



City of Madison

City of Madison
Madison, WI 53703
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Meeting Minutes - Approved TRANSIT AND PARKING COMMISSION

**PLEASE NOTE: This meeting can be viewed in a live webcast of Madison City Channel at
www.madisoncitychannel.com.**

Wednesday, March 12, 2014

5:00 PM

215 Martin Luther King, Jr. Blvd.
Room 260, Madison Municipal Building
(After 6 PM, use Doty St. entrance.)

Please note: Items are reported in Agenda order.

A. CALL TO ORDER/ROLL CALL

The meeting was called to order at 5:00 PM.

Present: 8 -

Chris Schmidt; Anita Weier; David E. Tolmie; Gary L. Poulson; Margaret Bergamini; Kenneth Golden; Kate D. Lloyd and Amanda F. White

Excused: 3 -

Sue Ellingson; Wayne Bigelow and Ann E. Kovich

Please note: Bergamini arrived at 5:04 PM, Schmidt arrived at 5:10 PM, and Lloyd arrived at 5:17 PM, after action was taken on the Minutes and Monthly Reports, during discussion of Item F.1.

B. APPROVAL OF MINUTES

A motion was made by Golden, seconded by Weier, to Approve the Minutes of the February 12, 2014 meeting. The motion passed by voice vote/other.

C. PUBLIC APPEARANCES - None.

D. DISCLOSURES AND RECUSALS - None.

E. TRANSIT AND PARKING MONTHLY REPORTS

E.1. [33319](#)

Parking: February 2014 Activity Report, January Revenue/Expense/Occupancy Reports - TPC 03.12.14

Golden/Tolmie made a motion to receive the Report. The motion passed by voice vote/other.

E.2. [33320](#)

Metro: YTD Performance Indicator and Financial Reports, and Rider-Revenue-Fare Type Reports - TPC 03.12.14

Metro General Manager Chuck Kamp noted that the report included pre-audit financials; and said that Metro was looking to end the year in good shape. Weier/White made a motion to receive the Report. The motion passed by voice vote/other.

F. UNFINISHED BUSINESS ITEMS

F.1. [32635](#)

Adopting the University Avenue Corridor Plan and the goals, recommendations, and implementation steps contained therein as a supplement to the City's *Comprehensive Plan*.

Poulson invited registrants to the table. [Please note: Bergamini arrived shortly after Schlaefer began his comments.]

Representing the Regent Neighborhood Association, John Schlaefer, Kendall Avenue, 53705, spoke in support of the Plan.

- The Plan was the result of 3½ years of work by the neighborhood.
- There had been numerous opportunities for stakeholders to provide input and then give feedback on the draft Plan. Neighborhood residents, corridor residents, and business owners were all given a chance to give input on the Plan.
- The resulting Plan balanced some added density with the limit on space in the corridor.
- The fact that the corridor had almost reached its limit was evident in the spillover in the adjoining neighborhood with traffic and with parking. Parking especially was a problem, with limited space.
- Two emphases of the Plan were to lower the amount of vehicle traffic on the street; and to make the street pedestrian and bicycle friendlier than it already was.
- Long-term, part of lowering traffic was to have an eastbound entrance ramp onto Campus Drive, either at Walnut or Highland.
- The #1 complaint of business owners was that there wasn't enough parking.
- With the construction of the Mullen's building, a small parking lot was made, with 14 stalls; but that wasn't enough. Being too small for a ramp, they felt the best solution was to place 2-hour meters in the Lot and on the street, to create turnover.
- The Neighborhood was fine with Metro's recommendations, which involved minor changes.
- They urged the Commission to recommend to the Council to adopt the Plan.

Also representing the Regent Neighborhood Association, Jon Miskowski, Kendall Avenue, 53705, spoke in support of the Plan.

- The Neighborhood felt positive about the Plan. They were excited about opportunities seen in recent developments, having a great relationship with the University and the Energy Institute on one side, and the Mullen's project on the other side. These were great additions to the neighborhood; the Plan was put together with those things in mind.
- The Plan called for good development in collaboration with the neighborhood, with some real optimism about opportunities to preserve what was good, and with good change going forward.

Elizabeth Greene, N. Spooner Street, 53726, not wishing to speak, registered in support of the resolution.

Poulson asked the speakers about the City Traffic Engineer's recommendation, which said it was the purview of a Parking Utility to study the area before making any suggestion, whether a limited number of meters was financially sustainable in that spot. Poulson thought the TPC would want to include this recommendation, that the proper process would be Parking Utility review

before making any suggestion re: metered parking. Schlaefer said this was fine.

Weier/Tolmie made a motion to approve the Plan, later clarifying that this motion included the changes suggested by Metro and Traffic Engineering.

[Please note: Schmidt arrived at this point in the meeting.] Bergamini was surprised by one of the suggestions made by Metro Planning staff (in their memo, attached): Namely, to change the text on page 87, to say that the neighborhood work with the UW-Madison rather than Madison Metro, to get a West Campus circulator on the corridor and to secure operational costs for that. Bergamini's problem with this was that Route 80 buses had occasionally run on Old University to deal with detours; but it was rare for the UW to provide service to Old University esp. during off-peak hours. She didn't want any misunderstanding about that.

Metro Planning & Scheduling Manager Drew Beck responded that this portion called for a Campus circulator route, along the lines of extending Route 82 or 80, which would be a more University-focused route, and though they switched the words around, they were still proposing that the UW and Metro work together.

Golden offered the following amendments to the motion (to be added to the comments by Metro and Traffic Engineering).

- That the appropriate maps reflect the three proposed locations for BRT stations.
- That some text be added that some mention be made that University Avenue was part of the primary transportation corridor for transit.
- With reference to discussion of an eastbound ramp at Highland that would take more traffic off University Avenue and adversely affect the business district, that the Plan not support this idea without studying it for broader impacts; that the Plan reflect the necessity of adequately studying the impacts of any proposed ramp at any location along Campus Drive.

These amendments/additions were seconded by White, who especially liked adding the BRT to the map. The motion passed by voice vote/other. [Please note: Lloyd arrived at this point in the discussion, after this vote was taken. However, this action was later reconsidered and re-done.]

Golden went on to talk about his 2/12/14 memo, parts of which seemed to provoke unintended controversy, esp. a quote that he made. He read from page 19 of the Plan, as follows: "University Avenue dwellers are not only younger and racially diverse, but are more transient and earn significantly less than householders living in the predominantly single-family owner-occupied housing south of University Avenue." He didn't care who wrote this language, but it was in the Plan they were adopting. It lead him to the question of whether student residents in the corridor were involved, for which the answer was no.

Golden said he represented this neighborhood for 12 years, and there was nothing in the Plan he found surprising. Some changes weren't reflected in the Plan, and hadn't been studied for a while. The impact of West High School was significantly reduced because of the added parking along Speedway that pulled cars out of the neighborhood. Resident-only permit program created explicitly for the neighborhood had had a minimal impact; some streets had

used it and many had not. So he wasn't certain of the impact of parking on the neighborhood anymore; and would trust the residents on that. But he wondered to what extent they were getting very localized info. The hospitals had built a number of ramps and had expanded, and he didn't know how that played out with parking. A lot of enforcement had been added, and he didn't know how that might have changed things. To him, the parking materials in the Plan were not wrong, but perhaps suspect.

Golden said the flaw of writing a plan for a group of folks who were not on the planning committee, was something he could not get past. That said, he was kind of disappointed in the Commission, because they would likely pass the item because they always passed these plans. Then they (the commissions and the Council) would end up having to tortuously deal with the issue when something good was brought back to them that contradicted the Plan.

Golden felt there were many reasons and ways that they, as the TPC, should encourage transit, inc. building appropriate density into the city. He objected to the limit of three stories here, in this primary transit corridor. He had agreed to a plan further west that he initially thought atrocious but later approved, after finding density could not be added without a large shift from single-family to multi-family land use. But he thought Old University had locations that could be development sites; esp. on the University side of the road, the limit should be much higher than three stories. He liked the discussion about the canyon effect, and the part of the Plan that talked about variable heights. He recalled a Mark Olinger idea for E. Washington that allowed tall, but only on one-third of the block, resulting in variable heights. He couldn't say what height would be right, but three stories wasn't it. We could not argue against suburban sprawl if the City wasn't willing to approve appropriate density where it was appropriate.

