

# A PARATRANSIT SERVICE PLAN FOR DISABLED PERSONS: 1997 UPDATE/ MILWAUKEE COUNTY TRANSIT SYSTEM

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Special acknowledgement is due Mr. Albert A. Beck, Principal Planner,  
and Mr. Patrick A. Pittenger, Planner, for their contributions to the  
preparation of this report.

# SOUTHEASTERN WISCONSIN REGIONAL PLANNING COMMISSION

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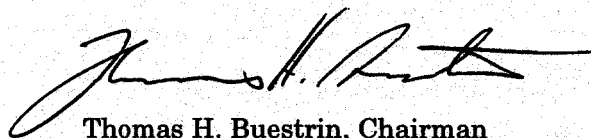
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**SUBJECT:** Certification of Amendment to the Adopted Regional  
Transportation Plan for the Transportation Handicapped

**TO:** The County Executive and Board of Supervisors of Milwaukee County

This is to certify that at a special meeting of the Southeastern Wisconsin Regional Planning Commission held at the Commission offices in Waukesha, Wisconsin, on the 24th day of January 1997, the Commission did by unanimous vote of all Commissioners present, being 15 ayes and 0 nays, and by appropriate Resolution, a copy of which is made a part hereof and incorporated by reference to the same force and effect as if it had been specifically set forth herein in detail, adopt an amendment to the regional transportation plan for the transportation handicapped, which plan was adopted by the Commission on the 13th day of April 1978 as part of the master plan for the physical development of the Region. Said amendment to the regional transportation plan for the transportation handicapped consists of the inventory findings, analyses, plans, and plan implementation recommendations contained in SEWRPC Memorandum Report No. 119, A Paratransit Service Plan for Disabled Persons: 1997 Update/Milwaukee County Transit System, published in January 1997, which is attached hereto and made a part hereof. Such action taken by the Commission is hereby recorded on, and is a part of, said plan; the plan, as amended, is hereby transmitted to Milwaukee County for implementation.

IN TESTIMONY WHEREOF, I have hereunto set my hand and seal and cause the Seal of the Southeastern Wisconsin Regional Planning Commission to be hereto affixed. Dated at the City of Waukesha, Wisconsin, this 27th day of January 1997.



Thomas H. Buestrin, Chairman  
Southeastern Wisconsin Regional  
Planning Commission

**ATTEST:**

*Philip C. Evenson*

Philip C. Evenson, Deputy Secretary

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**RESOLUTION NO. 97-1**

**RESOLUTION OF THE SOUTHEASTERN WISCONSIN REGIONAL PLANNING COMMISSION  
AMENDING THE REGIONAL TRANSPORTATION PLAN FOR THE TRANSPORTATION  
HANDICAPPED IN SOUTHEASTERN WISCONSIN, THE PLAN BEING A PART OF THE  
MASTER PLAN FOR THE PHYSICAL DEVELOPMENT OF THE REGION COMPRISED  
OF THE COUNTIES OF KENOSHA, MILWAUKEE, OZAUKEE, RACINE, WALWORTH,  
WASHINGTON, AND WAUKESHA IN THE STATE OF WISCONSIN  
(MILWAUKEE COUNTY TRANSIT SYSTEM—FEDERAL ADA REQUIREMENTS)**

WHEREAS, pursuant to Section 66.945(10) of the Wisconsin Statutes, a regional transportation plan for the transportation handicapped was duly adopted at a meeting of the Southeastern Wisconsin Regional Planning Commission held on the 13th day of April 1978, as part of the master plan for the physical development of the Region, such plan being comprised of the inventory findings, analyses, forecasts, plans, programs, and descriptive and explanatory material contained in SEWRPC Planning Report No. 31, A Regional Transportation Plan for the Transportation Handicapped in Southeastern Wisconsin: 1978-1982, published in April 1978; and

WHEREAS, the Secretary of the U.S. Department of Transportation on September 6, 1991, amended Final Rule 49 CFR Part 37 entitled, Transportation Services for Individuals with Disabilities (ADA), which includes provisions intended to implement the requirements of the Americans with Disabilities Act of 1990 pertaining to the provision of paratransit service for disabled individuals by each public entity operating a fixed route transit system, and the development of a paratransit service plan by each such public entity documenting the proposed ADA paratransit service, such plan to be reviewed and updated annually, documenting the progress achieved in implementing the plan and any proposed changes to the plan; and

WHEREAS, Section 37.139(h) of the aforementioned Federal regulation requires paratransit service plans and annual updates developed by public entities to be approved by the Southeastern Wisconsin Regional Planning Commission as the metropolitan planning organization for Southeastern Wisconsin as being in conformance with the transportation plan developed under 49 CFR Part 613 and 23 CFR Part 450; and

WHEREAS, at a meeting held on the 15th day of January 1992, the Commission duly adopted an amendment to the regional transportation plan for the transportation handicapped pertaining to the Federally required ADA paratransit service plan for disabled individuals for the Milwaukee County Transit System as documented in SEWRPC Memorandum Report No. 58, A Paratransit Service Plan for Disabled Persons: Milwaukee County Transit System, such program having been prepared to comply with the aforementioned Federal regulation; and

WHEREAS, annual updates of the paratransit service plan prepared in each year since 1992 to comply with the aforementioned Federal regulation have been adopted by the Commission as amendments to the regional transportation plan for the transportation handicapped, with the most recent plan amendment pertaining to the Milwaukee County 1996 paratransit service plan update as set forth in SEWRPC Memorandum Report No. 106, A Paratransit Service Plan for Disabled Persons: 1996 Update/Milwaukee County Transit System, adopted by the Commission on January 24, 1996; and

WHEREAS, the 1997 update of the paratransit service plan for disabled individuals for the Milwaukee County Transit System, as set forth in SEWRPC Memorandum Report No. 119, A Paratransit Service Plan for Disabled Persons: 1997 Update/Milwaukee County Transit System, prepared in response to a standing request from the County for assistance in preparing its annual plan update and published in January 1997, is intended to comply with the aforementioned Federal regulation pertaining to the provision of paratransit service for disabled individuals; and

WHEREAS, the 1997 update of the paratransit service plan for disabled individuals for the Milwaukee County Transit System, as documented in the aforementioned SEWRPC Memorandum Report No. 119, was formally adopted by the Milwaukee County Board of Supervisors on January 23, 1997; and

WHEREAS, it is intended that the paratransit service plan update for disabled persons for the Milwaukee County Transit System, as set forth in SEWRPC Memorandum Report No. 119, amend, extend, and add to the regional transportation plan for the transportation handicapped as set forth in the aforementioned SEWRPC Planning Report No. 31, amending the paratransit service plan for disabled individuals as set forth in SEWRPC Memorandum Report No. 58; and

WHEREAS, Section 66.945(9) of the Wisconsin Statutes authorizes and empowers the Regional Planning Commission, as the work of making the whole master plan progresses, to amend, extend, or add to the master plan or carry any part or subject matter thereof into greater detail;

NOW, THEREFORE, BE IT HEREBY RESOLVED:

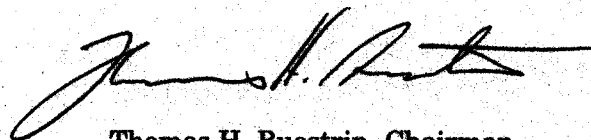
**FIRST:** That the regional transportation plan for the transportation handicapped, being a part of the master plan for the physical development of the Region and comprised of SEWRPC Planning Report No. 31, which plan was adopted by the Commission as a part of the master plan on the 13th day of April 1978, be and the same hereby is amended, extended, and refined to include the 1997 update of the paratransit service plan for disabled individuals for the Milwaukee County Transit System as set forth in SEWRPC Memorandum Report No. 119.

**SECOND:** That the 1997 update of the paratransit service plan for disabled individuals for the Milwaukee County Transit System as set forth in SEWRPC Memorandum Report No. 119, has been reviewed by the Southeastern Wisconsin Regional Planning Commission and is found to be in conformance with the transportation plan developed under 23 CFR Part 450.

**THIRD:** That the said SEWRPC Memorandum Report No. 119, together with all maps, plats, charts, programs, and descriptive and explanatory matter therein contained, is hereby made a matter of public record, and the originals and true copies thereof shall be kept at all times at the offices of the Southeastern Wisconsin Regional Planning Commission currently located at the Old Courthouse Building in the City of Waukesha, County of Waukesha, and State of Wisconsin, or at any subsequent office that the said Commission might occupy, for examination and study during regular Commission office hours by whomsoever may desire of the same.

**FOURTH:** That a true, correct, and exact copy of this resolution, together with a complete and exact copy of SEWRPC Memorandum Report No. 119, A Paratransit Service Plan for Disabled Persons: 1997 Update/ Milwaukee County Transit System, published in January 1997, containing the said descriptive and explanatory matter, shall be forthwith distributed to each of the local legislative bodies of the governmental units within the Region entitled thereto, and to such other bodies, agencies, or individuals as the law may require or as the Commission or its Executive Committee or its Executive Director, at their discretion, shall determine and direct.

The foregoing resolution, upon motion duly made and seconded, was regularly adopted at the meeting of the Southeastern Wisconsin Regional Planning Commission held on the 24th day of January 1997, the vote being Ayes 15; and Nays 0.



Thomas H. Buestrin, Chairman

ATTEST:

*Philip C. Evenson*

Philip C. Evenson, Deputy Secretary

**MEMORANDUM REPORT  
NUMBER 119**

**A PARATRANSIT SERVICE PLAN FOR DISABLED  
PERSONS: 1997 UPDATE/MILWAUKEE COUNTY TRANSIT SYSTEM**

Prepared by the

**Southeastern Wisconsin Regional Planning Commission  
P. O. Box 1607  
Old Courthouse  
916 N. East Avenue  
Waukesha, Wisconsin 53187-1607**

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**January 1997**

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Southeastern Wisconsin Regional Planning Commission  
Memorandum Report No. 119

A PARATRANSIT SERVICE PLAN FOR DISABLED PERSONS:  
1997 UPDATE/MILWAUKEE COUNTY TRANSIT SYSTEM

GENERAL INFORMATION

In January 1992, the Milwaukee County Transit System completed and submitted to the U.S. Department of Transportation, Federal Transit Administration (FTA), a proposed paratransit service plan for the County's fixed route transit system. The paratransit service plan was prepared to comply with regulations issued by the FTA to implement the requirements of the Americans With Disabilities Act of 1990. These regulations require each public entity operating a fixed route transit system to provide paratransit service to disabled individuals as a complement to its fixed route bus service, and to prepare and submit to the FTA a plan for providing the required complementary paratransit service.

The FTA regulations also require the preparation of annual updates of the initial paratransit service plan to document the progress which has been achieved in implementing the plan and any significant changes to the plan content or timetable. To date, Milwaukee County has completed and submitted to the FTA the updates of the paratransit service plan for the years 1993 through 1996.

The purpose of this report is to document the 1997 update of the paratransit service plan for the Milwaukee County Transit System. All Federally required forms and tables for the plan update are included in the Appendices to this report. The County's original paratransit service plan and the subsequent updates are documented in a series of previously published SEWRPC reports.<sup>1</sup> Both the original plan and all of the subsequent plan updates have been determined to be in compliance with the Federal ADA regulations.

Contact Person

All questions and comments on the County's paratransit plan update documented in this report should be directed to:

Mr. Stephen N. Kamuiru, Director  
Transportation Division  
Milwaukee County Department  
of Public Works  
907 North 10th Street  
Milwaukee, Wisconsin 53233

Telephone: (414) 278-5096  
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<sup>1</sup>See SEWRPC Memorandum Reports No. 58, A Paratransit Service Plan for Disabled Persons: Milwaukee County Transit System; No. 73, A Paratransit Service Plan for Disabled Persons: 1993 Update/Milwaukee County Transit System; No. 88, A Paratransit Service Plan for Disabled Persons: 1994 Update/Milwaukee County Transit System; No. 96, A Paratransit Service Plan for Disabled Persons: 1995 Update/Milwaukee County Transit System; and No. 106, A Paratransit Service Plan for Disabled Persons: 1996 Update/Milwaukee County Transit System.

### Required Approvals

The 1997 update of the paratransit service plan for the Milwaukee County Transit System documented in this report was adopted in principle by the Milwaukee County Board of Supervisors on January 23, 1997, in accordance with the requirements of the Americans With Disabilities Act, subject to policy action on specific Transit Plus program changes. The 1996 plan update was adopted by the Southeastern Wisconsin Regional Planning Commission--the metropolitan planning organization for Southeastern Wisconsin--on January 24, 1997. Copies of all federally required certifications of the plan by these bodies, including the resolution by the Milwaukee County Board of Supervisors and certification of plan conformance by SEWRPC (Federal Form 1), are provided in Appendix A.

### PROGRESS REPORT ON PLAN IMPLEMENTATION

The 1992 paratransit service plan and the subsequent plan updates for the Milwaukee County Transit System proposed that the County comply with the current Federal regulations by making modifications to the County's existing paratransit service for disabled persons which is provided through the Milwaukee County Paratransit Services-Transit Plus Program, formerly the Milwaukee County user-side subsidy program. Under the user-side subsidy structure of the Transit Plus paratransit program, eligible disabled users purchase service directly from participating private service providers of their choice, with a portion of the total cost of their trips being publicly subsidized. During 1996, one private taxicab company and 14 private van carriers are under contract with the County to participate in the program. The operation of the Transit Plus paratransit program with private service providers in this manner gives the County an extensive paratransit system without the need for a large outlay of funds for capital equipment.

The County's 1992 paratransit service plan proposed that some modifications be made to the County paratransit program in order for the program to meet the Federal ADA paratransit service requirements by January 1993. The 1993 plan update extended the timetable for implementing the proposed modifications, calling for the County transit system to achieve full compliance with the Federal ADA paratransit service requirements by January 1, 1997. The revised timetable was approved by the FTA with its approval of the 1993 plan update, and was retained without modification for the 1994 and 1995 plan updates. In the 1996 plan update, the County revised the timetable for a second time by extending the implementation date for one required modification, the implementation of a "next day" service policy, by one year, from January 1, 1996 as proposed in the approved timetable to January 1, 1997. However, the January 1, 1997 date for achieving full compliance with the Federal ADA paratransit service requirements was retained.

Tables 1 through 3 and Form 2 in Appendix B are Federally required tables and forms which present a report on the progress made during 1996 in implementing the proposed modifications to the Transit Plus paratransit program in accordance with the Federally approved timetable; an explanation for delays in implementing specific changes; revised dates for implementing delayed program changes; and a compliance checklist for the Transit Plus paratransit program against the Federal ADA eligibility requirements and service criteria. As can be seen from this information, the County is currently in full compliance with all ADA eligibility

requirements and with three of the six ADA paratransit service criteria. However, the County has yet to meet certain requirements under the ADA paratransit service criteria addressing:

- 1) Service area, in particular those requirements which call for paratransit service to be provided to all areas served by Milwaukee County's regular fixed route bus service, including small areas in Waukesha and Ozaukee Counties immediately adjacent to Milwaukee County;
- 2) Response time, in particular those requirements which call for accepting trip reservations on a next day basis and for scheduling service within one hour of the requested time; and
- 3) Capacity constraints, in particular those requirements which prohibit operating with insufficient service capacity which results in a pattern or practice of trip denials, missed trips, or untimely pickups.

Of the three service criteria which remain to be met, the capacity constraints faced by the program has been the most difficult problem for Milwaukee County to address, and remain as a major obstacle to achieving full compliance with the ADA paratransit requirements. Concerns over the capacity of the Transit Plus paratransit program began to be raised shortly after the program began to provide service under the expanded ADA eligibility requirements and service criteria in April, 1993. Because the method of service delivery under the program calls for trip requests to be made directly with the contract service providers, precise and reliable information allowing identification of the extent of capacity problems is not readily available. County staff monitors overall program capacity through complaints, using complaints concerning trip denials, on time performance, and excessive ride duration as an indicator of capacity problems. Sample data on trip denials obtained from participating service providers has revealed no problems. However, this contradicts the findings of County monitoring efforts which show significant increases in capacity-related complaints made to the County over the last five years, both in number and as a percentage of total complaints. Several reasons for these increases which have been identified by County staff and documented in previous plan updates include:

- The unrestricted user-choice structure of the program, which allows the user to choose to contact, or not contact, any of the operators under contract.
- The nonexclusive service contracts of participating providers with the County which, in turn, permits contractors to control the amount of service they provide to individuals outside the scope of the County's ADA paratransit service;
- Fluctuations in the number of the vehicles made available to the program from the vehicle fleets of the participating van service providers in past years.
- Increases in the number of program users who are clients of publicly and privately funded health and social service agencies which have ceased providing specialized transportation for their clients; and

- Harsh winter weather conditions, which usually present capacity challenges as a result of increased demand for service

Milwaukee County has tried several actions in past years to address the identified capacity problems. These actions have included:

- Expanding the number of van service providers under contract with the program. To help address the increasing demand for service, two additional van service providers were added in 1996. The County is currently in the process of contracting with additional van service providers to alleviate any service shortfalls, in particular any that may result from disciplinary action taken by the County to enforce the provisions of the contracts with service providers. However, the County has concerns over whether the necessary quantity, or quality, of service can be achieved to address capacity problems through the award of additional service contracts.
- Implementing tighter eligibility screening of eligible users. The ADA eligibility process implemented in April 1993 requires periodic recertification of user eligibility, with eligibility periods ranging from three months to five years depending on the disability of each user. The County has applied strict eligibility standards under this process, including enforcing some conditional eligibility criteria. Seasonal eligibility for individuals who require service only when snow, ice, or extreme cold exist, were placed into effect on April 1, 1996. However, many individuals are currently appealing their seasonal eligibility. Other types of conditional eligibility, including trip-by-trip eligibility, have not been enforced under the program's current method of service delivery, in part because most of the Milwaukee County Transit System bus fleet is not accessible and County concerns over relinquishing trip-by-trip screening to contract service providers.
- Providing mobility training to assist disabled individuals in learning to use regular fixed route bus service. Such mobility training has been offered since 1983, but has been viewed as having little impact on the demand for the County's paratransit service until 1996 because the Milwaukee County Transit System bus fleet had few accessible vehicles. However, with the introduction of 111 new low-floor buses by the fixed route transit system in 1996, along with 35 more low-floor buses in 1997 and 80 more by 1999, the mobility training program may take on a new importance in directing demand away from the Transit Plus paratransit program.

Further efforts directed at addressing the identified capacity problems have also been considered at various times since 1993. These have included employing a new computerized method for monitoring service delivery by the contract service providers to facilitate implementing trip-by-trip eligibility screening, as well as changing the system of service delivery from a contracted user-side system with many service providers to County-operated system with a centralized reservation system. However, such actions were not pursued because they were proposed at a time of severe fiscal constraints for virtually all County



programs, and their high costs would have had to be funded through increases in the County property tax levy. Notably, Milwaukee County must rely on property tax revenues to fund both fixed route bus and paratransit services because it does not have a dedicated source of tax revenue for its transit programs.

Because the County has been unable to resolve the existing capacity problems faced by the Transit Plus paratransit program, it has not implemented the program modifications needed to fully meet the response time and service area criteria. The modifications which remain to be implemented to meet these criteria include accepting trip reservations on a next day basis, scheduling service within one hour of the time requested, and expanding the service area for the program into small areas in Waukesha and Ozaukee Counties immediately adjacent to Milwaukee County. The necessary modifications will be implemented once the existing capacity problems are solved.

To provide the County with the time it needs to address the capacity problems of the Transit Plus paratransit program, the County proposes to extend the timetable for achieving full compliance with the ADA paratransit service requirements from January 27, 1997 to December 31, 1999, or by almost three years<sup>2</sup>. Pursuant to the FTA regulations issued to implement the requirements of the Americans With Disabilities Act of 1990, the County is submitting a request to the FTA for a temporary time extension for full implementation of the ADA paratransit service requirements due to undue financial burden. The County's request for a temporary time extension is documented in a report separate to this 1997 plan update. A revised timetable for implementing the Federally required changes to the Transit Plus paratransit program is set forth in Table 2 in Appendix B.

Over the three-year time extension, Milwaukee County proposes to examine the structure of the paratransit program, identify the modifications needed to bring Milwaukee County into full compliance with the ADA paratransit service requirements, and implement all necessary program changes. To this end, Milwaukee County is completing a broader study of the status and needs of both ADA and non-ADA paratransit services in the County. When this study was initiated in October 1995, it was envisioned that it would be completed in time to provide guidance on the direction of the Transit Plus paratransit program to be taken in complying with the ADA paratransit regulations. Upon conclusion of this study, a more detailed analysis of its recommendations pertaining to the Transit Plus paratransit program, along with other issues identified by County staff, will be initiated to advance within a six month period a series of changes to the program for debate, policy direction, and development of a final detailed implementation plan. Consideration will be given to a broad range of options, which may be as

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<sup>2</sup>A two-year temporary time extension from January 27, 1997 to January 26, 1999 was originally considered by the County and included in the draft of the County's 1997 plan update which was made available prior to the federally-required public hearing on the plan update. After reviewing the potential time required to put in place some of the more complex options identified to bring the program into full compliance, such as County purchase of vehicles for lease back to contract service providers or direct County operation, the County revised the time extension to December 31, 1999. This revision was announced at the public hearing during the summary presentation on the 1997 plan update.

simple as marketing strategies to encourage the use of regular bus service instead of paratransit service, or as complex as County ownership of paratransit vehicles and direct operation of the paratransit service.

