposes.

7. Religious Activities

The SUBRECIPIENT agrees that funds provided under this agreement will not be utilized for inherently religious activities such as worship, religious instruction, or proselytization.

V. ENVIRONMENTAL CONDITIONS

A. AIR AND WATER

The SUBRECIPIENT agrees to comply with the following requirements insofar as they apply to the performance of this agreement:

1. Clean Air Act, 42 U.S.C., 7401, et seq.;
2. Federal Water Pollution Control Act, as amended, 33 U.S.C., 1251, et seq., as amended, 1318 relating to inspection, monitoring, entry, reports, and information, as well as other requirements specified in said Section 114 and Section 308, and all regulations and guidelines issued thereunder;
3. Environmental Protection Agency (EPA) regulations pursuant to 40 CFR Part 50, as amended.

B. FLOOD DISASTER PROTECTION

In accordance with the requirements of the Flood Disaster Protection Act of 1973 (42 U.S.C. 4001), the SUBRECIPIENT shall assure that for activities located in an area identified by the Federal Emergency Management Agency (FEMA) as having special flood hazards, flood insurance under the National Flood Insurance Program is obtained and maintained as a condition of financial assistance for acquisition or construction purposes (including rehabilitation).

C. LEAD-BASED PAINT

The SUBRECIPIENT agrees that any construction or rehabilitation of residential structures with assistance provided under this Agreement shall be subject to HUD Lead-Based Paint Regulations at 24 CFR 570.608, and 24 CFR Part 35, Subpart B. Such regulations pertain to all CDBG-assisted housing and require that all owners,

prospective owners, and tenants of properties constructed prior to 1978 be properly notified that such properties may include lead-based paint. Such notification shall point out the hazards of lead-based paint and explain the symptoms, treatment and precautions that should be taken when dealing with lead-based paint poisoning and the advisability and availability of blood lead level screening for children under seven. The notice should also point out that if lead-based paint is found on the property, abatement measures may be undertaken. The regulations further require that, depending on the amount of Federal funds applied to a property, paint testing, risk assessment, treatment and/or abatement may be conducted.

D. HISTORIC PRESERVATION

The SUBRECIPIENT agrees to comply with the Historic Preservation requirements set forth in the National Historic Preservation Act of 1966, as amended (16 U.S.C. 470) and the procedures set forth in 36 CFR Part 800, Advisory Council on Historic Preservation Procedures for Protection of Historic Properties, insofar as they apply to the performance of this agreement.

In general, this requires concurrence from the State Historic Preservation Officer for all rehabilitation and demolition of historic properties that are fifty years old or older or that are included on a Federal, state, or local historic property list.

VI. SEVERABILITY

If any provision of this Agreement is held invalid, the remainder of the Agreement shall not be affected thereby and all other parts of this Agreement shall nevertheless be in full force and effect.

IN WITNESS WHEREOF, the City of Sheboygan has caused this Agreement to be executed by Ryan Sorenson, Mayor, and Meredith DeBruin, City Clerk, this ____ day of _____, 2022

FOR THE CITY OF SHEBOYGAN:

BY:

Ryan Sorenson, Mayor

ATTEST:

Meredith DeBruin, City Clerk

IN WITNESS WHEREOF, Shoreline Metro has caused this Agreement to be executed this day of _____, 2022.

FOR SHORELINE METRO:

BY:

Signature

Printed Name and Title

ATTEST:

Signature

Printed Name and Title

CITY OF SHEBOYGAN

REQUEST FOR TRANSIT COMMISSION CONSIDERATION

ITEM DESCRIPTION: 6. Community Development Block Grant (CDBG) Agreement - 2022

REPORT PREPARED BY: Derek Muench, Director of Transit & Parking

REPORT DATE: 11/16/22

MEETING DATE: 11/29/22

FISCAL SUMMARY:

Budget Line Item:	N/A
Budget Summary:	N/A
Budgeted Expenditure:	N/A
Budgeted Revenue:	N/A

STATUTORY REFERENCE:

Wisconsin	N/A
Statutes:	
Municipal Code:	N/A

BACKGROUND / ANALYSIS:

Shoreline Metro applies annually to receive Community Development Block Grant (CDBG) funding through the federal HUD program. The funding goes to support later evening service hours as part of the service schedule for Shoreline Metro.

STAFF COMMENTS:

The agreement is the formal acceptance of the CDBG funding to support operations as part of the local share match for Shoreline Metro's annual operations budget. The amount is equal to \$42,493.00.

ACTION REQUESTED:

Staff recommends the support and approval of the agreement and further authorizes the Transit Commission Chair to sign the agreement and allow the Director of Transit & Parking to act as the witness.

ATTACHMENTS:

- I. 2022 CDGB Agreement
 - a. Copies will be brought to the meeting for signatures.

2023-2025

Item 6.

TITLE VI PROGRAM

CIVIL RIGHTS ACT OF 1964
49 CFR Part 21

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.



www.shorelinemetro.com

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A. Summary

Title VI of the Civil Rights Act of 1964 prohibits discrimination on the basis of race, color, or national origin in programs and activities receiving Federal financial assistance. Specifically, Title VI provides 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" (42 U.S.C. § 2000d).

Shoreline Metro is a department of the City of Sheboygan. Shoreline Metro and the City may be used interchangeably in this document as they are one in the same entity. Shoreline Metro and the City of Sheboygan's Title VI Program requirements are similar and include federal requirements when using and receiving federal funds to provide services.

Shoreline Metro is committed to ensuring that no person is excluded from participation in, or denied the benefits of its transit services as protected by Title VI in Federal Transit Administration (FTA) Circular 4702.1.A. on the basis of:

- Age
- Ancestry
- Color
- Gender
- Gender Expression
- Gender Identify
- Genetic Information
- Marital Status
- Medical Condition
- Mental Disability
- Military and Veteran Status
- National Origin
- Physical Disability
- Sex (includes pregnancy, childbirth, breastfeeding and/or medical conditions)
- Sexual Orientation

The City of Sheboygan's Mission Statement provides: "The City of Sheboygan is dedicated to providing residents, the business community and visitors with fiscally-responsible municipal services in an effective and responsive manner to meet the needs of our diverse community."

Title VI of the Civil Rights Act of 1964 (Title VI) is a federal law which provides that no person in the United States shall, on the grounds of race, color, or national origin, be excluded from, be denied the benefits of, or be subjected to discrimination under any program or activity receiving Federal financial assistance. The Civil Rights Restoration Act of 1987 makes clear that a local governmental entity that accepts Federal financial assistance may not engage in the type of discrimination prohibited by Title VI. Title VI applies to recipients *and* sub-recipients of Federal financial assistance.

This document is intended to outline the City's plan to ensure compliance with its obligations under Title VI.

B. Introduction

Title VI and Related Authorities

- **Title VI of the Civil Rights Act of 1964** states: “No person in the United States shall on the grounds 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.”
- **The Civil Rights Restoration Act of 1987**, P.L. 100-209, provides clarification of the original intent of Congress in Title VI of the 1964 Civil Rights Act, Title IX of the Educational Amendments Act of 1972, Section 504 of the Rehabilitation Act of 1973, and the Age Discrimination Act of 1975. It makes clear that, among other things, a local governmental entity that accepts Federal financial assistance may not engage in the type of discrimination prohibited by Title VI.
- **Executive Order 12898** (issued February 11, 1994) addresses Environmental Justice regarding minority and low-income populations. Agencies must develop strategies to address disproportionately high and adverse human health or environmental effects of their programs on minority and low-income populations; promote nondiscrimination in federal programs substantially affecting human health and the environment; and provide minority and low-income communities access to public information and an opportunity for public participation in matters relating to human health or the environment.
- **Executive Order 13166** (issued August 16, 2000) addresses access to services for persons with Limited English Proficiency (LEP). Agencies are directed to evaluate services provided and implement a system that ensures that LEP persons are able to meaningfully access the services provided, consistent with, and without unduly burdening the fundamental mission of the local agency. Agencies are directed to ensure that recipients of federal financial assistance provide meaningful access to programs, services and information to their LEP applicants and beneficiaries free of charge. Language barriers have the potential of preventing LEP persons from:
 - Obtaining services and information relating to local government programs, activities, and services.
 - Taking advantage of the transit system, which could affect their jobs and social opportunities.
 - Understanding the benefits to which they are entitled when their home or business is acquired through eminent domain.

Limited English Proficiency (LEP)

Limited English Proficient persons refer to persons for whom English is not their primary language and who have a limited ability to read, write, speak or understand English. It includes people who reported to the U.S. Census that they speak English less than very well, not well or not at all.

LEP person are entitled to language assistance under Title VI of the Civil Rights Act of 1964, and federal assistance recipients shall take reasonable steps to ensure meaningful access to benefits, services, information and other important portions of their programs and activities.

City Governance

The City is governed by an elected Council of ten members. The City is a full-service city with over 450 employees and ten departments.

C. Title VI Statement

Shoreline Metro and the City of Sheboygan, in accordance with Title VI of the Civil Rights Act of 1964, is committed to operating its programs, activities, and services in such a way that no person is excluded from participation in or denied the benefits of a program, activity, or service based on their race, color, national origin, sex, disability, or age. Any person who believes she or he has been aggrieved by any unlawful discriminatory practice under Title VI may file a complaint with the Shoreline Metro or an appropriate state or federal agency. The City's complaint process and complaint forms are included in Appendix B.

Shoreline Metro's objective is to:

- Ensure that its programs, activities, and services are provided without regard to any protected status;
- Promote the full and fair participation of all affected populations in decision making;
- Prevent the denial, reduction, or delay in benefits related programs, activities, and services that benefit minority populations or low-income populations; and
- Ensure meaningful access to programs, activities, and services for persons with Limited English Proficiency.

Shoreline Metro is committed to complying with the Title VI requirements for all programs, activities, and services delivered to the public. This Title VI Program (Program) serves as a guide and reflection of the City's commitment to preserving the civil rights for all individual and group beneficiaries of City programs and services.

D. Title VI Coordinator

The City's Title VI Coordinator is the City Administrator while Shoreline Metro's Title VI Coordinator is the Director of Transit & Parking. They are responsible for the respective Title VI Programs. The Title VI Coordinators provide guidance and technical assistance on Title VI matters and has overall program responsibility for preparing reports and developing program procedures.

Additional assistance to the Title VI Coordinators is provided by the City Attorney, Human Resources Director (e.g., personnel and job applicant issues), the Federal Transit Administration, and other city staff.

Shoreline Metro's Title VI Coordinator's responsibilities include:

- a. Reviewing any future guidance, including Treasury Department directives, regarding LEP persons and taking all necessary action to revise this Program in compliance with future guidance to ensure that LEP persons have meaningful access to the City's programs, services, and activities;
- b. Ensuring the Program, including any revisions, is implemented;
- c. Considering the need for language service for LEP persons when proposing the budget to the Common Council pursuant to Sheboygan Municipal Code § 2-904;
- d. Considering the need for language service for LEP persons when the City conducts programs, services, and activities;
- e. Maintaining a complaint log regarding Title VI complaints;
- f. Promptly processing and resolving Title VI complaints;
- g. Promptly informing the Federal Transit Administration and any other applicable Federal Agency of any complaints of discrimination on the grounds of race, color, or national origin, and limited English proficiency;
- h. Promptly providing documentation of any administrative agency's or court's findings of the City's non-compliance with Title VI to the Federal Transit Administration and efforts to address

- the non-compliance;
- i. Cooperating with any enforcement or compliance review activities regarding Title VI;
- j. Promptly resolving areas of deficiency;
- k. Ensuring that Title VI requirements are included in policy directives and that the procedures used have built-in safeguards to prevent discrimination;
- l. Coordinating the development and implementation of staff training regarding the Title VI program; and
- m. Developing and coordinating Title VI information for public dissemination, including, where appropriate, in languages other than English.

Shoreline Metro's Title VI Coordinator is the Director of Transit & Parking.

Derek Muench
 Director of Transit & Parking
 Sheboygan, WI 53081
 Phone: (920) 459-3140
 E-Mail: Derek.Muench@shorelinemetro.com

E. Title VI Outreach

Title VI information posters shall be prominently and publicly displayed in all Shoreline Metro facilities and on revenue vehicles. The name of the Title VI coordinator is available on the Shoreline Metro website, at www.shorelinemetro.com. Additional information relating to nondiscrimination obligation can be obtained from the Shoreline Metro Title VI Coordinator. During New Employee Orientation, new employees shall be informed of the provisions of Title VI, and the Shoreline Metro expectations to perform their duties accordingly. All employees shall be provided a copy of the Title VI Plan and are required to sign the Acknowledgement of Receipt (see Appendix G).

Customers may access the entire Title VI program for Shoreline Metro at <https://shorelinemetro.com/rider-services/know-your-rights/> or the City's Program at <https://www.sheboyganwi.gov/?s=title+vi>.

F. Subcontracts and Vendors

All subcontractors and vendors who receive payments from Shoreline Metro where funding originates from any federal assistance are subject to the provisions of Title VI of the Civil Rights Act of 1964 as amended. Written contracts shall contain non-discrimination language, either directly or through the bid specification package which becomes an associated component of the contract.

G. Record Keeping

The Title VI Coordinator will maintain all permanent records, which include, but are not limited to, signed acknowledgements of receipt from the employees indicating the receipt of the of Shoreline Metro Title VI Plan, copies of Title VI complaints or lawsuits and related documentation, records of correspondence to and from complainants, and Title VI investigations.

H. Title VI Complaint Procedures

Any person who believes she or he has been discriminated against on the basis of race, color, national origin, sex, disability, or age by Shoreline Metro or the City may file a Title VI complaint by completing and submitting the Title VI Complaint Form. Complaints received within 180 days of the alleged incident will be investigated.

timely and accordingly. Shoreline Metro will process complaints that are complete.

Once the complaint is received, Shoreline Metro and the City will review it to determine if the City has jurisdiction. The complainant will receive an acknowledgement letter informing her or him whether the complaint will be investigated by the City.

The City will make every reasonable effort to complete its investigation of the complaint within 14 days. If more information is needed to resolve the complaint, the City may contact the complainant. The complainant has 10 business days from the date of the letter to send requested information to the investigator assigned to the complaint. If the investigator is not contacted by the complainant or does not receive the additional information within 10 business days, the City may administratively close the case. A case may also be administratively closed if the complainant no longer wishes to pursue their case.

After the investigator reviews the complaint, she or he will issue one of two letters to the complainant: a closure letter or a letter of finding (LOF). A closure letter summarizes the allegations and states that there was not a Title VI violation and that the case will be closed. An LOF summarizes the allegations and the interviews regarding the alleged incident, and explains—to the extent permitted by law—whether any disciplinary action, additional training, or other action will occur. If the complainant wishes to appeal the decision, she/he has 15 days after the date of the closure letter or the LOF to submit a written statement of her/his intent to appeal to the City's Title VI Coordinator. Appeals will be heard by the City's Licensing, Hearings, and Public Safety Committee.

A person may also file a complaint directly with an appropriate state or federal agency.

Complaints may be filed electronically with Shoreline Metro at <https://shorelinemetro.com/about/file-a-complaint/> or by mail to:

Shoreline Metro
Attn: Director of Transit & Parking
608 S Commerce Street
Sheboygan, WI 53081

NOTE: Shoreline Metro encourages all complainants to certify all mail that is sent through the U.S. Postal Service and/or ensure that all written correspondence can be tracked easily. For complaints originally submitted by facsimile, an original, signed copy of the complaint must be mailed to the Title VI Coordinator as soon as possible, but no later than 180 days from the alleged date of discrimination.

What happens to the Complaint after it is Submitted?

All complaints alleging discrimination based on race, color or national origin in a service or benefit provided by Shoreline Metro will be directly addressed by the SHORELINE METRO. SHORELINE METRO shall also provide appropriate assistance to complainants, including those persons with disabilities, or who are limited in their ability to communicate in English. Additionally, SHORELINE METRO shall make every effort to address all complaints in an expeditious and thorough manner.

A letter of acknowledging receipt of complaint will be mailed within seven days (Appendix D). Please note that in responding to any requests for additional information, a complainant's failure to provide the requested information may result in the administrative closure of the complaint.

How will the Complainant be Notified of the Outcome of the Complaint?

Shoreline Metro will send a final written response letter (see Appendix E or F) to the complainant. In the letter notifying complainant that the complaint is not substantiated (Appendix F), the complainant is also advised of his or her right to 1) appeal within seven calendar days of receipt of the final written decision from Shoreline Metro, and/or 2) file a complaint externally with the U.S. Department of Transportation and/or the FTA. Every effort will be made to respond to Title VI complaints within 60 working days of receipt of such complaints, if not sooner.

Once sufficient information for investigating the complaint is received by Shoreline Metro, a written response will be drafted subject to review by the City's attorney. If appropriate, the City attorney may administratively close the complaint. In this case, Shoreline Metro will notify the complainant of the action as soon as possible.

In addition to the complaint process described above, a complainant may file a Title VI complaint with the following office:

Federal Transit Administration Office of Civil Rights
Attention: Title VI Program Coordinator
East Building, 5th Floor – TCR
1200 New Jersey Ave., SE
Washington, DC 20590

I. Limited English Proficiency (LEP) Plan

Introduction and Purpose

This LEP Four Factor Analysis and Language Assistance Plan has been prepared to meet Federal Transit Administration (FTA) requirements to comply with Title VI of the Civil Rights Act of 1964, which prohibits discrimination on the basis of race, color or national origin. As a subrecipient of FTA funds, Shoreline Metro has pledged to take reasonable steps to provide meaningful access to its transit services for persons who either (1) do not speak English as their primary language, and/or (2) have a limited ability to read, speak, write or understand English. The FTA refers to these individuals as Limited English Proficient (LEP) persons.

Executive Order 13166, titled *Improving Access to Services for Persons with Limited English Proficiency*, indicates that differing treatment based upon a person's inability to speak, read, write or understand English is a type of national origin discrimination. It directs each federal agency to publish guidance for its respective recipients clarifying their obligation to ensure that such discrimination does not take place. This order applies to all state and local agencies which receive federal funds, including Shoreline Metro, which receives federal assistance through the U.S. Department of Transportation (USDOT).