Golden thought the Plan should reflect that University Avenue was appropriate for density greater than three stories, and that it should reflect the interests of the student population. He was certain that strong efforts were made by the committee to reach out to students, who simply didn't show up. But that meant their interests weren't represented. The Commission needed to send a comment that three-story density on the primary transit corridor was not a responsible position; it would cause growth at the edges and not in the middle, resulting in a transit system that would be more spread out and less cost-effective. He concluded by praising the Regent Neighborhood for their care and deliberation; he just happened to disagree.

While reviewing the process for the passage of the previous motion, Bergamini pointed out comments from someone in the neighborhood that called for greater heights particularly on the north side of University Avenue, and explicitly calling for transit-oriented development. She wondered if they would want to add an amendment to their previous list of recommendations.

Golden/Tolmie made a motion to reconsider their previous motion. The motion passed by voice vote/other. Golden/Tolmie made a motion to approve the three amendments he listed earlier. The motion passed by voice vote/other. Poulson then called for discussion on the motion to approve the main motion (originally made by Weier/Tolmie) as amended (by Golden).

When asked, Golden said he hadn't offered an amendment related to his density comments, because he wanted to see if anyone else had any interest in

doing so. White said she would support an amendment that talked about greater density and transit-oriented development; noting that she also appreciated all the work the Neighborhood had already put into the Plan. Weier had a different reaction: She agreed with what the Neighborhood had come up with; and with the comments submitted by Alder Bidar-Sielaff, expressing concern that adding density would remove the little remaining affordable housing in the area. She supported the Alder's position and the density proposed by the Neighborhood; it reflected what they wanted. She observed that people who consistently favored more density often lived in single-family homes.

Golden didn't think any recommendation the TPC made to the Plan Commission had to be explicit; it could simply say the TPC felt that greater density along the transit corridor was appropriate and should be reflected in the Plan. The Plan Commission and staff could wrestle with ways to integrate that, if the Plan Commission were to agree.

White/Golden made a motion (to add an amendment to say) that the TPC recommend to the Plan Commission that the Plan Commission consider that University Avenue is a high-traffic, transit-oriented development corridor and should consider greater density along that area.

Schmidt said it was hard to argue with the spirit of the motion, but University Avenue and Campus Drive together acted as the corridor. He didn't have an argument with the 3-story limit on the south side of University Avenue, because that was the interface zone and University Avenue was kind of narrow. Anything along Campus Drive might be okay, but he wasn't sure if he would support the amendment or not. He noted that a lot of thought had gone into how the Plan was laid out (having just worked on this issue himself in the Hoyt Park area); things were more constrained here than they first appeared.

Golden felt that the area north of University, between University and Campus Drive was an appropriate place for more density. One thing he didn't like about the 3-story limit, apart from density, was that the idea of different heights appealed to him. He felt that the hill that University Heights was built on, mitigated to some extent, higher-story buildings. In the spirit of compromise, he could live with no limits and varying heights on the north side, and height limits on the south side. Something right along Campus Drive would not have such an immediate impact on the neighborhood, being like a 100-foot stepback.

White said she wasn't suggesting they build 12-story buildings in the corridor, but 3 stories seemed very restrictive; even 4 or 5 stories would work, if someone wanted to offer a friendly amendment to her motion along those lines.

Bergamini pointed out Map 17 on page 47, which proposed maximum building heights of either 4 or 5 stories with conditional use approval on the north side on Campus Drive, not right up on top of Old University, but behind it. This would indicate there was some concern in the neighborhood about the phrase "transit-oriented development" and about maintaining the diversity of the street front, and maintaining the neighborhood as a livable place for the people in the variety of housing that had always been there, inc. 3 and 4-story apartment buildings and 650-foot bungalows. Bergamini said she had no

problem with the amendment, but wanted to clarify that the Plan did not call for limits of 3-story buildings on both sides of the street.

A vote was taken on White's amendment, with the following result: Ayes - Bergamini, Golden, Lloyd, Tolmie, White. Noes - Weier. Abstaining - Schmidt. Non-voting - Poulson. The motion carried.

A motion was made by Weier, seconded by Tolmie, to recommend approval of the Plan with the Following Recommendation(s) to the PLAN COMMISSION:

- That the changes suggested by Metro staff and the City Traffic Engineer, particularly those related to metered parking, be included.
- That the appropriate maps reflect the three proposed locations for BRT stations.
- That some text be added that some mention be made that University Avenue was part of the primary transportation corridor for transit.
- With reference to discussion of an eastbound ramp at Highland that would take more traffic off University Avenue and adversely affect the business district, that the Plan not support this idea without studying it for broader impacts; generally, that the Plan reflect the necessity of adequately studying the impacts of any proposed ramp at any location along Campus Drive.
- That the Plan Commission consider that University Avenue is a high-traffic, transit-oriented development corridor and should consider greater density along that area.

The motion passed by the following vote:

Ayes: 6 -

Chris Schmidt; Anita Weier; David E. Tolmie; Margaret Bergamini; Kate D. Lloyd and Amanda F. White

Noes: 1 -

Kenneth Golden

Excused: 3 -

Sue Ellingson; Wayne Bigelow and Ann E. Kovich

Non Voting: 1 -

Gary L. Poulson

F.2. [33022](#)

Metro: Johnson/Gorham Bus Stop Consolidation proposal - TPC
03.12.14

Kamp noted that the proposal arose from recommendations in the Transit Development Plan (TDP) that the Commission approved. Drew Beck of Metro summarized the proposal.

- Many routes were overcrowded and had issues maintaining their schedules so that riders could make connections at transfer points. With more passengers, more people were getting on/off, further delaying things and producing a cascading effect of later buses and more lost connections at the ends of the routes.
- Related to this was feedback from current and potential riders saying that they would ride the bus (more) if it didn't take so long to get places on the bus.
- One option was to space out the bus stops a little more than they were.
- On Johnson/Gorham currently, bus stops were spaced approximately an 1/8th of a mile apart, virtually every block.
- Staff was recommending that the stops be every other block, utilizing the signalized intersections (such as Ingersoll, Paterson) and placing the stops

beyond the intersection, which got the bus through the intersection and made it easier for buses to get back out into traffic by waiting for the light to change.

- Metro had met with Alder Zellers and the Tenney-Lapham Neighborhood Association, where feedback was generally positive. Even some of those who rode shorter distances thought this sounded like a good idea.

Mike Cechvala of the MPO, said that bus stop consolidation was a major recommendation of the TDP. (See Metro memo attached.) This proposal followed up on that; with the main purpose to make bus service faster, more reliable and more attractive, and not have so many missed connections at the ends of the line.

When asked by Bergamini, Beck said that the three existing stops on E. Gorham along James Madison Park were left untouched, because the proposal was pinned to the upcoming Johnson Street reconstruction project, and they had narrowed their focus to the corridor east of Blair. These stops were not part of the coverage area for the project. Bergamini suggested that they might consider dropping one of the stops. In later discussion, Beck said the stop on Gorham and Hancock was used only by routes that bypassed the Square, and the stop on Hamilton left off Gorham was used by buses going up to the Square.

Bergamini suggested that if Metro hadn't yet done so, they might want to talk to people at Yahara House (at Livingston and Gorham), which served a lot of people with disabilities. She thought they might find they'd want to keep the Livingston stop and remove the next stop at Blount instead. Beck said that during the construction, new pads would be poured on Johnson Street (at the far side stop locations). There would be no improvements at existing stops. Gorham was part of the pilot, and if there were enough outcry, they could open one up again.

Beck said the plan "on paper" was to implement the proposal at the start of the Fall semester; but the stops wouldn't be in operation until later when construction was over and they were back on their regular routes. Existing shelters at stops (on Gorham) would remain.

Golden/Schmidt made a motion to approve the proposal. The motion passed by voice vote/other.

G. PUBLIC INPUT SESSION AND DISCUSSION

G.1. [33322](#) Shared Ride Service Apps and implications of them - TPC 03.12.14

Poulson invited District 8 Alder Scott Resnick to the table. Madison Police Captain Carl Gloede was available to answer questions. Schmidt explained that two new companies were selling rides for hire, dispatching through smartphones; the issue was how they interacted with current regulations. Traffic Engineering Transportation Operations Analyst Keith Pollock joined the table with Asst. City Attorney Adriana Peguero.