It is envisioned that the options to be considered may include:

- Modifying the composition of the paratransit vehicle fleet to increase the number of inaccessible vehicles. This would reflect the increasing number of ambulatory individuals being granted eligibility for the service;
- Requiring dedicated service under service contracts so that contract carriers must provide exclusive service to the program or guarantee a specified level of service;
- Establishing service zones in service contracts under which carriers would be assigned responsibility for providing all service within, or between, specified areas in the County;
- Enhancing the financial reimbursement to carriers possibly through leasing vehicles purchased by the County back to the carriers for a nominal fee, or establishing a performance-based payment schedule;
- Establishing centralized trip reservations to allow for the allocation of trips to the most appropriate service and service provider thereby improving both the effectiveness and efficiency of the service;
- Implementing trip-by-trip eligibility screening to ensure that service is provided only to paratransit eligible rides as indicated by the individual users conditions of eligibility; and
- Establishing service routes targeted to major trip generators.

The County will report on the final actions it determines are both necessary and cost effective to achieve full compliance, and provide an implementation timetable with specific milestones for the action or actions chosen, in its paratransit plan update for 1998. At this time, the County envisions it may require almost three years to put in place some of the more complex options identified above, such as County purchase of vehicles for lease back to contract service providers or direct County operation. During the period when the final service option is under development, the Milwaukee County proposes to maintain its current level of compliance with the ADA paratransit service requirements.

#### PROJECTED DEMAND

The projected demand and vehicle estimates for the Transit Plus paratransit program for the period 1992 through 1998 are presented in Table 4 in Appendix B in the format requested for FTA reporting purposes. The table includes actual information for 1992 through 1995, estimated data for 1996, and projected data for 1997 through 1999. The ridership projections have been adjusted slightly from those presented in the 1996 paratransit plan update to reflect the recent experience of the Transit Plus paratransit program with providing service under

the ADA eligibility requirements and service criteria. As can be seen from this table, ridership on the program is reported to have increased from about 406,300 one-way trips in 1992 to about 540,000 one-way trips in 1996, representing a total increase of about 133,700 one-way trips, or about 33 percent. Ridership on the program by the end of 1999 is projected to increase to about 634,000 one-way trips, or by about 56 percent over 1992 ridership.

#### PROJECTED BUDGET AND VEHICLE ESTIMATES

##### Operating and Capital Budget

The five-year operating and capital budget summaries for the Milwaukee County Transit Plus paratransit program and for the County's total public transit program--including fixed route and paratransit services--which have been requested for FTA reporting purposes are presented in Tables 5 and 6 in Appendix B. The operating expenses and revenues have been adjusted slightly from those presented in the 1996 paratransit plan update to reflect the recent experience of the Transit Plus paratransit program with providing service under the ADA eligibility requirements and service criteria. The total expenses for the paratransit program during 1996 are estimated to be about \$8,256,800--including \$8,223,800 in operating expenses and about \$33,200 in capital expenses--and would represent an increase of about 53 percent over the total 1992 operating expenses for the program of about \$5,396,800--including \$5,394,000 in operating expenses and about \$2,800 in capital expenses. By the end of 1999, total expenses for the program are projected to be about \$10,367,200--including \$10,287,200 in operating expenses and about \$80,000 in capital expenses--and would represent an increase of 92 percent from the 1992 operating expenses.

It should be noted that the above costs assume Milwaukee County will continue to contract for the paratransit service provided under the Transit Plus paratransit program from private service providers through 1998. As the majority of the equipment necessary to provide the paratransit service, including all vehicles and maintenance equipment or facilities, would be provided by the service providers under the terms of the service contracts with Milwaukee County, only minor capital projects would be undertaken by the County for the paratransit service, such as the purchase of computer equipment and software. The County will be undertaking a detailed analysis of the Transit Plus program during the first six months of 1997 to identify the modifications needed to bring Milwaukee County into full compliance with the ADA paratransit service requirements. The options considered may include the purchase of vehicles for the paratransit program which could substantially increase the capital costs shown in Tables 5 and 6.

##### Accessible Vehicles

Information on the existing and forecast numbers of accessible fixed-route buses for the Milwaukee County Transit System and paratransit vehicles for the Milwaukee County Transit Plus paratransit program is presented in Tables 7 and 8 in Appendix B in the format which has been requested for FTA reporting purposes. During 1996, Milwaukee County added 111 new accessible buses to the bus fleet of the Milwaukee County Transit System. As of December 1996, 138 of the 535 buses in the total system fleet, and 106 of the 411 peak hour buses, or about 26 percent, were accessible buses. The accessible buses are used to provide service on 16 local and shuttle routes of the transit system. During

peak periods, approximately 60 percent of the buses on the 16 affected routes are accessible.

The County's fleet replacement and expansion program for the fixed-route transit system calls for the acquisition of 115 more new accessible buses by the end of 1999--35 buses in early 1997 and 40 buses in both 1998 and 1999--to replace older buses in the fleet. Under this program, a total of 253, or about 47 percent, of the 535 buses in the planned vehicle fleet would be accessible by the end of 1999. The purchase of the 80 buses proposed for 1998 and 1999 will be subject to the availability of Federal and County funds.

Milwaukee County does not own or lease a paratransit vehicle fleet for the Transit Plus paratransit program. All paratransit vehicles are owned and operated by the private companies under contract with the County to provide the paratransit service offered under the program. During 1996 the vehicle fleet for the private companies was comprised of a total of 346 vehicles, including 185 accessible vans/minivans and 161 taxicabs. Notably, none of the paratransit vehicles used by the contractors are dedicated to providing service exclusively for the Transit Plus paratransit program. The Transit Plus paratransit program shares the contractor's vehicles with the other business needs of contract companies. Historically, the County has expanded the capacity of the Transit Plus paratransit program as demand has increased by contracting with additional service providers. The detailed analysis of the Transit Plus program to be undertaken during the first six months of 1997, will examine whether the County should continue this practice in the future, or if changes are warranted in order to achieve the necessary quantity, and quality, of service needed to address the capacity problems of the program.

#### PUBLIC PARTICIPATION PROGRAM AND PUBLIC REACTION TO PLAN UPDATE

##### Outreach Efforts

Milwaukee County undertook extensive outreach activities related to the Transit Plus program throughout 1996. These activities are documented in Appendix C. A County staff person from the Transit Plus program serves as a member of the Transportation Committee of the Older Adult Service Providers Consortium which includes representatives from public and private social service agencies, paratransit service providers, and groups representing elderly and disabled individuals. Information on the policies, practices, and service characteristics of the Transit Plus program were provided on at the regular monthly meetings of the Transportation Committee. County staff also made presentations during 1996 to disabled groups on the paratransit service offered under the Transit Plus program, and indicated that staff was available to make such presentations in correspondence sent out to organizations requesting user applications for the program. The Transit Plus program staff also distributed information on the program at several "health fairs" held throughout the year.

Milwaukee County also undertook special outreach activities specifically for its 1997 paratransit service plan update and its request for a temporary time extension for full implementation of the ADA paratransit service requirements due to undue financial burden. This outreach effort was conducted during the October 1996 and was intended to solicit comments on the County's Transit Plus program for consideration in preparing the 1997 paratransit plan update and the request

for a temporary time extension. A special notice was distributed by the County which announced the plan update effort and asked for comments and ideas concerning the paratransit service provided to disabled persons by the Milwaukee County Transit Plus Program. The outreach notice also announced the County's intent to request a temporary time extension for full implementation of the ADA paratransit service requirements because it did not expect to be in full compliance with the requirements by the January 27, 1997. The notice was widely advertised in Milwaukee area newspapers including in The Milwaukee Journal Sentinel on October 20, 1996, in the Spanish Times on October 22, 1996, and in the Milwaukee Community Journal on October 23 and 25, 1996. The notice was also carried on local cable television from October 25 through November 1, 1996.

#### Consultation Activities

Throughout 1996, staff from the Milwaukee County Department of Public Works, along with SEWRPC staff, have been available to meet with disabled individuals or groups representing the disabled community to answer questions and to take comments and suggestions on the County's paratransit plan and the Transit Plus program. In particular, both County and SEWRPC staff were available to meet with disabled individuals, groups, or their representatives to discuss the plan and paratransit service during the outreach efforts undertaken for the 1997 plan update and during the public comment period for the draft 1997 paratransit plan update. Disabled individuals or groups had only to request a meeting or presentation on the paratransit service from these agencies and one would be arranged. The consultation activities which occurred during 1996 are documented in Appendix C.

#### On-Going Public Participation Activities

Milwaukee County maintains a public participation process for the its Transit Plus program which provides for an active role for the Milwaukee County disabled community in the planning and development of the paratransit service. Activities undertaken during 1996 related to this process are documented in Appendix C. The process includes regular meetings of the Milwaukee County Commission for Persons with Disabilities, which oversees the planning and development of the paratransit services provided by the Milwaukee County Department of Public Works through the Transit Plus paratransit program. The membership of this Commission includes a broad spectrum of representatives of the Milwaukee County disabled community and from private and public social service agencies serving disabled individuals. The meetings of this Commission are generally scheduled on a monthly basis to address various County issues affecting the disabled community. In this capacity, this Commission assists the County staff in developing policy, responding to citizen complaints, addressing service and funding issues, and planning future paratransit services for the County paratransit program. Its meetings are open to the general public and are held in an accessible facility.

#### Public Comments on Plan Update

During November 1996, County staff, assisted by the staff of the Southeastern Wisconsin Regional Planning Commission (SEWRPC), began work on developing the 1997 paratransit service plan update including documenting the implementation status of the original plan recommendations, the problems faced by the County in implementing the service modifications called for in the approved timetable, and the revised timetable proposed under the County's request for a temporary time

extension for full implementation of the ADA paratransit service requirements. Preliminary drafts of the both the County's 1997 plan update and the County's request for a temporary time extension were made available for public review and comment as of December 5, 1996.

The official public comment period for the County's 1997 paratransit service plan update extended from December 1 through December 31, 1996. The public hearing on the County's 1997 plan update was held on December 11, 1996, from 4:00 to 7:00 p.m. in the Washington Park Senior Center in the City of Milwaukee. The center is both a transit- and a disabled-accessible facility. Legal notices announcing the public hearing were advertised in The Milwaukee Journal Sentinel on December 8, 1996 and in the Spanish Times on December 10, 1996. In addition, a special public hearing notice was distributed by the Milwaukee County Executive Office for Persons with Disabilities using a mailing list which included all local newspaper, radio, and television media; all public libraries; all public and private agencies serving disabled individuals within the County; special education instructors within the County; all local elected officials within the County; and numerous disabled individuals and organizations representing such individuals. In total, approximately 2,700 public hearing notices were directly distributed using this mailing list. The distribution of these notices occurred in early December.

Copies of both the preliminary draft report documenting the County's 1997 plan update and the County's request for a temporary time extension for full implementation of the ADA paratransit service requirements were made available by County staff to disabled individuals and other interested parties. Provisions were made to provide upon request a copy of the report in Braille or in electronic computer readable format to anyone requesting such formats. A total of 33 copies of the County's 1997 paratransit plan update were distributed, including 30 in standard format, and three in electronic computer-readable format.

A total of 50 persons--including members of the Milwaukee County Board of Supervisors, the Milwaukee County Commission for Persons with Disabilities, Milwaukee County and SEWRPC staff, and the general public--attended the public hearing on the preliminary draft 1997 paratransit plan update. Of those in attendance, 18 persons provided testimony or submitted written comments on the 1997 plan update, the County's request for a temporary time extension, or the County's paratransit and accessible fixed route bus services. A total of 31 written comments were also received during the 31-day public comment period. A summary of the oral testimony at the hearing, along with copies of each written comment received including those provided at the hearing, is set forth in Appendix C to this report.

Some of the public comments received indicated an appreciation of the availability of the paratransit service provided by the existing Transit Plus program, noting that without the service disabled persons would not have the independence in daily living which they now enjoy. Some of the public comments received also indicated an appreciation of the expansion of accessible bus service implemented by the Milwaukee County Transit System in 1996, noting that the availability of accessible bus service was the best thing that has happened to disabled persons, and expressed a desire for more accessible bus service.



Most of the comments received, however, were critical of the current paratransit service. The comments received cited a number of problems with the quality of the paratransit service provided by the contract van and taxicab carriers as experienced by users or social service agencies including: late pick-ups and drop-offs; the inability to schedule service during certain times of each day; trip denials, in particular the refusal of one particular carrier to serve some eligible program participants, and the inability of the users of another carrier, which had been dropped from the Transit Plus program, to secure replacement service from other Transit Plus providers; insensitive or poorly trained drivers; and the use of improperly equipped vehicles. Some comments suggested that the County's reimbursement rate for paratransit van providers was a contributing factor to many of these service quality problems, noting that the providers' service costs have increased faster than the County's per-trip reimbursement rate which had caused providers to choose between paying low drivers wages or paying higher wages for fewer drivers than needed to serve the demand for service.

Comments were also expressed which opposed to the County's efforts to obtain a temporary time extension for achieving full compliance with the ADA paratransit service requirements due to undue financial burden. Individuals expressing opposition questioned whether the County had made a sincere effort to make the necessary service modifications to the Transit Plus program over the five-year period since 1992 when the Federal ADA regulations were issued, or questioned whether making the necessary service modifications would cause an undue financial burden for the County, given that County tax support for the paratransit program, when adjusted for inflation, had not changed appreciably since 1992.

Some comments also indicated dissatisfaction with the criteria used to make regular or conditional eligibility determinations for the program, and with the County's decision to delay expanding the Transit Plus service area into portions of Waukesha County immediately adjacent to Milwaukee County.

#### County Response to Public Comments

The County considered the need to modify the actions proposed under the draft 1997 plan update in response to the public comments received. The following documents the County's deliberations and determinations in this respect.

With respect to the comments pertaining to service-related problems experienced by users with the existing paratransit providers and the comments opposing the County's efforts to obtain a time extension for achieving full compliance with the ADA paratransit service requirements, the County acknowledges that problems with service delivery exist with the current program, and that such problems have become more pronounced during 1995 and 1996. Because the County has been unsuccessful in the past in correcting the current problems using actions consistent with the current user-side subsidy structure of the program, including contracting with additional service providers, the County is considering a basic change to the structure of the paratransit program, specifically, the operation of the programs by the Milwaukee County Transit System. The public comments pertaining to service-related problems currently experienced by users demonstrate a need to consider broad changes to the program structure. The time extension is needed in order for the County to complete an analysis of such potential changes, as well as implement what actions are identified as necessary to correct

the current service delivery problems and bring the County into full compliance with the ADA paratransit service requirements.

With respect to comments questioning the County's basis for a waiver due to undue financial burden in light of past and current County funds provided for the paratransit program, the County notes that these comments fail to recognize the severe local fiscal constraints which restrict or prohibit increases in the County property tax levy for virtually all County programs in the recent past. Important among these constraints is a mill rate levy cap imposed on the County by the State legislature. This cap can only be overcome by a countywide referendum. Under these local funding constraints, and in the absence of a dedicated source of tax revenue for County transit programs, significant increases in County funding for the Transit Plus program, such as required to fund all of the modifications needed to achieve full compliance with the ADA paratransit service requirements, were not possible. Notably, while County funds for the Transit Plus program have remained relatively stable since 1992, total expenditures for program have increased by over 50 percent.

With respect to the comments expressing concerns over the regular or conditional eligibility determinations made for the paratransit service, the County's notes that its eligibility criteria and certification process are in full compliance with all ADA requirements. Individuals who disagree with their eligibility determination can appeal. Moreover, County staff worked with the individuals making the comments to determine if they had already filed an appeal or were interested in filing one.

With respect to the comments expressing dissatisfaction with the County's decision to delay expanding the Transit Plus service area into Waukesha County, the County has revised the program's service area policy, which had excluded pick-ups and drop-offs of passengers at all addresses outside Milwaukee County, to allow paratransit service to be provided to addresses in Waukesha County on the west side of the streets defining the Milwaukee-Waukesha County Line. The policy change is consistent with the operation of County fixed-route bus service along such streets which include stops along both the Milwaukee and Waukesha County sides of the county line. However, further Milwaukee County action on extending paratransit service into Waukesha or Ozaukee County is controlled by the State statute governing County ownership and operation of transit systems. The Statute prohibits the provision of transit service by a County-operated transit system outside the County unless a contract which provides for financial assistance for the transit service has been executed with the public or private entity or organization receiving transit service. It is the intent of Milwaukee County to try to enter into one or more contracts providing financial assistance from public or private entities or organizations in Waukesha and Ozaukee Counties in financial support of the expansion of paratransit service into these counties as required by State law, and thereby conforming with the ADA paratransit service regulations. However, the absence of the contract arrangement required by State statute will constitute a legal barrier to service expansion in accordance with ADA regulations.

Conclusion

Based upon careful consideration of the comments received, it was determined that no significant changes were required to be made in the County's proposed 1997 plan update as it was presented for public review and comment.

UNRESOLVED ISSUES

There were no unresolved issues identified by the FTA to be addressed in Milwaukee County's 1997 paratransit service plan update.

OTHER ISSUES

Changes to the Paratransit Fare

There will be no changes made in 1997 to the fares charged under the Transit Plus paratransit program. A fare increase of \$0.20 per one-way trip was considered in the initial 1997 operating budget for the program but was not approved. The fares charged to all eligible users of the Transit Plus paratransit service will, therefore, remain at \$2.50 per one-way trip during 1997. By comparison, the full adult cash fare for fixed route bus service on the Milwaukee County Transit System will be \$1.35 per one-way trip during 1997. Paratransit fares will remain below the maximum paratransit fare allowed under Federal ADA regulations of twice the base fare for fixed route transit service.

\* \* \*

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## **APPENDICES**

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## Appendix A

### FEDERALLY REQUIRED CERTIFICATIONS

Exhibit A-1

RESOLUTION BY THE MILWAUKEE COUNTY BOARD OF SUPERVISORS  
APPROVING THE 1997 PARATRANSIT SERVICE PLAN UPDATE



COUNTY CLERK

*Milwaukee County*

ROD LANSER • County Clerk  
MARK E. RYAN • Deputy County Clerk

STATE OF WISCONSIN     )  
                                  )SS  
COUNTY OF MILWAUKEE    )

I, Rod Lanser, County Clerk in and for the County of Milwaukee, State of Wisconsin, do hereby certify that the attached copy of File No. 97-79 is a true and correct copy of the original resolution duly adopted by the Milwaukee County Board of Supervisors at a meeting held on 1-23-97 and approved by Co. Executive F. Thomas Ament on 1-23-97.

Given under my hand and official seal, at the Milwaukee County Courthouse, in the City of Milwaukee, this 24th day of January, 1997.

ROD LANSER  
MILWAUKEE COUNTY CLERK

File No. 97-79  
(Journal, January 23, 1997)

(ITEM 14) From the Director of Public Works, requesting adoption of the Southeastern Wisconsin Regional Planning Commission Memorandum Report Number 119, A Paratransit Service Plan for Disabled Persons: 1997 Update - Milwaukee County Transit System, by recommending adoption of the following:

**A RESOLUTION**

WHEREAS, the Americans with Disabilities Act became Public Law 101-336 on July 26, 1990; and

WHEREAS, the U.S. Department of Transportation, Urban Mass Transportation Administration (UMTA), now named Federal Transit Administration (FTA) issued final rules, 49 CFR Part 37 - Transportation for Individuals with Disabilities, September 6, 1991, implementing the ADA's transportation provisions; and

WHEREAS, the regulations require a public entity operating a fixed route transit system, such as Milwaukee County, to provide paratransit service to individuals with disabilities that is comparable to the level of service provided to individuals without disabilities who use the fixed route system; and

WHEREAS, a plan for the provision of complementary paratransit service was developed in accordance with ADA regulations and adopted in principle by the County Board; and

WHEREAS, the regulations require the submittal of annual plan updates identifying significant changes and revisions to the implementation schedule; and

WHEREAS, the Southeastern Wisconsin Regional Planning Commission has developed the required 1997 plan update for Milwaukee County and presented the plan update for public comment at a public hearing as required; and

WHEREAS, the plan update identifies Milwaukee County's intention to file a request for a waiver granting a temporary time extension for full compliance due to undue financial burden, which, if approved, would change the date of full compliance from January, 1997, to December, 1999; and

WHEREAS, the Transportation, Public Works and Transit Committee, at its meeting on January 8, 1997, recommended approval of the plan update; now, therefore,

32           BE IT RESOLVED, that the Milwaukee County Board of Supervisors does hereby  
33   adopt the Southeastern Wisconsin Regional Planning Commission Memorandum Report  
34   Number 119, A Paratransit Service Plan for Disabled Persons: 1997 Update - Milwaukee  
35   County Transit System, in accordance with the requirements of the Americans with  
36   Disabilities Act, subject to policy action by the Federal Transit Administration.