The USDOT's FTA Office of Civil Rights publication "Implementing the Department of Transportation's Policy Guidance Concerning Recipients' Responsibilities to LEP Persons – A Handbook for Public Transportation Providers" was utilized in the preparation of this plan.

Summary and Contents

Shoreline Metro has developed this *LEP Four Factor Analysis and Language Assistance Plan* to help identify reasonable steps for providing language assistance to LEP persons who wish to access services provided by t

transit operation. As defined in Executive Order 13166, LEP persons are those who do not speak English as their primary language and/or have limited ability to read, speak, write or understand English.

Contents of the plan include the following:

- A needs assessment based on the four-factor analysis;
- How to identify LEP persons who may need language assistance;
- Identification of ways in which language assistance may be provided;
- Identification of staff training that may be required;
- Procedures to notify LEP persons that assistance is available; and
- Procedures to monitor and update the plan.

LEP Needs Assessment: The Four Factor Analysis

In order to prepare this plan, Shoreline Metro completed the United States Department of Transportation (USDOT) four factor LEP analysis, which assesses the following factors:

1. The number or proportion of LEP persons eligible to be served or likely to be encountered by a program, activity or service of Shoreline Metro.
2. The frequency with which LEP persons come into contact with Shoreline Metro programs, activities or services.
3. The nature and importance of programs, activities or services provided by Shoreline Metro in the lives of LEP persons.
4. The resources available to Shoreline Metro for LEP outreach, as well as the costs associated with that outreach.

A summary of the results of the Shoreline Metro four factor analysis is as follows:

FACTOR #1: The number of proportions of LEP persons eligible to be served or likely to be encountered by a program, activity or service of Shoreline Metro

Sheboygan MPO staff reviewed data from the *2016 – 2020 American Community Survey (ACS)*, and determined that 8,226 persons age 5 and older in the Shoreline Metro transit service area (Cities of Sheboygan and Sheboygan Falls and the Village of Kohler) spoke a language other than English; this amounted to about 15.1 percent of the entire service area population age 5 and older (a population of 54,420). Within the transit service area, some 3,262 persons (6.0 percent) had limited English proficiency; that is, they speak English less than “very well.” Of those persons with limited English proficiency, 1,003 (1.8 percent) spoke Spanish, 348 (0.6 percent) spoke other Indo-European languages, 1,806 (3.3 percent) spoke Asian and Pacific Islander languages (primarily Hmong), and 105 (0.2 percent) spoke other languages. Some 697 of 24,779 households in the transit service area (2.8 percent) were considered linguistically isolated households. The Shoreline Metro transit service area is above the “Safe Harbor” threshold of 5 percent or 1,000 persons within any LEP group speaking a given language in the areas of speakers of Spanish and Asian and Pacific Islander languages (primarily Hmong).

Table 1 shows a breakdown of LEP persons and linguistically isolated households for each census tract in the transit service area from the *2016 – 2020 ACS*. Table 1 indicates that Census Tract 3 had over 700 LEP persons,

while Census Tract 10 had between 500 and 600 LEP persons. Census Tracts 5 and 8 each had between 300 and 400 LEP persons. In addition, two Census Tracts (2.01 and 107) had between 200 and 300 LEP persons. Census Tract 3 had the largest percentage of LEP persons (10.7 percent), followed by Census Tracts 5 (10.1 percent), 2.01 (8.6 percent), and 10 (8.4 percent).

Table 1 also shows that Census Tract 3 had the largest number of linguistically isolated households (217), while three Census Tracts (2.01, 8 and 10) each had between 50 and 100 linguistically isolated households. Census Tract 2.01 had the largest percentage of linguistically isolated households (8.2 percent), followed by Census Tracts 3 (7.0 percent), and 8 (4.2 percent).

Table 1 indicates that in regard to LEP persons, Hmong was a wholly or partially dominant language in seven Census Tracts, while Spanish was also a wholly or partially dominant language in six Census Tracts, Hmong and Spanish were equally dominant in one Census Tract, other Indo-European languages were dominant in one Census Tract, and other languages were dominant in one Census Tract. Table 1 also indicates that in regard to linguistically isolated households, Hmong was the dominant language in eight Census Tracts, while Spanish was the dominant language in six Census Tracts, and other languages were dominant in one Census Tract. One Census Tract had no linguistically isolated households.

Table 1 Limited English Proficient (LEP) Persons and Linguistically Isolated Households 2016 - 2020 American Community Survey (ACS)						
Census Tract	LEP Persons		Predominant Language	Linguistically Isolated Households		Predominant Language
	Number	Percentage		Number	Percentage	
1	158	5.3%	Hmong	12	1.0%	Hmong
2.01	205	8.6%	Hmong	83	8.2%	Hmong
2.02	197	4.7%	Spanish	23	1.2%	Hmong
3	716	10.7%	Hmong	217	7.0%	Hmong
4	144	3.3%	Hmong	49	2.3%	Hmong
5	309	10.1%	Hmong	40	2.5%	Spanish
8	359	7.4%	Spanish	81	4.2%	Spanish
9	146	3.0%	Spanish	25	1.1%	Spanish
10	564	8.4%	Hmong	74	2.6%	Hmong
11	112	3.3%	Spanish/Hmong	12	0.8%	Spanish
106.01	67	1.3%	Other	33	1.3%	Other
106.02	142	3.6%	Spanish	49	2.6%	Spanish
107	233	2.9%	Spanish	4	0.1%	Hmong
108	82	2.5%	Hmong	2	0.1%	Spanish
109	8	0.3%	Spanish	0	0.0%	NA
114	104	4.3%	Indo European	15	1.2%	Hmong

Source: U.S. Bureau of the Census, 2016 - 2020 American Community Survey (Tables B16004 and S1602), 2022; and Bay-Lake Regional Planning Commission, 2022.

Map 1 shows the degree of LEP persons in the various Census Tracts of the Shoreline Metro transit service area (according to the 2016 – 2020 ACS), along with the Shoreline Metro route structure.

Map 2 shows the degree of linguistically isolated households in the various Census Tracts of the Shoreline Metro transit service area (according to the 2016 – 2020 ACS), along with the Shoreline Metro route structure

FACTOR #2: The frequency with which LEP persons come into contact with Shoreline Metro programs, activities or services.

The LEP populations that Shoreline Metro primarily works with mostly speak Spanish and Hmong. Both Spanish and Hmong speaking passengers are primarily located in Census Tracts that surround Sheboygan's central business district, as well as in most other Census Tracts within the City of Sheboygan. These passengers mainly use transit service for school, shopping, work and personal business, with medical and social/recreational trip purposes also being common. Shoreline Metro bus drivers have weekly contact with passengers who speak both languages. Shoreline Metro transit services provide an important link to these groups.

FACTOR #3: The nature and importance of programs, activities or services provided by Shoreline Metro in the lives of LEP persons.

Shoreline Metro considers transit to be an important and essential service for many people living in the transit service area. Shoreline Metro's overall passenger numbers from January 1, 2021, through December 31, 2021, indicate that the transit operation had higher ridership than it did for the same period in 2020. From January 1, 2020, through December 31, 2020, Shoreline Metro had 373,021 unlinked trips, and from January 1, 2021, through December 31, 2021, Shoreline Metro had 420,503 unlinked trips, an increase of 13.2 percent. Shoreline Metro does not track LEP passengers separately.

Services provided by Shoreline Metro that are most likely to encounter LEP persons are the fixed-route transit system which serves the general public, and the demand response paratransit system (including ADA paratransit), which serves primarily elderly and disabled persons.

FACTOR #4: The resources available to Shoreline Metro for LEP outreach, as well as the costs associated with that outreach.

Shoreline Metro has a budget for marketing, a portion of which involves marketing to or communicating with LEP persons in their language about transit services that are available to them. This may include funding for translation services, brochures, flyers, posters, newspaper advertising, radio advertising, website improvements, etc.

Shoreline Metro has access to some Spanish and Hmong speaking staff within its driver pool. Shoreline Metro will also have access to copies of the language identification guide "I Speak" pamphlets from the U.S. Department of Justice website for use in determining an unknown language.

Based on the above LEP needs assessment and four factor analysis, Shoreline Metro developed its LEP language assistance plan as outlined in the following sections.

How Shoreline Metro Staff May Identify an LEP Person who needs Language Assistance

As stated above, data from the 2016 – 2020 American Community Survey (ACS) show that Spanish and Hmong speaking LEP persons are the primary groups requiring language assistance. This information can also be used to identify concentrations of LEP persons within the service area.

Higher percentages of LEP persons can also be identified more accurately by Census Tracts, as was shown in Map 1. In general, there are higher populations of LEP persons in the City of Sheboygan, particularly on the north, northwest, west, southwest and south sides of the city, as well as in two Census Tracts adjacent to the central business district. Identifying concentrations of LEP persons helps to ensure that they receive the necessary language assistance measures.

There are several other measures that can be taken to identify persons who may need language assistance, including the following:

- Examination of records to see if requests for language assistance have been received in the past, either at meetings or over the phone, to determine whether language assistance might be needed at future events.
- When Shoreline Metro sponsors open houses, public meetings or other events, set up a sign-in table and have a staff member greet and briefly speak with each attendee, in order to informally gauge each attendee's ability to speak and understand English.
- Have language identification flashcards from the U.S. Bureau of the Census available at Shoreline Metro events near the registration table. Persons who identify themselves as persons not proficient in English may not be able to be accommodated with translation assistance at the event, but this will assist Shoreline Metro in identifying language assistance needs for future events.
- Vehicle operators and other front-line staff (such as dispatchers and ride schedulers) will be surveyed annually on their experience concerning any contacts with LEP persons during the previous year. The survey will be conducted in the third quarter of each year.

Language Assistance Measures

There are several language assistance measures available to LEP persons, including both oral and written language services. There are also various ways in which Shoreline Metro staff will respond to LEP persons, whether in person, by telephone or in writing, including the following:

- The Shoreline Metro Title VI Policy and LEP Language Assistance Plan will be posted on the Shoreline Metro website, www.shorelinemetro.com.
- Shoreline Metro has added an online translation service to its website, and will include updates to this service on its website if and when they become available.
- The Title VI Complaint form and Contact Form on the website can be translated to accommodate LEP individuals.
- When there is a rapid need for an interpreter, in person or on the telephone, Shoreline Metro staff will work to determine the language of the LEP person and then access local interpreters as needed.
- A "How To" Guide specific for Spanish-speaking individuals is available in print or digital format.

Critical and vital documents will be translated into Spanish. These documents are defined as those documents without which a person would be unable to access services and include:

- Title VI Notice;
 - Posted on all revenue service vehicles;
 - Posted in all customer service locations;
 - Posted on the Shoreline Metro website;
- Interior bus notifications including route changes, detours and rider alerts;
- Interior bus notifications including safety and system information;
- ADA Paratransit application for services;
 - Posted on the Shoreline Metro website;
 - Available in print format as well;

Other service documents including route guides can be translated upon request from an individual.

Shoreline Metro has limited staff among the ranks of its drivers who speak Spanish or Hmong. As Shoreline Metro has openings in its driver pool and in its supervisory staff, attempts will be made to recruit staff with a working knowledge of Spanish or Hmong. Other techniques that may be employed as short-term measures may include asking for assistance from bilingual passengers, and hiring outside professionals to translate many of the items identified above.

Staff Training

It is important that staff members, especially those having contact with the public, know their obligation to provide meaningful access to information and services for LEP persons. Even staff members who do not interact regularly with LEP persons should be aware of and understand the LEP Language Assistance Plan. Proper training of staff is a key element in the effective implementation of the LEP Language Assistance Plan. In order to ensure effective implementation of this plan, Shoreline Metro will schedule training at orientations (for new staff) and at periodic staff/driver meetings (for continuing staff) to review the following items:

- Information regarding Shoreline Metro's Title VI Policy and LEP Language Assistance Plan (including LEP responsibilities);
- Demographic data regarding the LEP population of the transit service area;
- Availability of translated literature regarding Shoreline Metro that can be accessed by LEP persons;
- Description of language assistance services offered to the public;
- Proper use of the language identification flashcards, and specific procedures to be followed when encountering an LEP person;
- Proper documentation of language assistance requests;
- Use of language translation services (office staff only); and
- The responsibility to notify the Transit Director about any LEP person's unmet needs.

At a minimum, these issues will be addressed at meetings on an annual basis. Some of the above issues may be addressed with drivers or with office staff, as needs are determined.

Procedures to Notify LEP Persons that Assistance is Available

There are several ways that Shoreline Metro plans to notify LEP persons in their own language that language assistance measures (through both oral and written communications) are available, including the following:

- At a minimum, public meeting notices and open house announcements will include a statement affirming that Shoreline Metro will make reasonable accommodations to translate pertinent materials into customer languages, or to provide an interpreter upon request.
- When Shoreline Metro schedules a meeting in which the target audience is expected to include LEP persons, then meeting notices, flyers, agendas, and other literature related to the meeting topic(s) will be printed in the alternative language(s) based on the known LEP population.
- Information will be sent to local organizations that work with LEP persons.
- Notices will be placed in alternative language publications and local access cable TV/radio programs (where they exist) advertising Shoreline Metro transit and paratransit services.
- "Vital documents" will be translated into Spanish and Hmong (where determined to be necessary).

Updating and Monitoring of the LEP Language Assistance Plan

This plan is designed to be flexible, and should be viewed as a work in progress. Therefore, it is important to: (1) consider whether new documents and services need to be made accessible for LEP persons; (2) monitor changes in demographics and types of services; and (3) update the LEP Language Assistance Plan when appropriate. At a minimum, Shoreline Metro will follow the Title VI Program update schedule in updating the LEP Language Assistance Plan. Each update should examine the following:

- How many LEP persons were encountered on an annual basis since the last plan?
- Are existing LEP language assistance activities meeting the needs of LEP persons? Have these activities been effective and sufficient to meet such needs?
- What is the current LEP population of the transit service area?
- Has there been a change in the types of languages where services are needed?
- Have available resources (such as technology, staff and finances) changed? Are Shoreline Metro's financial resources sufficient to fund needed language assistance programs?
- Were any complaints received concerning Shoreline Metro's failure to meet the needs of LEP persons?
- Do staff members understand the policies and procedures within the LEP Language Assistance Plan?
- Has Shoreline Metro fully complied with the goals of this LEP Language Assistance Plan?

There are several methods that can be used to assist in answering these questions. One method is to review customer comments and complaints to determine if services are accessible to speakers of other languages. Feedback from the LEP community will be sought through outreach events and presentations to determine the effectiveness of the plan in serving the needs of LEP persons. Census data (involving future releases from the American Community Survey) will also be reviewed as they become available to determine changes in the LEP population.

Dissemination of the LEP Language Assistance Plan

Shoreline Metro will post this LEP Language Assistance Plan on its website, www.shorelinemetro.com.

This plan is also available at no cost in English upon request by telephone, fax, mail or in person. LEP persons may obtain copies or translations of the plan upon request.

Any questions or comments regarding this plan should be directed to:

Derek Muench, Director
Shoreline Metro
608 South Commerce Street
Sheboygan, WI 53081
Phone: (920) 459-3140
FAX: (920) 459-0231
E-Mail Address: Derek.Muench@shorelinemetro.com

I. Community Outreach

Shoreline Metro has developed a comprehensive public participation plan to notify the public regarding service changes, service area changes, and changes in the fare structure. Shoreline Metro appreciates and encourages public participation efforts from citizens living within the current service area and beyond.

Notifications:

Shoreline Metro publishes public notices in a variety of ways. Written communications are posted in the local newspapers (when applicable), on the Shoreline Metro website, the Shoreline Metro Facebook page, and internally on all Shoreline Metro revenue vehicles. Capital projects are published in the classified section of the *Sheboygan Press* whenever Shoreline Metro purchases capital projects using state or federal funds.

Press releases are issued for public input sessions for significant route revisions, changes in service, or fare increases. Public input sessions and hearings are hosted by Shoreline Metro on a per-need basis, usually in conjunction with activities provided through route planning by the Sheboygan Metropolitan Planning Organization (MPO), Bay-Lake Regional Planning Commission.

Postings are made at least thirty (30) days prior to the date of the public input session. Shoreline Metro also allows for at least a thirty (30) comment period on capital purchases or announced service changes before implementation.

Public input attendance and suggestions are documented in conjunction with the input session. Suggestions, ideas and comments are considered based:

- 1) Feasibility of project;
- 2) Financial capacity of Shoreline Metro; and
- 3) Practicality of implementation (greatest good for the majority),

Comments are evaluated based on these factors and incorporated based on evaluation of the criteria.

As an agency receiving federal financial assistance, we have made the following community outreach efforts:

- *SHORELINE METRO has engaged the public in its planning and decision-making processes, as well as its marketing and outreach activities.*

- *Coordinated Public Transit-Human Services Transportation Plan (Coordinated Plan).*
- *Transit Commission meetings are open to the public and public participation is encouraged.*
- *The Transportation Improvement Program (TIP) is a planning document that addresses transportation projects and programs, including public transportation. The TIP is prepared and published by Bay-Lake Regional Planning Commission. Public participation and comment is also encouraged. (Please see Appendix B for the Bay-Lake Regional Planning Commission's Public Participation Plan for the Sheboygan MPO).*
- *Shoreline Metro has a complaint procedure process that encourages customer comments on issues, concerns or questions about Shoreline Metro's services.*

Federal transit law, as amended by "Bipartisan Infrastructure Law (BIL 2021), requires that projects selected for under the Enhanced Mobility of Seniors and Individuals with Disabilities Program (Section 5310) be derived from a coordinated plan. The coordinated plan (last updated in 2020) involved extensive public outreach and involvement. The next full coordinated plan will be updated in 2024.

J. Service Standards

Title VI of the Civil Rights Act of 1964, as amended, as well as subsequent legislation and regulation, seeks to ensure 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. The FTA is the agency that provides oversight to Shoreline Metro's Title VI program.