Pollock described the new ride services, and he and Peguero answered questions.

- Commonly referred to as "shared ride app services", the businesses themselves preferred to be called "transportation network companies". They

wanted to emphasize that they were a network, and did not provide the transportation themselves; they provided the app.

- With the app, a Google map would show the location of passengers and drivers/vehicles. Using the app on a smartphone, people could request a ride.
- Payment was made through the app; it was called a donation.
- A passenger could rate the service and driver; and the driver could rate the passenger as well.
- The application process for drivers included a 20-minute survey. Drivers had to be 23 years old and have their own vehicle (of a certain age). There were no fleets of vehicles.
- Drivers could sign on when they wanted to, and had no set work hours.
- It wasn't clear if the drivers were independent contractors or employees.
- It didn't appear there were provisions for accessible rides, for people with disabilities; or for the apps to be accessible for the visually impaired.
- The drivers were not going through the permitting process dictated by City ordinance for drivers for hire.
- (Peguero) Neither company had been licensed or had made application to be licensed. Any drivers operating now, were operating in the face of the City ordinance, which said that all public passenger vehicles should be licensed.
- (Peguero) As for whether criminal background checks or DMV checks were being done on the drivers (required for licensing cab drivers), both companies stated they did driving record and background checks. There had been no City oversight; and the City had not been provided info about what service or process they were using.
- Re: the companies accepting liability for the actions of the drivers throughout the period they were available for hire, both Uber and Lyft had \$1 million commercial policy for passengers. An Uber driver in San Francisco, who was not on an active ride, had struck and killed a child. The company said their policy did not cover this. The driver had only his personal auto insurance, which generally would not cover an accident when the vehicle was being used as a commercial vehicle. This had created a liability concern.
- (Peguero) Uber was being sued. The driver had his phone set to "available", and was between calls when the accident occurred, but didn't have a passenger in the vehicle at the time.

Poulson began calling registrants to the speak. Representing Union Cab both as a driver and board member, Jason Glomp, Fordem Avenue, 53704, spoke in opposition.

- The new unregulated taxi services claimed they were not taxi companies and therefore shouldn't be bound by the same rules as the cab industry. However they contracted drivers to pick up riders on demand and transport them throughout the city for a fee. That sounded like a taxi service to him, and the City Attorney's Office seemed to agree.
- These unregulated companies argued they were innovators, because rides were ordered on a smartphone app and because they offered shared rides. These ideas were not new to Madison cab companies, who offered these features as well, but with regulated, licensed drivers, to ensure the safety of riders and passengers.
- When Madison cab companies had issues with the ordinances, they didn't simply violate the ordinances; they came to the City to ask for change.
- These companies also argued they were fighting against the entrenched interests of the taxi industry. But when Google invested in Uber, it was valued at \$3.5 billion. This was just another example of big business skirting the regulations, and pushing around the little guys.

- Local operators were not afraid to compete with them on a level playing field, but feared the competitive advantage they gained by not following Madison taxi regulations.

Jim Wold, Hoard Street, 53704, registered to speak (statement attached).

- As a driver at Union Cab, he paid licensing/permitting fees, and felt that strong action should be taken against these illegal services, inc. arresting the drivers and impounding their vehicles. Insurance companies for the drivers contracted by the new services should be forced to testify to the coverage they actually provided.
- If the City didn't pursue enforcement against these unregulated companies, it was abrogating its authority and using the ordinances to collect fees from businesses who basically volunteered to pay them.
- In effect, these app ride services were discriminatory because they excluded the poor (mostly people of color) who couldn't afford smart phones, cell plans and credit cards.

A Lyft driver and mentor, Christine Luxton, Monticello, 53570, spoke in support of Lyft, and answered questions.

- Madison was considered one of the most "connected" cities in the US, which was why it was able to attract and keep young professionals and businesses like Epic here.
- Having lived in the area all her life, she hoped these tech-based transportation alternatives would be allowed to stay in the community, and believed they could co-exist with public buses and other transportation companies.
- Drivers came from the community. Pictures and ratings were exchanged on the app, which helped ensure safety and peace of mind for the passenger and driver.
- Urban professionals wanted to live here without a car, but needed quick and easy options to get around, inc. to shopping centers on the periphery. This service promoted a car-less community.
- Many large cities already had these services, and she hoped a regulatory compromise could be found so that Madison could join them.
- Re: the fact that regular taxi companies had to serve any call, she said she did have the right and might refuse a rider who had a poor rating. But she had never refused a ride because she wanted to create a community, and didn't want the service to seem elitist.
- Riders had to have a bank account, credit card and smartphone, to be able to use the app.
- If she declined a ride, another driver could take the ride. But her reliability rating could go down with Lyft if she declined too many rides. A certain rate of refusal could probably get a driver fired. Drivers were given ratings. Along with a reliability rating, a driver was rated for their performance.
- Lyft drivers were available 24/7, unless they had a limited number of drivers. If no drivers were available, the app would say "all drivers busy". Riders didn't know if the drivers were actually busy or if none were on duty.
- Re: cherry-picking the best and longest rides, drivers could hang out at prime locations, like the airport, but then they'd miss many rides in the central part of town. The greatest density of rides was among students, who were mainly in the downtown area.
- The app directed requests to the driver closest to the call. Drivers had 15 seconds to respond; and if they didn't respond, the call would go the next closest driver. Riders could see where drivers were, and make decisions based

on that (to take the bus, etc.).

- Driver could sign up for certain hours, but Lyft limited the number of drivers were allowed to be out on the road at any given time. Based on driver ratings, Lyft determined how to distribute calls.
- A driver could decline to transport a service animal, though Lyft wanted their service to be like "a friend with a car". Some drivers had pets and would be happy to take animals; and by using the "call" button on the app, the driver/passenger could discuss this right away.
- Drivers might not have a lift to put a person in a wheelchair directly into their van, but they might be able to help a disabled person get into their vehicle and store the wheelchair. Lyft had no accessibility standards, but as a community-based system, drivers wanted to be helpful.
- Drivers didn't know the destination until they picked up the rider. Lyft allowed rides up to 60 miles outside of coverage area.

Representing Cab Drivers for Madison Safety, Christina Ballard, Fordem Avenue, 53704, spoke in favor of enforcing the regulations and was concerned about Uber, Lyft and other ride-sharing apps that wanted to come in the market.

- There were 715 licensed cab drivers in the city now. If these drivers were allowed to do what Uber/Lyft did, there would be 715 fare structures, 715 ways to handle problems and file complaints, 715 different color schemes on cars.
- All the regulations the City had put in place, were for the safety of the community and the driver.
- Drivers signing up for Uber/Lyft were having the wool pulled over their eyes: The excess insurance policies carried by the app ride companies only went into effect if the driver's primary policy paid out. If these drivers were operating as a business and had an accident, the primary insurance would not be paid out. Basically, those excess policies never paid.
- These drivers had no protection: They had no emergency buttons or mike to relay code words to say they needed help. Cabbies had been beaten and murdered.
- The City and MPD needed to strongly enforce the regulations with these companies, and tell them that if they wanted to operate a taxi company in Madison, they needed to follow the rules of the road.

A driver for Union Cab, Mark Adkins, Yahara Place, 53704, registered to speak.

- Being a successful cab company in Madison, was no small feat. It was a balancing act to have enough drivers on the street while still maintaining a living wage for drivers, not made easier by seasonal University needs. Companies struggled to keep up during the school year and were forced to lay drivers off during the summer, a hardship for all.
- Allowing transportation companies to do business only on their terms, apart from rules and regulations that others must play by, working only the most lucrative times and areas of the city, would further weaken an already hurting local industry and add nothing to our local economy or sense of community.
- Allowing an out-of-state enterprise to come in, without the burden of regulation, permitting, or responsibility to the community it served, would not serve Madison.
- To be labeled anti-technology or anti-progressive for objecting to this, was ludicrous. A progressive community made sure everyone was served, not just those who a credit card, a smartphone and a Facebook account.
- We had a regulated taxi industry to make sure discrimination was not allowed, to make sure people were covered if catastrophe struck, to ensure

that all were served equally, old people, young people, every neighborhood at all times.

