



City of Madison
Meeting Minutes - Final
TRANSIT AND PARKING
COMMISSION

City of Madison
Madison, WI 53703
www.cityofmadison.com

Thursday, September 8, 2005

5:00 PM

215 Martin Luther King, Jr. Blvd.
Room 300 (Madison Municipal Building)
(After 6 pm, use Doty St. entrance.)

Items are reported in the order listed on the agenda.

A. CALL TO ORDER

Chair Durocher called the meeting to order at 5:05 p.m.

Radomski arrived at 5:07 p.m. Wong arrived at 5:10 p.m.

Present: Ald. Kenneth Golden, Ald. Noel T. Radomski, Carl D. Durocher, Amanda F. White, Tim Wong, Sharon L. McCabe, Kevin L. Hoag, Diane L. Paoni and Kenneth M. Streit

Absent: Chris R. Carlsen

Excused: Ald. Jed Sanborn

B. APPROVAL OF MINUTES - 7/26/05, 8/3/05 and 8/9/05

A motion was made by Ald. Golden, seconded by Hoag, to Approve the Minutes.
The motion passed by acclamation.

C. PUBLIC COMMENT

None

D. OLD BUSINESS

D.1. [01987](#) Ad Hoc Work Group to Address Long-range Revenue Plan for Metro

The agenda packet included Radomski's draft outline of the work group. He reminded members that the TPC's action on Metro's fare structure included a friendly amendment by White to establish a work group to address a long-range revenue plan for Metro. The draft document envisions the work group's charge to include looking at revenue alternatives, service improvements, etc.

White liked the draft but suggested changing the composition to have two non-alder TPC members (herself and Wong), a representative from one institutional partner, add a representative from a partner municipality, and also add a representative from the general community who's a Metro user. This person could provide good insight and she suggested someone like Michael Jacob who appeared at the fare structure meetings.

Durocher commented that the draft scope of tasks is very daunting and challenging, and he commended those who are willing to take this on. But he was not sure that increasing the size of the work group was helpful. He pointed out that the citizen members of the TPC are to represent the community and he wasn't sure of the need to include another community representative.

Paoni felt the work group's charge is both short-term and long-term, which is too much. The TPC is the policy-setting board for Metro, and it was her understanding that the work group was supposed to help the TPC in the near term to find revenues and avoid service cuts. But the draft charge envisions the work group "doing everything," including strategic planning, realigning the bus system, etc. White replied that the work group would do it all, if they can. She commented that in order to understand the short-term, they need to understand the long-term. White also emphasized that the tasks are options and that once the group is formed they might choose two or three tasks to concentrate on, with guidance from the TPC. She reiterated that in order to understand the immediate future, the TPC needs to understand the long-term problem. If that means working with the Long Range Transportation Planning Commission, maybe that's what the work group will need to do. Paoni asked whether the work group would look at short-term things like a recommendation on service cuts but White indicated that's not the intent; the intent is to look at all the issues and come up with an overall plan.

Paoni asked for clarification as to what the work group is supposed to be undertaking. Radomski reminded members that this is a draft document. The discussion that led to the decision was an abstract conversation. The TPC needs to decide what it wants this group to do. The impetus for forming a work group was to have the TPC avoid going through next year what it did this year with the fare increase. Radomski commented that as a new member of the TPC, there might be some philosophies that drove past decisions that may no longer hold true for the new members. He believed that not all TPC members share the same philosophy, and there doesn't appear to be a consensus on how to structure Metro.

Wong asked White to clarify her proposed composition. She stated there would be 9 members: 3 TPC alders, 2 TPC citizens, 1 institutional representative, 1 municipal representative, 1 Metro user, and 1 Metro staff member. Wong wondered if having five TPC members would present open meeting problems. He also was unclear as to the purpose of the group. Is it more of a policy-setting group, where the composition of the group is important, or is it an information-

gathering group that will put out options and bring them to the TPC? Is this a working group or a political group?