In October of 2012, the FTA released the most recent update to its Title VI Circular. This circular presents guidance and instructions for recipients of Federal financial assistance to comply with current U.S. Department of Transportation (DOT) Title VI regulations. Changes made in this revision include the addition of several requirements, including the adoption of specific service standards and policies for providers of fixed-route public transportation services, and the policy definitions of what constitutes a major service change, disproportionate burden and disparate impact. Moreover, the updates require the monitoring of these service standards and policies for compliance with Title VI provisions, including disparate-impact and disproportionate-burden effects, with consideration, awareness, and the monitoring results made by the Director of Transit & Parking for the City of Sheboygan and/or the Transit Commission.

TABLE 2 – Fixed Route Service Standards

FTA Standard	Shoreline Metro Term	Shoreline Metro Definition	Calculation
Vehicle Headway	Frequency/Time Between Buses	Maximum scheduled time interval between buses.	Weekday peak-period and day time hours maximum wait time between buses will be 30 minutes; weekday off-peak times and Saturday times maximum wait time between buses shall be 60 minutes.

On Time Performance (OTP)	On Time Performance	Percent adherence to scheduled service.	Routes shall remain on time 95% of the time during normal circumstances (exempting weather, detours, etc.). On time performance is considered up to 5 minutes after the posted pick up times and never ahead of the posted pick up times.
Service Availability	Population served by Shoreline Metro	Percent of a population living near a Shoreline Metro bus stop.	Population living within ¼ mile of a bus stop divided by the total population in the zone. Shoreline Metro has a standard of 90% (currently 96.5%).
Vehicle Load	Load Factor	Average trips provided per bus during one (1) service hour.	Load factors of 12.00 trips per hour under normal operating circumstances with expected trips per hour to be 11.00-13.00 on an average weekday.

These service standards are specifically mentioned in Shoreline Metro's *2021-2025 Transit Development Program (TDP)* and Chapter 5 of the Update to the *Year 2045 Sheboygan Area Transportation Plan (SATP)*, both prepared by the Bay-Lake Regional Planning Commission. Information on Shoreline Metro's *2021 – 2025 TDP*:

https://baylakerpc.org/download_file/view/1352/293

Shoreline Metro has also service policies for amenities and vehicles:

- Shoreline Metro will provide equitable distribution of transit shelters, maps and other resources in buses and at bus stops servicing all transit participating municipalities in the service area.
- Vehicles are assigned by ridership demand. Routes with higher ridership demands will be accommodated by 35 foot coaches with other routes utilizing 29 foot and 35 foot coaches.
- Shoreline Metro will make all its publications, service provisions, maps, policies and updates available on its website (www.shorelinemetro.com) and on its Facebook page (www.facebook.com/shorelinemetro).

TABLE 3 – Paratransit Service Standards

FTA Standard	Shoreline Metro Term	Shoreline Metro Definition	Calculation
Vehicle Load	Load Factor	Average trips provided per bus during one (1) service hour.	Load factors of 2.5 trips per hour under normal operating circumstances with expected trips per hour to be 2.40 to 2.70 on an average weekday.
On Time Performance (OTP)	Schedule Adherence	Percent adherence to scheduled service.	Trips shall not pick up more than 15 minutes early or more than 15 minutes late with 95% of all trips provided within this window.

Shoreline Metro also has service goals that include:

- A denial rate of 0% (100% of all trips provided within service standards as outlined in the 2022 Paratransit Program for Shoreline Metro.
- Shoreline Metro will not provide lengthy trips (trip lengths of more than 60 minutes in duration) under normal circumstances (exempting weather, construction/detours, accidents, etc.).

Shoreline Metro has established policies for major service change, disparate impact, and disproportionate burden, as shown in Table 4 below:

TABLE 4 – Major Service Changes*

Parameters	Shoreline Metro Term	Anticipated Service Change
Span	Change in span of service on a route or routes of 1-hour or more in a single fiscal year (calendar year).	No
Frequency	Change in revenue miles on a route or routes of more than 10% in a single fiscal year (calendar year).	No
Coverage/Availability	Change in availability of route service of more than 10% in a single fiscal year (calendar year).	No
Fares	Change in adult cash fare (increase or decrease).	No

*All major service changes require a public hearing and approval from the Transit Commission before implementation.

Appendix A – Title VI Policy

The Shoreline Metro Title VI Policy is displayed in all revenue vehicles, at both public facilities for passengers and customers to view and on the Shoreline Metro website, www.shorelinemetro.com. The policy is posted in both English and Spanish. The policy states:

"Title VI of the Civil Rights Act of 1964 prohibits discrimination on the basis of race, color, or national origin in programs & activities receiving Federal financial assistance. (42 U.S.C. Section 2000d).

Shoreline Metro is committed to practicing non-discrimination. If you believe you have been subjected to discrimination you may file a complaint with the Shoreline Metro Title VI Coordinator.

For more information you may visit us at shorelinemetro.com & view the "Riders Rights" page by clicking on the Riders Services tab or you may call the Shoreline Metro Title VI Officer at 920.459.3285."

Further, no person shall, on the grounds 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.

All employees of the Shoreline Metro are expected to consider, respect, and observe this policy in their daily work and duties. Citizens wishing to file a Title VI complaint shall do so to the attention of the Director of Transit & Parking. In all dealings with citizens use courtesy titles (i.e. Mr., Mrs., Ms., or Miss) to address them without regard to race, color or national origin.

Appendix B – Sheboygan MPO Public Participation Plan: 2020 Update (Bay-Lake Regional Planning Commission)

The *2020 Sheboygan MPO Public Participation Plan Update (September 2020)*. A link to this document can be found at:

https://baylakerpc.org/download_file/view/1178/240

Appendix C – Title VI Complaint Form

Section I				
Name:				
Address:				
Telephone (Home/Cell):		Telephone (Work):		
Email:				
Do you require an accessible format?	Large Print		Audio Tape	
	TTY/TDD		Other	
Section II				
Are you filing this complaint on your own behalf?			Yes	No
If you answered "yes" to this question, go to Section III.				
If not, please supply the name and relationship of the person for whom you are filing:				
Have you obtained permission from this person?				
Please explain why you are filing for this person:				
Section III				
I believe the discrimination I experienced was based on (check all that apply): () race () color () national origin () sex () disability () age _____				
Date of Alleged Discrimination (month, day, year):				
Explain as clearly as possible what happened and why you believe you were discriminated against. Describe all persons who were involved. Include the name and contact information of the person(s) who discriminated against you (if known) as well as names and contact information of any witnesses.				
Section IV				
Have you previously filed a Title VI complaint with the City of Sheboygan?			Yes	No
Contact name:				
Telephone number:				
Section V				
Have you filed this complaint with any other federal, state or local agency or with any federal or state court?				
If yes, check all that apply:				
() Federal Agency:		() Federal Court:		
() State Agency:		() State Court:		
() Local Agency:		() Local Court:		
Please provide contact information for the person you spoke to at the above agency:				
Name:		Title:		
Agency:				
Address:				
Telephone:				

You may attach any written materials or other information that you think is relevant to your complaint. Your signature and date are required below:

Signature

Date

This form is also available on the Shoreline Metro website at <https://shorelinemetro.com/about/file-a-complaint/>. This form (along with the print form) is available in Spanish.

The City of Sheboygan and Shoreline Metro operates without regard to race, color or national origin.

If you need assistance completing this form, contact the Director at Shoreline Metro at 920-459-3140 or via email at derek.muench@shorelinemetro.com.

Please submit this form in person or by mail to:

Shoreline Metro
Title VI Coordinator
608 S Commerce Street
Sheboygan, WI 53081

Appendix D – Racial Breakdown of Transit Commission

Shoreline Metro is governed by an authoritative Transit & Parking Commission consisting of nine (9) members, including three (3) elected Common Council members, the Mayor, two (2) City Department Heads, and three (3) Mayoral Appointees. Aldermen are appointed to one (1) year terms, and Mayoral Appointees are appointed to three (3) year staggered terms. The three (3) City Department Heads are standing appointments.

The Transit & Parking Commission meets bi-monthly on the third Tuesday of the month. Mayoral appointments have been traditionally local business owners or citizens with transit and parking interests. Some appointments have had an interest in local government and being involved in some capacity. Most appointments have been on a referral basis.

In the past, the Transit & Parking Commission had members of a minority class. Shoreline Metro does encourage women and minorities to apply. Here is the current racial breakdown of the Transit & Parking Commission:

Commission Member	White/ Caucasian	Black/African- American	Hispanic	Native American	Asian/Pacific Islander
Mayor	X				
Alderman – Chair of Finance & Personnel		X			
Alderman – Chair of Public Protection & Safety	X				
Alderman – Chair of Public Works	X				
Police Chief	X				
Planning Director	X				
Citizen Appointee #1	X				
Citizen Appointee #2	X				
Citizen Appointee #3	X				
Transit Director (ex-officio)	X				

Appendix E – Title VI Notice of Rights Poster (English)

TITLE VI NOTICE OF RIGHTS

The City of Sheboygan operates its programs and services without regard to race, color, national origin, sex, disability, or age in accordance with Title VI of the Civil Rights Act of 1964 and other state and federal laws. If you believe you have been subjected to discrimination in violation of state or federal law, you may file a written complaint with the City. Depending on the nature of your claim, you may also be able to file a complaint with a state or federal agency or with a state or federal court. For more information:

***Title VI Coordinator
608 S Commerce Street
Sheboygan, WI 53081
(920) 459-3140***



Appendix E – Title VI Notice of Rights Poster (Spanish)

TITULO VI CONOZCA SUS DERECHOS

Shoreline Metro cumple con el Título VI de la Ley de Derechos Civiles de 1964, que “prohíbe la discriminación por motivos de raza, color u origen nacional en programas y actividades que reciben asistencia financiera federal. Específicamente, el Título VI establece que “ninguna persona en los Estados Unidos, por motivos de raza, color u origen nacional, será excluida de la participación, se le negarán los beneficios o será objeto de discriminación en virtud de cualquier programa o actividad que reciba Asistencia financiera federal”. (42 USC Sección 2000d).”

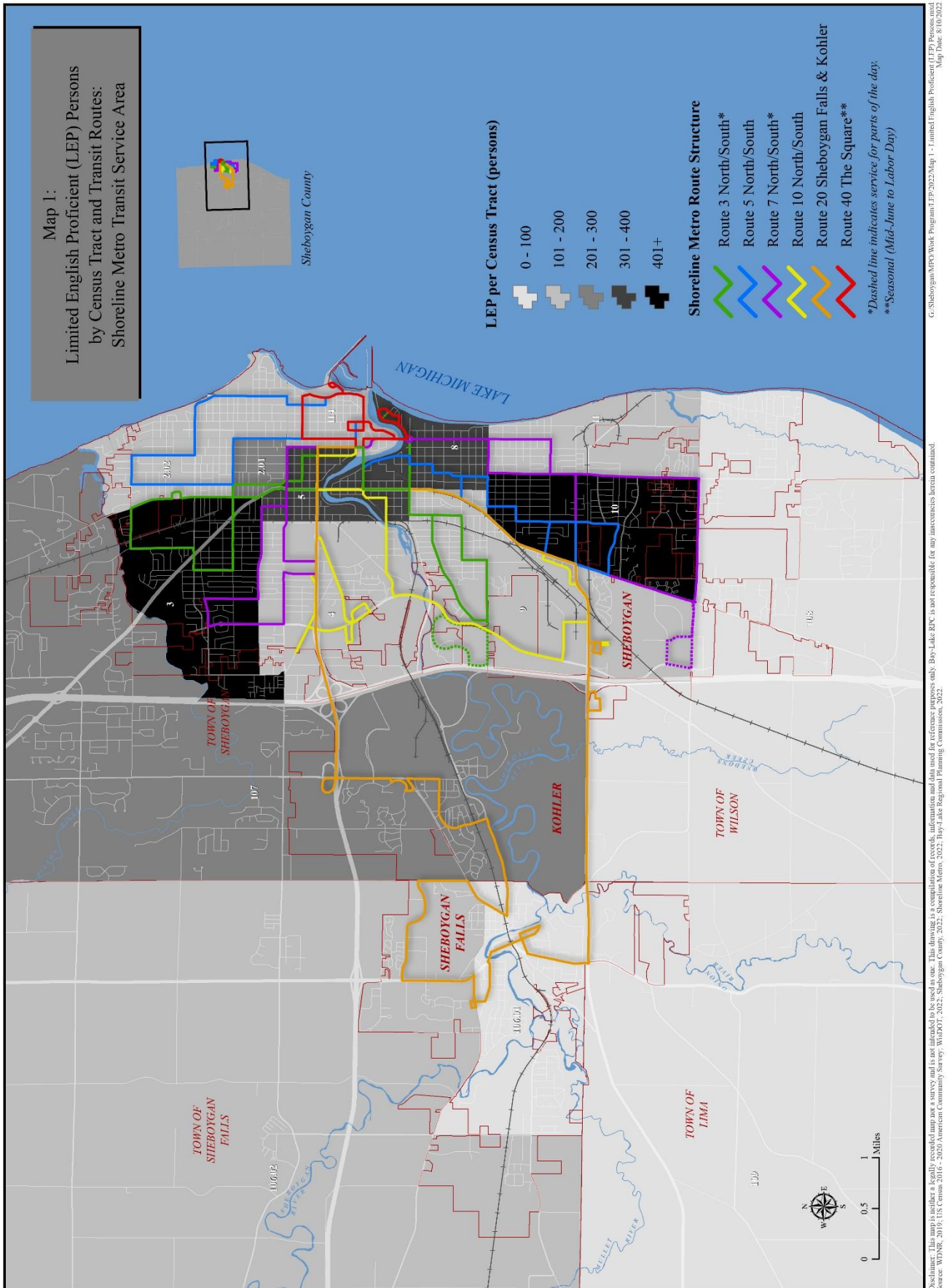
Cualquier persona que crea que él o ella, individualmente o como miembro de una clase específica de personas, ha sido objeto de discriminación por motivos de raza, color u origen nacional puede presentar una queja por escrito.

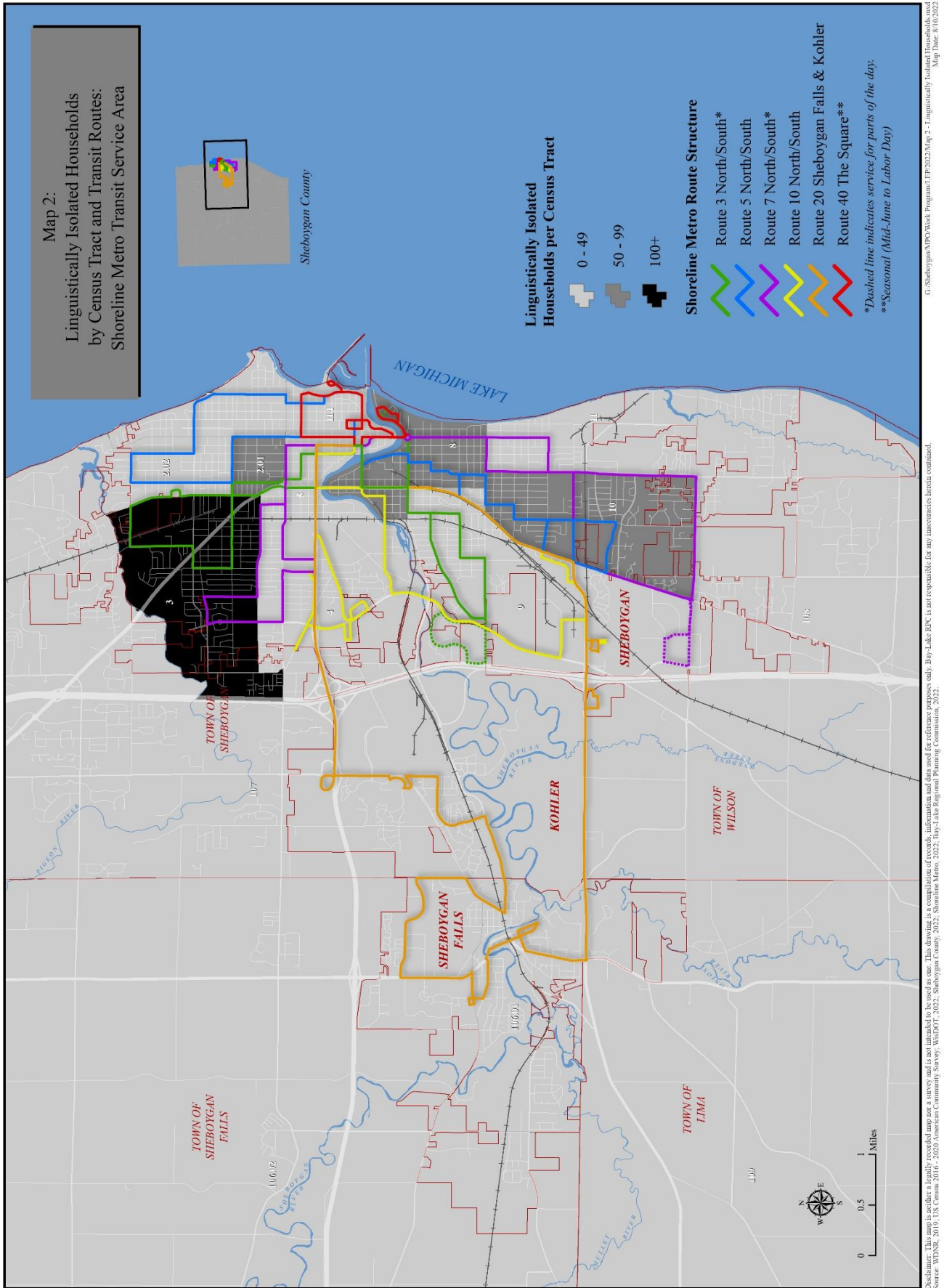
**Coordinador de Título VI
(920) 459-3140**



 **SHORELINE**
METRO.COM

Appendix F – Limited English Proficient and Linguistically Isolated Households Maps





Appendix G - Timeline of Versions and Updates

Original Version	October 1999
First Update.....	April 2008
Second Update.....	July 2011
Third Update.....	June 2014
Fourth Update.....	November 2014
Fifth Update	January 2017
Sixth Update	January 2020
Seventh Update.....	May 2021
 Second Version.....	 December 2022

Appendix H – Acknowledgement of Receipt of Title VI Plan

Title VI of the Civil Rights Act of 1964 states: "No person shall, on the grounds of race, color, national origin, sex, disability, or age be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any program or activity receiving federal financial assistance." 42 U.S.C. § 2000d.