- Would Lyft or Uber provide wheelchair access vehicles as existing companies did? No. Would they pick up senior citizens with walkers and canes, who had no smartphone or Facebook account? No. Would they take homeless kids to school every day? No. Would they act as the "extra eyes on the streets" for the community? No.
- If his co-op ended up losing drivers, the city would not only lose a valuable partner resource, but also one of the country's oldest, worker-owned co-ops, in exchange for a limited, discriminatory, partial service, unaccountable, unreachable, faithful only to Wall Street.
- He was willing to deal with Uber and Lyft, if they just got on the same playing field as he; he was sure they'd all get along. Other than that, it was not good.

A driver for Union Cab, Adam Chern, School Road, 53704, registered in favor of encouraging the City to enforce taxi regulations for for-profit transportation providers.

- In his interactions, he'd found Lyft drivers to be nice people, in whose cars he wouldn't mind riding at all. However, he did have concerns.
- These operations were controlled by venture capital from out-of-state, with no connection to any community, much less this one. They would probably have slicker products to present.
- Not only were their vehicles not marked with a predictable fare, but they used something called "surge pricing", which was adjusted according to demand. If the City wanted to change its reg's to allow this, all cab drivers would be willing to consider this. But it wasn't fair to have a couple out-of-town companies proceeding with this on their own.
- In their ads, there was a lot of coded language, such as, "I drive around people who are just like me. I get to see a picture of the person I'm riding with."

Green Cab General Manager Phil Anderson, Westchester Road, 53711, registered to speak, and answered questions.

- Like the Attorney's Office and others had stated, it was clear that these operations were taxi companies by definition and should be regulated. There was a strong city interest in public safety and access, which he supported.
- He echoed concerns raised by previous speakers; and was proud that people from all four Madison cab companies were present and had done such a good job of bringing the issues up, without discrimination among them. Clearly, they were working for the best interests not only of their companies, but also for the citizens of Madison.
- In interviews, he had been asked if they were afraid of the competition. The answer was no, as long as the new companies entered the market the same way they had and had the same constraints. If they wanted to enter the market, they would welcome that.
- If the problem was that there wasn't enough taxi service in Madison, he hoped the Commission would consider relaxing entrance and regulations for all the companies, if there were ways to do this, so that all the companies could operate more freely.
- Being one of the least expensive options, they worked a lot with senior citizens and with people with disabilities who could still access normally-equipped vehicles, perhaps 25-30%. He thought this group of folks used taxis more than the general public.
- Green Cab had started with 10 cabs in 2010, and now had 39 licensed vehicles.

- The licensing process was not that onerous, if a company was prepared to do business in this market. They had had a business plan, and they had to be properly capitalized to be able to afford the insurance. All these things were aimed at providing safe service to the community.
- The goal of the ordinance was to ensure responsible transportation; and there needed to be a responsible start to that, as expressed through the process, like any other business that needed to be licensed, restaurant, liquor store, etc.
- As for demand, since they began Green Cab had gone from 10 to 39 vehicles; they were constantly recruiting drivers.
- Over this past very cold winter, demand and wait times did go up, but this was a limited time. Over the summer, demand went down: People left town, and with warmer weather, people could tolerate standing at bus stops. Over the course of a year, they were probably at the appropriate size for the taxi industry in Madison. The average wait time now (with the cold) was probably 20-30 minutes.
- Because he himself knew a lot of people at the other companies, Green Cab had built-in good will when they started. Also being small initially, they weren't seen as likely to take much market share away. He didn't know if they had or not. The amount of people taking taxis had increased as the population increased and found it viable, and for whatever reasons, were maybe choosing their taxis over other services.
- Green Cab was always looking for drivers, and did not experience a seasonal lull during the summer.

[For future deliberations, Golden asked Kamp to provide info about how many paratransit rides by company were funded by waiver programs.]

Nancy Crawford, Almo Avenue, 53704, registered to speak, stating that the item deserved more investigation, esp. with regard to insurance and to safety of passengers and drivers. For those reasons, the business model of the new companies was poor.

- The Madison cab companies had offered a way to make a good living. They had provided a solid business in the city, and were now being infringed upon.
- She had used Community Car and all of the cab companies, which each offered unique services in terms of availability and cost. Riders could gauge how to get their needs met.
- She liked being able to talk to a dispatcher, and was surprised to hear that Lyft could say they were "all busy". What if she were in a questionable situation and needed assistance?
- The City ought to take care of its citizens. Without proper background checks, people could slide under the radar. Their ratings didn't sound much different than "liking" something on Facebook. It didn't sound like ratings were really monitored.
- She wondered about the safety of drivers. Did they know how much financial risk they were taking? And with passenger accidents, would these new services pay for a rider's care (if injured)?

Fred Schepartz, Christianson Avenue, 53714, spoke in opposition to the shared ride app companies.

- He had driven for Union Cab for 25 years, and was proud to call himself a transportation professional.
- The City had had discussions about regulations before, and had decided that the need for the regulations far outweighed claims for individual liberty that

certain parties had argued at that time.

- Having worked under the reg's for 25 years, he found them perfectly reasonable: covering the whole city, being available 24/7, requiring background checks, permitting by MPD.
- An upshot of this was that he worked for a company where drivers were part of the community, where drivers were trained, not just to be good cab drivers but to be good defensive drivers also, which made them the safest commercial drivers in the world.
- He didn't think of his situation as being regulated, but instead felt proud to operate in an atmosphere of accountability for the public trust.
- He saw an unfortunate race to the bottom in the transportation industry. Prior to July 1, 2011, medical assistance rides were not dispatched by a private, for-profit corporation from out-of-state, but were handled on the County level. Before this date, drivers (inc. cab drivers) in Dane County ran these rides, provided good service and were paid well for them. Now the level of service had declined, and pay for the drivers had gone down considerably.
- He saw Uber and Lyft in a similar light. We would not see professional drivers, and the work was treated like piece work. He feared for the future of the taxi industry, where it wouldn't be a career or a profession; it would not even be a job anymore.

A Badger Cab driver for 11 years, Demian Bandera, Concord Avenue, 53714, said that transportation equity being a civil and human rights priority (statement attached).

- Access to affordable, reliable transportation widened opportunity and was key to addressing poverty and unemployment and to providing access to good schools and health care. Equal access to transportation provided an equal opportunity to succeed.
- Taxi regulations had evolved over the years to address transportation equity. If 24/7 service and no refusal of service were being replaced by apps with "rating" systems, the sort of discrimination Madison had fought so hard to avoid.

Eagan Heath, Williamson Street, 53703, registered in support of Lyft, as a rider and potential driver.

A Lyft driver and mentor, Beckie Kuipers, Taylor Road, McFarland, 53558, said she heard a lot of fear and uncertainty.

- With Madison's population exploding, there was plenty of opportunity for both traditional and new ride services to operate.
- Each type of service served different communities, which would sometimes intermesh on occasion.
- She had had a background and DMV check, and her car had been certified. She had had a drive-along with a mentor, and had watched training videos.
- Lyft and Uber were not turning irresponsible people out onto the street.
- After 20 years of driving, she had a spotless driving record, and didn't see why she couldn't do something like Lyft.
- She liked having the ability to manage her own hours. She had a couple of illnesses and couldn't work a regular schedule; but as a Lyft driver, she could work and pay taxes.
- She enjoyed being a friend to riders. She was part of and familiar with the community, just like the existing services.

Ken Dewey, Crescent Road, Fitchburg, 53711, registered in support but did not

wish to speak.

Union Cab Business Manager John McNamara, Cantwell Court, 53703, registered in favor of enforcing the Madison ordinances. Along with the risks of allowing unlicensed, underinsured, and untrained operators on the road, City authority was being undermined (statement attached). He answered questions.