37   **FISCAL NOTE:**   Adoption of this resolution will not require an expenditure of funds.

38   ssd  
39   January 24, 1997  
40   9779TT.WPD

Exhibit A-2

CERTIFICATION OF THE 1997 PARATRANSIT SERVICE PLAN UPDATE  
BY THE SOUTHEASTERN WISCONSIN REGIONAL PLANNING COMMISSION

The Southeastern Wisconsin Regional Planning Commission hereby certifies that it has reviewed the 1997 ADA paratransit plan update for the Milwaukee County Transit System as required under 49 CFR 37.139(h) and finds it to be in conformance with the transportation plan developed under 49 CFR part 613 and 23 CFR part 450. This certification is valid for one year.

A handwritten signature in cursive script, reading "Philip C. Evenson", is written over a solid horizontal line.

Philip C. Evenson  
Executive Director

January 24, 1997

## RESOLUTION NO. 97-1

RESOLUTION OF THE SOUTHEASTERN WISCONSIN REGIONAL PLANNING COMMISSION  
 AMENDING THE REGIONAL TRANSPORTATION PLAN FOR THE TRANSPORTATION HANDICAPPED  
 IN SOUTHEASTERN WISCONSIN, THE PLAN BEING A PART OF THE MASTER PLAN FOR THE  
 PHYSICAL DEVELOPMENT OF THE REGION COMPRISED OF THE COUNTIES OF KENOSHA,  
 MILWAUKEE, OZAUKEE, RACINE, WALWORTH, WASHINGTON, AND WAUKESHA  
 IN THE STATE OF WISCONSIN  
 (MILWAUKEE COUNTY TRANSIT SYSTEM--FEDERAL ADA REQUIREMENTS)

WHEREAS, pursuant to Section 66.945(10) of the Wisconsin Statutes, a regional transportation plan for the transportation handicapped was duly adopted at a meeting of the Southeastern Wisconsin Regional Planning Commission held on the 13th day of April 1978, as part of the master plan for the physical development of the Region, such plan being comprised of the inventory findings, analyses, forecasts, plans, programs, and descriptive and explanatory material contained in SEWRPC Planning Report No. 31, A Regional Transportation Plan for the Transportation Handicapped in Southeastern Wisconsin: 1978-1982, published in April 1978; and

WHEREAS, the Secretary of the U.S. Department of Transportation on September 6, 1991, amended Final Rule 49 CFR Part 37 entitled, Transportation Services for Individuals with Disabilities (ADA), which includes provisions intended to implement the requirements of the Americans with Disabilities Act of 1990 pertaining to the provision of paratransit service for disabled individuals by each public entity operating a fixed route transit system, and the development of a paratransit service plan by each such public entity documenting the proposed ADA paratransit service, such plan to be reviewed and updated annually, documenting the progress achieved in implementing the plan and any proposed changes to the plan; and

WHEREAS, Section 37.139(h) of the aforementioned Federal regulation requires paratransit service plans and annual updates developed by public entities to be approved by the Southeastern Wisconsin Regional Planning Commission as the metropolitan planning organization for Southeastern Wisconsin as being in conformance with the transportation plan developed under 49 CFR Part 613 and 23 CFR Part 450; and

WHEREAS, at a meeting held on the 15th day of January 1992, the Commission duly adopted an amendment to the regional transportation plan for the transportation handicapped pertaining to the Federally required ADA paratransit service plan for disabled individuals for the Milwaukee County Transit System as documented in SEWRPC Memorandum Report No. 58, A Paratransit Service Plan for Disabled Persons: Milwaukee County Transit System, such program having been prepared to comply with the aforementioned Federal regulation; and

WHEREAS, annual updates of the paratransit service plan prepared in each year since 1992 to comply with the aforementioned Federal regulation have been adopted by the Commission as amendments to the regional transportation plan for the transportation handicapped, with the most recent plan amendment pertaining to the Milwaukee County 1996 paratransit service plan update as set forth in SEWRPC Memorandum Report No. 106, A Paratransit Service Plan for Disabled Persons: 1996



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Update/Milwaukee County Transit System, adopted by the Commission on January 24, 1996; and

WHEREAS, the 1997 update of the paratransit service plan for disabled individuals for the Milwaukee County Transit System, as set forth in SEWRPC Memorandum Report No. 119, A Paratransit Service Plan for Disabled Persons: 1997 Update/Milwaukee County Transit System, prepared in response to a standing request from the County for assistance in preparing its annual plan update and published in January 1997, is intended to comply with the aforementioned Federal regulation pertaining to the provision of paratransit service for disabled individuals; and

WHEREAS, the 1997 update of the paratransit service plan for disabled individuals for the Milwaukee County Transit System, as documented in the aforementioned SEWRPC Memorandum Report No. 119, was formally adopted by the Milwaukee County Board of Supervisors on January 23, 1997; and

WHEREAS, it is intended that the paratransit service plan update for disabled persons for the Milwaukee County Transit System, as set forth in SEWRPC Memorandum Report No. 119, amend, extend, and add to the regional transportation plan for the transportation handicapped as set forth in the aforementioned SEWRPC Planning Report No. 31, amending the paratransit service plan for disabled individuals as set forth in SEWRPC Memorandum Report No. 58; and

WHEREAS, Section 66.945(9) of the Wisconsin Statutes authorizes and empowers the Regional Planning Commission, as the work of making the whole master plan progresses, to amend, extend, or add to the master plan or carry any part or subject matter thereof into greater detail.

NOW, THEREFORE, BE IT HEREBY RESOLVED:

FIRST: That the regional transportation plan for the transportation handicapped, being a part of the master plan for the physical development of the Region and comprised of SEWRPC Planning Report No. 31, which plan was adopted by the Commission as a part of the master plan on the 13th day of April 1978, be and the same hereby is amended, extended, and refined to include the 1997 update of the paratransit service plan for disabled individuals for the Milwaukee County Transit System as set forth in SEWRPC Memorandum Report No. 119.

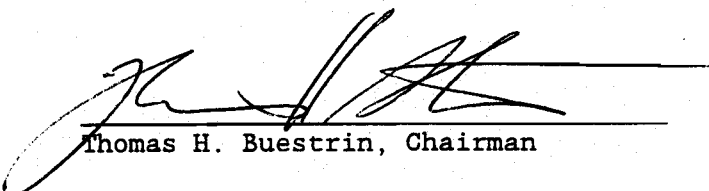
SECOND: That the 1997 update of the paratransit service plan for disabled individuals for the Milwaukee County Transit System as set forth in SEWRPC Memorandum Report No. 119, has been reviewed by the Southeastern Wisconsin Regional Planning Commission and is found to be in conformance with the transportation plan developed under 23 CFR Part 450.

THIRD: That the said SEWRPC Memorandum Report No. 119, together with all maps, plats, charts, programs, and descriptive and explanatory matter therein contained, is hereby made a matter of public record, and the originals and true copies thereof shall be kept at all times at the offices of the Southeastern Wisconsin Regional Planning Commission presently located at the Old Courthouse Building in the City of Waukesha, County of Waukesha, and State of Wisconsin, or at any subsequent office that the said Commission might occupy, for examination and study during regular Commission office hours by whomsoever may desire of the same.

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FOURTH: That a true, correct, and exact copy of this resolution, together with a complete and exact copy of SEWRPC Memorandum Report No. 119, A Paratransit Service Plan for Disabled Persons: 1997 Update/Milwaukee County Transit System, published in January 1997, containing the said descriptive and explanatory matter, shall be forthwith distributed to each of the local legislative bodies of the governmental units within the Region entitled thereto, and to such other bodies, agencies, or individuals as the law may require or as the Commission or its Executive Committee or its Executive Director, at their discretion, shall determine and direct.

The foregoing resolution, upon motion duly made and seconded, was regularly adopted at the meeting of the Southeastern Wisconsin Regional Planning Commission held on the 24th day of January 1997, the vote being Ayes 15; and Nays 0.

  
Thomas H. Buestrin, Chairman

ATTEST:

  
Philip C. Evenson, Deputy Secretary

PCE/AAB/PAP/rj  
TRNS/RES097-1.MIL  
1/15/97

## **Appendix B**

### **FEDERALLY REQUIRED TABLES AND FORMS**

SYSTEM NAME: Milwaukee County Transit System      CITY: Milwaukee County      STATE: Wisconsin

Table 1

1996-1997 ADA PARATRANSIT PLAN  
TIMETABLE AND PROGRESS REPORT\*

1996 UPDATE TARGET DATE (MM/YY)	1996 MILE- STONE MET? (Y/N)	1996 MILESTONE PROGRESS REPORT - as of January 1997 (period January 26, 1996 - January 25, 1997)	1997 UPDATE NEW DATE? (MM/YY)
1/97	N	1. Implement measures to alleviate recently identified pattern of capacity constraints. Complete evaluation, recommendation, and implementation of structural changes to provide capacity to meet service demands for paratransit program.	12/31/99 <sup>1</sup>
1/97	N	2. Implement "next day" service policy under which a trip request made during the hours of 8:00 a.m. to 5:00 p.m. on the previous day would be served.	12/31/99 <sup>1</sup>
1/97	N	3. Provide sufficient capacity for the program to assure that it is able to respond to expanded eligibility and ridership.	12/31/99 <sup>1</sup>
1/97	N	4. Expand service area for paratransit program into small portions of adjacent Waukesha and Ozaukee Counties so as to include all areas within three-quarters of a mile of the regular routes operated by the Milwaukee County Transit System which are subsidized by Milwaukee County.	12/31/99 <sup>1</sup>
1/97	N	5. Full Compliance with all ADA paratransit service requirements.	12/31/99 <sup>1</sup>

Note: Using Form 2, provide detailed written explanation on milestone slippage greater than one full year (12 months).

\*List all 1996-1997 ADA paratransit milestones; then indicate progress (Y/N) on milestones targeted to be achieved prior to 1/26/97; include additional accomplishments.

<sup>1</sup>Pending approval of request for temporary time extension and waiver.

Source: Milwaukee County Department of Public Works; and SEWRPC.

SYSTEM NAME: Milwaukee County Transit System

Jan. 1997

## Form 2

## EXCEPTION REPORT: MILESTONE SLIPPAGE EXPLANATION\*

MILESTONE OR FULL COMPLIANCE DELAYS:	Target Date 96 Update	New Target Date 97 Update
<p>1. Implement measures to alleviate recently identified pattern of capacity constraints. Complete evaluation, recommendation, and implementation of structural changes needed to provide capacity to meet service demands for paratransit program.</p> <p><u>Explanation:</u> Past efforts to alleviate capacity problems with Transit Plus program have not been totally successful. Therefore, the County proposes to extend the timetable for achieving full compliance with the ADA paratransit service requirements by two years during which it would examine the structure of the paratransit program, identify the modifications needed to bring Milwaukee County into full compliance with the ADA paratransit service requirements, and implement all necessary program changes. By mid-1997, a series of potential changes to the existing program will be advanced for debate, policy direction, and development of a final detailed implementation plan. The final actions which are determined to be necessary to achieve full compliance will be reported in the County's paratransit plan update for 1998.</p>	1/97	12/31/99 (pending approval of temporary time extension/waiver)
<p>2. Implement "next day" service policy under which a trip request made during the hours of 8:00 a.m. to 5:00 p.m. on the previous day would be served.</p> <p><u>Explanation:</u> Preliminary measures to implement a "next day" service policy were proposed in the 1996 budget request and rejected due to fiscal constraints. However, one aspect of implementation, increasing the amount of service available with additional service providers, is underway. Additional service options will be identified in analysis noted above.</p>	1/97	12/31/99 (pending approval of temporary time extension/waiver)

\*Note: A narrative explanation, using Form 2, must accompany Table 1, when there is significant milestone slippage. During the 1996-1998 period, "significant milestone slippage" exists (1) when the target date for Plan full compliance is delayed or (2) when individual milestones slip by a year (a full 12 months). If there are no milestone or full compliance delays, no explanation is required, and Form 2 can be omitted.

Source: Milwaukee County Department of Public Works; and SEWRPC.

SYSTEM NAME: Milwaukee County Transit System      CITY: Milwaukee County      STATE: Wisconsin

Table 2

## REVISED 1997-1999 ADA PARATRANSIT PLAN TIMETABLE

1997 TARGET DATE (MM/YY)	MILESTONES-JANUARY 1997 UPDATE
7/1/97 <sup>1</sup>	1. Complete analysis of options for alleviating capacity problems of Transit Plus program. Identify modifications needed to bring service into full compliance with ADA service requirements for debate, policy direction, and development of final detailed implementation plan.
12/31/99 <sup>1</sup>	2. Implement policies for "next day" service, under which a trip request made during the hours of 8:00 a.m. to 5:00 p.m. on the previous day would be served, and for scheduling service within one hour of the requested travel time.
12/31/99 <sup>1</sup>	3. Provide sufficient capacity for the paratransit program to assure that it is able to respond to existing and projected ridership, and provide service without substantial trip denials, missed trips, or untimely pickups.
12/31/99 <sup>1</sup>	4. Expand service area for paratransit program into small portions of adjacent Waukesha and Ozaukee Counties so as to include all areas within three-quarters of a mile of the regular routes operated by the Milwaukee County Transit System which are subsidized by Milwaukee County.
12/31/99 <sup>1</sup>	5. Full Compliance with all ADA paratransit service requirements.

<sup>1</sup>Pending approval of request for temporary time extension and waiver.

Source: Milwaukee County Department of Public Works and SEWRPC.

SYSTEM NAME: Milwaukee County Transit System CITY: Milwaukee County STATE: Wisconsin

Table 3

ELIGIBILITY, SIX SERVICE CRITERIA, AND FULL COMPLIANCE DATE

COMPLIANCE ITEM	IN FULL COMPLIANCE NOW (Y/N)	IF NO, EXPECTED DATE OF FULL COMPLIANCE (MM/YY)
<b>ELIGIBILITY PROCESS</b>		
1. Requests for certification being accepted and all aspects of policy (appeals, documentation, etc.) established	Y	
2. Compliance with companion and personal care attendant requirements	Y	
3. Compliance with visitor requirements	Y	
<b>SIX SERVICE CRITERIA</b>		
<b>SERVICE AREA:</b>		
4. Service to all origins and destinations within the defined area	N	12/31/99
5. Coordination with contiguous/overlapping service areas, if applicable	N	12/31/99
<b>RESPONSE TIME:</b>		
6. Requests accepted during normal business hours on "next day" basis	N	12/31/99
7. Requests accepted on all days prior to days of service (e.g., weekends/holidays)	Y	
8. Trips scheduled within one hour of requested pickup time	N	12/31/99
<b>FARES:</b>		
9. No more than twice the base fixed route fare for eligible individuals	Y	
10. Compliance with companion fare requirement	Y	
11. Compliance with personal care attendant fare requirement	Y	

SYSTEM NAME: Milwaukee County Transit System CITY: Milwaukee County STATE: Wisconsin

Table 3 (continued)

COMPLIANCE ITEM	IN FULL COMPLIANCE NOW (Y/N)	IF NO, EXPECTED DATE OF FULL COMPLIANCE (MM/YY)
DAYS AND HOURS OF SERVICE:		
12. Paratransit provided during all days and hours when fixed route service is in operation	Y	
TRIP PURPOSES:		
13. No restriction on types of trip purposes	Y	
14. No prioritization by trip purpose in scheduling	Y	
CAPACITY CONSTRAINTS:		
15. No restrictions on the number of trips an individual will be provided	Y	
16. No waiting lists for access to the service	Y	
17. No substantial number of significantly untimely pickups for initial or return trip	N	12/31/99
18. No substantial numbers of trip denials or missed trips	N	12/31/99
19. No substantial numbers of trips with excessive trip lengths	Y	
20. When capacity is unavailable, subscription trips are less than 50 percent	Y	

DATE TARGETED IN PLAN FOR "FULL COMPLIANCE" WITH ALL "ADA PARATRANSIT" REQUIREMENTS:

In 1996 Update Submission . . . . . 1/1/97

In 1997 Update Submission (pending approval of temporary time extension and waiver) . 12/31/97

Source: Milwaukee County Department of Public Works and SEWRPC.



SYSTEM NAME: Milwaukee County Transit System

CITY: Milwaukee County

STATE: Wisconsin

Table 4

ADA PARATRANSIT DEMAND AND SERVICE ESTIMATES

DEMAND (Thousands of one-way trips):	Actual 1992	Actual 1993	Actual 1994	Actual 1995	Estimated 1996	Projected 1997	Projected 1998	Projected 1999
NUMBER OF TRIPS/YEAR:								
1. ADA Paratransit Trips Provided/Year	406.3	423.5	480.4	531.0	540.0	575.0	603.8	634.0
2. Total Paratransit Trips Provided/Year (Total ADA and non-ADA)	406.3	423.5	480.4	531.0	540.0	575.0	603.8	634.0
3. Total Paratransit Revenue Hours/Year (Total ADA and non-ADA - Sec. 15 definition)	280.3	333.3	331.4	366.7	372.5	396.6	416.5	437.4
In 1991, total paratransit trips (line 2) were: <u>388,200</u>								
ADA PARATRANSIT SERVICE: <u>Purchased Transportation.</u>					124,200			
4. For 1996, estimate the number of trips on line 1 that were provided by contracted taxi service.								
5. For 1996, estimate the number of trips on line 1 that your system purchased (contracted out) rather than provide in-house: (include contracted taxi service from line 4 and other service owned or operated by the contractors).					540,000			

SYSTEM NAME: Milwaukee County Transit System

CITY: Milwaukee County

STATE: Wisconsin

Table 4 (continued)

DEMAND (Thousands of one-way trips):	Estimated 1996	Projected 1997	Projected 1998	Projected 1999
ADA PARATRANSIT SERVICE (continued):				
6. <u>SSA Clients</u> : In 1996, estimate the number of trips on line 1 that you provided to clients of social service agencies (SSA) who, prior to ADA, provided paratransit service for their clients. Provide an estimate for 1997. (Optional)				
7. <u>Trip Denials</u> : In 1996, estimate the number of requested ADA paratransit trips that were "denied" because of capacity limitations. (Please do not include trips missed because of traffic or vehicle breakdowns, trips negotiated outside the 1-hour window, "no-shows", ect.). How many by 1997? (Required)	NA	NA	NA	NA
8. <u>Destinations</u> : Clearly, it is discrimination under the ADA to prioritize trip requests based on trip purpose. However, for 1996 please estimate the percent of <u>trips</u> on line 1 that were for the following purposes: (Optional)				
Work trips	15.8%			
Dialysis	Unknown			
Educational	1.9%			
Food/shopping	2.8%			
Medical trips (other than dialysis)	18.0%			
Other trips	61.5%			
Total	100.0%			

Source: Milwaukee County Department of Public Works; and SEWRPC.

SYSTEM NAME: Milwaukee County Transit System

CITY: Milwaukee County

STATE: Wisconsin

Table 5

ADA PARATRANSIT CAPITAL & OPERATING BUDGET SUMMARY  
(projections in thousands of 1996 dollars)

Cost Element	Actual 1992	Actual 1993	Actual 1994	Actual 1995	Estimated 1996 (1)	Projected 1997 (1)	Projected 1998 (2)	Projected 1999 (2)	8-Year Total 92-99
ADA PARATRANSIT EXPENSES*									
1. Capital Expenses	\$ 2.8	\$ 41.2	\$ 27.4	\$ 9.0	\$ 33.2	\$ 35.0	\$ 80.0	\$ 80.0	\$ 308.6
2. Operating Expenses	5,394.0	6,061.4	7,008.8	7,740.7	8,223.6	8,765.8	9,792.5	10,287.2	63,274.0
3. Subtotal ADA Paratransit Expenses (lines 1 + 2)	\$5,396.8	\$6,102.6	\$7,036.2	\$7,749.7	\$8,256.8	\$8,800.8	\$9,872.5	\$10,367.2	\$63,582.6
TOTAL PARATRANSIT EXPENSES**									
4. Capital Expenses	\$2.8	\$41.2	\$27.4	\$9.0	\$33.2	\$ 35.0	\$ 80.0	\$ 80.0	\$ 308.6
5. Operating Expenses	5,394.0	6,061.4	7,008.8	7,740.7	8,223.6	8,765.8	9,792.5	10,287.2	63,274.0
6. TOTAL PARATRANSIT EXPENSES (sum of lines 4 and 5)	\$5,396.8	\$6,102.6	\$7,036.2	\$7,749.7	\$8,256.8	\$8,800.8	\$9,872.5	\$10,367.2	\$63,582.6

IN 1991, TOTAL PARATRANSIT COSTS FOR OUR TRANSIT SYSTEM WERE: \$4,434,736

\*Using a ratio to break out ADA from total paratransit expenses is acceptable.