Employees of the City of Sheboygan are expected to consider, respect, and observe this policy. Citizen questions or complaints shall be directed to Shoreline Metro's Title VI Coordinator.

I hereby acknowledge receipt of Shoreline Metro's Title VI Program. I hereby acknowledge having participated in training about Shoreline Metro's Title VI Program.

I have read Shoreline Metro's Title VI Program and am committed to ensuring that no person is excluded from participation in, or denied the benefits of programs, activities, or services delivered by the City of Sheboygan on the basis of race, color, or national origin, as protected by Title VI.

Signature

Print Name

Date

CITY OF SHEBOYGAN

REQUEST FOR TRANSIT COMMISSION CONSIDERATION

ITEM DESCRIPTION: 7. Title VI Program for Shoreline Metro

REPORT PREPARED BY: Derek Muench, Director of Transit & Parking

REPORT DATE: 11/16/2022

MEETING DATE: 11/29/22
FISCAL SUMMARY:

Budget Line Item:	N/A
Budget Summary:	N/A
Budgeted Expenditure:	N/A
Budgeted Revenue:	N/A

STATUTORY REFERENCE:

Wisconsin	N/A
Statutes:	
Municipal Code:	N/A

BACKGROUND / ANALYSIS:

Shoreline Metro maintains the Title VI program as a requirement of receiving federal (FTA) funds to operate public transit services. The Title VI Program has been updated and is presented today for consideration and approval. The Title VI Program is maintained and implemented by the Director of Transit & Parking.

STAFF COMMENTS:

The Director of Transit & Parking presents the Title VI program for consideration, review and approval. The title VI Program is in accordance with federal regulations and any other statutes. The Director serves as the oversight for the Title VI program assures compliancy of policies on behalf of the Transit Commission.

Title VI Program

- a. Updated for calendar year 2023 submission;
- b. Program is uploaded to FTA every three years;
- c. No major changes to the program;
- d. Updated Limited English Proficiency (LEP) data and maps;

ACTION REQUESTED:

Motion to accept the Title VI program as presented by the Director of Transit and Parking and authorize implementation of the Title VI program in accordance with FTA requirements by the Director of Transit and Parking.

ATTACHMENTS:

- I. Title VI Program

CITY OF SHEBOYGAN

REQUEST FOR TRANSIT COMMISSION CONSIDERATION

ITEM DESCRIPTION: 8. 2023 Public Transit Agency Safety Plan for Shoreline Metro

REPORT PREPARED BY: Derek Muench, Director of Transit & Parking

REPORT DATE: 11/16/22

MEETING DATE: 11/29/22
FISCAL SUMMARY:

Budget Line Item:	N/A
Budget Summary:	N/A
Budgeted Expenditure:	N/A
Budgeted Revenue:	N/A

STATUTORY REFERENCE:

Wisconsin	N/A
Statutes:	
Municipal Code:	N/A

BACKGROUND / ANALYSIS:

The Public Transportation Agency Safety Plan (PTASP) final rule (49 C.F.R. Part 673) requires certain operators of public transportation systems that are recipients or subrecipients of FTA grant funds to develop safety plans that include the processes and procedures necessary for implementing Safety Management Systems (SMS). As a recipient of Section 5307 funds, Shoreline Metro is required to meet the requirements of the final rule on The Public Transportation Agency Safety Plan. Shoreline Metro, in accordance with the final rule, opted to create its own plan rather than have the Wisconsin Department of Transportation draft the plan on our behalf. Bay-Lake Regional Planning Commission assisted with the creation of Shoreline Metro's Public Transportation Agency Safety Plan.

The Shoreline Metro Safety Advisory Committee has reviewed and approved the PTASP on Saturday November 19, 2022 in accordance with the requirements set forth by FTA.

STAFF COMMENTS:

Shoreline Metro's mission is to provide safe transportation services for its customer and has had a longstanding practice of operating a safe transit system. Many of the requirements of the PTASP have already been in place for many years with the entire Shoreline Metro team dedicated to safety and safe policies and procedures.

The key players in the Public Transportation Agency Safety Plan include:

- Director of Transit & Parking
 - Accountable Executive of the Plan
- Safety and Training Coordinator
 - Chief Safety Officer and Safety Manager
- Bus Operators (35)

- Maintenance
 - Mechanics
- Supervisors
 - Operations Supervisors (2)

Shoreline Metro's plan meets the FTA requirements set forth in 2020 for public transit agencies.

ACTION REQUESTED:

Staff recommends the approval of the 2023 Public Transportation Agency Safety Plan for Shoreline Metro and place on file.

ATTACHMENTS:

- I. 2023 Public Transit Agency Safety Plan for Shoreline Metro



Public Transportation Agency Safety Plan



49 CFR 673.11(d)

A State must draft and certify a Public Transportation Agency Safety Plan on behalf of any small public transportation provider that is located in that State. A State is not required to draft a Public Transportation Agency Safety Plan for a small public transportation provider if that agency notifies the State that it will draft its own plan. In each instance, the Transit Agency must carry out the plan. If a State drafts and certifies a Public Transportation Agency Safety Plan on behalf of a Transit Agency, and the Transit Agency later opts to draft and certify its own Public Transportation Agency Safety Plan, then the Transit Agency must notify the State. The Transit Agency has one year from the date of the notification to draft and certify a Public Transportation Agency Safety Plan that is compliant with this part. The Public Transportation Agency Safety Plan drafted by the State will remain in effect until the Transit Agency drafts its own Public Transportation Agency Safety Plan.

TRANSIT AGENCY INFORMATION

Transit Agency	Name	Address		
	Shoreline Metro	608 S Commerce St Sheboygan, WI 53081		
	Name	Title		
Accountable Executive	Derek Muench	Director of Transit & Parking		
Chief Safety Officer	Valentine "Bud" Schultz	Safety & Training Coordinator		
Mode(s) of Service Covered by This Plan:	List All FTA Funding Types (e.g., 5307, 5337, 5339):			
Fixed Route and Paratransit Service	5307, 5310, 5339, CMAQ			
Mode(s) of Service Provided by the Transit Agency (Directly operated or contracted service)				
Fixed Route – Directly Operated				
Paratransit – Directly Operated				
Does the agency provide transit services on behalf of another Transit Agency or entity?	Yes	No	Description of Arrangement(s)	
		X		
Transit Agency(ies) or Entity(ies) for which Service Is Provided	Name	Address		

PLAN DEVELOPMENT, APPROVAL, AND UPDATES

Approval by Safety Committee	Approving Entity	Date of Approval
	Shoreline Metro Safety Advisory Committee	11/19/2022
Approval by Board of Directors (or Equivalent)	Approving Entity	Date of Approval
	Sheboygan Transit Commission	11/29/2022
	Members	
	Aldersperson Dean Dekker	
	Aldersperson Barb Felde	
	Aldersperson Trey Mitchell	
	Mayor Ryan Sorenson	
	Heather Cleveland, Citizen Member (Chair)	
	Sara Knaub, Citizen Member (Vice-Chair)	
	Roy Kluss, Citizen Member	
	Chris Domagalski, Sheboygan Chief of Police	
	Chad Pelishek, Director of Planning & Development Dept.	
Certification by Accountable Executive of Compliance with Part 673	Signature	Date of Signature
		11/29/2022

Activity Log

Complete history of successive versions of this plan

[illegible]

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Definitions and Acronyms

The following definitions may be used throughout the document, and correspond to the definitions provided in 49 CFR 673.5:

Accident means an “event,” as defined below, that involves any of the following:

1. A loss of life;
2. A report of a serious injury to a person;
3. A collision of public transportation vehicles; or
4. An evacuation for life safety reasons.

Accountable Executive means a single, identifiable individual who has ultimate responsibility for carrying out the Public Transportation Agency Safety Plan (as defined below) of a public transportation agency; responsibility for carrying out the agency’s Transit Asset Management Plan (as defined below); and control or direction over the human and capital resources needed to develop and maintain both the agency’s Public Transit Agency Safety Plan, in accordance with 49 U.S.C. 5329(d), and the agency’s Transit Asset Management Plan in accordance with 49 U.S.C. 5326.

Chief Safety Officer means an adequately trained individual who has responsibility for safety and reports directly to a transit agency’s chief executive officer, general manager, president, or equivalent officer. A Chief Safety Officer may not serve in other operational or maintenance capacities, unless the Chief Safety Officer is employed by a transit agency that is a small public transportation provider as defined in this part, or a public transportation provider that does not operate a rail fixed guideway public transportation system.

Equivalent Authority means an entity that carries out duties similar to a Board of Directors, for a recipient or subrecipient of FTA funds under 49 U.S.C. Chapter 53, including sufficient authority to review and approve a recipient or subrecipient’s Public Transportation Agency Safety Plan.

Event means an “accident,” as defined above, or “incident” or “occurrence” (each as defined below).

FTA means the Federal Transit Administration, an agency within the United States Department of Transportation.

Hazard means any real or potential condition that can cause injury, illness or death; damage to or loss of the facilities, equipment, rolling stock or infrastructure of a public transportation system; or damage to the environment (as defined below).

Incident means an “event” (as defined above) that involves any of the following:

1. A personal injury that is not a serious injury;
2. One or more injuries requiring medical transport; or
3. Damage to facilities, equipment, rolling stock or infrastructure that disrupts the operations of a transit agency.

Investigation means the process of determining the causal and contributing factors of an “accident,” “incident” or “hazard” (each as defined here), for the purpose of preventing recurrence and mitigating risk.

National Public Transportation Safety Plan means the plan to improve the safety of all public transportation systems that receive federal financial assistance under 49 U.S.C. Chapter 53.

Occurrence means an “event” (as defined above), without any personal injury in which any damage

to facilities, equipment, rolling stock or infrastructure does not disrupt the operations of a transit agency.

Operator of a public transportation system means a provider of public transportation as defined under 49 U.S.C. 5302(14).

Performance Measure means an expression based on a quantifiable indicator of performance or condition that is used to establish targets and to assess progress toward meeting the established targets.

Performance Target means a quantifiable level of performance or condition, expressed as a value for the measure, to be achieved within a time period required by the FTA.

Public Transportation Agency Safety Plan means the documented comprehensive agency safety plan for a transit agency that is required by 49 U.S.C. 5329 and this part.

Risk means the composite of predicted severity and likelihood of the potential effect of a hazard.

Risk Mitigation means a method or methods to eliminate or reduce the effects of hazards.

Safety Assurance means processes within a transit agency's Safety Management System that function to ensure the implementation and effectiveness of safety risk mitigation, and to ensure that the transit agency meets or exceeds its safety objectives through the collection, analysis and assessment of information.

Safety Management Policy means a transit agency's documented commitment to safety, which defines the transit agency's safety objectives and the accountabilities and responsibilities of its employees in regard to safety.

Safety Management System (SMS) means the formal, top-down, organization-wide approach to managing safety risk and assuring the effectiveness of a transit agency's safety risk mitigation. SMS includes systematic procedures, practices and policies for managing risks and hazards.

Safety Performance Target means a performance target related to safety management activities.

Safety Promotion means a combination of training and communication of safety information to support SMS as applied to the transit agency's public transportation system.

Safety Risk Assessment means the formal activity whereby a transit agency determines Safety Risk Management priorities by establishing the significance or value of its safety risks.

Safety Risk Management means a process within the transit agency's Public Transportation Agency Safety Plan for identifying hazards and analyzing, assessing and mitigating safety risk.

Serious Injury means any injury which:

1. Requires hospitalization for more than 48 hours, commencing within seven days from the date of the injury that was received;
2. Results in a fracture of any bone (except simple fractures of fingers, toes or noses);
3. Causes severe hemorrhages, nerve, muscle or tendon damage;
4. Involves any internal organ; or
5. Involves second- or third-degree burns, or any burns affecting more than five percent of the body surface.

Small Public Transportation Provider means a recipient or subrecipient of federal financial assistance under 49 U.S.C. 5307 that has one hundred (100) or fewer vehicles in peak revenue service and does not operate a rail fixed guideway public transportation system.

State means a State of the United States, the District of Columbia, Puerto Rico, the Northern Mariana Islands, Guam, American Samoa, and the Virgin Islands.

State of Good Repair means the condition in which a capital asset is able to operate at a full level of performance.

Transit Agency means an operator of a public transportation system.

Transit Asset Management Plan means the strategic and systematic practice of procuring, operating, inspecting, maintaining, rehabilitating and replacing transit capital assets to manage their performance, risks and costs over their life cycles, for the purpose of providing safe, cost-effective and reliable public transportation, as required by 49 U.S.C. 5326 and 49 CFR Part 625.

In addition, the following acronyms may be used throughout the document:

CFR	-	Code of Federal Regulations
CSO	-	Chief Safety Officer
FTA	-	Federal Transit Administration
MAP-21	-	Moving Ahead for Progress in the 21st Century Act
NTD	-	National Transit Database
PTASP	-	Public Transit Agency Safety Plan
SGR	-	State of Good Repair
SMS	-	Safety Management System
SOP	-	Standard Operating Procedure
TAM	-	Transit Asset Management
U.S.C.	-	United States Code

Background

The Moving Ahead for Progress in the 21st Century Act (MAP-21) grants the Federal Transit Administration (FTA) the authority to establish and enforce a comprehensive regulatory framework to oversee the safety of public transportation throughout the United States. As a component of this safety oversight framework, MAP-21 requires certain recipients of FTA Chapter 53 funding to develop and implement a Public Transportation Agency Safety Plan (PTASP).

In addition to greater safety oversight responsibilities, MAP-21's grant of expanded regulatory authority puts FTA in a position to provide guidance to transit agencies that strengthens the use of safety data to support management decisions, improves the commitment of transit leadership to safety, and fosters a culture of safety that promotes awareness and responsiveness to safety risks. The framework to this approach is called a safety management system (SMS), which moves the transit industry toward a more holistic, performance-based approach to safety. The SMS framework has been adopted by FTA in its National Public Transportation Safety Plan ("national safety plan").

The PTASP for Shoreline Metro supports and is consistent with an SMS approach to safety risk management. SMS is an integrated collection of policies, processes and behaviors meant to ensure a formalized, proactive and data-driven approach to safety risk management. The aim of an SMS is to increase the safety performance of transit systems by proactively identifying, assessing and controlling safety risks. The approach is meant to be flexible and scalable, so that transit agencies of all types and sizes can efficiently meet the basic requirements of MAP-21. The PTASP for Shoreline Metro addresses the following elements, outlined in Table 1 (below):

Table 1: Elements of a Public Transportation Agency Safety Plan (PTASP)

Element	Definition
Safety Management Policy Statement	A policy statement establishing senior management commitment to continual safety improvement, signed by the executive accountable for the operation of the agency and the board of directors.
Document Control	A description of the regular annual process used to review and update the plan, including a timeline for implementation of the process.
Core Safety Responsibilities	A description of the responsibilities, accountabilities, and authority of the accountable executive, the key safety officers, and key members of the safety management team.
Safety Training Program	A description of the comprehensive safety training program for agency staff that ensures that staff are trained and competent to perform their safety duties.
Safety Risk Management	A description of the formal processes the agency uses to identify hazards, analyze and assess safety risks, and develop, implement and evaluate risk controls.
Safety Risks	A description of the most serious safety risks to the public, personnel, and property.
Risk Control	A description of the risk control strategies and actions that the agency will undertake to minimize exposure of the public, personnel, and property to hazards, including a schedule for implementing the risk control strategies and the primary entity responsible for each strategy.
Safety Assurance	A list of defined safety performance indicators for reaching priority risk and associated targets the agency will use to determine if it is achieving the specified safety goals.
Desired Safety Outcomes	A description of desired safety outcomes for each risk using the measurable safety performance indicators established.

Chapter 1: Safety Policies and Procedures

Section 1.1 Commitment to Safety

Safety is a core value of Shoreline Metro, and managing safety is a core business function of the transit system. Shoreline Metro is committed to developing, implementing, maintaining and continuously improving processes to ensure the safety of its customers, employees and the public. Shoreline Metro will use safety management processes to direct the prioritization of safety and allocate its organizational resources (people, processes and technology) in balance with its other core business functions. Shoreline Metro aims to support a robust safety culture and achieve the highest level of safety performance, meeting all established safety standards.

All levels of management and all frontline employees are accountable for the delivery of the highest level of safety performance, starting with the Director of Shoreline Metro.

Shoreline Metro is committed to:

Executive Commitment to Safety: Executive Management will lead the development of an organizational culture that promotes safe operations and provides appropriate resources to supporting this core management function through fostering and ensuring safe practices, improving safety when needed, and encouraging effective employee safety reporting and communication. Shoreline Metro will hold executives, managers and all employees accountable for safety performance.

Communication and Training: Employee engagement is crucial to a functioning safety management system (SMS). Communication systems will be put in place to enable greater awareness of Shoreline Metro's safety objectives and safety performance targets as well as to provide ongoing safety communication up, down and across the organization. All levels of management must proactively engage employees and work to keep the lines of safety communication honest and open. All employees will be made aware of Shoreline Metro's SMS and will be trained in safety reporting procedures.

Responsibility and Accountability: All levels of management will be responsible for delivering safe and quality transit services that represent Shoreline Metro's performance of its SMS. Managers will take an active role in the Safety Risk Management (SRM) process and ensure that Safety Assurance (SA) functions are supported. Managers are responsible for ensuring that SRM is being performed in their operational areas of control to assure that the safety risk associated with safety hazards is assessed and mitigated. Safety performance will be an important part of performance evaluations for Shoreline Metro managers and employees.