- Prime was the only insurance company in Wisconsin that insured taxis; they had strict standards about who they'd insure. Drivers had to be acceptable to the insurance company as well as to the Police Dept.
- Union Cab provided both auto and general liability insurance, which covered drivers, vehicles, passengers and members of the public, and the City of Madison; whether the driver was carrying a passenger or not, whether they were walking someone to the door.
- Risks included traffic and pedestrian accidents, robberies, and having constant interactions with the public while driving.
- When drivers were hired and when the insurance was renewed annually, the insurance company reviewed the license of each driver. Both the City and the insurance company did this.
- Uber/Lyft excess policies only went into effect when the individual's policy was exhausted; so it was unclear what happened when an individual policy was denied because they were operating outside the policy, under an exclusion as a livery service. Example: Case of a Domino's driver who had their own insurance that was denied as a livery service; and Domino's excess policy didn't kick in because there was no underlying policy. It wasn't clear if these vehicles were insured at all.

A Lyft driver and mentor, Justin Kibbel, Fish Hatchery, 53713, felt Madison was an innovative city, and hoped the City would be able to work with Lyft to find a solution for the community (statement attached), and answered questions.

- The Lyft team was part of the community. Of 100 rides, he had heard no disparaging remarks from his passengers.
- Lyft provided quick, reliable service, and safety: Lyft had a 4-star gold safety rating; they did background checks, driver record check, car inspection (a checklist), and training. Also riders and drivers rated each other.
- Drivers had some uncertainty about insurance coverage question. Lyft had explained their coverage to the drivers and were working with other insurance companies around the country to open that up as well. He had not called his insurance company to confirm he had coverage.
- He was not concerned about safety issues for himself. He had yet to decline a rider and didn't see an instance where he would.
- In an emergency, the app had a "Support" button, that called Lyft. Drivers did not have a code word, or training with something of that sort.
- If asked by the City to undergo some sort of review, he would be willing. He also that Lyft would work with the City to see where they fit in, and determine what ordinances needed to be updated and what regulations needed to be in place in order for them to operate in town.
- Rate schedule: \$1.40/mile, 30¢/minute, with a base charge of \$2.50, and a minimum of \$5.00. GPS recorded miles, and the app recorded time.
- Each driver used their own cell phone provider. If they ran into a cell dead zone, GPS and the app still tracked them; and they could call the Support number when they got back into coverage.

A Lyft driver and mentor, Laura Alvarez, Warwick Way, 53711, registered to

speaking to provide some background to Lyft and answer questions.

- A nursing student in her 30's, she loved how open and diverse the city was.
- She was happy to be back to work after a surgery. With a student schedule, Lyft allowed her the chance to work again, and get off UC. Lyft created job opportunities, which should be welcomed.
- Though Lyft and Uber did not fit exactly into the current ordinances, they would like to work with the City, and create options for consumers, who loved them and were happy to have them.
- No cash was exchanged in the car; transactions were done through the app, which created safety, and it made it possible for the rider to tip without any discomfort or inconvenience.
- Re: accessibility, they could communicate with passengers to work things out to accommodate them (animals, walkers); or find another rider to help.
- Riders reported that Lyft rides were never late, and found they were picked up within 5 minutes. They wanted to provide a different, fun option for their community.
- Passengers could not contact Lyft to arrange a ride in advance (like current cab companies). But riders could talk to the individual drivers to try to do so. Drivers were on-demand only, but responded quickly, unlike some companies where pre-arranged rides may or may not be on time. Also, Lyft was hoping to have a 100-car fleet, which would make the service 24/7.
- Re: workers comp, drivers were not employees of Lyft.
- The company regulated the amount of break time per hour, and did not allow drivers to be in service more than 12 hours in a day (their app would turn off). Drivers scheduled their own hours, but Lyft would probably get involved if they saw a big day coming up, when they didn't have drivers.

Alex Wagner, W. Main Street, 53703, said that Lyft and Uber seemed to be an innocuous enough concept, but we had laws for a reason. If they would follow the laws like other cab companies, there would be no controversy. But they seemed to just want everyone to trust them that they had good intentions that they would eventually have 24/7 service and would not discriminate. He depended on professional taxi service, and wondered where their accountability was.

A five-minute recess was taken here.

Union Cab driver David Rossing, Elizabeth Street, 53703, registered to speak (statement attached).

- His job had supported his family for over eight years. As a professional driver, he was proud to be an owner/operator in an organization that contributed to Madison's social, economic and environmental well-being.
- The ride app companies on the other hand, were backed by an investor-class who deemed public values irrelevant as they drained government control, and mined cultural and environmental resources, as evidenced by their business paradigm.
- Existing cab companies, as a wisely regulated transit utility, were another sector threatened by venture capitalists who sought to extract low-hanging fruit.
- Both Uber and Lyft launched their operations before any public debate or regulatory approval. They were breaking many local laws currently.
- They sought to make profits by deferring the costs of capital (purchase, maintenance, primary insurance) onto others, inc. the general public. They called it ride-sharing, but money was exchanged.

- Did they really care about human capital, their drivers, who were unsupported, unskilled and untrained, in one of today's most dangerous occupations? And how dare we resist speeding ahead into uncharted territory?
- We needed to slow down; we didn't need to be a testing ground for this scheme, while possibly dismantling companies that had helped build Madison's great reputation.
- Regarding safety, he himself had been robbed at gun point, and kidnapped for 20 minutes; and was taken from a dangerous neighborhood to an ATM to take more money out of his account. Had he not been able to surreptitiously contact his dispatcher with an emergency device to be located by several police forces, it very well could have gotten a lot worse. The person had two prior violent felonies, and it was an extremely ugly situation.
- He was extremely thankful for the infrastructure provided him, both for himself and his family.

Scott Bennett, Hwy 12, 53718, registered to speak.

- A Badger Cab driver (who got to choose his hours also), he lived in District 16, an area that was not being served by Lyft at this time He had made a complaint to the City.
- When he went online, Lyft said they were not available in his part of the city. He had had to go to Dutch Mill Park and Ride to even get into their area. But being too far from the nearest driver, he went to Denny's on Broadway, and finally got a driver to take him to the airport, where he was stranded because no Lyft drivers were available to take him home. The ride seemed just like a metered ride to him.
- In requesting an Uber ride that day, he saw a car available downtown and requested it. After processing the request, the app said that he had "missed all Uber drivers", and the car disappeared. The car reappeared again ten minutes later, so he tried requesting it again, and was given the same message as the car disappeared. He repeated the process again with the same results. He thought the driver was actively denying his call, because he didn't want to drive 20 minutes out of his way from downtown.
- These drivers didn't know where their end destination was, until the rider got into the vehicle. This was a huge security risk for the safety of the drivers. Cab companies did not allow this, because the safety was in knowing where the driver was going.
- He himself had applied to be a Lyft driver and had inquired into their insurance policies. He was told their excess policy only kicked in when he filed his original claim with his own insurance company. When he called his insurance company, he was told that they would drop him on the spot because he was commercial liability, and it would cost a lot to get that coverage.
- The Lyft ride was offered free, though the driver was being compensated the same as if it were a paid ride. He offered a tip to the Lyft driver, who refused due to the ordinances. The Uber ride likewise was free with the driver being compensated. But when offered a \$5 tip, the Uber driver took it.
- He did not have a Facebook picture, so these drivers had not seen who he was before giving him a ride.

Noting that she was filling in for Lyft, Natalie Verette, a Lyft consultant from Milwaukee, distributed packets that described Lyft (available upon request), provided a statement from Lyft's Director of Government Relations (attached); and offered to answer the questions she could. She said she would provide Lyft with a list of the questions she couldn't answer, so they could respond later; they hoped this was the first conversation of many.

- Lyft hoped to connect the community thru an online platform; 80% of seats

on roads currently went empty, and they wanted to connect people who needed a ride with those who had room in their car.

- As for being stranded, availability would increase as the network of drivers grew.
- She was working with Lyft to get the lay of the land to determine which markets they might enter; to do outreach to connect them to people who might be interested in Lyft; to be on the ground for them.
- She would check into what risks were insured, whether drivers were covered by workers comp, and whether they paid an airport surcharge or any other supplemental charges related to time/distance.
- Vehicle inspections and driver background checks were done at hiring, and quarterly thereafter.
- 80% of the fare went to drivers, and 20% went to Lyft. The transaction was handled thru the app, with riders providing credit card info to a third party vendor, and the drivers' share being deposited electronically into their accounts.
- Re: what distinguished them from regular taxi companies, Lyft put an infrastructure in place, a platform, to connect people to encourage ride-sharing (reflecting the community's values of being environmentally conscious and reducing the number of cars).