\*\*If non-ADA paratransit service is provided, add ADA to non-ADA costs to obtain Total Paratransit Expenses.

(1) 1996 and 1997 data are budgeted data.

(2) For 1998 and 1999, operating expenses assumed to be \$14.60 per trip plus administrative costs of 12% annually.

Source: Milwaukee County Department of Public Works; and SEWRPC.

SYSTEM NAME: Milwaukee County Transit System

CITY: Milwaukee County

STATE: Wisconsin

Table 6

TOTAL TRANSIT SYSTEM COST ESTIMATES  
(projections in thousands of 1996 dollars)

TOTAL TRANSIT SYSTEM COSTS*	Actual 1992	Actual 1993	Actual 1994	Actual 1995	Estimated 1996	Projected 1997	Projected 1998	Projected 1999	8 Year Total 92-98
1. Capital Expenses	\$ 8,984.0	\$ 5,986.2	\$ 3,027.4	\$ 1,350.0	\$ 30,000.0	\$ 10,050.0	\$ 12,000.0	\$ 12,000.0	\$ 83,397.6
2. Operating Expenses	82,678.0	90,941.4	91,789.0	93,284.6	96,175.5	99,000.0	102,000.0	105,000.0	760,868.5
3. TOTAL SYSTEM COSTS (lines 1 + 2)	91,662.0	96,927.6	94,816.4	94,634.6	126,175.5	109,050.0	114,000.0	117,000.0	844,266.1
4. ADA PARATRANSIT EXPENSES (line 3, Table 5)	\$ 5,396.8	\$ 6,102.6	\$ 7,036.2	\$ 7,749.7	\$ 8,256.8	\$ 8,800.8	\$ 9,872.5	\$ 10,367.2	\$ 63,582.6
5. ADA PARATRANSIT AS PERCENT OF TOTAL COSTS (line 4 divided by line 3)	5.9%	6.3%	7.4%	8.2%	6.5%	8.1%	8.7%	8.9%	7.5%

IN 1991, TOTAL SYSTEM COSTS FOR OUR TRANSIT SYSTEM WERE: \$81,864,736

\*Total transit system costs encompass all system costs, not just ADA-related costs. These transit system costs must include: 1) all fixed-route costs (bus, rail, etc.), plus 2) all paratransit expenses (ADA and non-ADA).

Source: Milwaukee County Department of Public Works; and SEWRPC.

SYSTEM NAME: Milwaukee County Transit System

CITY: Milwaukee County

STATE: Wisconsin

Table 7

ADA ACCESSIBILITY: FIXED-ROUTE BUSES

BUSES IN ACTIVE FLEET	Actual 1990	Actual 1991	Actual 1992	Actual 1993	Actual 1994	Actual 1995	Estimated 1996	Projected 1997	Projected 1998	Projected 1999
1. Total Number of Buses	535	582	582	582	582	535	535	535	535	535
2. Buses Without Lifts/Ramps	535	555	555	555	555	508	397	362	322	282
3. Buses With Pre-ADA Lifts/Ramps	0	0	0	0	0	0	0	0	0	0
4. Buses With ADA Lifts/Ramps (meets Part 38 lift specifications) (Note: The sum of lines 2, 3, and 4 should equal line 1.)	0	27	27	27	27	27	138	173	213	253
5. Percent With Lifts/Ramps (sum of lines 3 and 4, divided by line 1)	0.0%	4.6%	4.6%	4.6%	4.6%	5.0%	25.8%	32.3%	39.8%	47.3%

For 1996, provide an approximate estimate of the number of boardings where lifts/ramps were deployed on the fixed route system: 1,000

For an average day, can you estimate the total number of persons with disabilities that use your fixed route service? (Do not include customers who normally use ADA paratransit service) (Optional): N/A

Source: Milwaukee County Department of Public Works; and SEWRPC.

SYSTEM NAME: Milwaukee County Transit System

CITY: Milwaukee County

STATE: Wisconsin

Table 8

TOTAL "PARATRANSIT" VEHICLES USED BY YOUR SYSTEM \*

PARATRANSIT FLEET VEHICLES	Actual 1991	Actual 1992	Actual 1993	Actual 1994	Actual 1995	Estimated 1996	Projected 1997	Projected 1998	Projected 1999
<b>TOTAL NUMBER IN ACTIVE FLEET</b>									
1. All Paratransit - Vans and Minivans*	199	205	184	173	169	185	200	240	250
2. All Paratransit - Buses*	0	0	0	0	0	0	0	0	0
3. Paratransit - Sedans/Wagons* (other than taxis)	0	0	0	0	0 <sup>1</sup>	0	0	0	0
<b>LIFT EQUIPPED PARATRANSIT VEHICLES</b>									
4. Paratransit - Buses, Vans, and Minivans* (with lifts/ramps from lines 1 and 2)	199	205	184	173	169	185	200	240	250
<b>CONTRACTOR VEHICLES</b>									
4. For 1996 through 1998, from lines 1 and 2 estimate the number of buses, vans, and minivans, etc., "OWNED" by your contractors that routinely provide paratransit (ADA and non-ADA) for your system.					169 <sup>1</sup>	185	200	240	250

\*Please include all paratransit vehicles your system owns or leases, as well as vehicles used from your contractor's fleet. Do not include any accessible vehicles used on the fixed route.

<sup>1</sup>Not reported in this table are 161 taxicab vehicles in the fleet of the taxicab operator currently participating in the user-side subsidy program. With these taxicab vehicles, a total of 346 vehicles were available to provided service under the program.

Note: None of the vehicles listed provide dedicated service for the ADA paratransit program.

Source: Milwaukee County Department of Public Works; and SEWRPC.

SYSTEM NAME: Milwaukee County Transit System      CITY: Milwaukee County      STATE: Wisconsin

Table 9

YOUR ADA "PARATRANSIT" CUSTOMERS  
(Please make an estimate based on Actual Eligibility Determinations)

CHARACTERISTIC	Number or Percent
1. By 1996, how many persons had been certified as ADA paratransit eligible by your system? By 1997, please project how many people will be certified?	<u>15,200</u> <u>17,250</u>
2. Using the 1990 census, what is the total population of your service area?	<u>959,275</u>
3. Of those certified, can you estimate the percent who are ages: (Optional) 0 to 16 years old 17 to 61 years old 62 to 70 years old Over 70 years old Total	<u>1%</u> <u>21%</u> <u>11%</u> <u>67%</u> 100%
4. Of those eligible for ADA paratransit, how many are employed? (Optional)	<u>NA</u>
5. Of those ADA paratransit eligible, what percent have as their most limiting or qualifying impairment: (Optional) Sensory impairments (visual, hearing) Mobility impairments requiring adaptive devices (devices: wheelchairs, walkers, ect.) Mental, cognitive, or developmental impairments (including Alzheimers) Health impairments (heart disease, MS, CP, arthritis, kidney dysfunction, ect.) Total	<u>NA %</u> <u>NA %</u> <u>NA %</u> <u>NA %</u> 100%

Source: Milwaukee County Department of Public Works; and SEWRPC.

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## Appendix C

### PUBLIC COMMENTS AND RELATED MATERIALS

Exhibit C-1

OUTREACH AND PUBLIC HEARING NOTICES FOR THE 1997 UPDATE  
OF THE MILWAUKEE COUNTY PARATRANSIT SERVICE PLAN AND  
REQUEST FOR TEMPORARY TIME EXTENSION/ WAIVER

OUTREACH NOTICE

**PUBLIC PARTICIPATION  
MILWAUKEE COUNTY  
PARATRANSIT SERVICES**

Paratransit provisions of the Americans with Disabilities Act are scheduled to be fully implemented by January 27, 1997. Milwaukee County is developing an Americans with Disabilities Act (ADA) Paratransit Plan Update, as required, to document progress on implementation of eligibility and service changes to Transit Plus-Milwaukee County Paratransit Services. It is the intent of Milwaukee County to file a request for a Temporary Time Extension based on Undue Financial Burden and thereby extend the deadline for full compliance with the paratransit provisions of ADA.

Public participation in the process of developing the Temporary Time Extension request and Plan Update is requested. Written comments are encouraged and should be sent to: Milwaukee County Paratransit Services, 907 N. Tenth Street, Annex Room 3, Milwaukee, WI 53233. Oral comments will be received at 278-4091 (voice) or 276-1096 (TDD-text telephone). A public hearing on the request for Temporary Time Extension and on the Plan Update will be held following preparation of draft materials for these documents.

Notice published in the Milwaukee Journal Sentinel on October 20, 1996, in the Spanish Times on October 22, 1996, and in the Milwaukee Community Journal on October 23 and 25, 1996. The notice was also carried on local cable television from October 25 through November 1, 1996.

## FORMAL HEARING NOTICE

3603

## AFFIDAVIT OF PUBLICATION

Transit Plus  
 Attention: Kathy Angelo  
 907 North 10 Street  
 Milwaukee, Wisconsin 53233

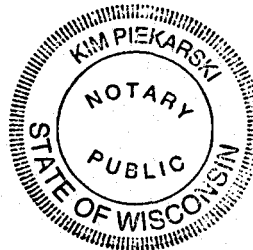
Mary Ann Kaczmarek hereby states that she is authorized by Journal Sentinel Inc. to certify on behalf of Journal Sentinel Inc., publisher of the Milwaukee Journal Sentinel and The Sunday Journal Sentinel, public newspapers of general circulation, printed and published in the city and county of Milwaukee; that a notice of which the printed one hereto attached is a true copy, was published in The Sunday Journal Sentinel on the eighth day of December, 1996; that the date of such publications was the 8th day of December, 1996. That the Milwaukee Journal Sentinel and The Sunday Journal Sentinel are newspapers printed in the English language and that said printed copy was taken from said printed newspaper(s).

*Mary Ann Kaczmarek*  
 Mary Ann Kaczmarek

State of Wisconsin )  
 ) SS:  
 County of Milwaukee )

Subscribed and sworn before me this 11 day of December, 1996.

*Kim Piekarski*  
 Notary Public State of Wisconsin  
 My Commission Expires 3-1-1999



MILWAUKEE COUNTY  
 ADA PARATRANSIT  
 UPDATE

A public hearing on the Americans with Disabilities Act(ADA) Paratransit Plan Update for Transit Plus-Milwaukee County Paratransit Services and the Milwaukee County Transit System will be held on Wednesday, December 11, 1996 at the Washington Park Senior Center, 4420 W. Vliet St., from 4:00 p.m. to 7:00 p.m. The plan update will indicate that full compliance with the mandates of the ADA will not be achieved by the January 26, 1997 deadline. The public hearing will also seek comment on a request for a Temporary Time Extension due to Undue Financial Burden which proposes full compliance with ADA beyond the deadline date. For a copy of the plan update, contact the Milwaukee County Office on Persons with Disabilities at 289-6767 (voice) or 289-6701 (TDD-text telephone).

Come and make your concerns and ideas known on this important issue. All oral and written comments are welcome prior to and following the public hearing up to Friday, December 20, 1996. Direct any written comments on the draft plan update to Southeastern Wisconsin Regional Planning Commission (SEWRPC), 916 N. East Av., Waukesha, WI 53186. Interpreters for the hearing, impaired will be available at the public hearing.

Notice also published in the Spanish Times December 10, 1996.

SPECIAL NOTICE

Office of County Executive F. Thomas Ament

# Handi-NEWS & NOTES

December 1996

## PUBLIC HEARING

**PUBLIC TRANSPORTATION SERVICES**  
(Transit Plus and Fixed Route)

as it relates to the  
**Americans with Disabilities Act (ADA)**  
and  
**MILWAUKEE COUNTY'S RESPONSE**

Wednesday, December 11, 1996  
Washington Park Senior Center  
(4420 W. Vliet Street)  
4:00 P.M. to 7:00 P.M.

Come and make your concerns and ideas heard on this important issue. All comments welcome. Written comments also welcome.

- **1997 ADA Paratransit Plan Update**

- **Temporary Time Extension due to Undue Financial Burden**

The open comment period is December 1, 1996 through December 31, 1996. Direct any written comments to: Milwaukee County Executive Office for Persons with Disabilities, 235 W. Galena Street, Rm. 100, Milwaukee, WI 53212.

Sign language interpreters are available for persons who are hearing impaired.

For more information contact:

Milwaukee County Executive  
Office for Persons with Disabilities  
289-6767 (Voice) or 289-6701 (TDD)

Copies of the ADA Paratransit Plan Update are available from the Office for Persons with Disabilities.



Sponsored in Part by  
**Ameritech**

**MILWAUKEE COUNTY COMMISSION FOR HANDICAPPED AND DISABLED PERSONS**

Telephone: 289-6767 VOICE & TDD

235 WEST GALENA STREET • MILWAUKEE, WI 53212-3925 • JOHN F. CLARK • Director

(Approximately 2700 notices directly mailed to parties on mailing list of Milwaukee County Executive Office for Persons with Disabilities)

Exhibit C-2

SUMMARY OF THE PROCEEDINGS OF THE PUBLIC HEARING ON  
THE 1997 UPDATE OF THE MILWAUKEE COUNTY  
PARATRANSIT SERVICE PLAN AND  
REQUEST FOR TEMPORARY TIME EXTENSION  
DUE TO UNDUE FINANCIAL BURDEN

Milwaukee County Executive Office for Persons with Disabilities  
December 11, 1996  
Washington Park Senior Center

OPENING REMARKS

The public hearing was officially opened at 4 p.m. by Roxanne Perez, Chair of the Milwaukee County Commission for Handicapped and Disabled Persons. Ms. Perez introduced those at the head table, including Mr. Tyrone Dumas, Milwaukee County Director of Public Works, Ms. Nancy Senn, Paratransit Manager, Mr. Albert A. Beck, Principle Planner for the Southeastern Wisconsin Regional Planning Commission, and Luisa Ginnetti, Senior Research Analyst for the Milwaukee County Board of Supervisors.

Ms. Perez introduced Mr. Dumas, who delivered opening remarks. Mr. Dumas said Milwaukee County is committed to providing a safe, quality transportation system through the Transit Plus program. He noted that federal standards in 1991 were modeled after the level of services provided by Milwaukee County since 1978 through its predecessor program, User Side Subsidy. He said Milwaukee County exceeds the ADA (Americans with Disabilities Act) mandates in many service areas.

Mr. Dumas added the County is not in compliance in three service mandates, including response time, safety enhancements and capacity constraints. The County is seeking a time extension of three years to develop and implement procedures to comply with these mandates.

Mr. Dumas introduced Nancy Senn, who explained more details on the ADA service mandates. Ms. Senn said the Paratransit Plan and the request for a time extension, or "waiver," were two separate issues. She addressed three areas, compliance, options and what Milwaukee County is proposing to do. She explained the seven paratransit service criteria and whether or not Milwaukee County was in compliance. The areas include:

- 1) Eligibility: Milwaukee County exceeds the ADA mandate.
- 2) Service Area: Milwaukee County exceeds the ADA mandate except for service areas in adjacent counties.
- 3) Response Time: Milwaukee County exceeds the ADA mandate with real time taxicab service but does not meet the mandate for next day service or negotiated one hour window.
- 4) Fares: Milwaukee County exceeds the ADA mandate.

- 5) Trip Priorities: Milwaukee County meets the ADA mandate.
- 6) Hours and Days of Service: Milwaukee County exceeds the ADA mandate.
- 7) Capacity Constraints: Milwaukee County does not meet ADA mandate.

She then addressed options the Federal Transit Administration may allow to come into compliance, including 1) establishment of trip caps or limits on the number of trips per person, 2) reductions in basic service or 3) excusing the community from basic service routes. Ms. Senn noted that option three would not be considered by Milwaukee County in light of its historic commitment to paratransit.

She said Milwaukee County will be reviewing and examining a number of options to come into compliance with the remaining three service areas but needs time to study and implement changes, which is why the time extension is being sought.

Ms. Senn introduced Albert A. Beck, who briefly described SEWRPC's role in preparing the Paratransit Plan.

Mr. Beck said Milwaukee County is seeking a three year extension from the January 27, 1997 deadline for meeting ADA requirement to December 31, 1999. He said the area of capacity constraints is the most difficult to address because of the unrestricted nature of the program, non-exclusive service contracts and the limited number of vehicles available for service from providers. He noted that the number of users has also increased.

He said the plan notes Milwaukee County's efforts to meet capacity problems but because it has been unsuccessful so far, the three year extension is being requested. He noted the County is required to prepare a plan update each year until ADA guidelines are met.

## TESTIMONY

Ms. Perez opened the floor to persons wishing to testify and asked speakers to limit their remarks to five minutes. She noted that written comments would also be accepted through December 31, 1996. She said the hearing was meant to receive comments from the public and questions regarding the program would not be formally entertained but officials from Milwaukee County and SEWRPC were available at the hearing for informal discussion. Although a number of people were present for the hearing, eighteen persons actually testified, some submitting written comments along with their oral statements.

The speakers and their comments are summarized below.

- 1) John J. Waldmeir, 3369 S. Howell Ave., Milwaukee. He stated the three year waiver is unjustified because Milwaukee County has known about the mandates for many years. He stated concerns about transit service in general, especially bus service to the south side, including the Airport and the Downtown post office.

2) Kelley Santi, 11024 W. Oklahoma Ave., West Allis. She is a Transit Plus user on a daily basis. She has some general concerns about the program but likes the program as a whole. She said some of her concerns are that the vans are not ventilated and in the summer this creates a problem. Also, drivers some times don't ask directions and this can lead to more lengthy commutes.

3) Julie Alexander, representing Independence First, 600 W. Virginia St., Milwaukee. She has tried to gain eligibility but has been denied because she is vision impaired but not totally blind. She said the program has problems with untimely service, lack of carriers because their vans are not equipped to accommodate all wheelchairs and other disabled concerns.

4) Michael Hineberg, Independence First, 600 W. Virginia St., Milwaukee. He works with the disabled and stated that he sometimes doesn't see clients for long periods of time because they can't get service or have been dropped from the program. He said he has seen clients wait for long periods of time to get picked up. He believes the County should invest more money in the program.

5) Sue Trabert, 1751 S. 115th Ct., West Allis. She is a client in the program and uses Medi-Care Vans. She questioned the providers profit motives and believes they are showing preference to giving rides to W2 clients rather than Transit Plus riders.

6) Tom Hlavacek, Wisconsin Coalition for Advocacy, 2040 W. Wisconsin Ave., Milwaukee. He said he is strongly opposed to the County's waiver request and would fight it in Washington, D.C. He said Milwaukee County should have been in compliance by now and he said the County has been using false projections. He said rides are down because people can't afford the program. He said the County has failed to demonstrate an undue financial burden because it has put the same amount of money in the program in 1996 as it had in 1992.

7) Nan Upright Sexton, United Cerebral Palsy, 230 W. Wells St., Milwaukee. She said the County is backing out of its commitment to the system, which is direly needed, by reducing its funding commitment.

8) Gary W. Portenier, Department on Aging, 235 W. Galena St., Milwaukee. He submitted written testimony on behalf of the Milwaukee County Department on Aging. His letter, also signed by Stephanie Sue Stein, Director of the Department on Aging, suggests clarifications be made in the draft report regarding specialized transportation programs serving the frail, ambulatory older adults which are administered by this department. The letter notes that figures shown in the draft letter include Aging trips provided through state funds only and not other sources of funds, primarily the Older Americans Act and local property tax dollars.

9) Lee Schulz, Independence First, 600 W. Virginia St., Milwaukee. He said Milwaukee County has not demonstrated that it has tried to fix this program. He said there is no financial burden and he doesn't think Milwaukee County has done enough to improve service. He is not convinced a two to three year waiver will solve the problems and he is opposed to the waiver.

10) Charlene Dwyer, Center for the Deaf and Hard of Hearing, 3505 N. 124th St., Brookfield. She was most concerned about the fact that here agency is located in Waukesha County, across the street from Milwaukee County, and as such, is most concerned about the delay in meeting the 3/4 mile extension of service into adjacent counties. She also submitted written testimony.

11) Daniel Wiltner, 1317 N. 46th St., Milwaukee. He represented his van company and expressed concerns about the County's contracting methods.

12) Greg Wolfmeyer, 7708 S. 87th St., Franklin. He is a County employee who expressed concerns about the type of vehicles in the program which are not capable of handling wheelchairs. He is not in favor of the waiver.

13) Geraldine Kleser, 4645 N. 54th St., Milwaukee. She spoke on behalf of her daughter, who uses the program.

14) Fred Alcon, 2549 S. Kinnickinnic Ave., Milwaukee. He said he is not in favor of the waiver and spoke at length about problems in the program.

15) Kate Signer, Easter Seal Society, 5151 S. 6th St., Milwaukee. She said drivers are poorly trained, insensitive and arrive too early or too late for clients. She said some companies are good but there are not enough of them.