Golden remarked that this is not a new issue. When there was a single Transportation Commission, the members were always dealing with operations and never got a chance to look in-depth at issues. The commission structure was revised to establish the Ped/Bike/Motor Vehicle Commission, the TPC, and the Long Range Transportation Planning Commission. The LRTPC compositions includes representatives from the PBMVC and the TPC as well as the Board of Public Works and the Plan Commission. The idea was that the LRTPC would be the venue for visioning discussions, including for transit, and that is included in the charge of the LRTPC. Golden saw it as somewhat redundant for both the LRTPC and the TPC to do long-range planning. He noted that the Transportation Commission used to do retreats, usually headed by a facilitator, to have in-depth discussions on what's not working, what needs to be focused on, etc. He referenced Radomski's comments about the different philosophies of TPC members. He recalled that the former Transportation Commission came up with a strategy to increase Metro ridership and part of that strategy was to disconnect fares from covering "x" portion of costs. But during the recent fare structure discussions, it appeared that ridership was no longer the main focus of many people; instead, they focused on Metro as a social service provider and Metro's obligation to those who are transit dependent. Should that now be the focus for Metro? Golden suggested holding a retreat to work on defining Metro's mission and priorities. His priority for Metro is ridership.

Golden mentioned a downside of creating a work group, i.e., only a portion of the members do the work and the remaining members are ignorant of what the work group debated. He cited the example of the creation of the ADATS. It's a wonderful committee and gives great advice re: accessible transit. But the TPC has become more and more ignorant about paratransit issues and defers to the ADATS.

Golden noted the new members on the TPC and felt a retreat would be a good idea. The work group is very much needed, but it already exists as the TPC. There may be a role for the LRTPC, but Golden felt most of the issues that the TPC needs to wrestle with are not long range issues. Members can work on coming to consensus on certain issues and identify areas where they don't have consensus about the direction of transit. He felt the TPC was long overdue for a retreat. Golden also mentioned that the TPC has totally lost its connection to the Parking Utility. The TPC is thoroughly a reactive body on parking issues. In the past, the Parking Manager cared about getting input from the TPC. Now, the TPC only deals with operational issues and has no vision on parking. The TPC needs to rediscover that they are also the Parking Utility Board of Directors, and Golden suggested a separate retreat on parking issues. As an alternative to establishing a work group, Golden recommended undertaking all the tasks listed on the draft work group outline, but undertake them as the commission as a whole.

Hoag was surprised at the Mayor's memo and the draft charge for the work group. Hoag thought the group's mission was to be very distinct and short-range: to look at revenues and come back to the TPC with information that would be helpful before the next rate increase discussion, and that would be the end of the work group. Hoag felt the draft charge changed that and includes tasks that overlap with what the TPC and the LRTPC should be doing. Paoni commented

that the TPC is the policy-setting board, and she did not support having five members make decisions that the entire TPC should be making. The minutes of the meeting when the motion was passed indicated that the work group was to work on revenue options, and she could support a narrow focus like that. But under the draft charge, the work group would be developing a strategic long-range view of what Metro should look like. White emphasized that it was never the intention to make some members feel that excluded. She had brought up the idea of a work group because she does not want to be in a situation where these issues are not discussed and then next year the TPC is in the same revenue situation as this year and has to make a choice they don't want to make. White envisioned the work group would do research to better understand the issues. She was not sure this is something that could be accomplished during one retreat. A number of speakers on the fare structure had commented that Metro and the TPC need to "think outside the box," and this might be an idea to bring to the LRTPC. White reiterated that her main reason for suggesting a work group was to have time to get more information so that the TPC is not in a reactive position next year and being forced to make decisions without having all the information. It didn't matter to her whether this is accomplished through a retreat or a work group, but she wants to be better informed and have a more creative discussion on options other than fare increases or service cuts.

Debo liked the idea of a retreat and felt there are a number of items where members need to come up to speed. The commission needs to look at long-range issues related to revenues and it should do this with all members, whether one retreat or several. Other people could be invited to the retreat(s).

Wong liked the idea of a work group. Regardless of whether the entire TPC "should be" addressing all these issues, the fact remains that it's not being done. Nor it is being done on parking. The TPC meetings routinely last three hours and it still seems like members are just spinning their wheels. Wong agreed with the need for more research. An important issue to address is where does Metro fit in as a City service, similar to police, fire, garbage pick-up, libraries, etc. These are covered by taxes, so why should residents have to pay to ride the bus. Another issue is the relationship of fare increases to ridership and whether Metro is really immune to the laws of economics that say if you raise fares, you will lose ridership. He wants more information on where the ridership is coming from, e.g., is most of the growth from unlimited ride pass agreements. These are things the work group could focus on and bring the information to the entire TPC when it's confronted with the next round of fare increases and service cuts.