Members raised other questions/issues, to which they hoped Lyft would respond:

- Did mentors get a cut?
- How were service animals handled?
- How did service refusals or possible cherry-picking play into a rating? Did the company have criteria about this?
- Perhaps Lyft needed to make a statement about the idea that by limiting their service to smartphones, an economic, social justice discrimination was going on; that people who couldn't afford smartphones, couldn't use their service.
- Apart from not being able to hail a Lyft ride from the side of the road, it was hard to see how they were not a taxi service.
- If a driver didn't know the destination and had worked over 11 hours, what would happen if a rider wanted to go 60 miles? Would the ride be denied?
- Without an actual Lyft rep to answer questions, it was hard to decide whether to support this. Could someone be made available?

Verette reiterated that Lyft had really tried to send someone, and was committed to coming to the table in any future conversations.

Peter Carstensen, Orton Court, 53703, a retired law professor with an expertise in competition law and regulation that restricted competition, registered to speak.

- He had been around the taxi circuit with regard to unnecessary and economically undesirable regulations on entry and competition.
- They were dealing with can of worms here, and he urged the group to keep an eye on the need to separate issues of safety and consumer protection from unnecessary protectionism, which would not be easy to do.
- With driver safety, vehicle safety, liability insurance involved, they would need to think about what regulations made sense, because regulations were needed.
- Consumer and driver protection issues were involved. Rates needed to be disclosed ahead of time, so app users knew what the likely fare would be. All entities that hired or independently contracted with drivers needed to disclose

what kind of revenue the drivers would receive and the terms and conditions.

- These issues formed legitimate reasons why a comprehensive system may impose some costs on all entrants into the market.
- He got concerned when he saw entry or operating regulations used to limit entry, to make it more difficult or impossible for competitors who had alternative ways to do business to get into the market. Sometimes a direct regulation on entry could be in the public interest, but this was very rare.
- When seeing new entry into this market, what we saw was the fact that regulation had been unreasonable in excluding entry.

Nick Anderson, General Manager of Uber-Wisconsin, from Chicago registered to speak; and responded to questions that had come up.

- He thanked the group for taking the time to let them talk to them. Uber was pumped to be in Madison. As a tech company, they were able to see when people had tried to download and request Uber, and they had received thousands of requests from all over the city, as well as lots of email and great responses since they self-launched.
- In the event of an incident, the driver-partner's insurance came first, after which they were backed by a \$1 million insurance policy by Uber.
- There was also a \$1 million policy that protected the passenger, in the event there was a hit and run or uninsured accident.
- In either case, there was a \$1 million insurance policy backing them up, which started with dollar one, regardless of whether the driver-partner's insurance company refused to pay it.
- As to whether Uber cherry-picked the neighborhoods, absolutely not. A recent report in Chicago showed 40% of rides either started or ended in an underserved neighborhood as defined by Chicago, with no difference in times; with data to back that up. A link to this report could be made available.
- Re: the safety of the driver, transactions were completely cashless. Customers uploaded their credit card or Pay Pal account ahead of time. Drivers were not seen as a target. Visually impaired could use the app to pay rather than try to find denominations.
- Drivers underwent federal, multi-state, and local background checks, vehicle inspections, training on the technology. So safety measures were taken with the driver-partners.
- Uber had different options. Most like Lyft was Uber X, soft-launched in Madison; both were ride-sharing platforms. Uber also offered Uber Black, a town car more on the livery model, with drivers who were already commercially licensed and insured. Uber Lux was a variation on Uber Black.
- Though not an insurance expert, info about insurance was available on Uber's blog, and he knew an Uber team was talking to insurance providers across the country. But he agreed that it would be better for Uber to respond to insurance questions.
- Re: emergency situations, Uber provided drivers with extensive training videos, FAQ's, as well as resources available via email and phone. Action plans for different types of situation were covered by videos.
- Plus, there was lots of transparency within the Uber platform not available in other modes of transportation: a map of the entire route, GPS tracking from the point of request to the destination point, and real-time monitoring. A lot of data was collected. There were also resources inside the app to reach out to someone.
- Re: concerns about equitable treatment of diverse populations, some sensitivity training was covered in the training video riders went thru before being on-boarded.

- With Uber's background check policies, in-person interviews, and technology platform and tracking, data and anecdotes were available to show that the drivers did not avoid certain neighborhoods or people. Many customers testimonials stated that before Uber they could not get a taxi in their neighborhood. But now for the first time, they were able to get a taxi in five minutes.
- Uber was not a taxi company because it couldn't be flagged off the road; and because of the many differences between the way the technology worked and the way dispatching worked. For example, a request was sent directly to the closest driver-partner vehicle, completely unbiased vs. taxi systems which had an intermediary step where the request was sent out by a dispatcher by phone or other methods.
- Also their pricing followed a dynamic model, where they could increase the supply of cars on the road during certain times (such as adverse weather conditions) by using surge pricing, which was a great way to get additional supply of driver-partners on the road. If they knew they could make more money when during times when there might be three feet of snow, they would get out there. It made it worth their while to get out and serve people in need.
- Surge pricing was used during peak demand; it was a way to ensure that they had enough supply on the road to satisfy an increase in requests. It was extremely transparent. A rider could get an estimate of their ride on the app, using their starting/ending points. Rates were also posted on the app, particularly noting when surge pricing was in effect.
- Their livery style service may be similar to regular taxi services. But ride-sharing was new, disruptive and didn't fit cookie-cutter within any of the current options.
- Uber had a team who would love to work with the City to figure out a way to level the playing field and find a way to co-exist and work within the city, and provide something lots of people here were interested in. Paired driving created jobs, among other reasons this was a great service.
- Whether he or Uber knew they would be violating City ordinances by operating here and whether they had contacted the City for an opinion, they had sent an email to the City of Madison, and was sent back a copy of the ordinance.
- His role was to build the business here. He had read the entire ordinance, as had Uber's policy team. This would be a great question to take up in a follow-up session, to sit down with the policy team whose entire job was to understand the local ordinances and regulations.
- The payment options (credit or debit card, Pay Pal) were all electronic, but riders didn't need to have a smartphone. They could make their request by computer.
- He would ask Uber to submit a statement to help address other questions.

[Please note: Lloyd left at 8:15 PM, at this point in the meeting.] Members again raised questions/issues, to which they hoped Uber would respond:

- If a driver's insurance company cancelled the driver's insurance and that was not in play, would Uber cover damage to the driver, to passengers, to the driver vehicle, to other cars, to passengers in these other cars, damage to public facilities, and damage to private property?
- Was the company prepared to follow State Statutes that required workers comp?
- Was there a procedure in place for handling an emergency situation, if a driver had a problem with a passenger and needed help, which wouldn't escalate the situation?

- The business model was different, the technology for dispatch was different, but the actual service provided was the same. So why were they not a taxi service?
- Some residents of low-income neighborhoods did not receive adequate banking services. We might infer that many of these residents did not have credit cards, and lived in an electronic desert. How would their model be able to accommodate that?
- As far as Uber's system of automatically assigning the closest vehicle, computerized dispatch had been available and used by taxi companies since the early '90's. And at least two Madison taxi companies offered mobile apps. Uber should provide more information about what makes their technology unique; because there was nothing in it that distinguished it from technologies available for taxi and bus companies since the 80's and 90's.

[Please note: White left at 8:27 PM, at this point in the meeting.] James Lloyd, Spaight Street, 53703, registered to speak.