16) John Doherty, Medi-Care Vans, 424 W. Cherry St., Milwaukee. He is owner of Medi-Care Vans, a provider in the program, and said companies such as his are hurt by their inability to hire drivers because they cannot afford to pay high wages. He said drivers are woefully underpaid and there are too few to compete to be drivers especially in light of the fact that the Milwaukee County Transit System pays \$5 to \$6 per hour more than van companies can pay their drivers. He said the \$14.60 subsidy the County pays to van companies is too low.

17) Becky Trachinski, 3741 S. 61st St., Milwaukee. She is a school teacher who relies on this service to get to and from her job as an art teacher in Milwaukee Public Schools. She said she had no problems with the program in 1995 but has experienced problems this year when she was notified that clients would be dropped. She tried contacting several providers, none of whom were willing to pick her up at 6:30 a.m. She said one company said it would pick her up at 7 a.m. but they chronically arrive at her house at 7:30 a.m., which makes her late for work. The company said it would offer her no rides



on Friday. She urged the program be corrected to deal with these problems so disabled persons can continue to work and maintain their employment. She also submitted written comments.

18) Todd Palkowski, 10564 W. Cortez Circle, Franklin. He was recently notified that the company which formerly served him was dropping him as part of its decision to drop 500 clients. He said the program needs to pay drivers competent wages to attract competent drivers. He is against the waiver because he doesn't think a two to three year time extension will solve problems. He said vans are chronically late and are unavailable at the times clients want them.

#### ADJOURNMENT

Ms. Perez adjourned the hearing at 7 p.m. after all testimony had been received.

This public hearing was recorded on tape which is available at the Transit Plus Office, Courthouse Annex, 910 N. 10th St.

Exhibit C-3

ATTENDANCE RECORD

PUBLIC HEARING ON THE 1997 UPDATE OF THE  
MILWAUKEE COUNTY PARATRANSIT SERVICE PLAN  
AND REQUEST FOR TEMPORARY TIME EXTENSION/ WAIVER

Wednesday, December 11, 1996; 4:00 - 7:00 P.M.  
Washington Park Senior Center  
4420 W. Vliet Street

Milwaukee County Commission for Handicapped and Disabled Persons

Roxanne Perez, Chairperson	Milwaukee County Commission for Handicapped and Disabled Persons
----------------------------	---------------------------------------------------------------------

Milwaukee County Board of Supervisors

David Jasenksi	Milwaukee County Supervisor
Leanne M. Launstein	Milwaukee County Supervisor
Linda Ryan	Milwaukee County Supervisor

Milwaukee County Staff

Barbara Berner	Executive's Office
Irene Brown	Department on Aging
Tyrone P. Dumas	Director, Department of Public Works
Luisa Ginetti	Senior Research Analyst, Board of Supervisors
Tom Kenney	Deputy Director, Department of Public Works
Stephen N. Kamuiru	Director, Transportation Division, Department of Public Works
Tom Labs	Milwaukee County Transit Service
Don Natzke	Director, Office for Persons with Disabilities
Molly Pahl	Department of Administration
Gary W. Portenier	Research Program Coordinator, Department on Aging
Nancy Senn	Paratransit Manager, Department of Public Works
James Spanholz	Compliance Manager, Department of Public Works
Jeff Zarr	Systems Manager, Department of Public Works

SEWRPC Staff

Albert A. Beck	Principal Planner
Patrick A. Pittenger	Planner

Media

Kristina Knapcik  
Joe Wilkars  
T. Wood

Milwaukee Journal-Sentinel  
Milwaukee Journal-Sentinel  
Milwaukee Journal-Sentinel

Attendees

Fred Alcon  
Julie Alexander  
D. Brewah  
Solomon Brewah  
Jeanne Brond  
John V. Doherty  
Charlene Dwyer  
Mike Hineberg  
Tom Hlavacek  
Lisa Kalwauski  
Geraldine Kleser  
Clarence Kleser  
John Lopacinske  
Kenneth Martzahl  
Perry Mueller  
Todd Palowski  
Jeanmarie Pick  
Kelley M. Santi  
Lee Schulz  
Kate Signer  
Nan Simet  
Mildred Trabert  
Sue Trabert  
Becky S. Trochinski  
Nan Upright-Sexton

John J. Waldmer  
Daniel Wilturner  
Gregg Wolfmeyer

American Postal Workers Union  
Independence First  
Brewah Care Transit  
Brewah Care Transit  
Independence First  
Meda-Care Vans, Inc.  
Center for the Deaf and Hard of Hearing  
Independence First  
Wisconsin Coalition for Advocacy  
1009 N. 33rd Street, Milwaukee  
4645 N. 54th Street, Milwaukee  
4645 N. 54th Street, Milwaukee  
1009 N. 33rd Street, Milwaukee  
10006 W. Juniper Street, Milwaukee  
Goodwill Industries of Southeastern Wisconsin  
10564 W. Cortez Circle #4, Franklin  
The Ranch  
11024 W. Oklahoma Avenue #507, West Allis  
Independence First  
Easter Seal Recreation Center  
4815 W College Avenue, Greendale  
2281 Swan Boulevard, Wauwatosa  
1751 S. 115th Ct. #302, West Allis  
3741 S. 61st Street #102, Milwaukee  
United Cerebral Palsy; Milwaukee Association  
of Developmental Disabilities Service  
Agencies  
3369 S. Howell Avenue #3, Milwaukee  
1317 N. 46th Street, Milwaukee  
7708 S. 87th Street, Franklin

## Exhibit C-4

**WRITTEN COMMENTS AND CORRESPONDENCE PERTAINING TO THE  
1997 UPDATE OF THE MILWAUKEE COUNTY PARATRANSIT SERVICE  
PLAN AND REQUEST FOR TEMPORARY TIME EXTENSION/ WAIVER**

Milwaukee County  
Public Transportation Services  
Public Hearing  
Washington Park Senior Center  
December 11, 1996

Testimony of Michael D. Hineberg,  
Assistant to the Social/Leisure Program at IndependenceFirst

My name is Mike Hineberg. I do not utilize the Paratransit Program directly. I am testifying on behalf of the individuals I work with through IndependenceFirst, where I am an Assistant to the Social Leisure Program. In the Social Leisure Program we provide therapeutic activities to individuals who have severe physical disabilities, such as Muscular Dystrophy, and Traumatic Brain Injury. We teach social skills, leisure skills, and independent living skills in a structured setting. 50% of our activities take place in space donated to us by St. Paul Episcopal Church in Milwaukee. The remainder of our activities take place in the community. Group members enjoy seasonal outings to the Brewers, Summerfest, Polishfest, State Fair, as well as trips to theaters, and restaurants. This program provides a valuable recreational and therapeutic outlet to many individuals, who would otherwise sit at home and watch TV all day. I have seen many individuals come out of their shell as they form relationships with other group members.

I want to tell you some of my observations about the Paratransit Program, and how it affects the individuals I work with. There are several consumers who I haven't seen in months due to their inability to arrange for transportation. The people who are able to get rides come anywhere from 1-2 hours after their scheduled arrival time. I have waited up to three hours past the scheduled pick up time. The system is operating poorly. A waiver will not prompt any resolutions to the ailing service.

After reviewing Milwaukee County Transit Plus budgets and County Board Documents, I discovered the following facts:

- \*\*\* Overall budget of the Paratransit Program has increased by 53% since 1992 (\$396,800 to \$826,800), the county tax levy into the program has essentially stayed the same since 1992.

\*\*\* County Tax Dollars

	Budgeted	Actual
1992	\$1,800,000	\$1,610,400
1993	\$2,481,716	\$1,919,254
1994	\$1,987,305	\$1,829,075
1995	\$1,933,322	\$1,871,023
1996	\$1,926,122	\$1,210,110 (nine months)

- \*\*\* County will spend about \$1,613,332 in 1996, less than the three preceding years, and about what it spent in 1992.
- \*\*\* The county is actually spending about 20% less in actual dollars on Paratransit than it was in 1992.
- \*\*\* Federal and State funds from 1992 - 1996 have increased by 81% (\$2,840,000 in 1992 to \$5,134,000 in 1996).
- \*\*\* The user fee has increased by 25% since 1992, from \$2.00 to \$2.50 per ride.

The County has not increased funding for the Paratransit Programs other sources have. Therefore, I can not see how a waiver will serve anyone. The Paratransit System is in need of repair, and I implore the county to provide the necessary funding to fix (improve) the system. I am vehemently opposed to a waiver.

**Milwaukee Association Of  
Developmental Disabilities  
Service Agencies**

December 11, 1996

Office for Persons With Disabilities  
235 West Galena Street, Room 100  
Milwaukee, Wisconsin 53212

To Whom It May Concern:

On behalf of the members of Milwaukee Area Developmental Disabilities Service Agencies (MADDSA), I am writing in opposition to delays in implementation of the Milwaukee County ADA Paratransit Plan.

As stated in the plan and filed with the federal government, there are several services scheduled for implementation effective January 1, 1997 which would greatly enhance the flexibility and range of travel for riders with disabilities. Under the current dual transportation system, Transit Plus customers pay double the fixed route fare with no guarantee of timely or reliable service.

Since 1990 and the passage of the Americans With Disabilities Act, riders with disabilities have patiently waited for the gradual implementation of a transportation system capable of handling their needs. The promises of next-day service, expansion into outlying counties, and capability of handling all ride requests were to be realized in 1997. Of the transportation concerns expressed by MADDSA members and their customers, these three are most frequently mentioned as crucial for meaningful participation in community activities.

Transit Plus riders rely on public transportation to get to and from work, medical appointments, social activities, shopping, etc. regularly and on time. Often, public transportation is the only mode of transportation for a person using a wheelchair since most private vehicles cannot accommodate transporting a wheelchair.

In addition to the need for expanded service capabilities, MADDSA opposes the waiver request because of other recent events. During the 1997 county budget process, increased fares were recommended (generating \$115,000) without service enhancement and without contract increases for paratransit providers.

Additionally, increased state funding of \$600,000 for disabled and elderly transportation was to be used to supplant county support for Transit Plus. The result would have been new monies of \$715,000 replacing county support and no ability to address long standing issues of timeliness, ride availability, and inter-county travel. Concurrently, Milwaukee County and Transit Plus were preparing a waiver request to delay ADA Paratransit implementation due to financial hardship.

MADDSA - Page 2

While fares remain stable, problems related to reliability continue. Recently, a major paratransit provider notified the county and 500 of its riders of its inability to continue its current service level at the current reimbursement rate. Riders have been scrambling to find alternative services and ride requests go unfilled. This is unacceptable.

Individuals with disabilities live in our community and have every right to expect freedom of movement throughout their neighborhoods to conduct their daily business. Reliable public transportation is crucial to full access to opportunities. Transportation options for people with disabilities will continue to be a high priority as Wisconsin downsizes the state center populations and increases community-based residential and program options.

In addition to intra-county transportation availability, it is imperative that paratransit options cross county lines. Employment opportunities are increasingly available in counties surrounding Milwaukee County. People with disabilities, while under represented in the work force, want jobs and need transportation to get them to and from jobs on time and every day.

MADDSA urges Milwaukee County and Transit Plus to aggressively pursue solutions to these transportation issues. MADDSA also asks that the waiver requests be denied and Milwaukee County proceed with implementation of the ADA Paratransit Plan as intended.

Sincerely,

*Nan Upright-Sexton*  
Nan Upright-Sexton

NUS/bac

COUNTY OF MILWAUKEE  
Inter-Office Communication

Date: December 11, 1996

To: Tyrone Dumas, Director, Department of Public Works

From: Stephanie Sue Stein, Director, and Gary W. Portenier, Research Program Coordinator, Department on Aging

Subject: Changes to draft letter from Milwaukee County to the Federal Transit Administration regarding compliance issues under the Americans with Disabilities Act

Thank you for providing us an opportunity to review the draft report and the draft letter regarding compliance issues under the Americans with Disabilities Act (ADA).

The section entitled "Response to Undue Financial Burden Factors," includes questionable statements relating to specialized transportation programs serving frail, ambulatory older adults and administered through the Milwaukee County Department on Aging. The Department on Aging urges that statements on undue financial burden be revised accordingly.

Factor 3: Reductions in other services, including other special services

Milwaukee County established the Department on Aging in January 1991. The new Department absorbed the Milwaukee County Office on Aging and persons age 60 or older previously served by the Department of Social Services Community Services Division.

In 1990, the Office on Aging administered five specialized transportation programs and provided 139,827 trips. In 1995, the Department on Aging administered five programs and provided 141,152 trips. While the Department has established trip priorities - medical/dental appointments, grocery shopping, adult day care, senior program meal sites and nursing home visitation - it allows other trip purposes on a space available basis. All non-essential trips permitted in 1990 remain available whenever possible.

Figures shown in the draft letter include Department on Aging trips provided through state s.85.21 funds only and lacks trips provided through other funding sources, primarily federal Older Americans Act dollars and local property taxes.

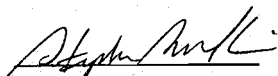
As indicated, the statements contained in Factor 3, items one and two, regarding the Office/Department on Aging lack support as indicated in the two paragraphs immediately above.

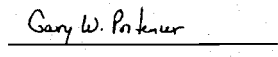
(2)

In 1990, the Office on Aging served 4,180 older adults. In 1995, the Department on Aging served 4,666 older adults. This calls into question the statements contained in item three that the Department on Aging encourages clients to apply for ADA paratransit eligibility to control its limited resources for specialized transportation. The Department on Aging is a social service agency whose mission is to provide frail older adults with the best array of needed services. The Department works to inform clients of service options, not to shift responsibilities from the Department on Aging to another County agency.

Perhaps more important is the extent to which older persons already eligible for ADA paratransit services continue to use the Department on Aging specialized transportation services for some or most trip needs. The broader paratransit study indicates that about 15% of active Department on Aging clients also have Transit Plus eligibility. Anecdotal evidence suggests many continue to use Department on Aging programs for group grocery shopping and nursing home visitation trips. The letter does not mention these as mitigating factors in full compliance with ADA implementation.

We would appreciate these changes being made. You can count on our support for any help you need in implementing paratransit programs for the citizens of Milwaukee County.

  
Stephanie Sue Stein, Director

  
Gary W. Portenier, Research Program Coordinator

Milwaukee County  
Public Transportation Services  
Public Hearing  
Washington Park Senior Center  
December 11, 1996

Testimony of  
The Center for the Deaf and Hard of Hearing  
Charlene Dwyer, Executive Director

Thank you for requesting input to the effects of a Milwaukee County waiver for comparable paratransit services on the fixed route system to comply with the Americans with Disabilities Act. In fact, the Center for the Deaf and Hard of Hearing (CDHH) and its customers will be negatively impacted by all of the service improvement delays. Of particular concern, however, is the delay in the 3/4 mile extension of paratransit services into adjacent Waukesha county along the regular routes operated by the Milwaukee County Transit System.

The Center for the Deaf and Hard of Hearing has provided services to residents of both Milwaukee and Waukesha Counties for more than half a century. Until August of 1995, we were located in downtown Milwaukee. After more than a year of consideration and search, and with public transportation access at the top of our priority list for a new site, the Center relocated to the west side of 124th Street between Burlingame and Capitol Drive. We signed a 10 year lease. The east side of 124th Street is in Milwaukee county, the west side of the street is in Waukesha County.

When we made the move to 3505 N. 124th Street, we had done our transportation homework. We located the agency on fixed bus routes from Milwaukee County and we knew that by January of 1997, we would be able to offer one-fare paratransit services from both Waukesha and Milwaukee Counties. In the 17-month interim since our move, we have dealt with the paratransit access issues on a case-by-case basis, sometimes relocating services while we and our customers waited patiently for the corridor extension in January 1997. Based on your previously submitted plan, we assured our customers that double fares and the extended time in transit caused by the Blumound corridor paratransit exchange were a short-lived problem.

This past June, we took on additional leased space and began the search for a non-profit space partner. We targeted more than 50 Milwaukee and Waukesha area non-profit organizations with a disability or aging-services focus as potential site partners. In an approach letter to these organizations, we highlighted the location benefits with Milwaukee County bus transportation access and the one-fare paratransit services available next month. That was June, that was before we were aware that the third service-improvement extension in three years would be requested by Milwaukee County and that the expanded corridor could be delayed until December 31, 1999!

The immediate impact on the Center for the Deaf and Hard of Hearing is that many agencies will not even look at a location that does not offer one-fare direct paratransit services. I don't blame them, we probably would not have signed our lease either or expanded our office space and began the search for a non-profit site partner if we had known that planned paratransit service improvements would not take place. The granting of the waiver to extend the 3/4 mile cross-county corridor may reduce your undue financial burden, but displaces the financial burden to Milwaukee County paratransit riders and agencies such as CDHH who made plans and signed contracts based on your ADA implementation commitment.

What about individual riders?

Let me point out a few of the hardships and inequities of the current transportation options for Milwaukee County paratransit users on the 124th street fixed bus route.

If you are able-bodied, you can pay one-fare and access two fixed route bus lines on 124th street which allow you to disembark on either the East (Milwaukee County) or West (Waukesha County) sides of the street. In fact, the #9, #45 & #62 fixed bus routes cross into Waukesha County and stop at a sheltered stop as early as 5:20 a.m. and as late as 1:05 a.m. in the morning and as frequently as every 15 to 20 minutes! On a weekday, there are 115 cross-over stops into Waukesha county on these three bus lines! Able-bodied transit users can hop off busses on the west side of 124th Street at multiple locations between Capitol Dr. and North Ave. and are picked up at the west-side stops by Milwaukee County buses that arrive within a few minutes of the published schedule.

If you are disabled and a one-fare paratransit user, you are not allowed to disembark on the West (Waukesha) side of 124th street at all, and you must give an address on the East side of 124th as a drop point. One-fare paratransit users who come to CDHH are currently dropped at a parking lot entrance to the Briggs and Stratton Corporation and must cross four lanes of traffic, a median strip and two street-side parking lanes without a light or a walkway, in a wheelchair, in order to access businesses on the west side of the street. For pick up, they cross again to the east side and then wait without shelter at the busy entrance of that corporate parking lot for up to an hour or more.

There is another option for a paratransit user coming to CDHH. With a double roundtrip fare (\$10.00) and an added side trip to the Blumound exchange corridor, you can move from one van to another (very possibly owned and operated by the same van company!), and then you can be dropped on the east side of the street.

In respect to the 3/4 mile corridor extension, the 3-year Milwaukee County waiver request based on an "undue financial burden" rationale states:

"... It is Milwaukee County's intent to seek financial assistance from adjacent counties and to have cross-county service available by the proposed extended compliance date." (i.e. January 1999).

Before I can accept either the undue financial burden rationale or the intent to work out a cross-county service arrangement by 1999, I would like some questions answered:

- Exactly how much financial assistance is really necessary to make the 3/4 mile extension into adjacent counties a reality along already established paratransit routes. The vans are traveling along streets and roads on county borders already! What is the real cost of traveling 3/4 of a mile more?
- For adjacent counties, isn't it in reality more expensive to arrange a second van from the adjacent county and force a side trip and a van transfer in an exchange corridor for a 3/4 mile trip! The cross-county cost-saving economics of the current situation are especially difficult to grasp when the vans the rider is transferring to and from are owned and operated by the same company with contracts in both counties! Shouldn't a financial assistance arrangement between Counties be an easy sell?
- If, after 5 years as a planned goal, the 3/4 mile corridor extension arrangements aren't worked out or can't be worked out by January of 1997 between counties, why would three more years to take this approach be any more feasible for December of 1999?
- If, after 5 years as a planned goal and three weeks before the implementation deadline, has anyone from Milwaukee County Transit Services even seriously discussed the cross-county situation with transit providers in Waukesha and Ozaukee Counties? If discussion have taken place, what are the sticking points?
- What would be the cost to provide equitable cross-street/road drop-off and pick-up service on the fixed route bus lines which border adjacent counties and which offer cross-street/road service? (i.e. If there truly is an undue financial burden to extend the service 3/4 of a mile for two more years, why couldn't a paratransit rider be dropped off on the "wrong" side of the street by a paratransit van if a regular transit rider can currently disembark from a bus on that side of the street?). Where is the financial burden for at least increasing service to the alternate side of the street?
- Were any of the decision makers or authors of the 3-year waiver request regular Milwaukee County paratransit users?

I would appreciate answers, in writing, by the first of the year for all six questions.

As a non-profit organization struggling to maintain a balanced operating budget even to the point of not giving our staff salary increases in 1996, we have continued to invest in accommodations for every employee with a disability and we have made sure that our physical site is fully accessible. We planned, we budgeted, we cut expenses in other areas, we made our commitment to ADA compliance a priority. It appears that ADA transportation compliance is rather low on the priority list for Milwaukee County.

Milwaukee County has had five years to plan and prepare for comparable paratransit service delivery. To publish a waiver request three short weeks before the planned implementation deadline does not reflect good faith effort and is grossly unjust to the individuals and organizations who have waited patiently for the improvements.