Motion by Streit/Radomski that the TPC hold two retreats prior to June 30, 2006, one on parking and one on unresolved issues from the fare structure discussion, e.g., general revenue stream issues, who uses it and what service this provides, especially to low income people. Each retreat should be coordinated by three TPC members and staff from the appropriate agency, and that the necessary materials and outline be provided at least two weeks prior to the retreat.

Streit clarified that three TPC members would plan the retreat, but all TPC members would attend, along with any resource people. There would only be one agenda item for each retreat.

Friendly amendment by Golden, accepted by Streit, that the transit retreat include two members from the ADATS, a representative of the UW, a representative of the

small communities, and a representative from the Mayor's office.

Friendly amendment by Golden, accepted by Streit, that the TPC Chair plan the retreats and include staff and other TPC members in the planning as the Chair desires.

Friendly amendment by Golden, accepted by Streit, that the retreats be facilitated by someone from City Training and Development.

Durocher suggested one representative from ADATS rather than two, and Streit accepted this as a friendly amendment.

McCabe liked the retreat idea, especially for parking. The TPC seldom talks about parking and it needs to be better informed. She had some suggestions for people to invite to the parking retreat. White also liked the idea of a retreat but expressed doubt that the TPC can solve Metro's revenue problem in one retreat. She was disappointed the idea of a small work group will not go forward. Durocher remarked that the impetus for the work group was to head off making decisions in a crisis mode next summer. Even if the TPC doesn't establish a work group, members can still do research and bring it to the TPC. Golden felt the TPC and Metro are basically boxed in revenue-wise and it's unlikely a "pot of gold" will be found. The sources of revenue are already known. A retreat will help members get a better understanding of the issues and hopefully come to a consensus on a revenue strategy. The recent decision to not raise the cash fare was based on a belief that this would help low income riders. If the fare strategy needs to account for low income riders, Metro staff needs to know that upfront. Is the impact on low income riders something that the TPC wants to universally consider in all fare packages? The hoped for outcome of the retreat is to identify values and principles.

Motion as amended carried, with Wong abstaining.

D.2. [01988](#)

Discussion: Status of Budget and Service Changes

The agenda packet included a copy of Debo's cover memo to the Comptroller's office re: Metro's budget highlights and supplemental budget request (the TPC had seen a draft at their 8/9/05 meeting). She redrafted the memo to reflect Metro's awareness of the budget problems, to call attention to the impact of a 3% budget reduction, and to note that the amount needed from the City is greater than what had been anticipated. Subsequent to providing the memo, the Mayor indicated a willingness to increase Metro's funding by \$250,000 above the 2005 level. This is good news but it is still substantially less than what is needed to maintain the current level of service. The shortfall in funding equals about 8,000 hours of service in Madison, which is about equal to what the TPC considered for cuts two years ago but then didn't need to implement because the City came through with the funding. The package developed by staff two years ago is being reviewed; staff will probably change some things and will then bring it forward to the TPC if necessary. Debo hoped that the City will reconsider and step up to the plate for the full amount necessary to maintain the existing level of transit service. She recognized that the Mayor is being generous in giving Metro more funding than it received in 2005.

Debo mentioned that there were changes in Metro's capital budget as well, with a change in emphasis on hybrid buses. This is good news. Metro is to purchase 15 buses in 2006, which is the last year of a three-year contract. If the City is able to obtain a greater amount of federal funding than normally available, Metro might be able to purchase up to five hybrid electric-diesel buses. Wong referenced the recent news article about Metro buses switching to ultra low sulfur fuel and noted that the grant from MGE will apparently not cover the entire additional cost of the fuel. He calculated that it will cost Metro an additional \$125,000. Debo indicated this issue was considered in the budget process. It's anticipated that by spring, the difference in price between diesel and ultra low will go down to about 18¢, and that's how the \$200,000 figure was developed. Many transit systems and trucking companies are switching to the low sulfur fuel, so its availability will increase and likely it will be found locally rather than being trucked in from Chicago.