- Having heard from great representatives of the cab companies and the ride app companies, he wanted to represent the consumer side of this discussion.
- He travelled a lot both for work and recreation, and felt there was a massive gap between our experience here Madison and other cities, thanks to these services.
- He encouraged everyone to look at the reviews. The best one on Google Reviews was Green Cab, which got a 2.6 out of 5. If these companies were restaurants, we would have a huge problem here.
- There was a lack of competition in the marketplace because it was so hard to form a new company because of the ordinances in place in Madison.
- The lack of competition had driven a lower quality experience for taxi riders in the city.
- He found he now had to call five hours in advance to get a cab to the airport because two didn't cut it because they showed up three hours late, and three didn't cut it because they showed up four hours late; and sometimes they didn't even show up, and he missed his flight. All those things had happened.
- Reviews also revealed comments about rude and racist cab drivers, all of which was addressed somewhat by these applications, because drivers received personalized, individual reviews by the rider.
- This didn't happen when a person called a local cab company; there was no way to show his opinion of a driver to the next rider.
- Re: the new services having no new technology, he searched for the Union Cab app and couldn't find it, and after downloading the Green Cab app, he wouldn't use it. By contrast, he would use Uber's app in any city he went to; so there must be something unique and different there.
- Re: the discrimination argument that some people couldn't afford a smartphone, some people couldn't afford the taxi itself. And until we had a free 24/7 transportation option, we were talking about a threshold of affordability rather than actual discrimination.

Michael Donnelly, E. Johnson Street, 53703, wrote: If Uber and Lyft are not required to operate 24 hrs/day over the whole city providing accessible vehicles, then traditional cab companies could use the same loophole to effectively deny service to Madison's poorer neighborhoods (statement attached).

Former County Supervisor and Union Cab driver Echnaton Vedder, E. Dayton Street, 53703, registered to speak.

- He described a scenario in which he would find a space to throw events with music, dancing and beer, and charging people to come. Then when the police arrived, he would ask which entity he needed to get approval from, because he was actually interested in operating a music venue, since he already had the space, musicians, and equipment. This scenario was similar to the current situation, except that the venue would have to be funded by someone thousands of miles away who took some of the profit, while he provided all the infrastructure.
- Ride-sharing already existed here, through Timebank. It was not on-demand; people had to set things up in advance. But this was true ride-sharing. What they were talking about in this discussion was not ride-sharing.
- It was nice that people had gotten jobs thru Lyft and Uber. The drivers seemed friendly, and talked a lot about friendship. Well, he gave rides to his friends for free. He didn't do it as a business; and these rides were covered.
- The new app companies were basically cab services, who should follow the regulations and should be mandated to provide service 24/7, 365 days.
- The technology already existed, so that part wasn't new. He wasn't sure which part was new, except for the cherry-picking during desirable times.
- Green Cab and Badger Cab, who had independent contractors, did have workers comp coverage, unlike the new companies.

Carol Gruba, Sherman Terrace, 53704, registered/spoke in opposition to allowing Lyft and Uber to operate, and described the process she had just gone thru to become a cab driver.

- She had heard Lyft/Uber drivers talk about being a driver and friend for strangers, and how they got training from videos.
- She liked being trained in a real vehicle, with a person who could watch her and point out any mistakes in real time and space.
- She would be going thru the sensitivity training mandated by the City and conducted by Goodwill.
- In her interview, she was asked some open-ended questions, about what she would do if picked up a physically disabled or sight-impaired person. She saw how concerns could be raised depending on a person's reponse.
- She was happy to be asked these questions; they were appropriate. Having heard earlier discussion, she saw how important this issue was and was additionally concerned about it.
- She would be talking to the City about her safety training, which would have to be documented.
- As she accepted the position, she would peer and management review that was onsite.
- She liked going to a job, seeing a dispatcher there, and talking to other people. When she took a cab in Madison, she heard a dialogue, which was reassuring to her as a customer and as a future driver, that there was someone watching out.
- She didn't see a computer as comparable to a dispatcher, when they were talking about emergency situations and saying there was always in contact. This seemed very different to her than being able to talk to a human dispatcher.

Later in the meeting, Poulson noted that Neil Basen, Williamson Street, 53703, registered in opposition to Lyft and Uber providing unregulated transportation services.

Poulson invited MPD Capt. Gloede, TE Analyst Pollock, ACA Peguero to share

their reactions to the discussion.

** Gloede commented as follows:

- He thanked everyone for holding such an educational discussion. He had a better understanding of the issue now and would make a statement for the Police Department.
- Having a clear legal opinion from the City Attorney's Office on the matter and having heard testimony today, his statement would be consistent with that. Currently, both Uber and Lyft would be in violation of the City ordinances and were subject to a citation for operating as a taxi.
- He urged all drivers to stop activities to avoid the citations, which ran close to \$700 for each violation.
- A lot more discussions about this were needed. It would have been beneficial to have had those beforehand to work out some of the issues.
- He hoped everyone would step back and let those discussions happen in order to work thru to a resolution, so that his staff wasn't forced to write tickets that would harm people who didn't have a lot of money to begin with, if they had to pay that fine.
- The apps also made it easy for them to monitor the location of drivers, so they would hope for compliance and calmness while they worked thru these questions.

** Pollock commented as follows:

- Before the meeting, he had made a list of the requirements that taxicab companies were required to meet, and looked at whether Lyft and Uber, from what he had learned from their websites, could meet the requirements.
- But this was a moot issue because they hadn't come to the table and tried to apply at all.
- As the Analyst who oversaw the application process, because he had no application in front of him, he knew nothing about these companies at all other than what he had to go out and find himself.
- It was good to have a discussion about this, whether or not we wanted to amend our ordinances to allow this type of service.
- But as some of the taxi companies had said, there should be a level playing field.
- If the City were to just trust Uber that they had done a background check on their drivers and found them to be A-1, how could the City require drivers from the other companies to come in, be fingerprinted, have a background check; and if it was bad, the Police might talk to them and they might not get a license?
- Universal standards were needed; and per City ordinances, these companies were public passenger service providers.

** Peguero commented as follows:

- She agreed with Gloede and Pollock. The preferred method to enter the market would have been to come to the City and make application as the ordinances required.
- As the person who advised Pollock on licensing issues for public passenger vehicles and also as the person who advised the Civil Rights Division on discrimination complaints, she oversaw the Chapter 39 complaints.
- In her opinion, Uber and Lyft were operating as public passenger companies, and were subject to Chapter 39 for public accommodations, which brought up interesting questions if there were complaints.
- There had been complaints against taxi drivers and restaurants and other businesses, which the ordinance was designed to address, to protect citizens based on protected class.
- The idea that a ride could be denied based on a photograph raised her

antennas. Riders could rate a driver from whom they received a ride; but they could not rate a driver who denied them. So if the rider was repeatedly denied, they wouldn't be able to rate anybody, which was concerning. And if the rider were to eventually file a complaint, were they filing against the driver, and would the company not claim any responsibility or liability?

- There were a lot of unanswered questions.
- But clearly the Police could write citations because these drivers were taking fares/tips, were operating as public passenger vehicles, and were subject to penalties in Chapter 11.
- She was also the lead Prosecutor, so if citations were issued, that would fall under her purview also.

As she recalled from prior discussions, Bergamini said part of the issue for the City, apart from applications or lack thereof, and whether the City would permit single owner-operator cab services, was the issue of the expense to the City of regulating those operations. It was harder to chase down twenty people operating independently than twenty people who all worked as one company. Pollock said he was the primary person involved in taxi licensing, which was about 25% of his job. He said the problem with someone being a one-person taxicab company with a cell phone, was that they couldn't meet the requirements (24/7 availability, 12-hour shifts, etc.) He described how vehicles were inspected for safety and identification purposes currently.

[Please note: Tolmie left at 8:45 PM, at this point in the meeting.]

Golden said they two choices. They could simply accept staff's decision about what these ride app services were, and let it go at that. However they did have the discussion because of some perceived need to give voice to both the objections and the proposals.

His preference would be to be nimble in this. But he didn't like to leave staff hanging without policymakers having their back, namely the TPC, since they were the cab commission. They could stop it here now because they had the authority to do so. Or they could choose to involve the Council and he would let the Council members make that decision.

To avoid any need to refer this further out, Golden thought they may want to form a subcommittee, to see what staff came up with in the way of a report. The idea would be to make a determination at the April meeting, which might be different or the same as staff, as to whether they thought the ride app services were taxi services or not; after which they could possibly forward a policy determination to the Council. This would give a clear message to those who wanted to provide the services regarding how we saw them and how they should be covered.

Schmidt said the Chair had the authority to form a sub-unit without the Commission's approval. Poulson said he liked the idea and would consider it.

Poulson invited Mayoral Asst. Anne Monks to comment. She said the Mayor wanted it to be known that he accepted the opinion that the services would be illegal at this time and the law should be enforced. That would not be something in limbo until April.