Thank you, once again for the opportunity to express my opinion on behalf of the Center and the individuals with disabilities we serve. I look forward to receiving your written response to my six questions in the next three weeks.

Charlene Dwyer, Executive Director  
Center for the Deaf and Hard of Hearing  
3505 N. 124th Street  
Brookfield, WI 53005  
(Ph: 414-790-1040)



CLERK OF CIRCUIT COURT  
FAMILY SUPPORT DIVISION

*Milwaukee County*

GARY J. BARCZAK • Clerk of Circuit Court Services Director

KAREN BARTLETT  
Administrator  
MARY GLOVER  
Assistant Administrator  
KATHY MORGENSEN  
Assistant Administrator  
DENNIS FARINA  
Accountant III

December 11, 1996

To Whom It May Concern:

This letter is being written at the request of Gregg Wolfmeyer. He has been employed with the Milwaukee County Clerk of Circuit Courts, Family Support Division since 1988.

He is an Administrative Assistant I, supervising our Customer Service unit. Gregg has relied on van service to transport him to and from work daily. He has shared with me that effective December 17, 1996, he will have no means of getting to work.

During his eight years in this division, he has had excellent attendance, and very rarely is he late in arriving to work. Gregg is a valuable employee in this division and it would create a problem if he were unable to get to work. He needs to be able to get to work, in order to do his job.

This is a high volume division, and families in the community rely on this office to receive and disburse their court ordered payments. Because Gregg is the lead for the unit that communicates with the public and serves as supervisor and resource person, his position requires him to be physically present in the office.

If you have any questions or concerns, you can contact me at 278-5034.

Sincerely yours,

*Karen Bartlett*

Karen Bartlett  
Family Support Manager

COURTHOUSE, ROOM 104 • 901 NORTH 9TH STREET • MILWAUKEE, WISCONSIN 53233 • (414) 278-4139 • TDD 223-1850

## MEDA-CARE VANS INC.

424 W. Cherry Street  
Milwaukee, WI 53212-3820  
Telephone: 414-264-7633

SPECIALISTS IN THE PASSENGER TRANSPORTATION INDUSTRY

December 10, 1996

### MILWAUKEE COUNTY'S ADA PARATRANSIT PLAN - TESTIMONY

The Milwaukee County Transit System's mass transit services ranks among the best in the nation. Federal, state and county funding sources have committed the economic resources to enable Milwaukee County to achieve this high ranking. It's not inexpensive for the Milwaukee County Transit System to provide these quality services.

Milwaukee County and other transit systems it's size typically have operating costs of \$75 to \$80 dollars per hour. Good services is not cheap.

Non Milwaukee County funding sources for paratransit sources have risen significantly in the last five years during which this ADA plan has covered. During this same five year period, Milwaukee County tax levy expenditures are slightly less than when the plan began in 1992. In fact the Milwaukee County tax levy expenditures in the last five years (1992 thru 1996), has been less than the previous five years (1987 thru 1991).

Paratransit services under contract with Milwaukee County's Transit Plus Program are provided by one taxi operator and fourteen van carriers. In 1995 alone, taxi operators received a 20% increase in county subsidy rates and has been permitted to charge the riders fares above and beyond the maximum county subsidy. A cross county fare from county and rider sources can be as high as \$40.00 for a single trip.

Paratransit Services provided by the fourteen paratransit operators have a maximum county subsidy payment of \$12.10 (if it meets near perfect form and is paid by Milwaukee County) plus the rider copayment of \$2.50 (if we are able to collect it) constitutes our entire payment. Group trips are paid at even lower rates.

Paratransit services in this community and in others across the country are very labor intensive. The average productivity for Transit Plus van services are approximately one and third fourths (1.75) rides per hour. When you take this productivity times a maximum service per trip of \$14.60, you end up with a revenue per trip of approximately \$25.50 per hour.

The contrast between paratransit revenue per hour of \$25.50 to the Mass Transit cost of over \$75 per hour is glaring. It is even more striking when you realize that the Mass Transit cost of over \$75.00 per hour only includes the operating costs whereas the \$25.50 revenue per hour for paratransit has to cover not only all operating costs but also all of the costs of capital. These capital costs include the purchase or lease of vehicles, radios, wheelchair lifts, securements, vehicle modifications, property taxes, offices and maintenance facilities.

Safe and courteous paratransit services cannot be provided at current levels of county subsidy. One increase of \$0.60 in rate has occurred in

**MEDA-CARE VANS INC.**

424 W. Cherry Street  
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12-11-96

SPECIALISTS IN THE PASSENGER TRANSPORTATION INDUSTRY

Page 2  
December 11, 1996

the last six years, while the costs of providing the paratransit services and purchasing the capitol to operate the service have increased dramatically in this period; the reimbursements are almost flat. It should come as no surprise to anyone associated with the system that Milwaukee County is farther away from ADA compliance than it was in 1992 when the plan began.

Paratransit operators face the same types of costs associated with Mass Transit services. Companies have to purchase fuel, parts, insurance, electricity, heat, office supplies and a number of other expenses. Paratransit operators under contract with Transit Plus pay their drivers an average of about \$7.50 per hour. The driver wage rate of the Milw Transit System is about twice that figure.

Paratransit operators continue to have difficulty attracting qualified drivers. These operators are already expending about 30% of their budget on driver wages alone. This would compare to less than 20% for Mass Transit operations. The remaining 70% of the paratransit operators costs are largely uncontrollable expenditures such as fuel, insurance, heat, electric, telephone, rent, computer services, parts and supplies. In addition to these costs, are the costs of dispatchers, schedulers, reservation staff, mechanics and supervision. It also has to cover all capital expenditures such as vehicles, radios and a host of other capital costs.

No improvement toward meeting the goals of ADA will be achieved so long as Milwaukee County believes that paratransit services can be provided for less than one third of the cost per hour that it expends on Mass Transit. A two year extension will not achieve that. We believe that Milwaukee County is farther from full implementation today than it was in 1992. At last years ADA plan hearing we made the statement several times that companies don't provide paratransit services, drivers do. Our comments were ignored. The paratransit service is faced with a macro economic problem of labor shortage where wage rates have not kept up with the market place. Milwaukee County won't "solve" this macro economic problem by supplying vehicles and/or equipment to contractors, centralized dispatching or adding another six contractors. When Milwaukee County Transit System is advertising for drivers at a starting rate of \$12.52 per hour we will not likely see large number of qualified individuals apply for paratransit drivers positions.

The available supply of qualified drivers that will work for \$7.00 per hour is not determined by the operators or the county. The supply of drivers is a function of the marketplace. Current Transit Plus van operators have dozens and dozens of vehicles sitting idle while hundreds of Transit Plus riders are not receiving rides. Milwaukee County blames the operators for not having enough drivers to operate the vans. Milwaukee County established a maximum operator reimbursement in the 96/97 RFP process and provided no guarantee of volume or Required no volume guarantees of it's contractors.

**MEDA-CARE VANS INC.**

424 W. Cherry Street  
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Telephone: 414-264-7433

SPECIALISTS IN THE PASSENGER TRANSPORTATION INDUSTRY

Page 3  
December 11, 1996

Contractors have alerted Milwaukee County for over two years about the difficulty getting qualified drivers. Some contractors have even alerted the County of impending safety risks for passengers. We believe that most of the ADA reimbursements would have been met had paratransit services received the same type of justifiable increase mass transit has received. Furthermore, we proposed a system seventeen months ago that would have brought the system into substantial compliance with ADA.

If Milwaukee County Transit Plus Program doesn't identify the inability of being able to pay market driver wage rates as one of the major problems it is facing, no amount of extension will bring it into compliance. Should it recognize the problem and address this problem the ADA specifications could be met within a month or two.

It may be human nature to try and blame someone else for a problem that is not of their doing or of their control. Paratransit services can not be provided at less than one third if the cost perhaps of mass Transit Services. Meda Care Vans continues to provide close to one third of the van services under contract with the Transit Plus Program. We will as we have for the past seventeen years, stand ready willing and able to bring the program in compliance with ADA requirements. We ask not to be blamed for market forces that are out of our control.

Sincerely,  
*John V. Doherty*  
John V. Doherty  
Operations Manager

In December 1994 I accomplished one of the hardest goals of my life. I graduated from the University Wisconsin-Whitewater with a Bachelors of Science and Education. I graduated with the understanding that my job in life was to educate the children of our future. I am now employed with the Milwaukee Public School District, where I teach art to approximately 400 students each week. When I moved to Milwaukee to accept this job I had a lot of things to be concerned about. The most important being how was I going to get back and fourth to work. I was happy to hear that like Whitewater, Milwaukee had van transportation that was affordable to people with disabilities.

During the 1995 school year I used a transportation services with the help of Userside sub sty and had no problems getting to and from work. I started this school year thinking my first priority would be the education of the children I teach. Unfortunately, I was wrong. I was told that the userside program which makes my rides affordable and accessible was dropping providers. My only reliable transportation was now gone. How was I going to get to work?

I received a list of other transportation companies to call but none of them had openings. They laugh at me and told me good luck. Some even refused to speak to me. Those who did said no one would come to pick me up at that time of the morning. I must leave for work at 6:30 a.m.

I found a company that agreed to transport me to work part of the time. But they wouldn't arrive at my home until 7:00 a.m. Leaving for work at 7:00 is bad enough but most of the time they don't arrived until 7:30 Making me 1 hour late for work. The company also stated that I could have

NO rides any Friday. If you didn't show up for work on Friday what would your boss say? Would you still have a job? This is the bottom line! How can I be a good teacher and educate the children of our future if I can't get to work. Because of this mess I have been late to work, have been left stranded and forced to wait for long periods of time in the freezing temperatures. I can't even get a ride to the grocery store let alone be able to visit friends or family. I can't get a ride anywhere.

I want everyone to know what a vital part of my life this transportation program is. I am proud to say I am gainfully employed and not supported by the grovenment. This program is one of the reasons I could achieve this dream. If this program is discontinued I and many others like me will have no choice but to rely on the grovenment payments once again to live. Please don't take my dream away. Your children's future is in my hands. Don't throw it away.

Becky S. Trochinski  
(414)545-3632

Milwaukee County  
Public Transportation Services  
Public Hearing  
Washington Park Senior Center  
December 11, 1996

Testimony of  
Todd A. Palkowski, User

As a person with a disability and a user of the Paratransit System since its inception back in the early 1980's, I am utterly appalled and in complete opposition with the idea of a waiver of the Paratransit plan due to undue financial burden.

To me, to claim undue financial burden I would think the County would be pouring in more and more money every year, functioning at a deficit, or losing monies from riders, or Federal and State funds. In looking at the facts, none of these are true. The only entry that is funding less is the County! The following is a list of facts that will overwhelmingly demonstrate this point:

- \*\*\* Overall budget of the Paratransit Program has increased by 53% since 1992 (\$396,800 to \$826,800), the county tax levy into the program has essentially stayed the same since 1992.

\*\*\* County Tax Dollars

	Budgeted	Actual
1992	\$1,800,000	\$1,610,400
1993	\$2,481,716	\$1,919,254
1994	\$1,987,305	\$1,829,075
1995	\$1,933,522	\$1,871,023
1996	\$1,926,122	\$1,210,110 (nine months)

- \*\*\* County will spend about \$1,613,332 in 1996, less than the three preceding years, and about what it spent in 1992.
- \*\*\* The county is actually spending about 20% less in actual dollars on paratransit than it was in 1992.
- \*\*\* Federal and State funds from 1992 - 1996 have increased by 81% (2,340,000 in 1992 to 5,134,000 in 1996).
- \*\*\* The user fee has increased by 25% since 1992, from \$2.00 to \$2.50 per ride.

My biggest concern is the fact that depending upon a system for my livelihood, getting me to and from work daily, to medical appointments. If this waiver is granted, my livelihood will cease to exist.

The program is so problematic that as of December 17, 1996 I will no longer have transportation for work. The company I have been utilizing for the past six years is being closed and if the Paratransit Program was running properly, after five years of administration, I should be able to pick up the telephone, call any company and get a ride to work. Instead, I am hearing they cannot transport me because they do not have the money to hire drivers, therefore they are not taking new riders, or their vans do not have the proper door and roof clearance for me, because they do not have enough money to make the proper modifications (mandated by the Americans with Disabilities Act).

In reading your Paratransit updates, one of your solutions to this problem is to offer vans to providers at a nominal lease rate. A shortage of vans is not the problem, ask any provider and they will tell you that they have vans that sit ideally by each day collecting dust in their lots. The problem, they will tell you, is a shortage of quality drivers to put behind the wheels of those vans. Paratransit drivers currently earn approximately \$7.00 per hour without benefits. Milwaukee County Transit bus drivers earn a starting pay of \$12.52 per hour plus benefits. The Paratransit providers find it impossible to hire qualified drivers for their companies, so these vans are going to sit ideally by and the companies are going to continue to hire whomever will work for the \$7.00 per hour. So you can see providing vans at a nominal lease rate is not the answer, the answer is increasing County dollars to the program in order for companies to offer more money to secure and retain quality drivers.

The bottom line, I do not feel a waiver at this time is beneficial to anyone, and I am in complete opposition of the waiver. All the program needs is better direction and better use of funding. The fact that, over the past four years, all entities have increased their funding to the program, except for the County, as a County citizen and User of this program, THIS IS COMPLETELY UNACCEPTABLE TO ME!!!!!!

\* Sources: Milwaukee County Transit Plus budgets and County Board Documents.

Milwaukee County  
Public Transportation Services  
Public Hearing  
Washington Park Senior Center  
December 11, 1996

Testimony of

Neil Rossine, 470 W. Good Hope Dr., Glendale, WI 53209  
Sherry Urbaniak, 10807 W. Appleton Ave., Milwaukee, WI 53225  
Gary Sprader, 1913 W. Kimberly Ave., Milwaukee WI 53221  
Sandy Gossen, 6519, #108 W. Bradley, Brown Deer, WI 53223  
Vicky Shelton, 4715 N. 35 Street, Milwaukee, WI 53209  
Art Glenn 1033 W. Atkinson Ave. #6, Milwaukee, WI 53206  
Mary Griffen, 5253 S. 18th Street, Milwaukee, WI 53221  
Dell Crandel, 541 E. Homer, Milwaukee, WI 53207  
Beverly Paulsen, 1938 N. 117th St. Wauwatosa, WI 53226  
Nan Simet, 4815 W. College Ave., Greendale, WI 53129  
Shirely Müller, 3049 N. 59th Street #15, Milwaukee, WI 53210  
Thomas Gregory, 6750 W. English Meadow Drive #205, Greenfield, WI 53220  
Mike Miller, 4080 N. 99th Street, Milwaukee, WI 53222  
Mary Jo Hey, 7436 W. Kenwood, Wauwatosa, WI 53213  
Carla French, 9217 N. 75th Street, #516, Milwaukee, WI 53223

As individuals with disabilities and users of the Paratransit system, we are opposed to the waiver of the Paratransit plan due to undue financial burden. We utilize the Paratransit system to get to therapies, medical appointments, day care, and recreational endeavors. We are extremely frustrated with the current system because it does not allow us to live our lives the way we want! We continually have to wait hours for pickups and returns, and are told we cannot have rides when we want. When the vans finally do arrive, they are not modified to meet our disability needs.

We recently read that Milwaukee County Transit Plus Program is applying for a waiver of their Paratransit plan for three years. We are scared and confused! If the system is this bad now, does this mean that the system will not have to get better for the next three years if the waiver is granted? We are confused because we don't know how the County can claim financial burden when the following is true:

- \*\*\* Overall budget of the Paratransit Program has increased by 53% since 1992 (\$396,800 to \$826,800), the county tax levy into the program has essentially stayed the same since 1992.

\*\*\* County Tax Dollars

	Budgeted	Actual
1992	\$1,800,000	\$1,610,400
1993	\$2,481,716	\$1,919,254
1994	\$1,987,305	\$1,829,075
1995	\$1,933,522	\$1,871,023
1996	\$1,926,122	\$1,210,110 (nine months)

- \*\*\* County will spend about \$1,613,332 in 1996, less than the three preceding years, and about what it spent in 1992.
- \*\*\* The county is actually spending about 20% less in actual dollars on paratransit than it was in 1992.
- \*\*\* Federal and State funds from 1992 - 1996 have increased by 81% (2,340,000 in 1992 to 5,134,000 in 1996).
- \*\*\* The user fee has increased by 25% since 1992, from \$2.00 to \$2.50 per ride.



3745 Subl 27 24  
 Subl 27 24  
 Milwaukee Wisconsin  
 December 10, 1996

To Whom It May Concern:

I am a user of the Milwaukee County Paratransit Service and would like to see the following:

Please don't raise the user fees because if they are raised, I will not be able to afford the cost.

I also believe there should be a better driver training system in effect because I do not think the drivers know how to stop chairs in the van properly.

You should also be sure that the vans are properly serviced and maintained so that they are in good working conditions.

Also some of the people riding the vans sometimes don't show up for the service. They arrive too early or late for their appointments.

I also would appreciate longer service hours on a weekend and stop out later.

It would also help to attract better drivers if you paid them more money.

Sincerely,  
 N. L. Smith

12/10/96

Dear Sir or Madam:

I am concerned about the transit system. I don't like the way it is being run. Please do not raise the rates, it is difficult to pay them now.

The drivers are not trained enough, they don't know how to help me in my chair to go up the ramps. I don't always feel safe. They work long hours for little pay. They deserve to get paid more.

Sincerely,

George Evans

12/6/96

Dear Sir or Madam

I would like to see more reliable service in the transit plus system. I am almost always late or way too early.

I would like to see better driver training. They don't get paid enough for the difficult job they do.

It is hard to pay for the user fees now - an increase in fees would hurt.

Sincerely, J

My  
 11/12

12/10/96

Dear Office for Persons with Disabilities:

I would like to see better, courteous drivers working in the transit plus system. It is important to pay drivers more money so the better drivers stay and newer, better, drivers can be hired.

Safety is a big concern. There needs to be better driver training so I can feel safer driving riding with the van system.

The fees are difficult enough to pay, so an increase would hurt my transportation.

Sincerely,  
 Renee Newson

## CEO Creative Employment Opportunities, Inc.

December 16, 1996

Milwaukee County Executive Office for Persons with Disabilities  
235 W. Galena Street, Room 100  
Milwaukee, WI 53212

To Whom it May Concern:

Please accept this letter as a form of the open comment period for the Public Transportation Services (Transit Plus and Fixed Route) as it relates to the Americans with Disabilities Act (ADA) and Milwaukee County's Response.

I am an employee with Creative Employment Opportunities, Inc. (CEO). We work with clients to gain successful employment and independence in the community. This includes transportation, it is one of the most crucial aspects when completing details once a position has been offered to a candidate. So many times, a client is excited about a job offer being and a start date has been established. The next matter is transportation and that can be a source of stress for all involved.

As a matter of fact, this has happened to one of our clients recently. He/She was offered a full-time position. The client has Transit-Plus (formerly known as User-Side) for modes of transportation. When seeking transportation for the client to and from work, there were no companies available to him/her for a ride to or from work. The times that were needed (a 6:30 a.m. pick-up from Oak Creek and a 3:15 pick-up from West Allis) were not feasible for any van company that has Transit-Plus accessibility. This was a stressful situation for everyone involved. There was a company (M.R.I. Transport) that was able to oblige with transportation from work to the client's home only. To this day, we are still seeking transportation to work. The clients parent's are currently providing a ride to work which does not foster independence.

When working with a new client, the subject of transportation is often an issue. If the client has van service available to them, the employment consultants are more at ease that transportation has been addressed. However, in reality, it is not taken care of at all. The client's work schedule needs to fit into the times that are open for the van service. If there is not an opening, alternate modes of transportation need to be found which at times is impossible.

Our main concern is that there are not nearly enough van services available. The number of individuals needing transportation services are only increasing. I am not only speaking for the clients who are being served at CEO, but the other supported employment agencies in Milwaukee County as well.

219 N. Milwaukee Street, 3rd Floor • Milwaukee, Wisconsin 53202  
(414) 277-8506 • Fax (414) 277-8547

## CEO Creative Employment Opportunities, Inc.

I hope that my concerns have been heard and taken into consideration. If you have any questions, please call me at 277-8506. I appreciate your efforts in trying to ease the shortage of transportation services for individuals with disabilities and, thus, improving the system so that independence can be achieved.

Sincerely,

*Kristin M. Moritz*

Kristin Moritz  
Employment Consultant  
Creative Employment Opportunities, Inc.

219 N. Milwaukee Street, 3rd Floor • Milwaukee, Wisconsin 53202  
(414) 277-8506 • Fax (414) 277-8547

## Milwaukee Association Of Developmental Disabilities Service Agencies

December 17, 1996

Don Natske  
Office of Persons with Disabilities  
235 West Galena St., #100  
Milwaukee, Wisconsin 53212

Dear Don:

On behalf of the members of the Milwaukee Area Developmental Disabilities Service Agencies (MADDSA), I am writing regarding serious capacity and service problems in the Milwaukee County paratransit system. Additionally, it has come to our attention that the county is requesting federal waivers to delay implementation of services scheduled in the Milwaukee County ADA Paratransit Plan.