Streit wanted to know how often the Ride Guide is published. Debo stated the entire Ride Guide is printed two or three times a year, and Metro tries to link changes with driver picks. Streit noted the need to keep in mind the potential service changes. He also requested a better idea of what a cut of 8,000 hours would mean. Debo advised that the cuts are an in-house discussion at this point. She had originally thought about implementing changes in December, which meant the TPC would need to start talking about them now. But in further discussion with staff, they decided not to do recommend cuts while the budget process is ongoing. Debo indicated that they could try for implementation and a new driver pick in January, or have a driver pick as late as March. However, the longer the service cuts are put off, the larger the cut needs to be.

Paoni asked for clarification of the dollar amounts in item III.A. and IV.A. If the Council does not approve both amounts, will Metro be able to continue the same level of service? Debo explained that the Mayor has proposed restoring the 3% budget reduction (\$248,806), which would restore Metro to the same level of funding received in 2005. The Mayor has also proposed increasing the 2005 level by \$250,000. While this is good news, Metro needs to increase the 2005 level by \$705,878 in order to maintain the current level of service.

- D.3. [01989](#) Parking on the Square Update

Ald. Robbie Webber registered to speak. She suggested that before the TPC makes a decision, they get input from Metro drivers. She referenced Debo's memo but felt the TPC needs to hear directly from the drivers about how they are dealing with a smaller amount of space, dealing with tour buses parked in the bus stops, delivery vehicles, the ability to access bus stops, interactions with bicyclists especially given the smaller amount of space, the increased number of motorists in the restricted right lane who are either confused that it's a restricted lane or who are looking for a parking space/leaving a parking space, or who are just driving around the Square because they don't know where they're going. Webber strongly felt the TPC needs to hear from the drivers. She stated she had not talked to the drivers herself.

Webber also urged the TPC to get input from the Parking Enforcement Officers (PEOs). She has spoken to a couple of PEOs and they have very strong opinions. However, they will not contact the TPC unless they are asked for their opinion. Webber advised that the parking went into effect in May, when there are a lot of school tour buses on the Square. Many of the bus drivers were unsure where to park and so parked in parking stalls or at bus stops. The PEOs were told by their supervisor to ticket the bus drivers but felt sympathetic that the drivers didn't know about parking at Olin Park or how to get there. The PEOs felt bad about issuing multiple tickets to a school bus driver who was simply trying to pick up the students. There really isn't a place for the buses to load/unload anymore due to the parking stalls and delivery vehicles. The PEOs felt they are in a Catch-22 situation - they get in trouble if they don't issue parking tickets, but they feel bad about penalizing the school bus drivers who don't know where they are going. Webber also advised that the PEOs were told not to ticket delivery vehicle drivers, even if they are parked illegally, parked at bus stops, or blocking traffic.

McCabe suggested also getting input from the businesses to see if the parking has been a benefit and suggestions for improving things. She agreed with the need for input from bus drivers and PEOs but there are others as well who should provide input. Webber commented the businesses will have no problem providing input, but City employees will not provide their opinions unless asked to do so. She strongly suggested that the TPC actively solicit comments from the PEOs and bus drivers and allow them to provide those comments anonymously.

Golden was very surprised to hear that City staff are willfully permitting people to break the law by not doing anything. Webber clarified that she said the PEOs felt bad about ticketing the school bus drivers, she did not say they weren't doing it. Golden commented that the employees have a job to do and need to enforce the law whether they like it or not. If the PEOs are not enforcing the laws, this is an issue for a body other than the TPC. The tour bus drivers need to be ticketed if they are not following the law. It is the responsibility of the people organizing the tours to know where the buses are to go. If the drivers get a number of tickets, they will figure out where to park. Webber stated she was in favor of parking being enforced for everyone, and she again mentioned that the City seems to have a policy that PEOs are not to ticket delivery vehicles. But the Square is a mess with tour buses, Metro buses, delivery vehicles, bicyclists and parked cars. The TPC needs to hear directly from the Metro drivers and the PEOs, and they should be allowed to provide anonymous comments so they don't have to be afraid of getting in trouble if they say something like "my supervisor told me not to ticket delivery drivers."