Responsibility of Employees and Contractors: All employees and contractors will support safety management by ensuring that hazards are identified and reported.

Employee Reporting: Executive management will establish a safety reporting program as a viable tool for employees to voice their safety concerns. All frontline employees will be responsible for utilizing this program as part of the SMS. No action will be taken against any employee who communicates a safety condition through the Shoreline Metro safety reporting program unless such disclosure indicates the following: an illegal act, gross misconduct or negligence, or a deliberate or willful disregard of Shoreline Metro rules, policies and procedures.

Performance Monitoring and Measuring: Shoreline Metro will establish realistic measures of safety performance and will establish safety performance targets to ensure continual improvement in safety performance. Managers will verify that the safety risk mitigations put in place are appropriate and effective.

Review and Evaluation: Shoreline Metro will measure SMS performance by: analyzing key safety performance indicators; reviewing inspections, investigations and corrective action reports; and auditing the processes that support the SMS. These activities will become the basis for revising or developing safety objectives, safety performance targets and plans with the goal of continuous safety improvement.

Other policies and plans that detail specific safety related topics at Shoreline Metro are listed below. These are in addition to any measures implemented in the PTASP. When policies are updated, all employees will receive a new written copy of the policy.

- Transit Employees Approach Manual (T.E.A.M.) on Departmental Policies, Procedures and Best Practices
- Security Assessment Program
- City Emergency Operations Plan
- City Anti-Harassment
- Drug & Alcohol Policy
- Prescription Drug Policy
- Drug-Free Workplace Policy
- Preventative Maintenance Program
- Paratransit Program
- Labor Agreement

Section 1.2 Annual PTASP Review and Update

Shoreline Metro management (including the Safety Manager) will review the PTASP annually by June 15 and update the document as necessary. Any updates made will be presented to the Accountable Executive for review who will then forward the document to the Sheboygan Transit Commission for approval at its meeting the third Tuesday in July to allow the agency to timely submit to any annual or other periodic reviews, including its annual self-certification of compliance. At a minimum, annual self-certification will consist of both the Accountable Executive and Board of Directors (Sheboygan Transit Commission) signing and dating this document.

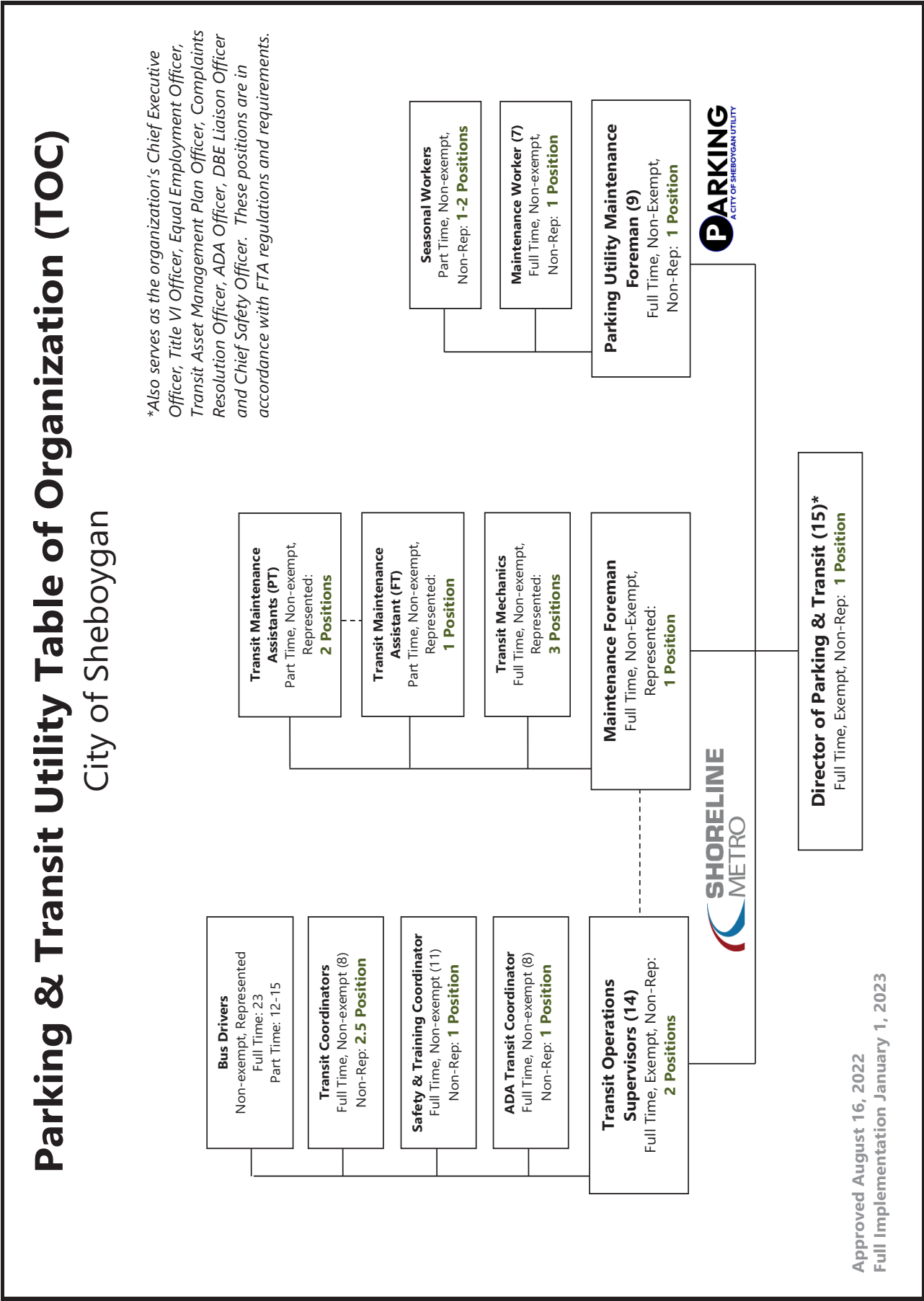
Frontline employees, as well as all others, are furnished with a copy of this plan and are able to make suggestions of changes to the plan to the Accountable Executive or CSO at any time. The CSO conducts quarterly safety meetings where staff is able to discuss safety and this plan.

Section 1.3 Organization Structure and System Safety Responsibilities

While the Accountable Executive has the ultimate responsibility for Shoreline Metro's implementation of its PTASP, Shoreline Metro's executive management has the overall responsibility of safe and secure operations of Shoreline Metro and contract service operators. Each employee is required to carry out specific safety responsibilities, depending on the employee's position, in compliance with the PTASP.

The information provided in the Staff Safety Roles and Responsibilities table (Appendix A) describes each position and general system safety responsibilities, and the agency's reporting structure.

Table 2: Transit & Parking Utility Table of Organization (TOC)



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Chapter 2: Safety Risk Management

Section 2.1 Hazard Identification

Establishing an effective hazard identification program is fundamental to safety management at Shoreline Metro. Hazard identification can come from many sources, including FTA, manufacturers, safety bulletins, and public reports on safety information. Hazard identification can be reactive or proactive in nature: safety event reporting, incident investigation, and trend monitoring are essentially reactive; other hazard identification methods proactively seek feedback through data collection, observation and day-to-day operations analysis. Common hazard identification activities include:

- Safety assessments
 - Assessments are conducted in collaboration with the City of Sheboygan Human Resources department, Shoreline Metro, and Transit Mutual Insurance (TMI)
 - TMI safety audit
 - TMI mystery riders approximately 20 times per year
 - Lead Mechanic monitors the facility and rolling stock preventative maintenance schedules to ensure compliance.
- Trend monitoring
 - Shoreline Metro receives reports from TMI regarding trends within our system as well as all the transit systems in the state of Wisconsin.
 - Shoreline Metro receives reports from the City of Sheboygan Human Resources department in regards to current safety trends within City departments.
 - Shoreline Metro also analyzes Worker's Comp claims to look for similarities and trends in causes.
 - The Safety Supervisor tracks and categorizes every incident and accident that occurs and trends are discussed quarterly at Safety Meetings. Information is also shared via the Safety Team which is made up of representatives from each division within Shoreline Metro.
- Hazard and safety event reporting (with causal factor analysis)
 - Hazards will be monitored by utilizing Appendices D through F which are updated frequently.
- Safety surveys
 - Employees can report safety concerns, such as poor road conditions or communication issues, either by email, phone or in-person. Suggestions can also be submitted by writing concerns on a piece of paper and placing them in the safety suggestion box located in the break room which will be checked periodically by a Supervisor. Suggestions will then be evaluated by the Safety Team. If a suggestion is approved by the Safety Team, it will be brought to the Transit Director for final approval and implementation.
- Safety audits
 - Route qualification audits, which ensure that all operators are qualified to drive all routes.
 - Recertification on safe driving techniques.
 - Observation audits conducted by an Operations Supervisor riding along with a

operator to evaluate their adherence to policy. Observation audits are also done by reviewing video from the bus. Checks are done on the Operator's adherence to safety policies, their uniforms, their customer relation skills and the general operation of the bus. Upon conclusion of the ride along, time is scheduled with the Operator to go over the results and discuss what was done well and what areas could be improved upon.

- Hours of service audits conducted daily when creating Operators driving schedules to ensure no driver is allowed to drive for more than 12.0 hours per day in accordance with department policy.
- The department monitors all applicable employees with a Commercial Driving License (CDL) to ensure up to date and accurate information. Shoreline Metro is in compliance with the Federal Highway Administration's Commercial Driver Licensing Standards. All Bus Operators and Maintenance personal are required to have a CDL in the class required by the state issuing the license.
- Evaluating customer suggestions and complaints.
 - Customer suggestions and complaints can be submitted in one of three ways. Passengers can call the customer service line at (920) 459-3281, by emailing contact@shorelinemetro.com, by requesting to speak with an Operations Supervisor when at the Transfer Station or by calling the Transit Director directly on the Shoreline Metro phone tree at (920) 459-3281.

The number of near-misses, known as accident precursor data, is significantly greater than the number of accidents for comparable types of events. The practice of reporting and learning from accident precursor data is a valuable complement to other hazard identification practices. To be successful, hazard identification must take place within a non-punitive and just safety culture. Shoreline Metro employs systematic safety improvements by discovering and learning of potential weaknesses in the system's safety.

Shoreline Metro has also collaborated with the Transportation Safety Administration (TSA) to conduct an evaluation of the system's security and identify any hazards that may need to be addressed.

Subsection 2.1.1 Non-Punitive Reporting Policy

Shoreline Metro is committed to the safest transit operating standards practicable. To achieve this, it is imperative that Shoreline Metro has uninhibited reporting of all safety events that may compromise safe operations. To this end, every employee is responsible for the communication of any information that may affect the integrity of transit safety. Such communication must be completely free of any form of reprisal.

Shoreline Metro will not take disciplinary action against any employee who discloses a safety event. This policy shall not apply to information received by Shoreline Metro from a source other than the employee, or that involves an illegal act, or a deliberate or willful disregard of rules, regulations, or agency policies or procedures.

Shoreline Metro's method of collection, recording, and dissemination of information obtained from transit safety reports has been developed to protect, to the extent permissible by law, the identity of any employee who provides transit safety information.

Section 2.2 Safety Risk Assessment

Once a hazard has been identified, Shoreline Metro will conduct an assessment, using the Risk Assessment Matrix (Appendix D), to determine the potential consequences. Factors to be considered include the likelihood of occurrence, the severity of the consequences (should there be an occurrence),

the level of exposure to the hazard, and the existing mitigation efforts in place. Shoreline Metro will assess risks subjectively by experienced personnel using a risk assessment matrix. Results of the risk assessment process will help determine whether the risk is being appropriately managed or controlled. If the risks are acceptable, the hazard will continue to be monitored. If the risks are unacceptable, steps will be taken by Shoreline Metro to lower the risk to an acceptable or tolerable level, or to remove, avoid, or otherwise eliminate the hazard.

Section 2.3 Safety Risk Mitigation

The assessment process may indicate that certain hazards have an acceptable level of risk, while others require mitigation to an acceptable or tolerable level. Shoreline Metro will further mitigate risk by completing a hazard assessment log (Appendix E) that can help prioritize safety risks. The level of risk can be lowered by reducing the severity of the potential consequences, likelihood of occurrence, exposure to that risk, or by some combination.

In general, Shoreline Metro will take the following safety actions to mitigate risk – these actions can be categorized into three broad categories, including:

1. Physical Defenses:

These include objects and technologies that are engineered to discourage, or warn against, or prevent inappropriate action or mitigate the consequences of events (e.g.: traffic control devices, fences, safety restraining systems, transit controls/signals, transit monitoring systems, etc.).

2. Administrative Defenses:

These include procedures and practices that mitigate the likelihood of accidents/incidents (e.g.: safety regulations, standard operating procedures, personnel proficiency, supervision inspection, training, etc.).

3. Behavioral Defenses:

These include behavioral interventions through education and public awareness campaigns aimed at reducing risky and reckless behavior of motorists, passengers and pedestrians; factors outside the control of the agency (e.g.: the Zero in Wisconsin campaign).

4. Infectious Diseases Defenses:

These include interventions aimed at reducing the spread of infectious diseases (e.g.: the installation of UV filtration systems on all buses, the use of HaloFogger sanitation spraying systems regularly on buses, and the elimination of reusable physical fare media). Shoreline Metro also follows guidelines from Sheboygan County Health and Human Services and the Centers for Disease Control and Prevention for infectious disease prevention.

Section 2.4 Safety Risk Prioritization

Once a hazard has been identified and the risk level assessed, Shoreline Metro will prioritize safety risks. Appendix E will be used to analyze the transit system as a whole and identify hazards. After hazards have been identified, Appendix F will prioritize these hazards and identify a timeline for corrective action.

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Chapter 3: Safety Assurance

Safety assurance provides the necessary feedback to ensure that the SMS is functioning effectively, and that Shoreline Metro is meeting or exceeding its safety objectives. Safety assurance requires a clear understanding of how safety performance will be evaluated, or in other words, what metrics will be used to assess system safety and determine whether the SMS is working properly. Having decided on the metrics by which success will be measured, safety management requires embedding these metrics in the organizational culture and encouraging their use for ongoing performance improvement.

Section 3.1 Defining Safety Goals and Objectives/Outcomes

Setting safety goals and objectives is part of strategic planning and establishment of safety policy for Shoreline Metro. Clearly defining safety goals is the first part in creating a safety performance measurement system.

Safety goals are general descriptions of desirable long-term impacts. Safety goals for Shoreline Metro include the following:

1. Shoreline Metro will utilize a safety management systems framework to identify safety hazards, mitigate risk and reduce casualties and occurrences resulting from transit operations.
2. Shoreline Metro will foster agency-wide support for transit safety by establishing a culture where management is held accountable for safety and everyone in the organization takes an active role in securing transit safety.
3. Shoreline Metro will provide a safe and efficient transit operation by ensuring that all vehicles, equipment and facilities are regularly inspected, maintained and serviced as needed.

Safety objectives or outcomes are more specific statements that define measurable results. Safety objectives or outcomes for Shoreline Metro include the following:

1. Reduce the number of reportable fatalities
2. Reduce the number of reportable injuries
3. Reduce the number of reportable safety events
4. Reduce mean distance between major mechanical failures
5. Increase assessment and analysis of existing personnel, equipment, and procedures to identify and mitigate any potential safety hazards
6. Develop a corrective action plan and mitigation strategies to address identified hazards
7. Maintain a dedicated staff person as the Transit Agency Safety Officer to manage the agency's transit safety program
8. Continue to hold regular transit safety meetings comprised of staff at varying levels, including executives, officers, managers, operators, and maintenance personnel
9. Increase the reporting of near miss occurrences and incidents that would otherwise go unreported
10. Continue to provide employee safety training opportunities and attendance
11. Continue distribution of safety material amongst employees and the general public
12. Continue scheduled preventative maintenance on revenue vehicles
13. Continue scheduled preventative maintenance on equipment
14. Continue scheduled preventative maintenance on ADA equipment
15. Continue scheduled preventative maintenance on facilities

The safety objective or outcome will then be measured by defining specific performance measures, including a baseline and target, that Shoreline Metro will determine is reasonable.

Section 3.2 Defining Safety Performance Measures

Performance measurement is the regular systematic collection, analysis and reporting of data that track resources used, work produced, and whether specific outcomes were achieved. In other words, it is a tool to quantify and improve performance, and engage and communicate with Shoreline Metro staff and external stakeholders.

The two core functions of performance measurement include monitoring and evaluating progress. Performance can be measured in terms of inputs, outputs, outcomes and efficiency, among other criteria.

Shoreline Metro will utilize these basic principles of performance management, including:

- Stakeholder involvement and acceptance
- Focus on agency goals and activities
- Clarity and precision
- Creditability and robustness
- Variety of measures
- Number of measures
- Hierarchy of measures
- Forward-looking measures
- Integration into agency decision making
- Timely reporting
- Understand agency specifics, including context and scale of operations
- Realism of goals and targets

Subsection 3.2.1 Metrics

System safety data can be collected through a variety of sources, including:

- Near miss information
- Accident investigation reports (with causal factor analysis)
- Internal safety audits (or reviews)
- Safety committee meetings
- Injury reports (including occupational injuries)
- Safety event reports (including accidents, incidents and occurrences)
- System monitoring (including testing and inspection records)
- Hazard management program

These safety data will be analyzed and used for development of key safety performance indicators and targets.

Shoreline Metro will initially focus on areas based on data delivered to the National Transit Database (NTD), including the following:

- **Fatalities**
 1. Total number of reportable crashes
 2. Rate of reportable fatalities per total vehicle revenue miles

- **Injuries**
 3. Total number of reportable injuries
 4. Rate of reportable injuries per total vehicle revenue miles
- **Safety Events**
 5. Total number of reportable safety events
 6. Rate of reportable safety events per total vehicle revenue miles
- **System Reliability**
 7. Mean distance between major mechanical failures

These safety performance measures are used to select improvement targets for these four measures and for each mode of transit, in order to encourage improvements and monitor the safety performance of delivering transit services. In addition, Shoreline Metro will select additional performance measures and targets, both leading and lagging, to ensure continual improvement of its SMS.