As stated in the plan and filed with the federal government, there are several services scheduled for implementation effective January 1, 1997 which would greatly enhance the flexibility and range of travel for riders with disabilities. The implementation of these services are particularly important since, under the current dual transportation system, Transit Plus customers pay double the fixed route fare with no guarantee of timely or reliable service.

Since 1990 and the passage of the Americans With Disabilities Act, riders with disabilities have patiently waited for the gradual implementation of a transportation system capable of handling their needs. The promises of next-day service, expansion into outlying counties, and capability of handling all ride requests were to be realized in 1997. Of the transportation concerns expressed by MADDSA members and their customers, these three are most frequently mentioned as crucial for meaningful participation in community activities.

Transit Plus riders rely on public transportation to get to and from work, medical appointments, social activities, shopping, etc. regularly and on time. Often, public transportation is the only mode of transportation for a person using a wheelchair since most private vehicles cannot accommodate transporting a wheelchair.

In addition to the great need for expanded service capabilities, MADDSA opposes the waiver request because of other recent events. During the 1997 county budget process, increased fares were recommended (generating \$115,000) without service enhancement and without contract increases for paratransit providers.

### MADDSA - Page 2

Additionally, increased state funding of \$600,000 for disabled and elderly transportation was recommended to be used to supplant county support for Transit Plus instead of enhancing services. The result would have been new monies of \$715,000 replacing county support with no additional ability to address long standing issues of timeliness, ride availability, and inter-county travel. Concurrently, Milwaukee County and Transit Plus were preparing a waiver request to delay ADA Paratransit implementation due to financial hardship.

While fares remain stable in 1996-1997, problems related to reliability continue. Recently, a major paratransit provider notified the county and 500 of its riders of its inability to continue its current service level at the current reimbursement rate. Riders have been scrambling to find alternative services and ride requests go unfilled. This is unacceptable.

Individuals with disabilities live in our community and have every right to expect freedom of movement throughout their neighborhoods to conduct their daily business. Reliable public transportation is crucial to full access to opportunities. Transportation options for people with disabilities will continue to be a high priority as Wisconsin downsizes the state center populations and increases community-based residential and program options.

In addition to intra-county transportation availability, it is imperative that paratransit options cross county lines. Employment opportunities are increasingly available in counties surrounding Milwaukee County. People with disabilities, while under represented in the work force, want jobs and need transportation to get them to and from jobs on time and every day. Ironically, people with disabilities in county-funded employment programs cannot take advantage of job opportunities because they cannot get to work on time or the vans do not travel to the job location.

MADDSA urges Milwaukee County and Transit Plus to aggressively pursue solutions to these transportation issues. MADDSA also asks that Milwaukee County proceed with implementation of the ADA Paratransit Plan as scheduled and promised to community members.

Sincerely,

*171*  
Perry Mueller  
Chairperson  
MADDSA

Dear Sir or Madam:

I am concerned over the possible increase in user fees. Currently, I live on a very limited budget which only allows for a small amount of money to be used for transportation purposes. If an increase were to occur I would find it very difficult to continue to be in the community via Transit Plus Services.

I would also appreciate longer service hours to accommodate a busy schedule. I currently find it difficult to attend outings in the evenings due to limited transportation hours.

I would also like to express my concern about general van safety and maintenance. There have been several instances where vans have broken down causing me to be late for appointments.

Please take the above matters into serious consideration for these decisions affect the level of independence of all of the ~~the~~ disabled people in Milwaukee County.

Sincerely,  
John Roth

To whom  
Please don't increase  
Please increase the safety  
now traveling

John Pepple

Dear Office for persons with Disabilities:

I feel that highering user fees would be a great disservice to the disabled and elderly population of our community. Many individuals live on a fixed budget which does not ~~affect~~ allow for an increase in transportation costs. By raising user fees I would be severely limited in my ability to get around town. The Transit Plus System is my only source to keep my level of independence up.

I am also very concerned over the lack of general safety and driver training. There have been several instances where I have been improperly strapped in my chair inside the van. This posed a serious risk to my well-being and safety.

The above concerns are very important to me, please look into these issues for me.

Kristen

Sincerely,

Pokrop

Dear Office for persons with Disabilities:

- Don't increase users fees
- Better Driver Training
- Safety + maintenance
- Reliable Service - on time
- Longer service hours

Darlene L. Cody

DEAR SIR or Madam:

Please do not increase user Fees.  
 I also feel that there needs to be  
 better reliable service. Please consider  
 longer Service Hours.

THANK you FOR your time:

ANNA GLENN

Enclosed clipping is from  
 Chicago Tribune  
 Please take note the warm  
Courtesy extended to the  
 to the senior into the Cab by  
 the thoughtful Cab driver.  
 We seniors need this kind  
 of service and we deserve it.  
 Seniors pay their fare and  
 need assistance getting into  
 the Cab. Please Please  
help us

Dear Office for Persons with Disabilities:

I am a user of the Milwaukee County  
 Paratransit Service, and would like to see  
 the following:

Please don't increase user fees, it  
 is hard enough when you are on a  
 fixed income, like me

Give the Drivers a better Training  
 program that would help the Drivers  
 take pride in their jobs

This would also show that, the drivers  
 care about their customer, with the safety  
 and maintenance of their vans

It would also help if you could pay  
 them more, if they want to keep working  
 for your company

Sincerely,  
 Donna Odebrink



These photos by Michael Burke  
 Neal Ostergaard helps 80-year-old Trudy Nurkiewicz into his cab. Much of the business of the  
 Veterans Cab Co. consists of ferrying senior citizens  
 to and from medical appointments.

Chicago Tribune  
 Hey,  
 taxi!

Dear Sir.

please don't raise user fees  
If you raise it will be hard  
to pay for our rides.

please pay drivers more money  
especially in the winter months  
When the job is more difficult  
due to the snow and cold.

appropriate trainings for new  
drivers is essential  
especially for those who put  
chairs into Vans.

sincerely

Dwayne Morgan

Dear Sir or Madam:

I would like to express my concern in  
the highering of user fees. If rates were  
too increase I would find it very difficult  
to continue to use the Transit Plus Services

Better education and training is also  
essential. It has been my experience that  
many drivers don't know how to properly  
strap participants who are wheelchair  
bound into vans. General Safety and  
knowledge concerning disabilities is very  
important. Crowding too many people into vans is  
dangerous.

Reliable service is also an important  
issue as there are many times where I  
am very late for appointments. Safety  
and maintenance of vans remains an issue  
in that it is important for the vans to  
run well to ensure maximum safety and  
service for all.

Sincerely,

Dwayne Morgan

Dear Sir or Madam:

I am concerned that  
user fees may be increased.  
I work very hard for  
my money I spend most of  
it on user side. if  
fares increase it  
would greatly effect

me.  
also, service has  
to be more reliable  
I am often late for  
work and for recreation

December 20, 1996

Milwaukee County Executive Office  
for Persons With Disabilities  
235 W. Galena St., Rm. 100  
Milwaukee, WI 53212

To Whom It May Concern:

I am disabled, am in a wheelchair and am a paratransit rider. I was unable to attend the meeting held on December 11, but I have urgent concerns which I'd like to address regarding the availability of accessible transportation for the disabled.

I am a rider with Media-Care Vans. Recently this company arbitrarily dropped 500 people from its client list, giving them no more than a three day notice. Some of these people were working tax payers using the vans to get to work, dropped because they used the van daily during the busiest time of the day. All of those dropped were dropped because for one reason or another the company decided that their riders weren't cost effective. The other paratransit companies, which are smaller and, for the most part, less reliable than Media-Care have been inundated by the 500 people who are suddenly without a means of transportation. The smaller companies are not equipped to handle the overload. I was not dropped myself, but know several of those who were, one of whom is employed at City Hall. So far, they have not found a company who can promise them the rides they need. Several companies I heard have refused to take any new riders. I find Media-Care to be the most on time, but they've been consistently late recently, despite dropping 500 people. The other companies are worse.

When the ADA was passed, many people were let on the paratransit system that had not been on it before, such as people with mental disabilities, but no money was allocated to compensate for the increase. Media-Care claims the 500 people were dropped because they are unable to find drivers. The reason for this is poor pay and benefits. The quality of many of the drivers is low and the turnover high. The good drivers who are reliable, efficient, and know their jobs quit and go to work for someone who offers better benefits such as the bus company or UPS. A van driver recently told me he could make \$11.50 an hour working for UPS with comprehensive health and dental coverage and a profit sharing plan. Isn't the safety of people worth more than that of packages?? Media-Care made the news recently by having two accidents in a row in which riders in wheelchairs were killed due to driver negligence. A majority of paratransit riders are severely disabled. Many are fragile and require special handling. The job is physically demanding and entails a lot of responsibility. I feel the problems will only get worse unless the drivers receive better pay and benefits.

The buses are now in the process of being made accessible. The buses won't work for more severely disabled people, and are particularly impractical during the winter months, due to the Wisconsin climate. I went to UW-Whitewater, which had a number of disabled students. One of the students who could walk, but with difficulty, was walking home one December night and slipped in the snow and fell. He was unable to get up, losing one of his shoes and his gloves in the effort. No one found him until morning and he lost most of a foot and several fingers to frostbite. Last year in March, I went down the block in my wheelchair. When I came back the melting snow had iceed over on the sidewalk, and I got stuck. I could only spin my wheels and it was getting later and colder. I was directly in front of my building, but could do nothing. It was about two hours before someone came along and helped me, and I was very cold because I couldn't move around. Snow, ice and frigid temperatures such as in the last couple of days are potentially life threatening to a person who's substantially mobility impaired, and it can snow as early as October & as late as May.

My fear is that money will be taken from the paratransit program, which works for everyone year round, to be put into making the buses accessible—which will only work for a limited number of people during a few months and that the paratransit program will deteriorate due to funding problems. I am able to live independently only with the help of reliable transportation. It's absolutely vital to the disabled population of Milwaukee the quality of the paratransit program be maintained, because without a reliable safe means of transportation no degree of independence or productivity is possible.

Thank you for your attention

Sincerely,

Don King  
Lisa Burg  
3576 S. 33rd St. #27  
Milwaukee, WI 53220  
(414)455-6607



December 20, 1996

Mr. Don Natske  
Milwaukee County Commission for Persons with Disabilities  
235 West Galena Street,  
Milwaukee, WI 53212

Dear Mr. Natske:

Enclosed please find a copy of written testimony regarding Milwaukee County's request for a federal waiver to delay implementation of the Milwaukee County ADA Paratransit Plan. We have also sent this testimony to Transit Plus for inclusion with its waiver application to Washington, D.C.

We thought you might be interested in having a copy for your files.

Sincerely,

*Nan Upright-Sexton*

Nan Upright-Sexton  
Director - Public Information and Education

enclosure

230 West Wells Street, Suite 502 • Milwaukee, Wisconsin 53203  
Telephone (414) 272-4500 • Fax (414) 272-7047 • TTY (414) 272-1077



December 20, 1996

Mr. Hiram J. Walker  
Associate Administrator for Program Management  
U.S. Department of Transportation  
Federal Transit Administration  
400 Seventh Street, S.W.  
Washington, D.C. 20590

Dear Mr. Walker:

United Cerebral Palsy of Southeastern Wisconsin opposes the application by Milwaukee County for waivers to delay implementation of paratransit services as scheduled in the Milwaukee County ADA Paratransit Plan.

As stated in the plan and filed with the federal government, there are several services scheduled for implementation January 1, 1997 which would greatly enhance the flexibility and range of travel for riders with disabilities. The implementation of these services are particularly important since under the current dual transportation system, Transit Plus customers pay double the fixed route fare with no guarantee of timely or reliable service.

Since 1990 and the passage of the Americans with Disabilities Act, riders with disabilities have patiently waited for the gradual implementation of a transportation system capable of handling their needs. The promises of next day service, expansion into outlying counties, and capability of handling all ride requests were to be realized in 1997. Of the transportation concerns expressed by community members, these three are most frequently mentioned as crucial for meaningful participation in community activities.

Transit Plus riders rely on public transportation to get to and from work, medical appointments, social activities, shopping, etc. regularly and on time. Often, public transportation is the only mode of transportation for a person using a wheelchair since most private vehicles can't accommodate transporting a wheelchair.

230 West Wells Street, Suite 502 • Milwaukee, Wisconsin 53203  
Telephone (414) 272-4500 • Fax (414) 272-7047 • TTY (414) 272-1077

PAGE TWO - UCP-SEW

In addition to the great need for expanded service capabilities, United Cerebral Palsy of Southeastern Wisconsin opposes the waiver request because we do not believe implementation of the planned expansion will result in an "undue financial burden" for Milwaukee County. In fact, during the 1997 county budget process, increased fares were recommended (generating \$115,000) without service enhancement and without contract increases for paratransit providers. Additionally, Milwaukee County recommended that increased state funding of \$600,000 for disabled and elderly transportation be used to supplant county support for Transit Plus instead of enhancing services. The result would have been new monies of \$715,000 replacing county support with no additional ability to address long standing issues of timeliness, ride availability, and inter-county travel. At the same time, while proposing decreased County support, County staff were preparing their waiver request to delay ADA Paratransit implementation due to financial hardship.

One would think that to claim undue financial burden, the County would need to demonstrate regular increases in financial support, operating at a deficit, or losing funds from other sources. This is not the case in Milwaukee County. County tax dollars supporting paratransit services in Milwaukee County have remained fairly stable since 1992. If adjusted for inflation, the County is spending about 20% less on paratransit in 1996 than it did in 1992. At the same time, federal and state support have increased by 81%, rider fares have increased 25% with total user revenue up by 86%.

Additionally, Milwaukee County projected that full implementation of the Milwaukee County ADA Paratransit Plan would result in 24,000 riders utilizing 1,333,700 trips by 1996. In reality, there were 15,200 riders taking 540,000 trips in 1996. As part of its waiver rationale, the County is projecting that they would need to provide 817,000 trips in 1997 if forced to fully implement its ADA Paratransit Plan. This reflects an increase of 277,000 rides (50% increase). There is no basis for this projection and, in fact, the County budgeted itself for 575,000 rides in 1997.

This discrepancy needs to be closely examined; UCP believes the County is exaggerating its estimates to increase its chances of obtaining a federal waiver and

PAGE THREE - UCP-SEW

make itself "sue proof" for non-compliance with ADA transportation requirements. If a waiver is granted there will be no recourse for paratransit riders in Milwaukee County with regards to these issues.

Reliable public transportation is crucial to full access to opportunities. Transportation options for people with disabilities will continue to be a high priority as Wisconsin downsizes the state center populations and increases community based residential and program options.

In addition to intra-county transportation availability, it is imperative that paratransit options cross county lines. Employment opportunities are increasingly available in counties surrounding Milwaukee County. People with disabilities, while underrepresented in the work force, want jobs and need transportation to get them to and from jobs on time and every day. Ironically, County funded employment programs for people with disabilities when their customers cannot take advantage of job opportunities because they cannot get to work on time or the vans don't travel to where the job is located.

Sincerely,

*Nan Upright-Sexton*

Nan Upright-Sexton  
Director - Public Information and Education

**WISCONSIN  
COALITION  
FOR ADVOCACY**

*Advocacy for citizens with disabilities*

December 23, 1996

Mr. Stephen N. Kamuru, Director  
Transportation Division  
Milwaukee County Department of Public Works  
907 North 10th Street  
Milwaukee, WI 53233

Dear Mr. Kamuru,

Enclosed please find our testimony in response to the 1997 Milwaukee County Paratransit Plan and Request for Extension Based on Undue Financial Burden.

It is our understanding that you will include copies of all public comment, including our testimony, with the final plan you submit to the U. S. Department of Transportation.

Sincerely,

*Tom Hlavacek*

Tom Hlavacek, Director  
Milwaukee Office

cc: Hiram J. Walker, Associate Administrator for Program Management  
U. S. Department of Transportation

Milwaukee Office: 2040 West Wisconsin Avenue, Suite 678, Milwaukee, WI 53233 Voice & TDD 414-342-8700  
Fax 414-342-7900 Toll Free 1-800-928-8778 (consumers and family members only)

**WISCONSIN  
COALITION  
FOR ADVOCACY**

*Advocacy for citizens with disabilities*

**Testimony in Opposition to the 1997  
Milwaukee County Paratransit Plan and  
Request for Extension Based on  
Undue Financial Burden**

Tom Hlavacek, Director  
Milwaukee Office  
Wisconsin Coalition for Advocacy

December 20, 1997

Our organization strongly opposes the proposed 1997 paratransit service plan for disabled persons put forth by the Milwaukee County Transit System because it fails to fully comply with the Americans with Disabilities Act Paratransit Guidelines found at 49 CFR 37.121-149.

In addition, we oppose the request for a waiver based on undue financial burden contained in the 1997 plan referenced above because it fails to meet the conditions under which a waiver may be granted found at 49 CFR 37.151-155, and because the extension requested (three years until December 31, 1999) is both unreasonable in length and unsubstantiated in need.

Further we strongly object to the manner in which the public notice and public hearing on the plan was conducted. Copies of the proposed plan were not made available to the general public until the hearing itself, and the Transit System waited until the hearing to reveal that the extension they were requesting from meeting ADA guidelines was for a period of three years. Prior drafts of the plan called for a two-year extension. We contend that this constitutes lack of appropriate notice because it severely disadvantaged persons with disabilities from understanding the ramifications of the plan and from having time to respond.

**Objection to the 1997 Plan**

Our objection to the proposed plan is based on its failure to meet compliance with the ADA in three of six Service Criteria found in the Paratransit Guidelines, specifically the

criteria dealing with Service Area, Response Time, and Capacity Constraints.

**Service Area**

As stated in the proposed 1997 plan, the Transit System admits it is out of compliance in this area. Specifically, there are bus routes along the streets that serve as borders to Milwaukee County. The System only provides paratransit within the County borders. Therefore a number of residences and businesses in a 3/4 mile corridor along the bus route but outside the County boundary do not receive paratransit services. The Transit System can easily resolve this issue by simply making those businesses and residences part of the Service Area.

There has been no evidence presented to support a claim that expanding the service area would add substantial new riders or add to the total number of rides provided. Absent such evidence, there appears to be no basis to support the granting of a waiver based on undue financial burden. In addition, since the Transit System has known about this issue for six years and done nothing to resolve it, it is difficult to understand how three more years would help.

**Response Time**

This criteria represents an area where the Transit System is seriously out of compliance, and the ramifications for people with disabilities are severe. In almost all cases, riders can not get next day reservations, nor can rides be reserved in the "one hour window" of when they are needed, in fact there are effectively "blackout" periods when no rides are available at all. The failure of the Transit System to comply with the ADA in this area makes it virtually impossible for people with disabilities to enjoy comparable service to users of the bus system.

In addition, the failure to meet the response time criteria appears to be having a disparate impact on the group of paratransit users who, because of their reliance on wheelchairs, require van transportation. Program data and rider feedback indicates that paratransit users who can be served by a taxicab generally obtain both next day service and one-hour reservation capability. Since the riders in wheelchairs have to wait for the mainline bus system to become accessible, they are doubly penalized by the failure of the transit system to meet ADA compliance in this area.

**Capacity Constraints**

Riders report many problems with significantly untimely pickups, trip denials, and

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missed trips. People who rely on the paratransit system for their jobs are especially disadvantaged by capacity constraints in the system. Many of the people who spoke at the hearing told stories of missed job appointments, showing up late for work, and being unable to perform other work-related tasks because of the inability to schedule rides. One of the principles tenets of the ADA involves persons with disabilities joining the workforce and contributing to the economic mainstream of communities. The presence of substantial capacity constraints is a tremendous barrier to the employment of people with disabilities in Milwaukee.

In conclusion, it is our contention that the Transit System is seriously out of compliance with the ADA in Service Area, Response Time and Capacity Constraints, that they have known and openly admitted they were out of compliance in these areas, that they have had adequate time to address these issues, and that they have failed to adequately justify continuing to be out of compliance. For all of these reasons, we respectfully request that approval of the 1997 paratransit plan be denied.

**Request for Extension Based on Undue Financial Burden**

In their 1997 plan and request for waiver, the Transit System claims that meeting full compliance with the ADA would result in a major expansion of the number of rides and riders in the system, resulting in a much higher cost. We claim both the ride estimate and associated costs are exaggerated, and the request should therefore be denied.

**Estimate of Rides and Riders at Full Compliance**

According to the ADA Technical Assistance guide, one of the main factors the US Department of Transportation looks at when considering an entity's claims that paratransit costs are creating an undue financial burden is the methodology the entity used to project with the number of trips they say would be mandated to fully implement the ADA.