Durocher advised that Traffic Engineering's staff follow-up report on the parking trial has been scheduled for a joint meeting with the Ped/Bike/Motor Vehicle Commission, the Downtown Coordinating Committee, and the TPC on Wed., September 28, at 6:00 p.m. Debo commented there may be action taken at this joint meeting and emphasized that it's important that a TPC quorum be present.

Hoag supported the need for more information from various constituencies. When the TPC was asked to vote on restoring parking, they had to rely on anecdotal information from the small business community. This time he would like more detailed information, backed by data. Hoag stated he has stopped riding his bike on the Square because he feels it unsafe since parking was restored, and he would like to hear from other bicyclists. Webber noted that the PBMVC normally hears from the bicyclists. She recalled that when the PBMVC approved the pilot program to restore Capitol Square parking, they included a recommendation that bike racks be re-installed on the Square as part of the test. However, this has not happened. There are many areas around the Square where bike racks were removed during construction projects over the years but not put back when the projects were done. Reinstallation of bike racks was to be part of the pilot program yet bike parking seems to be ignored as a component of the parking situation.

Wong said he had heard anecdotally from Parking employees that the Square spaces are not being used. He asked that the staff report for the joint meeting include a breakdown of the usage of these meters.

White agreed with Webber about the need for bike racks and would like to see additional bike racks be part of this. She felt the higher cost of gas has resulted in more bicyclists and it's difficult to find bike parking on the Square.

Paoni asked for clarification of the joint meeting. It was Durocher's understanding that Parking and Traffic Engineering staff will be there. Debo suggested that City Traffic Engineer Dryer get a copy of the TPC's minutes to make him aware of the issues the TPC would like to see addressed.

E. NEW BUSINESS ITEMS

- E.1. [01925](#) Authorizing the Mayor and City Clerk to enter into an agreement with Laidlaw Transit Services for provision of ADA paratransit services to Metro Transit in a "Long-Term Assignment Pilot Program" through September 30, 2006.

A motion was made, seconded by Streit, to Return to Lead with the Recommendation for Approval to the BOARD OF ESTIMATES Crystal Martin, Metro Paratransit Program Manager, was present. She indicated that Metro's paratransit costs are high compared to its peer systems. The WisDOT audit recommended, and clients have requested, better service, on time, and bring costs down. To decrease costs, Metro created a pilot program for high utilization customers (those with more than 40 trips a month). Under the pilot program, the trip cost is about 12% less than the trip cost under existing contracts. Customers can call the provider directly and negotiate a trip time. Durocher reported that this is different than how services have been contracted out before. The ADATS has approved the pilot program to address high use riders. Golden asked whether the pilot program covers cab rides or accessible trips, and Martin stated it includes accessible trips.

Paoni noted that the pilot program ends September 30, 2006, which is outside the timeframe of the regular contracts. If the program is successful, they can go out to bid for a longer term.

The motion passed by acclamation.

Enactment No: RES-05-00752

E.2. [01953](#)

Amending Section 11.045 of the Madison General Ordinances to delete as ordinance violations all Madison Metro transit behavioral regulations except smoking, possession of an open container of alcohol beverage or consumption of alcohol beverages.

A motion was made by Ald. Golden, seconded by Hoag, to RECOMMEND TO COUNCIL TO PLACE ON FILE - REPORT OF OFFICER for September 20, 2005 Members first heard from the registrant.

Rosemary Lee, 111 W. Wilson Street #108, Madison:

- She opposed the ordinance amendment.
- She is a downtown resident and has been a bus rider since 1959.
- It's never wise to solve ordinance problems by deleting the ordinance.
- She strongly opposed allowing bus passengers to play loud music, which she felt was not only an annoyance to other passengers but also a distraction for the driver.
- Allowing food and drink on the bus will make the bus a rolling garbage cans. There are already problems with beverage cans and bottles rolling in the aisles, which is a safety problem. She has ruined her clothes by sitting on dirty seats. Food left under the seats will attract bugs.
- Current funding does not allow the buses to be adequately and regularly cleaned inside and out, and allowing food and drink will only make it worse.
- This amendment is not the solution.
- Perhaps the behaviors could be made a civil rather than a criminal violation.
- She urged the TPC to reject the ordinance amendment. The proposal will not work, and the buses will be a mess.