Shoreline Metro will make its safety performance measure improvement targets available to applicable state agencies and metropolitan planning organizations (MPOs), and, to the maximum extent practicable, will coordinate with both in the selection of safety performance targets. Targets were submitted to the MPO on September 22nd and were transmitted to WisDOT on November 19th. Targets will be approved and included in local Transportation Improvement Programs (TIPs) and TIP amendments that will be submitted to the state by November 30th of each year.

Shoreline Metro and the Sheboygan MPO (Bay-Lake Regional Planning Commission) work very closely on various transportation planning activities. The Sheboygan MPO includes Shoreline Metro operations and projects in the MPO long-range transportation plan and TIP, and assists Shoreline Metro with the PTASP and the TAM Plan. The Sheboygan MPO also provides frequent technical assistance to Shoreline Metro, and occasionally completes transit development programs (TDPs, including transit surveys) for Shoreline Metro.

The safety data collected from the above sources will be analyzed for potential safety impacts. Identified areas of concern are reported to appropriate personnel in the form of specific project reports, memoranda, and recommendations from the safety committee.

Records of system safety data are maintained for a minimum of three years. Certain information, such as safety certification backup documentation, is maintained by Shoreline Metro's document control process. In addition to safety data, Shoreline Metro maintains other data and documentation of activities required by the PTASP. Distribution of safety-related reports and data is accomplished through the Shoreline Metro safety committee. Shoreline Metro will ensure that required SMS documentation is available upon request to FTA and other oversight agencies.

Section 3.3 Monitoring Performance and Evaluating Results

Once safety goals, objectives/outcomes and measures have been defined, they can be organized into a Safety Performance Matrix (Appendix G) or a Safety Performance Outline (Appendix H). Organizing information (particularly in a matrix) will allow Shoreline Metro to continuously monitor safety performance and update documentation at least semi-annually.

Shoreline Metro will monitor the system for safety assurance using the following procedures:

1. Monitor Safety Risks

- a. Procedures to mitigate the safety risk, such as educating the public about a safety hazard
- b. Create and install signage on vehicles
- c. Train operators and staff to communicate the hazard to customers and make them

aware of the mitigation to reduce future risk.

- d. Monitor the educational efforts and determine the effectiveness of communication.
- e. Safety audits and safety surveys
- f. Quarterly and as-needed Safety Meetings
- g. Safety Committee consisting of drivers, maintenance staff and admin staff
- h. Informal inspections of vehicles and facilities
 - i. Review Pre-trip and Post-trip inspection cards and comments
 - ii. Periodic inspection observation by the Safety Officer or his/her designee
- i. Safety review and inspection of new or modified service(s)
- j. Regular vehicle and facility inspections and preventative maintenance
- k. Daily operations log sheet used by dispatchers and operations supervisors to monitor and document daily activities
 - i. Reviewed by the Safety Officer for safety items and accuracy

2. Benchmarks

- a. Create benchmarks for continuous monitoring for performance improvement.
 - i. Valid complaints received
 - ii. Accidents per 100,000 vehicle revenue miles operated
 - iii. Preventable accidents per year
 - iv. Non-preventable accidents per year
 - v. Number of claims submitted by type per year

3. Monitor the Effects of Safety Promotion

- a. Is the promotion/message working to improve safety performance? Use feedback to determine if the promotion or procedure should be adjusted for improvement.

Operations and maintenance supervisors report on these activities monthly to the Safety Officer who works with supervisors to review and investigate findings with implications for agency-wide compliance with and sufficiency of operations and maintenance procedures and determine the root cause and contributing factors for any issues.

Subsection 3.3.1 Conducting Investigations of Safety Events

Shoreline Metro utilizes an Accident Review Committee (as outlined as part of the labor agreement) that reviews and investigates accidents, incidents, and occurrences that take place on board a bus or at a facility. The group is two-tiered comprised of the Safety Supervisor (Safety Officer) and Union Steward in the first round review and additionally an Operations Supervisor, Lead Mechanic, and Transit Director (Accountable Executive) in the second round review. The second round is only required if there isn't consensus in the first round with preventability and accountability. The group is tasked with the following items:

- a. Review and investigation of accidents, incidents, and occurrences
- b. Interview drivers, staff, and witnesses (if applicable)
- c. Determine preventability
 - i. The accident, incident, or occurrence was preventable or non-preventable
- d. Carry out causal analysis by identifying any potential causal factors
- e. Determine accountability

- i. The employee was accountable for the accident, incident, or occurrence
- ii. The employee requires corrective action and/or training (retraining)
- iii. Observe the employee's behavior as the lone or contributing cause of the accident, incident, or occurrence
- f. Recommend appropriate level of corrective action
- g. Provide a summary of the Accident Review Committee's determinations and recommend level of corrective action (if applicable) to Operations Supervisors and the Director of Transit

In the event a deficiency is found through the review process, the Accident Review Committee will conduct steps b. through f. listed above. The Committee meets monthly and reviews accidents, incidents, and occurrences from the previous month.

The Safety Officer maintains documentation of Shoreline Metro's investigation policies and procedures as well as the Accident Review Committee's activities and results.

Following the Accident Review Committee's determinations, the Safety Officer works with an Operations Supervisor to follow up to coordinate corrective action and additional training for employees.

Shoreline Metro staff, including Transit Operations Supervisors, Safety Officer, mechanics, and the Director of Transit will monitor the system for compliance and sufficiency using the following procedures:

1. Safety Performance Monitoring

- a. Maintenance records, including repairs, inspections, road calls and training
- b. Operations records, including new employee training, refresher training, supervisor training, complaint logs, accident records and accident logs, TMI monthly loss runs and daily operation logs.
- c. One-on-one conversations, ride checks, suggestions from employees, video from on-board security cameras and checklists.

2. Monitor Compliance with and Sufficiency of Operations and Maintenance Procedures

- a. Rules compliance programs
- b. Internal audits
- c. Records reviews
- d. Observations
- e. Ride alongs

3. Review Findings

- a. Review of policies, procedures and mitigations should be conducted periodically by the Chief Safety Officer and the Safety Manager and share such reviews and findings with the Accountable Executive and other appropriate team members.

The Hazard Identification and Risk Assessment Log (Appendix E) and all information collected and tracked from the procedures listed above will be reviewed quarterly to identify safety risk mitigations and assess their effectiveness. At that time, if needed, risk mitigations will be adjusted to better serve a safe environment.

Subsection 3.3.2 Monitoring Safety Risk Mitigations

Shoreline Metro's Safety Officer along with the Safety Committee, Operations Supervisors, and Director (Accountable Executive) will conduct all monitoring activities including Shoreline Metro's

operations to identify mitigations that may be ineffective, inappropriate, outdated, or not implemented correctly by:

- Reviewing results from accident, incident and occurrence investigations
- Completing and reviewing of the daily operations report
- Monitoring employee safety reporting
- Reviewing results of internal safety audits, surveys and inspections
- Analyzing operational and safety data and trends to identify emerging or problematic safety concerns

Subsection 3.3.3 Monitoring Information Through Internal Safety Programs

The Safety Officer routinely reviews safety data and information captured in employee safety reports, safety meeting minutes, customer complaints, and other safety communication channels. When necessary, the SO ensures that the issues and concerns are investigated or analyzed through the SRM process. Information and documentation from employee safety reporting will be collected and maintained by the Safety Officer and will be reviewed quarterly.

Section 3.4 Integrating Results Into Agency Decision-Making Process

Shoreline Metro is committed to using the data collected and information learned to inform decision making and instill positive change. The main objective is the continuous improvement of transit system safety. When performance goals are not met, Shoreline Metro will work to identify why such goals were not met and what actions can be taken to minimize the gap in achieving defined goals. However, when goals are easily achieved, action will be taken to exceed expectations and reestablish a reasonable baseline.

Uses of performance results include:

- Focus attention on performance gaps and trigger in-depth investigations of what performance problems exist
- Help make informed resource allocation decisions
- Identify needs for staff training or technical assistance
- Help motivate employees to continue making program improvements
- Support strategic planning efforts by providing baseline information for tracking progress
- Identify best practices through benchmarking
- Respond to elected officials and the public's demand for accountability

Section 3.5 Sustaining a Safety Management System

In order to sustain the SMS, Shoreline Metro will ensure that particular processes are employed to instill an organizational foundation. Examples of actions taken to sustain the SMS include:

- **Create a measurement-friendly culture:**

All staff, including senior managers, should be actively engaged in creating a measurement-friendly culture by promoting performance measurement as a means of continuous improvement. Senior managers will also lead by example and utilize performance metrics in decision making processes.

- **Build organizational capacity:**

Investment in developing skilled human resources capacity is essential to sustaining an SMS. Both technical and managerial skills will be needed for data collection and analysis, as well as for setting goals. Managing staff and the governing board will commit the financial resources

required for organizational capacity and maintaining an SMS on a continuous basis.

- **Reliability and transparency of performance results:**

The SMS will be able to produce and report its results, both good and bad. Performance information should be transparent and made available to all stakeholders. Messengers should be protected to preserve the integrity of the measurement system. The focus should be on opportunities for improvement rather than allocating blame.

- **Demonstrate continuous commitment to measurement:**

Visible commitment to using metrics is a long-term initiative. Shoreline Metro will demonstrate a commitment to performance measurement by establishing a formal process of reporting performance results, such as including transit safety and performance measurement as a standing agenda item at meetings of the Sheboygan Transit Commission.

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Chapter 4: Safety Promotion

Section 4.1 Safety Promotion, Culture, and Training

Shoreline Metro believes that safety promotion is critical to the success of an SMS by ensuring that the entire organization fully understands and trusts its safety policies, procedures and structure. Further, safety promotion involves establishing an organizational and workplace culture that recognizes safety as a core value, training employees in safety principles, and allowing open communication of safety issues.

Shoreline Metro's comprehensive safety training program applies to all safety-sensitive employees directly responsible for safety including:

- Bus operators
- Dispatchers / Transit Coordinators
- Mechanics / Mechanic Assistants
- Transit Operation Supervisors
- Safety Supervisor (Safety Officer)
- Transit Director (Accountable Executive)

Subsection 4.1.1 Safety Culture

Positive safety culture must be generated from the top. The actions, attitudes and decisions at the policy-making level must demonstrate a genuine commitment to safety. Safety must be recognized as the responsibility of each employee, with the ultimate responsibility for safety resting with the Accountable Executive. Employees must trust that they will have management support for decisions made in the interest of safety, while also recognizing that intentional breaches of safety will not be tolerated.

The primary goal of safety promotion at Shoreline Metro is to develop a positive safety culture that allows the SMS to succeed. A positive safety culture is defined as one which is:

A. An Informed Culture

- Employees understand the hazards and risks involved in their areas of operation.
- Employees are provided with the necessary knowledge, training and resources.
- Employees work continuously to identify and overcome threats to safety.

B. A Just Culture

- Employees know and agree on what is acceptable and unacceptable behavior.
- Human errors must be understood, but negligence and willful violations cannot be tolerated.

C. A Reporting Culture

- Employees are encouraged to voice safety concerns and to share critical safety information without the threat of punitive action.
- When safety concerns are reported, they are analyzed, and appropriate action is taken.

D. A Learning Culture

- Learning is valued as a lifetime process beyond basic skills training.
- Employees are encouraged to develop and apply their own skills and knowledge to enhance safety.

- Employees are updated on safety issues by management, and safety reports communicated back to staff so that everyone learns the pertinent lessons.

Shoreline Metro Safety Promotion activities and processes include steps and processes for identifying safety hazards, risk assessment and risk mitigation.

A. Hazard Identification

1. Safety Committee: Group comprised of transit operators, maintenance staff and supervisors. The group meets quarterly to discuss safety items, such as potential hazards, risks and employee suggestions. The group is tasked with the following items:
 - a. Review of historical safety records
 - b. Accident trends
 - c. Employee safety complaints and suggestions
 - d. Past accidents/incidents
 - e. Near misses
 - f. Other safety items
2. Critical Safety Behaviors: A system to help with identifying and recording unsafe situations or behaviors.
 - a. Work area/site inspections
 - i. Pre-trip inspections for vehicles
 - ii. Preventative maintenance
 - b. Brainstorming/observations
 - c. Employee input
 - i. Suggestion/comment box
 - d. Daily facility walkthrough checklist
 - e. Safety culture
 - i. Quarterly team training and safety meetings
 - ii. Serious about Annual Safety Recognition
 - iii. Quarterly Employee Recognition program

B. Risk Assessment

1. Risk Management Assessment (RMA): Platform for determining risk associated with certain types of actions including:
 - a. Training for such tasks
 - b. Requirement of assistance to perform tasks
 - c. Severity of risk
 - d. Return-on-investment
 - e. Actions to control the risk
 - f. Contributing factors
 - g. Frequency of task
 - h. Adequacy of control measures

C. Safety Risk Mitigation

1. Training: Platform for educating and equipping personnel with the knowledge, skills and resources to perform a task. This is considered the first and primary step to mitigating

risk. Sometimes, this includes retraining personnel once a hazard is identified to further reduce the risk. Examples of such training include:

- a. New hire
 - i. Classroom training, including defensive driving, distracted driving, ADA, customer service, policies and procedures, and expectations
 - ii. Behind the wheel training, including traffic laws, backing, railroad crossings, bus stop procedures, security, emergency management, onboard incidents, etc.
 - iii. CDL (for individuals requiring proper license to operator a vehicle)
- b. Forklift training/certification
 - i. Maintenance staff
- c. Accidents and Incidents
 - i. Refresher training for personnel
 - ii. Near miss reporting
- d. Quarterly meetings and as-needed meetings
 - i. Training and safety awareness for personnel
- e. Bloodborne Pathogen
- f. City Policies
 - i. Harassment
 - ii. Information Technology
 - iii. FLSA, FMLA
 - iv. Workman's Compensation

Subsection 4.1.2 Training

During the initial implementation of an SMS, specific training will be required for all employees and contract staff, to explain the agency's safety culture and describe how Shoreline Metro's SMS works. The Chief Safety Officer is the resource person for providing a corporate perspective on Shoreline Metro's approach to safety management.

All newly hired employees' training is documented using the Shoreline Metro Team Member Onboarding and Training Checklist form. The form documents an employee's progress through the training program and documents hours dedicated to training in the classroom and onboard the bus.

Shoreline Metro provides employees with CDL Training for those employees required to possess a CDL that do not already hold a CDL. Training includes all the necessary tools to pass the CDL driver's test and to become a fixed route or paratransit bus operator. All initial classroom preparation and behind-the-wheel training is conducted by the Safety, Training and Education Supervisor. Once the individual has obtained the CDL and has shown proficiency in operating a transit bus, the employee is moved into driving in service with an experienced and trained bus operator. Evaluations are conducted by the bus operator on the new driver during each training session. These evaluations are then reviewed by the Safety, Training and Education Supervisor to determine if additional training is required or if the employee may be moved into revenue service and thus starting the employee's probation period.

Employees already possessing a CDL upon hire are provided with initial classroom preparation and behind-the-wheel training by the Safety, Training and Education Supervisor. Once the individual

has shown proficiency in operating a transit bus, the employee is moved into driving in service as an experienced and trained bus operator. Evaluations are conducted by the bus operator on the new driver during each training session. These evaluations are then reviewed by the Safety, Training and Education Supervisor to determine if additional training is required or if the employee may be moved into revenue service and thus starting the employee's probation period.

Employees involved in an accident during their probation period are evaluated with additional training typically provided as to reduce future hazards and mitigate risks.

Current employees periodically participate in refresher training either via classroom, onboard, post-accident or post-incident. Employees who are off of work for a significant amount of time (30 days or more) participate in refresher training.

Maintenance staff is provided training on-the-job through vendors or manufacturers of products/equipment/services by Shoreline Metro. Additional training includes forklift, lockout/tag out, fire extinguisher, etc.