It is our contention that since the Milwaukee County Transit System began planning to meet it's obligations under the ADA, they have exhibited an inability to accurately predict the impact the law will have on transit programs and budgets, and in fact have produced gross exaggerations that have only served to create panic in the governmental bodies designated to oversee the program.

In 1992 the Transit System projected that by 1996, there would be 24,000 riders in the paratransit program and they would take 1,333,700 rides (Source: Milwaukee County Paratransit Report, December 3, 1992). The actual experience has been far less. In 1996 there were 15,200 riders and they took only 540,000 rides, less than one-third

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what the Transit System had predicted.

Now we contend the Transit System is exaggerating demand again to justify requesting a waiver from meeting ADA requirements. The Transit System is saying they would need to provide 817,000 trips in 1997, an increase of 277,000 rides over the 540,000 provided in 1996 (50% increase).

They base this projection on a questionable argument that although the current average number of rides per rider is around 35 (15,200 riders taking 540,000 one-way rides), prior to ADA implementation in 1991, the average was about 43 trips per rider a year. Therefore, according to their argument, full implementation means riders will go back to taking more rides.

They do not present evidence to support the assumption that all of a sudden a lot of people will take a lot more rides in 1997, just because the County does not pursue a federal waiver.

No one has studied the phenomenon of fewer rides per year per rider enough to know why people take fewer trips. The simple answer may be they don't need them. Another answer is because they can't afford them, since rates have gone from \$2.00 a ride to \$2.50 during the time period in question. Capacity constraints certainly may be part of the answer also, but it is probably not the only explanation.

However, there are also two facts not emphasized by the Transit System that would appear to support a prediction of fewer, not greater rides in the near future.

The first fact is that trips taken by ambulatory individuals constitute the greatest proportion of the increased rides the system has experienced since the ADA implementation process began. Paratransit trips taken by ambulatory individuals increased by 143,732 rides from 1991 to 1995, while at the same time trips taken by non-ambulatory persons increased by only 131 (Source: Planning Council November 27, 1996 Report). Planning Council staff identify ambulatory individuals as a group for whom more economical alternatives could be developed including the fixed route system and shared rides. If implemented, this recommendation would result in fewer paratransit rides.

The second fact is that in 1997, 35 accessible buses will be added to the fixed route system, up from the current 138 accessible vehicles, an increase of 25%. More accessible buses should translate into more accessible routes and fewer paratransit rides.

Because of these two facts, and the absence of sound, defensible evidence put forth by the Transit System to document their projection of 817,000 rides, we contend their

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projection is unreliable as a source for claiming undue financial burden.

#### Milwaukee County Financial Contribution to Paratransit

One would think that to claim undue financial burden, the Transit System would need to show it was pumping more and more dollars into paratransit services every year, operating at a deficit, or losing funds from other sources. None of these are true. In fact every entity involved in the paratransit program is paying more to fund the system except one, the County itself.

While the overall budget of the paratransit program increased by 53% from 1992 to 1996 (\$5,396,800 to \$8,256,800) the county tax levy going into the program has remained essentially the same since 1992 as follows:

#### COUNTY TAX DOLLARS FOR PARATRANSIT SERVICES

	Budgeted	Actual
1992	\$1,800,000	\$1,810,400
1993	\$2,481,716	\$1,919,254
1994	\$1,987,305	\$1,829,075
1995	\$1,933,522	\$1,871,023
1996	\$1,926,122	\$1,210,110 (nine months)

If actual spending for 1996 continues at the nine-month average of about \$134,000 per month, the county will spend about \$1,613,332 in 1996, less than in the three preceding years, and about what it spent in 1992. Adjusted for inflation, the county is actually spending about 20% less in actual dollars on paratransit than it was in 1992.

The above figures also clearly indicate that the paratransit program has operated well within budget every year, and has experienced no deficits.

During the same period (1992 - 1996) federal and state combined funds used for paratransit have increased by 81% from \$2,840,000 in 1992 to \$5,134,000 in 1996, and so the program is not experiencing a loss of other revenue.

The riders are doing their part to fund the system as well. The user fee has increased by 25% since 1992, from \$2.00 to \$2.50 per ride. Total user charges have increased from \$792,000 in 1992 to \$1,437,500 in 1996, which means that riders are paying 86% more into the system in 1996 than in 1992.

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Of the three "corners of the triangle" that fund each ride: federal/state, user, and county, the only one not keeping up its end of the bargain is clearly the county, and yet they are the entity claiming undue financial burden (Sources: Milwaukee County Transit Plus budgets and County Board Documents).

#### Conclusion

Because the 1997 paratransit service plan for disabled persons fails to fully comply with the Americans with Disabilities Act Paratransit Guidelines, we request that approval of the plan in its entirety be denied by the United States Department of Transportation.

We also request that approval be denied for the request for a waiver based on undue financial burden that is included in the 1997 plan.

We finally respectfully request that Milwaukee County Transit Services be required to provide appropriate notice of future paratransit hearings, including making available to the public all draft plans at least ten days in advance of any scheduled hearing to allow service recipients an opportunity to review the documents and prepare commentary.

Thank you in advance for your thoughtful consideration.

Submitted by:

*Thomas Hlavacek*  
Thomas Hlavacek, Director  
Milwaukee Office  
Wisconsin Coalition for Advocacy

*December 27, 1996*  
Date



Testimony in Opposition to the 1997  
Milwaukee County Paratransit Plan and  
Request for Extension Based on  
Undue Financial Burden

Lee Schulz, Executive Director  
IndependenceFirst

December 26, 1996

IndependenceFirst strongly opposes the 1997 paratransit services plan proposed by the Milwaukee County Transit System because it fails to fully comply with the American with Disabilities Act Paratransit Guidelines found at 49 CFR 37.121-149. Our opposition supports the position taken by the Wisconsin Coalition for Advocacy which is the source of ridership and financial figures noted in this testimony.

In addition, we oppose the request for a waiver based on undue financial burden contained in the 1997 plan referenced above because it fails to meet the conditions under which a waiver may be granted found at 49 CFR 37.151-155, and because the extension requested (three years until December 31, 1999) is both unreasonable in the length and unsubstantiated in need.

Further we strongly object to the manner in which the public hearing on the plan was conducted. Copies of the proposed plan were not made available to the general public until the hearing itself, and the Transit System waited until the hearing to reveal that the extension they were requesting from meeting ADA guidelines was for a period of three years. Prior drafts of the plan called for a two-year extension. This constitutes lack of appropriate notice because it severely disadvantaged persons with disabilities from understanding the ramifications of the plan and from having time to respond.

#### Objection to the 1997 Plan

Our objection to the proposed plan is based on its failure to meet compliance with the ADA in three of six Service Criteria found in the Paratransit Guidelines, specifically the rides.



**Response Time**

This is the most critical part of the Transit System which is seriously out of compliance and which systematically harms persons with disabilities. IndependenceFirst has Board Members who cannot get rides to meetings without a one or two week notice. Certain times of the day, 7:00am to 9:30 am and 3:00pm to 5:00pm are virtually impossible to schedule unless it is a daily trip. IndependenceFirst has three employees who's arrival for work may vary up to an hour because of unreliable transit services.

In addition, the failure to meet the response time criteria appears to be having a disparate impact on the group of paratransit users who, because of their reliance on wheelchairs, require van transportation. Program data and rider feedback indicates that paratransit users who can be served by taxicab generally obtain both next day service and one-hour reservation capability. Since the riders in wheelchair have to wait for the mainline bus system to become accessible, they are doubly penalized by the failure of the transit system to meet ADA compliance in this area.

**Capacity Constraints**

As noted above riders report many problems with untimely pickups, trips denials, and missed trips. Persons with disabilities have difficulty applying and retaining employment because of the unreliability of the Transit System. One of the principle tenets of the ADA involves persons with disabilities joining the workforce and contributing to the economic mainstream of communities. The presence of substantial capacity constraints is a tremendous barrier of the employment of people with disabilities in Milwaukee.

In conclusion, it is our belief that the Transit System is seriously out of compliance with the ADA in the Service Area, Response Time and Capacity Constraints, that they have known and openly admitted they were out of compliance in these areas, that they have had adequate time to address these issues, and that they have failed to adequately justify continuing to be out of compliance. For all these reasons, we respectfully request that approval of the 1997 paratransit plan be denied.

**Request for Extension Based on Undue Financial Burden**

In their 1997 plan and request for waiver, the Transit System claims that meeting full compliance with ADA would result in a major expansion of the number of rides and riders in the system, resulting in a much higher cost. We claim both the ride estimate and associated costs are exaggerated, and the request should therefore be denied.

**Estimated of Rides and Riders at Full Compliance**

According to the ADA Technical Assistance guide, one of the main factors the US Department of Transportation looks at when considering an entity's claims that paratransit costs are creating an undue financial burden is the methodology the entity used to project with the number of trips they say would be mandated to fully implement the ADA.

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Because of these two facts, and the absence of sound, defensible evidence put forth by the Transit System to document their projection of \$17,000 rides, we contend their projection is unreliable as a source for claiming undue financial burden.

**Milwaukee County Financial Contribution to Paratransit**

One would think that to claim undue financial burden, the Transit System would need to show it was pumping more and more dollars into paratransit services every year, operating at a deficit, or losing funds from other sources. None of these are true. In fact every entity involved in the paratransit program is paying more to fund the system except one, the County itself.

While the overall budget of the paratransit program increased by 53% from 1992 to 1996 (\$5,396,800 to \$8,256,800) the county tax levy going into the program has remained essentially the same since 1992 as follows:

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The above figures also clearly indicates that the paratransit program has operated well within budget every year, and has not experienced a loss of other revenue.

The riders are doing their part to fund the system as well. The user fee has increased by 25% since 1992, from \$2.00 to \$2.50 per ride. Total user charges have increased from \$792,000 in 1992 to \$1,437,500 in 1996, which means that riders are paying 86% more into the system in 1996 than in 1992.

Of the three "corners of the triangle" that fund each ride: federal/state, user, and county, the only one not keeping up its end of the bargain is clearly the county, and yet they are the entity claiming undue financial burden (Sources: Milwaukee County Transit Plus budgets and county Board Documents).

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**County Responsibility to Involve Persons with Disabilities in the Review Process**

The County's request for undue financial burden was the subject of a vote by the Milwaukee county Board of Supervisors. Subsequent to that vote the County held a hearing on that request. The County's assertion that their request was developed with full support from the Office on Disabilities or the community of persons with disabilities is simply spurious. In fact, public testimony strongly opposed all waiver requests.

**Conclusion**

Because the 1997 paratransit service plan for disabled persons fails to fully comply with the Americans with Disability Act Paratransit Guidelines, we request that approval of the plan in its entirety be denied by the United States Department of Transportation.

We also request that approval be denied for the request for a waiver based on undue financial burden that is included in the 1997 plan.

We finally respectfully request that Milwaukee County Transit Services be required to provide appropriate notice of future paratransit hearings, including making available to the public all draft plans at least ten days in advance of any scheduled hearing to allow service recipients an opportunity to review the documents and prepare commentary. In fact, we believe all paratransit users should receive a mailing and issue summary of the hearing. Only then, will users of the system really have an opportunity to be heard on this important public resource.

Thank you in advance for your thoughtful consideration.

Submitted by:

*Lee Schulz*  
Lee Schulz, Executive Director  
IndependenceFirst

12-27-96  
Date

It is our contention that since the Milwaukee County Transit System began planning to meet its obligations under the ADA, they have been unable to accurately predict the impact the law will have on transit programs and budgets, and in fact, have produced exaggerated numbers that have scared governmental bodies designated to oversee the program.

In 1992 the Transit System projected that by 1996, there would be 24,000 riders in the paratransit program and they would take 1,333,700 rides (Source: Milwaukee County Paratransit Report, December 3, 1992). The actual experience has been far less. In 1996 there were 15,200 riders and they took only 540,000 rides, less than one-third what the Transit System had predicated.

Now we contend the Transit System is exaggerating demand again to justify requesting a waiver from meeting ADA requirements. The Transit System is saying they would need to provide \$17,000 trips in 1997, an increase of 277,000 rides over the 540,000 provided in 1996 (50% increase).

They base this projection on a questionable argument that although the current average number of rides per rider is around 35 (15,200 riders taking 540,000 one-way rides), prior to ADA implementation in 1991, the average was about 43 trips per rider a year. Therefore, according to their argument, full implementation means riders will go back to taking more rides.

They do not present evidence to support the assumption that all of a sudden a lot of people will take a lot more rides in 1997, just because the County does not pursue a federal waiver.

No one has studied the phenomenon of fewer rides per year per riders enough to know why people take fewer trips. The simple answer may be they do not need them. Another answer is because they can not afford them, since rates have gone from \$2.00 a ride to \$2.50 during the time period in question. Capacity constraints certainly may be part of the answer also, but it is probably not the only explanation.

However, there are also two facts not emphasized by the Transit System that would appear to support a predication of fewer, not greater rides in the near future.

The first fact is that trips taken by ambulatory individuals constitute the greatest proportion of the increased rides the system has experienced since ADA implementation process began. Paratransit trips taken by ambulatory individuals increased by 143,732 rides from 1991 to 1995, while at the same time trips taken by non-ambulatory persons increased by only 131 (Source: Planning Council November 27, 1996 Report). Planning Council staff identify ambulatory individuals as a group for whom more economical alternatives could be developed including the fixed route system and shared rides. If implemented, this recommendation would result in fewer paratransit rides.

The second fact is that in 1997, 35 accessible buses will be added to the fixed route system, up from the current 138 accessible vehicles, an increase of 26%. More accessible buses should translate into more accessible routes and fewer paratransit rides.

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JAN-02-1997 12:15

MILWAUKEE COUNTY USSP

P. 02

**WISCONSIN  
COALITION  
FOR  
ADVOCACY**
*Advocacy for citizens with disabilities*

December 13, 1996

TO: Supervisor Karen Ordians, Chair  
Milwaukee County Board of Supervisors

Supervisor Anthony Czaja, Chair  
Mass Transit Committee

FROM: Tom Hlavacek *[Signature]*

RE: Transit Plus Application for Federal Waiver of Meeting ADA Requirements

Enclosed please find two documents prepared for the public hearing conducted on December 11, by the County Commission on Persons with Disabilities, relative to the County's impending request to the US Department of Transportation for a waiver based on undue financial burden from meeting Americans with Disabilities Act requirements regarding paratransit services.

I would like to state to you in the clearest terms possible that our organization will do everything in our power to oppose the granting of said waivers, and that I find it personally disappointing, frustrating, and inexcusable that the County would pursue such a course of action.

Like many others, I have given a great deal of time to the process of collaboratively trying to fix problems in our paratransit system. The County has had essentially six years since the passage of the ADA to reach compliance. Many feel that with the current chaos in the program, it is worse off than it was in 1991, not better. There is no reason whatsoever for me or other advocates, riders, or stakeholders in the system to think that giving the County three more years will help improve things. So we will fight the waiver application on every front.

The entire disability community in Milwaukee is extremely upset by this issue. I bring it to your attention in the hope that there is still something you can do to rectify the situation.

CC: County Executive Thomas Ament  
All County Board Supervisors,  
Tyrone Dumas, Director of Public Works  
Stephen Kamuru, Director, Transportation Division  
Nancy Senn, Transit Plus

Milwaukee Office: 2040 West Wisconsin Avenue, Suite 678, Milwaukee, WI 53233 Voice & TDD 414-342-8700  
Fax 414-342-7900 Toll Free 1-800-628-8778 (consumers and family members only)

TOTAL P. 02

**RANCH  
COMMUNITY SERVICES**
*Supporting people with disabilities  
at work, at home and in the community.*

December 30, 1996

To whom this may concern;

My name is Erin Mancoske an Employment Community Facilitator at Ranch Community Services. All of our participants are riders of Transit Plus or another fixed route.

We have been quite lucky in finding the much needed transportation for our participants, although it is not as reliable as we would like to expect. Our client hours are from 9:00 a.m. to 2:00 p.m. We often have participants waiting at the door before 8:00 a.m. Pick up time from the Ranch is also quite late. There have been instances when participants have been here until 3:30 p.m. Not only is this a major interruption in the completion of mandated paper work, but it also causes great worry for the family and/or group home in which the participant resides.

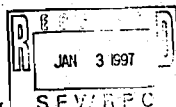
There is also a number of instances when one of my clients has been dropped off at the wrong destination and was left to wander the neighborhood. At one time he wandered into a home of a drug dealer and was "punched out." His foster mother was extremely concerned for his safety. Needless to say his transportation has been changed four times in the last four months.

It also becomes a problem when a client needs to be picked up at a different destination, such as, a place of employment or recreation. At this time the client's ride is usually extremely late or forgets to come at all.

Transit Plus transportation is extremely important to our clients at RCS. As an advocate for adults who are developmentally disabled I am definitely in favor of any improvements that Milwaukee County has to offer, pertaining transportation.

Sincerely,

*[Signature]*  
Erin M. Mancoske



Ranch Community Services, Inc. - City Center  
616 West Virginia Street • Milwaukee, Wisconsin 53204-1537  
414-273-7720 • Fax 414-273-7826

## Exhibit C-5

OUTREACH ACTIVITIES FOR THE MILWAUKEE COUNTY  
USER-SIDE SUBSIDY PROGRAM: 1996

Activity	Dates	Number of Participants
Meetings:		
Transportation Committee of the Older Adult Service Provider Consortium	April 30, 1996 June 11, 1996 July 23, 1996 October 15, 1996	6-12 6-12 6-12 6-12
Presentations:		
1. Interfaith	September 18, 1996	N/A
2. Long Term Support Conference "A Vision for the Future"	October 21, 1996	N/A
Solicitation of comments on the 1997 paratransit plan update and request for temporary time extension:		
1. Outreach Notice published in <u>The Milwaukee Journal Sentinel</u>  <u>The Milwaukee Community Journal</u>  <u>The Spanish Times</u>	October 20, 1996  October 23, 25, 1996  October 22, 1996	Approximate newspaper circulation of 600,000 Approximate newspaper circulation of 62,000 Approximate newspaper circulation of 18,000
2. Outreach Notice advertised on 11 cable network stations as a Public Service Announcement with voice-over	October 25, 1996 through November 1, 1996	N/A
3. Formal Public Hearing Notice published in: <u>The Milwaukee Journal Sentinel</u>  <u>The Spanish Times</u>	December 8, 1996  December 10, 1996	Approximate newspaper circulation of 600,000 Approximate newspaper circulation of 18,000

Exhibit C-5  
(continued)

Activity	Dates	Number of Participants
4. Special Public Hearing Announcement distributed using mailing list of Milwaukee County Executive Office for Persons with Disabilities	December 6, 1996	Mailing list includes 2,700 names
5. Special notice requesting comments on 1997 paratransit plan update and request for temporary time extension posted on the Internet	December 24, 1996	N/A
Marketing Materials/Brochures:  St. Camillius Health Center Health Fair for Seniors	September 20, 1996	N/A

Source: Milwaukee County Department of Public Works and SEWRPC.

## Exhibit C-6

ACTIVITIES FOR ONGOING PARTICIPATION BY DISABLED INDIVIDUALS  
IN THE PLANNING AND DEVELOPMENT OF THE MILWAUKEE COUNTY  
USER-SIDE SUBSIDY PROGRAM: 1996

Activity	Dates	Number of Participants
Meetings:		
1. Milwaukee County Commission for Persons with Disabilities	January 8, 1996 February 12, 1996 March 11, 1996 April 8, 1996 May 13, 1996 July 15, 1996 September 9, 1996 November 11, 1996 December 9, 1996	15-20 15-20 15-20 15-20 15-20 15-20 15-20 15-20 15-20
2. Transportation Committee of the Milwaukee County Commission for Persons with Disabilities	July 29, 1996 October 21, 1996 November 4, 1996 November 11, 1996	3-6 3-6 3-6 3-6

Source: Milwaukee County Department of Public Works and SEWRPC.

## Exhibit C-7

CONSULTATION ACTIVITIES FOR THE MILWAUKEE COUNTY  
USER-SIDE SUBSIDY PROGRAM: 1996

Activity	Dates	Number of Participants
Meetings:		
1. Paratransit Study Advisory Committee	January 23, 1996 March 8, 1996 April 3, 1996 April 25, 1996 May 17, 1996 July 17, 1996	10-15 10-15 10-15 10-15 10-15 10-15
2. Paratransit Study Technical Committee	January 3, 1996 January 16, 1996 February 21, 1996 March 19, 1996 May 21, 1996 June 18, 1996	10-15 10-15 10-15 10-15 10-15 10-15
Conferences:		
1. Paratransit Operation, Management and Contracting Workshop	April 15-17, 1996	N/A
2. Community Transportation Association of America Expo	May 20-24, 1996	N/A
Other activities:		
1. Bus Demonstration (introduction of low floor buses to Milwaukee County Transit System fleet)	February 13, 1996	N/A
2. ABLE Coalition Forum	September 5, 1996	N/A

Source: Milwaukee County Department of Public Works and SEWRPC.