Durocher noted that Ms. Lee had identified three problems - noise, eating and litter - and he asked which was the greater concern. Ms. Lee replied litter and eating. She personally would find the constant noise to be a problem, but the greater problem is that it would be a distraction for the drivers especially if there were five or six boom boxes blaring at once. The noise also makes it very difficult to hear the audible announcements. It's just ridiculous to consider allowing radios or tape players.

Debo wanted to clarify the proposal. Removing these behaviors from the ordinance does not mean they will be allowed. Metro has a recently adopted policy that prohibits these behaviors and gives teeth to enforcement. The policy provides for various degrees of punishment, including banishment from the transit system. Removing the behaviors from the ordinance is just a housekeeping measure since Metro now has an adopted policy to address these behaviors. Ms. Lee did not believe the policy will be effective since it's not adequate now. Even with the ordinance, passengers eat and drink on the bus. She has sat in trash, slipped on spilled drinks, and tripped on discarded cans. There needs to be more teeth to the policy. Buses are already bad as far as cleanliness and smells, and deleting these behaviors from the ordinance will make it worse. Debo reiterated that the TPC adopted a comprehensive policy that separates behaviors into different levels. The policy specifically calls out eating, drinking and audible devices on the bus as being prohibited. The policy is a mechanism to help drivers react to the various types of behaviors. If a passenger is asked to not eat/drink on the bus or not to play a boom box but the behavior continues, the driver can call a supervisor, who is required to respond and assist the driver in getting compliance, including removing the passenger from the bus. The policy also gets into higher levels of inappropriate conduct that should be dealt with by the Police Department, and these behaviors are still covered by the ordinance. But the MPD does not respond to minor behavior violations like eating or drinking on the bus. Debo felt that removing these behaviors from the ordinance will make it more clear to the drivers that the policy is the guiding authority and that Metro staff are able to enforce. Debo felt it would

be confusing to keep these behaviors in the ordinance because they were an incomplete list.

Wong agreed with Ms. Lee that boom boxes are a distraction for both passengers and the driver. He wondered how the policy restriction on eating and drinking meshes with the plan to increase revenues by having vending at the transfer points. Debo reminded the TPC that they approved vending at the transfer points. A contract has been negotiated but the machines will only dispense capped bottles. Metro will install signs encouraging passengers not to eat or drink on the bus. While she wants clean buses, she does not want drivers to get carried away enforcing the policy, e.g., if a passenger is quietly eating a bag of chips, she doesn't expect the driver to make a huge deal of it. Metro does not want a lot of negative interfaces with the riders. The vending contract is only for one year, and Metro will track the impact on maintenance to see if the added revenue is worth the extra work.

Paoni commented that under both the ordinance and the policy, bus drivers are expected to "narc" on passengers. If Metro is trying to avoid tension between drivers and passengers, the only way to do that is to remove the behaviors from both the ordinance and the policy. Debo advised that having the three behaviors listed in the ordinance does nothing for Metro except create a mindset among some drivers that they are enforcement officers for ordinances. However, drivers are enforcers of the policy and training materials help them distinguish between major and minor problems and the appropriate reaction. There will also be signs encouraging passengers to not eat or drink on the bus. As far as boom boxes, passengers cannot use them except with headphones. If the driver can't get compliance, they should call the supervisor to deal with the issue. Debo did not want passengers being taken off the bus without some consideration by the supervisor. This has been a very problematic issue for Metro in the past. Again, some behaviors are big issues but others are small issues. Paoni noted that if a police officer is called to the scene and requests identification from the passenger, the passenger must provide it. However, the passenger is not required to provide identification to a transit supervisor. Debo emphasized that the police do not respond for minor things like a passenger eating or drinking on the bus. Paoni felt perhaps it's an issue of getting the police more involved. Debo stated that the police are not interested in being the "food police." If the TPC feels that boom boxes are a bigger issue, Debo was neutral on retaining that behavior in the ordinance.

Motion by Paoni/Wong to suspend the Rules to allow Ms. Lee to speak on the issue again, motion carried.

Ms. Lee felt that calling a supervisor will not work. The passenger can tell that the driver has called and the passenger will simply get off at the next stop. She reiterated that the offenses should not be taken out of the ordinance.