No one knew if an alder was currently drafting any legislation. Golden, Weier,

Schmidt and Bergamini expressed interest in serving on the subcommittee. Bergamini pointed out to Lyft and Uber drivers who were working right now, that the City already had a policy, and the Attorney and the Police had said they were in violation of it.

Please note: A Roll Call is shown here to reflect that Lloyd, Tolmie and White excused themselves before action was taken on the remainder of the agenda items.

Present: 5 -

Chris Schmidt; Anita Weier; Gary L. Poulson; Margaret Bergamini and Kenneth Golden

Excused: 6 -

Sue Ellingson; David E. Tolmie; Wayne Bigelow; Ann E. Kovich; Kate D. Lloyd and Amanda F. White

H. NEW BUSINESS ITEMS

H.1. [33135](#)

Authorizing the Mayor and the Clerk to execute a long-term use agreement with Central Focus, LLC (dba Block 100) for 25-60 stalls at State Street Capitol parking garage.

Woznick said the number of spaces could potentially go up to 60. Originally, they were planning 25-50 spaces.

Currently, the Edgewater was using 33 spaces at State St Cap, which would be vacated as soon as their garage was finished, likely before summer. Other than the Edgewater, they had no other long-term use agreements at the garage.

This agreement would increase the occupancy and the regular use there, and would work well for the Utility and the Block 100 group, which was doing the real estate project on the 100 block of State Street.

A motion was made by Schmidt, seconded by Weier, to **RECOMMEND TO COUNCIL TO ADOPT - REPORT OF OFFICER**. The motion passed by voice vote/other.

At Poulson's suggestion and without objection, the meeting proceeded to Items H.3. thru H.5., and returned to Item H.2. afterwards.

H.2. [32805](#)

Adopting the Bus Size Study Final Report and recommendations contained therein.

[Please note: This item followed Item H.5.] Golden, who chaired the committee that oversaw work on the study, commented.

- The Study did not involve exact science, but was an economical way to look at our needs for larger and for smaller buses. The data collection method was more than adequate for the moment.
- They found we were stretching it a bit for small buses. We needed some, but the question was whether the fleet would be big enough to make it a good thing. One committee member pointed out the advantages of fuel economy on the environment with smaller buses. The report indicated some ways they might be able to increase the number of small buses without adversely affecting the way Metro operated.
- The large bus aspect was entirely different. It interacted with the BRT proposal. Capital-wise, there was a lot of money in the report that we didn't

have. But there was no need to rush to determine the exact number of buses needed ultimately.

- In his opinion, the most immediate thing to do would be to separate the BRT portion with the idea that we would be looking for enhanced funding from the Small Starts program with a higher percentage funded thru that program.
- The University routes would not be part of BRT system, so any initial large buses should start there, where staff felt the highest level of need was. This could potentially increase ridership because it would add capacity where it was needed.

He urged members to approve the report and send it on, knowing that the rubber would meet the road during the capital budgeting process. Basically, the study said yes to both big and small buses, with staff determining the best way to implement it in the context of constrained resources.

Golden/Schmidt made a motion to approve the report, as a guide for future decisions. Cechvala mentioned results from an online survey (attached) that received over 300 responses, which summed up what people thought about smaller and larger buses. The overwhelming theme was, "Do it if it makes sense."

Kamp noted that Cechvala also had a PowerPoint slide show (attached) that would be sent to members. He added that the Study arose from a 2008 Ad Hoc Committee recommendation that an arm-length's review be done by someone other than Metro. When asked why Metro didn't have 50 small buses, he now had detailed data indicating that they might look at a handful of small buses down the road, not a significant portion of the fleet; and that they should be focusing on where those applications might be appropriate, as well as articulated buses and BRT. He appreciated the work of the MPO and Metro staff for getting them to this point.

Bergamini wondered if the report could be used as a basis for applying for TIGER funds. Kamp said the City was having a meeting and would like to apply for buses with the TIGER grant. But as far as applying for BRT or a garage, they did not yet have shovel-ready plans. They did have an open procurement, and would discussing whether they had the local funding for hybrid buses, or whether they should just keep up with their standard replacement of diesel buses until the time they had a more robust funding source.

Golden remarked that people should separate how they liked what they read from how the report would be implemented. Tonight they would affirm that they liked what they read. As part of the capital budgeting process, a future agenda item could be a discussion of their priorities for both large and small buses, and bread-box buses, which needed replacing. He wanted staff to have a chance to look at things and suggest priorities and their reasons for them.

A vote was taken and the motion passed by voice vote/other.

H.3. [33090](#)

Authorizing the Transit General manager to file an application for a Section 5310 Enhanced Mobility of Seniors and Individuals with Disabilities Program Grant with the U.S. Department of Transportation, and authorizing the Mayor and the City Clerk to execute the associated grant agreement with USDOT and the associated 13 (c) agreement with Teamsters Local No. 695, approving the associated Program Management and Recipient Coordination

Plan which designates Metro Transit as the Direct Recipient of the funding and authorizing Metro Transit to pass through funding as approved in the Program of Projects.

Kamp noted that this was an arrangement that used to be handled by the State. In the future, they envisioned the MPO handling the competitive criteria, and Metro handling the administration of the grant, in part because Metro would be applying for these funds. This reflected the work of both the MPO and Metro. A motion was made by Golden, seconded by Schmidt, to RECOMMEND TO COUNCIL TO ADOPT - REPORT OF OFFICER. The motion passed by voice vote/other.

H.4. [33263](#)

SUBSTITUTE-Authorizing the Mayor and the City Clerk to enter into a contract with Genfare, a Division of SPX Corporation, to purchase 220 fareboxes and related equipment, installation, training and maintenance at an estimated cost of ~~\$3,250,662~~ \$3,425,000 during 2014.

Poulson noted that updated numbers for this item had been provided. (See Handout attached). Kamp said staff had received five bids for this and had worked over the past two years on this procurement; getting to the point where they were comfortable with the technology involved in the recommendation.

The updated numbers reflected a requested amendment to provide for some contingency. Genfare had already been onsite. As they were looking at old infrastructure and wiring, they hoped to get a little wiggle room for contingency. In talking to Procurement, they recommended 5-10% for a project like this, and the \$160K they were requesting was about 5%. They were requesting the modification for a total of \$3,425,000, and the budget for this was \$5 million. Six additional fare boxes were spares for maintenance.

This Resolution was RECOMMEND TO COUNCIL WITH THE FOLLOWING RECOMMENDATIONS - REPORT OF OFFICER: Recommend to Adopt Substitute (Version 2), adding \$160K to estimated cost for a total of \$3,425,000.

H.5. [33323](#)

Metro: Request to hold a public hearing in April related to proposed service changes - TPC 03.12.14

Kamp said that the summary of proposed changes (attached) was less extensive than the changes from last year. The only change that would request a funding addition was the Route 50. All the other proposed service changes were cost-neutral. Route 50 would go thru BOE and involved an \$18K impact this year. Most of the rest of the changes focused on Middleton and Fitchburg (not exclusively), who were fully involved in these recommendations. They were just seeking to hold a public hearing.

Golden/Schmidt made a motion to authorize a public hearing in April. The motion passed by voice vote/other.

I. REPORTS OF OTHER COMMITTEES - None.

[07828](#)

ADA Transit Subcommittee
Contracted Service Oversight Subcommittee
Parking Council for People with Disabilities
Long-Range Transportation Planning Commission

State Street Design Project Oversight Committee
Joint Southeast Campus Area Committee
Madison Area Transportation Planning Board (MPO)

J. ANNOUNCEMENTS AND FUTURE AGENDA ITEMS

J.1. General announcements by Chair (Verbal announcements, for information only)

Poulson asked that the issue of providing paratransit service to The Jefferson on Old Sauk Road (raised by a member of the public at an earlier meeting), be referred to ADATS for them to weigh in.

J.2. Commission member items for future agendas

Golden mentioned that after some inquiries about the issue, Woznick was planning to put a discussion of guest permits for RP3 permit program on the April agenda.

ADJOURNMENT

A motion was made by Schmidt, seconded by Weier, to Adjourn at 9:05 PM.
The motion passed by voice vote/other.