Safety Management training topics may include:

A. Initial Safety Training for All Staff

1. Basic principles of safety management, including the integrated nature of SMS, risk management, safety culture, etc.
2. Corporate safety philosophy, safety goals and objectives, safety policy, and safety standards
3. Importance of complying with the safety policy and SMS procedures, and the approach to disciplinary actions for different safety issues
4. Organizational structure, roles and responsibilities of staff in relation to safety
5. Transit agency's safety record, including areas of systemic weakness
6. Requirement for ongoing internal assessment of organizational safety performance (e.g.: employee surveys, safety audits, and assessments)
7. Reporting accidents, incidents and perceived hazards
8. Lines of communication for safety managers
9. Feedback and communication methods for the dissemination of safety information
10. Safety promotion and information dissemination

B. Safety Training for Operations Personnel

1. Unique hazards facing operational personnel
2. Seasonal safety hazards and procedures (e.g.: winter operations)
3. Procedures for hazard reporting
4. Procedures for reporting safety events (accidents and incidents)
5. Emergency procedures

C. Safety Training for Management

1. Principles of the SMS
2. Management responsibilities and accountabilities for safety
3. Legal issues (i.e.: liability)

D. Training for the Safety Officer

1. Familiarization with different transit modes, types of operation, routes, etc.

2. Understanding the role of human performance in safety event causation and prevention
3. Operation of the SMS
4. Investigating safety events
5. Crisis management and emergency response planning
6. Safety promotion
7. Communication skills
8. Performing safety audits and assessments
9. Monitoring safety performance
10. National Transit Database (NTD) safety event reporting requirements

Subsection 4.1.3 Communication

Shoreline Metro's communication on safety policies, procedures and observations is critical to promoting safety and ensuring a safety culture. Communicating safety to employees is performed through the following:

- The Safety Officer maintains a Safety Board for employees as a means of keeping safety on the minds of employees, and this board includes safety tips from Transit Mutual Insurance. Additional safety messages and information are provided with a focus on engaging employee participation. Cities and Villages Mutual Insurance Company (CVMIC) also provides safety messages and awareness for employees.
- Shoreline Metro maintains a departmental policies and procedures manual (called T.E.A.M.) for employees that outlines the expectations and accountabilities of the driver positions. Supplemental policies include Safety and Security Assessment Program, Drug and Alcohol Policy, Drug-Free Workplace, Harassment, Information Technology, ADA, and Social Media.
- The labor agreement identifies specifically key safety items that must be followed by Shoreline Metro at all times targeted at keeping employees safe and reducing risk.
- Shoreline Metro has a standing section at each of its quarterly Safety Meetings dedicated to safety training, safety review and policy and procedure review.
- Safety Officer communicates findings in the Accident Review back to key officials and uses these findings to retrain all team members at safety meetings or in memos.
- Accountable Executive and Safety Officer maintain digital communication boards for employees and customers that promote safety and risk reduction especially during winter months when issues seem to rise due to weather.
- Safety Officer follows up directly with the reporter if they self-identified to let them know what actions were taken to address their report and also communicates the results to the entire agency through its digital communication boards

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Appendices



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Appendix A: Staff Safety Roles and Responsibilities

Completed by: Derek Muench/ Bud Schultz		Date: November 15, 2022	
Position Title	Name of Staff Member	Position Description	Safety Responsibilities
Accountable Executive	Derek Muench, Transit Director	<p>49 CFR § 673.5 –</p> <p><i>Accountable Executive</i> means a single, identifiable person who has ultimate responsibility for carrying out the PTASP; responsibility for carrying out the agency's TAM Plan; and control or direction over the human and capital resources needed to develop and maintain both the agency's PTASP, in accordance with 49 U.S.C. § 5329(d), and the agency's TAM Plan, in accordance with 49 U.S.C. § 5326.</p>	<ul style="list-style-type: none"> • Ultimate responsibility for carrying out the PTASP • Responsibility for carrying out the TAM Plan • Control or direction over the human and capital resources needed to develop and maintain both plans • Ensuring the agency's SMS is effectively implemented throughout the system • May delegate specific responsibilities, except ultimate accountability for the agency's safety performance, which always rests with the Accountable Executive • Ensuring action is taken, as necessary, to address substandard performance in the agency's SMS
Chief Safety Officer	Bud Schultz, Safety and Training Coordinator	<p>49 CFR § 673.5 –</p> <p><i>Chief Safety Officer</i> means an adequately trained individual who has responsibility for safety and reports directly to a transit agency's chief executive officer, general manager, president, or equivalent officer.</p> <p>A Chief Safety Officer (CSO) for a small public transportation provider (as defined in Part 673) may serve in capacities (operational or maintenance) unless the agency ceases to be a small public transportation provider or operates a rail transit system.</p>	<ul style="list-style-type: none"> • Is adequately trained • Responsibility for safety • Reports directly to agency's Accountable Executive for safety related issues • Authority and responsibility for day-to-day implementation and operation of agency's SMS
Safety Manager (Is the same as/merged with CSO position)	Bud Schultz, Safety and Training Coordinator	<p>Ensure coordinated development and implementation of the PTASP</p> <p>(is the same as/merged with CSO position)</p>	<ul style="list-style-type: none"> • Is the same as/merged with CSO position • Maintains a safe working environment • Adheres to all safety policies and procedures • Promotes safety awareness throughout the organization • Ensures safety documentation is current and accessible to all employees • Communicates changes in safety documents to all personnel • Monitors effectiveness of corrective actions • Provides periodic reports on safety performance • Renders independent advice to the CEO, senior managers, and other personnel on safety-related matters • Ensures that safety management has a high priority throughout the organization

Transit Supervisors	Roland Knorr and Bruce Felten, Operations Supervisors	Supervisors are responsible for communicating the transit agency's safety policies to all employees.	<ul style="list-style-type: none"> • Maintains a safe working environment • Adheres to all safety policies and procedures • Full knowledge of all standard and safety operating procedures • Ensures that drivers make safety a primary concern when on the job • Listens and acts upon any safety concerns raised • Immediately reports safety concerns to the CSO/SM • Provides leadership and direction to employees during security incidents • Handles minor non-threatening rule violations • Defuses minor arguments • Determines when to call for assistance • Responds to fare disputes and service complaints • Responds to security related calls with police officers when required, rendering assistance with crowd control, victim/witness information gathering, and general on-scene assistance • Completes necessary security related reports • Takes photographs of damage and injuries • Coordinates with all outside agencies at incident scenes
Bus Operators	17 Full-Time Fixed-Route Drivers 8 Part-Time Fixed-Route Drivers 6 Full-Time Paratransit Drivers 3 Part-Time Paratransit Drivers	Drivers are responsible for exercising maximum care and good judgment in identifying and reporting suspicious activities, in managing security incidents, and in responding to emergencies.	<ul style="list-style-type: none"> • Maintains a safe working environment • Adheres to all safety policies and procedures • Takes charge of a hazard incident scene until the arrival of supervisory or emergency personnel • Collects fares in accordance with agency policy • Familiar with Shoreline Metro Employee Manual and Procedures • Attempts to handle minor non-threatening rule violations • Responds verbally to complaints • Attempts to defuse minor arguments • Determines when to call for assistance • Maintains control of the vehicle • Reports all safety incidents to Supervisor on duty • Completes all necessary safety related reports
Maintenance Staff	4 Full-Time Mechanics	Mechanic performs major running repairs of buses. Fully qualified and completely capable of repairing, maintaining, and rebuilding all parts of all equipment.	<ul style="list-style-type: none"> • Maintains a safe working environment • Adheres to all safety policies and procedures • Responsible for repair of vehicle components, including engine and transmission rebuilds • Conducts all levels of inspections • Assists in all aspects of repair and maintenance work • Makes bus assignments (if needed) • Maintains a safe working environment and adheres to all safety policies and procedures • Makes road calls • Tire changes and repairs • Brake relines • Driver reported defects • Supervises bus-washing activities

Appendix B: Safety Assessment and System Review

Completed by: Derek Muench/**Bud Schultz**Last Updated: **November 15, 2022**

SECTION	REVIEW QUESTIONS	YES	NO	N/A
Safety Policies:	• Are all safety policies up to date and reviewed?	X		
	• Is a Public Transit Agency Safety Plan (PTASP) or any other System Safety Plan written for the transit system?	X		
	• Is the Drug and Alcohol Policy current and up to date?	X		
New Hire Employee Files:	• Was there a structured interview conducted and documented?	X		
	• Is the applicant asked questions relating to previous experience with drug and alcohol testing?	X		
	• Is the offer of employment documented in writing?	X		
	• Is there a pre-employment drug screen?	X		
	• Is there a pre-employment physical exam?	X		
	• Are safety sensitive responsibilities outlined in the job description?	X		
	• Is there a completed Substance Abuse Policy and Drug Free Workplace Policy Acknowledgment form?	X		
	• Is there a Current Policies and Procedures Acknowledgment Form?	X		
Post Hire Employee Files:	• Is a current employee roster available?	X		
	• Are the employee files maintained by the transit system?	X		
	• Do existing employee files contain:			
	• Background check?	X		
	• Previous employer request form?	X		
	• Verification of current driver's license and CDL?	X		
	• Current MVR?	X		
	• PARS Reports?	X		
	• Current copy of physical exam certificate?	X		
	• Signed Substance Abuse Policy Acknowledgment?	X		
	• Drug and Alcohol Testing Record with COC and authorization forms?	X		
	• Record of annual supervisor ride checks and evaluations?	X		
Education and Training:	• Are operator certifications current and up to date?	X		
	• Have managers completed Safety Management Systems (SMS) training?		X	
	• Are employees familiar with OSHA topics, including:			
	• Hazard Communication?	X		
	• Emergency Action Planning?	X		
	• Bloodborne Pathogens?	X		

	• Lockout/Tagout?	X		
	• Personal Protective Equipment (PPE)?	X		
	• Injury Prevention Planning?	X		
	• Have all safety sensitive employees received Drug and Alcohol Training?	X		
	• Do new mechanics receive classroom training?	X		
	• Do existing mechanics receive ongoing training?	X		
Safety Meetings:	• Is there an active Safety Committee at the transit agency?	X		
	• Are safety meetings held on a regular basis?	X		
	• Are safety meetings and sign in sheets documented, with publicly posted agendas and minutes?	X		
	• Do senior managers attend safety meetings?	X		
	• Do vehicle operators attend safety meetings?	X		
	• Do mechanics attend safety meetings?	X		
Incident and Accident Investigation Procedures:	• Are policies in place dictating which incidents are reported and which are not?	X		
	• Are incident report forms kept on board the vehicle?	X		
	• Are accident reports completed for all situations?	X		
	• Are incident/accident reports used as pre-accident training material?	X		
	• Are incident/accident reports used as post-accident training material?	X		
	• Are incident/accident reports used to identify potential hazards and analyzed in a Risk Assessment Matrix (RAM)?	X		
	• Are complaint forms kept on all vehicles?*		X	
	• Are all operators provided with safety vests on their vehicles?**		X	
	• Are incident/accident photos taken?	X		
Substance Abuse:	• Is there a current and updated Drug and Alcohol Policy?	X		
	• Do all staff members understand the Drug and Alcohol Policy?	X		
	• Is random testing being completed?	X		
	• Is reasonable suspicion testing being completed?	X		
Facility and Shop Inspections:	• Are monthly facility inspections conducted as scheduled?	X		
	• Are facility inspection forms completed properly?	X		
	• Are unsafe conditions or acts, regarding the facility corrected and documented?	X		
	• Are fire extinguishers up to date with annual servicing requirements?	X		
	• Are fire extinguishers inspected on a monthly basis?	X		
	• Are routine inspections of the fire extinguishers documented?	X		
	• Are eye wash stations available with unobstructed access?	X		
	• Are eye wash stations inspected on a scheduled basis?	X		

Shoreline Metro

Item 7.

	• Is machine guarding in place?	X		
	• Are batteries stored safely?	X		
	• Are all containers marked with the contents clearly identified?	X		
	• Are floors clear of tripping hazards?	X		
	• Are hazardous materials stored safely and labeled, and are SDS sheets available for employees?	X		
	• Are emergency exits clearly marked?	X		
	• Are lights out?			X
	• Are jack stands available for use?	X		
	• Are jack stands used whenever a vehicle is elevated on a lift?		X	
	• Is a lock out tag out program in place?	X		
Asset Management (Vehicles):	• Is a current and updated list of vehicles readily available?	X		
	• Is all maintenance activity completed on vehicles tracked?	X		
	• Is a regular maintenance schedule written and followed?	X		
	• Are work order forms, service order forms and parts requested documented?	X		
	• Are vehicle inspection forms completed on a regular basis and available?	X		
	• Are habitual maintenance issues reported to WisDOT?	X		
	• Are maintenance issues analyzed and used to forecast future vehicle needs?			X
	• Are maintenance issues analyzed and used to identify potential hazards and evaluated in a Risk Assessment Matrix (RAM)?	X		
	• Are pre-trip inspection forms completed daily?	X		
	• Are post-trip inspection forms completed daily?	X		

Comments:

*The standard complaint form is available on the Shoreline Metro website, as well as by contacting the Shoreline Metro's customer service office.

**Supervisor response vehicles contain accident kits that include forms and safety vests.

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Appendix C: Facility Safety and Security Assessment

Completed by: Derek Muench/**Bud Schultz**Last Updated: **November 15, 2022**

SECTION	REVIEW QUESTIONS	YES	NO	N/A
Buildings and Facility Grounds:	• Are facility grounds randomly and frequently patrolled?	X		
	• Are daily security sweeps conducted?	X		
	• Are smoke/fire/carbon monoxide detectors provided and working?	X		
	• Are distribution and number of keys known and controlled?	X		
	• Are all keys labeled as "DO NOT DUPLICATE"? (Fob system is used)			X
	• Are all unoccupied areas locked and secured?	X		
Lighting:	• Is entire perimeter of facility properly illuminated?	X		
	• Is lighting mounted at approximately second story level?	X		
	• Are lights provided over all entrance doors?	X		
	• Is lighting provided in staff parking areas?	X		
Entrance Doors and Windows:	• Are all doors:			
	• Built of commercial grade with metal framing?	X		
	• Outside hinges hidden and protected from vandalism?	X		
	• Provided with a commercial grade, one-sided lock? (Fob system is used)	X		
	• Provided with push "panic" bar releases?		X	
	• In case of breakage or opening are all windows and doors connected to a central station alarm?	X		
Electronic Surveillance:	• Is the entire perimeter of facility protected by a CCTV system? (Transfer station yes, garage no)		X	
	• Is this system monitored by management and/or a security company?	X		
	• Is this system always on or activated by motion sensors?	X		
Non-Employee Access:	• Is access restricted to persons without proper credentials and clearance?	X		
	• Are supply deliverers required to show proper I.D. and sign-in a log book?		X	
	• Are all non-employees accompanied and/or observable at all times?	X		
Surrounding Environment:	• Are there other non-City/County buildings connected to the facility that may be vulnerable to unauthorized entry to City/County property?		X	
	• Are all utility components (power transformers, back-up generators) protected and secured from vandalism or attack?	X		
	• Are all outdoor storage areas adequately lighted and secured?	X		

Material Storage:	• Are all hazardous and flammable materials properly identified?	X		
	• Are all materials properly labeled, stored, and secured?	X		
Forms and Written Plans:	• Are emergency numbers (police, fire, ambulance, FBI) current and prominently displayed at each phone? (911)		X	
	• Is a Chain of Command and emergency call list prominently displayed?	X		
	• Are employees trained and checklists provided on how to handle a physical threat or incident called in on the phone?	X		
Evacuation Plan/ Procedures:	• Are there evacuation plans for this facility?	X		
	• Are staff members trained on this plan?	X		
	• Are primary & alternate assembly areas identified, validated, and coordinated with the County Emergency Management Office?	X		
	• Have primary & alternate assembly areas and evacuation sites/routes been verified & coordinated with appropriate agencies?	X		
	• Has the Emergency Evacuation Plan been reviewed, coordinated, and briefed to staff as appropriate?	X		
Training:	• Is an orientation program in place for each new staff member?	X		
	• Do all staff members receive safety and security training appropriate to their position and level of responsibility?	X		
	• Are periodic safety and security training and briefings completed with staff?	X		
	• Do all new staff members receive briefings on the City/County Evacuation Plan, the Disaster Preparedness Plan, and other security policies and procedures?	X		
Administrative Procedures:	• Is a record of emergency data on file for each staff?	X		
	• Have incident reporting format and procedures been established and staff briefed on them?	X		
	• Are all incident reports treated with confidentiality and transmitted by secure means to the appropriate City/County department?	X		
	• Are background checks conducted and verified on all prospective new hires?	X		
Cash Handling and Transfer:	• Has a secure method for cash receipt, transfer, and storage been established and have appropriate staff members been trained?	X		
	• Is cash transported by at least two individuals with cash divided between them?		X	
	• Do all staff members understand that in the event of a robbery they should never risk their lives to protect cash or other valuables?	X		
Fire and Electrical Safety:	• Are fire extinguishers installed in all appropriate locations?	X		
	• Are smoke and heat detectors installed, at least one on each floor?	X		
	• Is a first aid kit present and maintained?	X		
	• Are all electrical devices, outlets, circuit breakers and cords free of damage that may pose a shock hazard?	X		
	• Are all electrical circuit, gas, and telephone boxes, if accessible from the outside, locked to prevent tampering?	X		
	• Do any non-employees have access from outside the building to any fire escapes, stairways, and/or the roof?		X	
	• Are all outdoor trash containers and storage bins located away from the building in the event of a fire?	X		

Appendix D: Risk Assessment Matrix

Appendix D included as an attachment to this document.

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Appendix E: Hazard Identification and Risk Assessment Log

SHORELINE METRO HAZARD ASSESSMENT LOG

This form can be used to provide a record of identified hazards and actions taken to eliminate or mitigate the risks associated with it. The recommended action should be associated with a specified individual (i.e. a supervisor, manager, or front-line personnel), and must include a target date for completion. As a rolling log, entries for identified hazards and their associated mitigations should never be removed, even after required action(s) is completed. Any related forms, logs, or records should be retained permanently. [Blue text is a sample entry]

Completed by: Derek Muench/Bud Schultz

Last Updated: November 15, 2022

Risk Type	Risk Description	Current Measures to Reduce Risk	Risk Rating Likelihood	Risk Rating Severity	Risk Rating Value (Likelihood x Severity)	Further Action Required to Reduce Risk	Staff Responsibility
Human Error (SAMPLE)	Non-compliance with agency maintenance protocol	<ul style="list-style-type: none"> • Minimum competency requirements • Effective safety culture in agency (maintenance department) • Effective task planning • Availability of procedures • Procedure reviews and simplification into tasks • Recurrent training 	5	4	20	<ul style="list-style-type: none"> • Introduce compliance monitoring • Effective supervision including work compliance assessment • Competency assessments • Maintenance policy to reinforce need for compliance 	<ul style="list-style-type: none"> • Safety Assurance • Line Manager • Maintenance Manager
		•				•	•
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Appendix F: Prioritized Safety Risk Log

SHORELINE METRO PRIORITIZED SAFETY RISK LOG

This form is used to organize identified safety risks facing Shoreline Metro. The log should be updated frequently to demonstrate continual progress towards risk reduction through mitigation strategies. A timeline is used to highlight projected completion dates. [Blue text is a sample entry]

Completed by: Derek Muench/Bud Schultz **Last Updated:** November 15, 2022

Priority	Risk Description	Planned Mitigation Strategies	Outcomes of Planned Mitigation Strategies	Responsible Staff	Timeline	Status
1 [SAMPLE]	Non-compliance with agency maintenance protocol	<ul style="list-style-type: none"> • Introduce compliance monitoring • Effective supervision including work compliance assessment • Competency assessments • Maintenance policy to reinforce need for compliance 	•	<ul style="list-style-type: none"> • Safety Assurance • Line Manager • Maintenance Manager 	<ul style="list-style-type: none"> • Begin January 2020 • Complete August 2020 	Open
2		•	•	•	•	
3		•	•	•	•	
4		•	•	•	•	
5		•	•	•	•	
6		•	•	•	•	
7		•	•	•	•	
8		•	•	•	•	
9		•	•	•	•	
10		•	•	•	•	

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Appendix G: Safety Performance Matrix

Completed by: Derek Muench/**Bud Schultz**

Last Updated: **November 15, 2022**

GOAL 1: SMS TO REDUCE CASUALTIES/OCCURRENCES

Shoreline Metro will utilize a safety management systems framework to identify safety hazards, mitigate risk and reduce casualties and occurrences resulting from transit operations.

OBJECTIVE/OUTCOME	METRICS	BASELINES	TARGETS
Reduce the number of reportable fatalities	Total number of reportable fatalities	Average Reportable Fatalities: 2017 – 2021: Fixed-Route = 0.0 Paratransit = 0.0	2022 number of reportable fatalities targets: Fixed-Route = 0.0 Paratransit = 0.0
	Rate of reportable fatalities per 100,000 vehicle revenue miles	Rate of Reportable Fatalities: 2017 – 2021: Fixed-Route = 0.000 Paratransit = 0.000	2022 rate of reportable fatalities targets: Fixed-Route = 0.000 Paratransit = 0.000
Reduce the number of reportable injuries	Total number of reportable injuries	Average Reportable Injuries: 2017 – 2021: Fixed-Route = 0.2 Paratransit = 0.0	2022 number of reportable injuries targets: Fixed-Route = 0.2 Paratransit = 0.0
	Rate of reportable injuries per 100,000 vehicle revenue miles	Rate of Reportable Injuries: 2017 – 2021: Fixed-Route < 0.001 Paratransit = 0.000	2022 rate of reportable injuries targets: Fixed-Route < 0.001 Paratransit = 0.000
Reduce the number of reportable safety events	Total number of reportable safety events	Average Reportable Safety Events: 2017 – 2021: Fixed-Route = 28.2 Paratransit = 8.0	2022 number of reportable safety event targets: Fixed-Route = 26.8 Paratransit = 7.6
	Rate of reportable safety events per 100,000 vehicle revenue miles	Rate of Reportable Safety Events: 2017 – 2021: Fixed-Route = < 0.001 Paratransit < 0.001	2022 rate of reportable safety event targets: Fixed-Route < 0.001 Paratransit < 0.001
Reduce mean distance between major mechanical failures	Average distance between major mechanical failures (Miles)	Average Distance Between Major Mechanical Failures: 2017 – 2021 (Miles): Fixed-Route = 96,291 Paratransit = 351,586	2022 average distance between major mechanical failures: Fixed-Route = 101,105 Paratransit = 369,165
Increase assessment and analysis of existing personnel, equipment and procedures to identify and mitigate any potential safety hazards	Number of safety audits, inspections or assessments completed per specified period of time	Some 30 safety audits, inspections or assessments were completed in 2021	Complete approximately 60 safety audits, inspections, or assessments in 2022
Develop a corrective action plan and mitigation strategies to address identified hazards	Percent of corrective action strategies completed per specified period of time	Develop a corrective action plan and mitigation strategies to address identified hazards in the previous objective/outcome in 2021	Beginning in 2022, complete all preventable corrective action strategies identified in the plan each year

GOAL 2: CULTURE

Shoreline Metro will foster agency-wide support for transit safety by establishing a culture where management is held accountable for safety and everyone in the organization takes an active role in securing transit safety.

OBJECTIVE/OUTCOME	METRICS	BASELINES	TARGETS
Maintain a dedicated staff person as the Transit Agency Safety Officer to manage the agency's transit safety program	Number of years of transit safety experience	Have a Transit Agency Safety Officer with at least eight years of overall transit experience and at least two years of transit safety experience manage Shoreline Metro's transit safety program	Have a Transit Agency Safety Officer with at least eight years of overall transit experience and at least two years of transit safety experience manage Shoreline Metro's transit safety program
Continue to hold regular transit safety meetings comprised of staff at varying levels, including executives, officers, managers, operators and maintenance personnel	Number of meetings per specified period of time or number of additional meetings following each incident/occurrence	Hold meetings quarterly (or more frequently as needed)	Hold meetings quarterly (or more frequently as needed)
Increase the reporting of near miss occurrences and incidents that would otherwise go unreported	Number of near miss occurrences/incidents reported per specified passenger-miles traveled or per specified period of time	Not collected at this time; will be collected for the first time over calendar year 2023 and will be reported in a future PTASP	Target will be established beginning with the 2023 PTASP
Continue to provide employee safety training opportunities and attendance	Number of employee safety training sessions completed per specified period of time	Training sessions were not held in 2021 due to the pandemic	Hold training sessions quarterly (or more frequently as needed)
Continue distribution of safety material amongst employees and the general public	Number of manuals, newsletters, brochures, posters or campaigns distributed per specified period of time	Safety materials are evaluated and provided as needed	Safety materials to be provided will be evaluated on an annual basis

GOAL 3: SYSTEMS/EQUIPMENT:

Shoreline Metro will provide a safe and efficient transit operation by ensuring that all vehicles, equipment, and facilities are regularly inspected, maintained and serviced as needed.

OBJECTIVE/OUTCOME	METRICS	BASELINES	TARGETS
Continue scheduled preventative maintenance on revenue vehicles	Timeliness of preventative maintenance inspections on revenue vehicles completed per Federal Transit Administration (FTA) standards	Preventative maintenance inspections on revenue vehicles will be completed in accordance with FTA standards	Meet or exceed the FTA standards for preventative maintenance inspections on revenue vehicles
Continue scheduled preventative maintenance on equipment	Timeliness of preventative maintenance inspections on equipment per FTA standards	Preventative maintenance inspections on equipment will be completed in accordance with FTA standards	Meet or exceed the FTA standards for preventative maintenance inspections on equipment
Continue scheduled preventative maintenance on ADA equipment	Timeliness of preventative maintenance inspections on ADA equipment per FTA standards	Preventative maintenance inspections on ADA equipment will be completed in accordance with FTA standards	Meet or exceed the FTA standards for preventative maintenance inspections on ADA equipment
Continue scheduled preventative maintenance on facilities	Timeliness of preventative maintenance inspections and repairs on facilities	Preventative maintenance inspections will be completed regularly, with repairs made timely and in accordance with all FTA requirements	Preventative maintenance inspections will be completed regularly, with repairs made timely and in accordance with all FTA requirements

Appendix H: Safety Performance Outline

This form allows Shoreline Metro to organize, monitor, and evaluate identified safety goals and objectives/outcomes.

Completed by: Derek Muench/Bud Schultz

Last Updated: November 15, 2022

GOAL 1: SMS TO REDUCE CASUALTIES/OCCURRENCES

Shoreline Metro will utilize a safety management systems framework to identify safety hazards, mitigate risk and reduce casualties and occurrences resulting from transit operations.

1. Objective/Outcome:

Reduce the number of reportable fatalities

- a. Metric: Number and rate (per 100,000 vehicle revenue miles) of reportable fatalities*
- b. Baseline: Average reportable fatalities: 2017 – 2021: Fixed-Route = 0.0, Paratransit = 0.0
Rate of reportable fatalities: 2017 – 2021: Fixed-Route = 0.000, Paratransit = 0.000*
- c. Targets: Maintain average reportable fatalities for both fixed-route and paratransit at 0.0, and maintain the rate of reportable fatalities for both fixed-route and paratransit at 0.000*

2. Objective/Outcome:

Reduce the number of reportable injuries

- a. Metric: Number and rate (per 100,000 vehicle revenue miles) of reportable injuries*
- b. Baseline: Average reportable injuries: 2017 – 2021: Fixed-Route = 0.2, Paratransit = 0.0
Rate of reportable injuries: 2017 – 2021: Fixed-Route = < 0.001, Paratransit = 0.000*
- c. Targets: Maintain average reportable injuries and the rate of reportable injuries at the low 2017 – 2021 levels for both fixed-route and paratransit.*

3. Objective/Outcome:

Reduce the number of reportable safety events

- a. Metric: Number and rate (per 100,000 vehicle revenue miles) of reportable safety events*
- b. Baseline: Average reportable safety events: 2017 – 2021: Fixed-Route = 28.2, Paratransit = 8.0
Rate of reportable safety events: 2017 – 2021: Fixed-Route < 0.001, Paratransit < 0.001*
- c. Targets: Reduce average reportable safety events by 5 percent over 2017 – 2021 levels (Fixed-Route = 26.8, Paratransit = 7.6), but maintain the rate of reportable safety events at the low 2017 – 2021 levels for both fixed-route and paratransit.*

4. Objective/Outcome:

Reduce mean distance between major mechanical failures

- a. Metric: Average distance between major mechanical failures (Miles)*
- b. Baseline: Average distance between major mechanical failures: 2017 – 2021 (Miles):
Fixed Route = 96,291, Paratransit = 351,586*
- c. Targets: Increase the average distance between major mechanical failures by 5 percent over 2017 – 2021 levels (Fixed-Route = 101,105, Paratransit = 369,165)*

5. Objective/Outcome:

Increase assessment and analysis of existing personnel, equipment, and procedures to identify and mitigate any potential safety hazards

- a. Metric: Number of safety audits, inspections or assessments completed per specified period of time*
- b. Baseline: Approximately 30 safety audits, inspections or assessments were completed in 2021*
- c. Target: Complete approximately 60 safety audits, inspections, or assessments in 2022*

6. Objective/Outcome

Develop a corrective action plan and mitigation strategies to address identified hazards

- a. Metric: Percent of corrective action strategies completed per specified period of time*
- b. Baseline: Develop a corrective action plan and mitigation strategies to address identified hazards in the previous objective/outcome in 2021*
- c. Target: Beginning in 2022, complete all preventable corrective action strategies identified in the plan each year*

GOAL 2: CULTURE

Shoreline Metro will foster agency-wide support for transit safety by establishing a culture where management is held accountable for safety and everyone in the organization takes an active role in securing transit safety.

1. Objective/Outcome:

Maintain a dedicated staff person as the Transit Agency Safety Officer to manage the agency's transit safety program

- a. Metric: Number of years of transit safety experience*
- b. Baseline: Have a Transit Agency Safety Officer with at least eight years of overall transit experience and at least two years of transit safety experience manage Shoreline Metro's transit safety program*
- c. Target: Have a Transit Agency Safety Officer with at least eight years of overall transit experience and at least two years of transit safety experience manage Shoreline Metro's transit safety program*

2. Objective/Outcome:

Continue to hold regular transit safety meetings comprised of staff at varying levels, including executives, officers, managers, operators and maintenance personnel

- a. Metric: Number of meetings per specified period of time or number of additional meetings following each incident/occurrence*
- b. Baseline: Hold meetings quarterly (or more frequently as needed)*
- c. Target: Hold meetings quarterly (or more frequently as needed)*

3. Objective/Outcome:

Increase the reporting of near miss occurrences and incidents that would otherwise go unreported

- a. Metric: Number of near miss occurrences/incidents reported per specified passenger-miles traveled or per specified period of time*
- b. Baseline: Not collected at this time; will be collected for the first time over calendar year 2023 and will be reported in a future PTASP*
- c. Target: Target will be established beginning with the 2023 PTASP*

4. Objective/Outcome:

Continue to provide employee safety training opportunities and attendance

- a. Metric: Number of employee safety training sessions completed per specified period of time*
- b. Baseline: Training sessions were not held in 2021 due to the pandemic*
- c. Target: Hold training sessions quarterly (or more frequently as needed)*

5. Objective/Outcome:

Continue distribution of safety material amongst employees and the general public

- a. Metric: Number of manuals, newsletters, brochures, posters or campaigns distributed per specified period of time*
- b. Baseline: Safety materials are evaluated and provided as needed.*
- c. Target: Safety materials to be provided will be evaluated on an annual basis.*

GOAL 3: SYSTEMS/EQUIPMENT:

Shoreline Metro will provide a safe and efficient transit operation by ensuring that all vehicles, equipment and facilities are regularly inspected, maintained and serviced as needed.

1. Objective/Outcome:

Continue scheduled preventative maintenance on revenue vehicles

- a. Metric: Timeliness of preventative maintenance inspections on revenue vehicles completed per Federal Transit Administration (FTA) standards*
- b. Baseline: Preventative maintenance inspections on revenue vehicles will be completed in accordance with FTA standards*
- c. Target: Meet or exceed the FTA standards for preventative maintenance inspections on revenue vehicles*

2. Objective/Outcome

Continue scheduled preventative maintenance on equipment

- a. Metric: Timeliness of preventive maintenance inspections on equipment per FTA standards*
- b. Baseline: Preventative maintenance inspections on equipment will be completed in accordance with FTA standards*
- c. Target: Meet or exceed the FTA standards for preventative maintenance inspections on equipment*

3. Objective/Outcome

Continue scheduled preventative maintenance on ADA equipment

- a. Metric: Timeliness of preventative maintenance inspections on ADA equipment per FTA standards*
- b. Baseline: Preventative maintenance inspections on ADA equipment will be completed in accordance with FTA standards*
- c. Target: Meet or exceed the FTA standards for preventative maintenance inspections on ADA equipment*

4. Objective/Outcome

Continued scheduled preventative maintenance on facilities

- a. Metric: Timeliness of preventative maintenance inspections and repairs on facilities*
- b. Baseline: Preventative maintenance inspections will be completed regularly, with repairs made timely and in accordance with all FTA requirements*
- c. Target: Preventative maintenance inspections will be completed regularly, with repairs made timely and in accordance with all FTA requirements*

PTASP Acknowledgment Form

I acknowledge that I have received a copy of the Shoreline Metro Public Transportation Agency Safety Plan on the date indicated below. I understand that I am responsible for being familiar with and complying with the policies of the City of Sheboygan and Shoreline Metro.

I agree it is my responsibility to speak to a Supervisor immediately, if I have questions or need clarification.

Print Employee Name

Signature of Employee

Date

Prepared by:
Bay-Lake Regional Planning Commission
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CITY OF SHEBOYGAN

REQUEST FOR TRANSIT COMMISSION CONSIDERATION

ITEM DESCRIPTION: 8. Director's Report

REPORT PREPARED BY: Derek Muench, Director of Transit & Parking

REPORT DATE: 11/18/22

MEETING DATE: 11/29/22
FISCAL SUMMARY:

Budget Line Item:	N/A
Budget Summary:	N/A
Budgeted Expenditure:	N/A
Budgeted Revenue:	N/A

STATUTORY REFERENCE:

Wisconsin	N/A
Statutes:	
Municipal Code:	N/A

BACKGROUND / ANALYSIS:

The Director of Transit & Parking presents to the Transit Commission a report of operations for the Transit and Parking Utilities.

STAFF COMMENTS:

The Director of Transit & Parking presents the following items as advisory and information only:

- 1) Staffing & Personnel Update** – Shoreline Metro is currently recruiting for an ADA Transit Coordinator after the departure of Erica Ellinger in early November. Shoreline Metro also had a departure of a Transit Coordinator in early November. Shoreline Metro will only be filling one of the two positions and is currently interviewing candidates. We anticipate making an offer prior to Thanksgiving.

Additionally, Ann Koeller has been promoted to Operations Supervisor as part of the department reorganization approved earlier this year by the Transit Commission. Due to the departure of the two coordinators and to properly prepare for current supervisor Roland Knorr's retirement, her promotion was made effective on October 31, 2022. Ann is very excited to assume her new role.

As a reminder, Ann's previous position, Admin Coordinator, will be eliminated.

- 2) SASD Student Bus Pass Program** – The new program is going very well. Drivers have commented and shared very positive experiences. They appreciate the staff taking the time to address concerns and come up with a solution that addresses student accountability, safety and consistency. This school year, we've had six student suspensions thus far but no suspensions since the first week of school. Most students suspended will be eligible to ride in early December. We have had 100

percent support from the SASD and communication has increased 1000 percent. I believe customers appreciate our response and feel much better about using our service, in particular, during the peak afternoon.

- 3) **Route 20 Changes** –Shoreline Metro is making changes to Route 20 in accordance with the Village of Kohler and City of Sheboygan Falls. These changes include the following:

PUBLIC NOTICE ON ROUTE 20 CHANGES

Shoreline Metro is proposing permanent weekday departure time changes to Routes 20N and 20S effective January 2, 2023.

Departure times would change to the following:

20N

CURRENT 20N DEPARTURES

5:45 AM - 7:15 AM - 11:15 AM - 7:15 PM

20S

CURRENT 20S DEPARTURES

9:15 AM - 1:15 PM - 3:45 PM - 5:45 PM

20

PROPOSED 20 DEPARTURES

5:45 AM - 7:15 AM - 9:15 AM - 12:15 PM 1:45 PM - 4:15 PM - 5:45 PM - 7:15 PM

Customers may submit concerns to contact@shorelinemetro.com by December 18, 2022 for review. Thank you!

PUBLIC NOTICE ON ROUTE 20 CHANGES

Shoreline Metro is proposing permanent additional permanent changes to Routes 20N and 20S effective January 2, 2023. These changes include the following:

- All Route 20 runs would travel in the same direction starting with servicing Kohler then Sheboygan Falls then Deer Trace (previous Route 20N).
- Change route name to Route 20 going forward (no N or S designation)
- The route would once again service Target, JoAnns, and TJ Maxx with bus stops along the service road at Target and TJ Maxx. Walmart would be on-demand drop off only.

Customers may submit concerns to contact@shorelinemetro.com by December 18, 2022 for review. Thank you!

- 4) HotSpot for Transit & Parking** – Full implementation of transit is complete and customers have been increasing their usage month-to-month since June's implementation. In November, we have had over \$3,000 in sales at time of this report. Parking implementation is set to start soon with the permits. The meter implementation may have to wait until spring due to the cold temperatures (meters require vinyl decals that won't stick well if placed on in really cold temperatures). Otherwise, things are moving forward really well and we're pleased with the transit program we've implemented (including the Student Pass program).

ACTION REQUESTED:

Staff recommends approving the Director's Report provided by the Director of Transit & Parking and placing on file.

ATTACHMENTS: None.