Hoag asked if there's any problem with having the policy and keeping the behaviors in the ordinance. Debo stated it's a concern to her. Hoag felt the drivers can operate under the policy but if they need to make an issue out of it, they can inform the passenger that it's a city ordinance. Leaving the ordinance as is seems like a win-win situation to him.

Golden did not have a problem with the intent of the policy but expressed concern about the precision with which it is written. He suggested sending the

policy to the City Attorney's office to see if it's written precisely enough to avoid later problems with "soft" language. He felt Metro would be well-served to have the City Attorney tweak the policy into greater precision. Debo advised that the City Attorney's office had the draft policy for four months and Assistant City Attorney Carolyn Hogg thoroughly reviewed it many times. Debo agreed the policy could use some "punching up" and she will ask staff to look at it from a training perspective to make sure it's clear to drivers. Golden requested that the policy language be looked at over the next three to six months and have the policy come back to the TPC with more precise and descriptive language. He emphasized he was not suggesting a change to the content of the policy.

McCabe echoed Hoag's question about why not have both the policy and the ordinance. She recognized that the MPD can't be the food police, and apparently the ordinance was not effective because there's food on the bus. She remarked that perhaps the policy will be more effective, and Debo believed it will. McCabe wondered whether the ordinance would provide an additional "set of teeth" as back-up enforcement. Does having both the ordinance and a policy really make it that confusing? It's clear that the current situation is not working and that the policy might work. Debo pointed out that the confusion comes from the fact that there's a whole list of prohibited behaviors whereas the ordinance only covers a few, and some of those aren't the most important that Metro has to deal with. The ordinance has not been helpful but the policy will. Metro has authority to establish rules and enforce them. McCabe wondered whether the ordinance should remain as is until Metro has some experience with enforcing the policy. Debo stated she was neutral on that idea. She indicated she was trying to do a little "housekeeping" because it's strange to call out three behaviors in the ordinance while the policy lists many things. Sometimes drivers confuse their roles as enforcers. Trying to enforce under both the policy and the ordinance might not be compatible.

Debo stated that training materials are being prepared and then the policy will be implemented.

Motion by Golden/Hoag to recommend placing on file and that approximately one year following implementation of the Metro policy, the TPC evaluate the effectiveness of the policy.

The motion passed by acclamation.

[Golden left at 7:40 p.m.]

Members agreed to take up item E.3. immediately following Public Comment since a number of taxicab company representatives were present.

E.3. [01971](#)

SUBSTITUTE - Creating Section 11.06(9)(o) of the Madison General Ordinances establishing a temporary fuel charge per taxicab trip.

A motion was made by Ald. Golden, seconded by Ald. Radomski, to RECOMMEND TO COUNCIL WITH THE FOLLOWING RECOMMENDATIONS - REPORT OF OFFICER for September 20, 2005 To recommend approval with the amendments recommended by staff: (1) during declared peak periods, on trips to and from the airport, a metered cab may charge only one additional dollar if all passengers have the same destination; (2) a shared cab may only charge one additional dollar if all passengers have the same destination; (3) make it clear that taxicab companies have an option of setting a fuel surcharge at a rate less than one dollar per trip. The TPC also wanted to clarify that taxicab companies have the option of changing the amount of the surcharge they are charging during the six-month period, for example, a company may start with a 75 cent surcharge but then lower it to 50 cents.

The TPC first heard from the registrants.

Karl Schulte, Union Cab, 2458 Pennsylvania Avenue

- Union Cab supports the ordinance.
- Gas prices have been "wild" and it's hard to determine how much to raise rates. A surcharge is a good mechanism to address fuel prices while giving the company time to decide on new rates.

Durocher asked why Union wanted to impose a surcharge rather than just raising their rates. Schulte indicated that the surcharge would buy some time while management tries to get a good idea of what gas prices will be this winter. If Union raises its rates, those rates are locked in for six months. Durocher noted that Union is a worker-owned cooperative. By raising revenues through a surcharge versus the fare meter, it doesn't benefit the driver. Schulte stated that Union will have to decide what portion, if any, of the surcharge will go to the driver. Union has 200 employees, 180 of whom are drivers. If the surcharge is approved, Union's Board of Directors will decide how to treat the surcharge. The surcharge is necessary for Union to survive through the winter.

Wong felt a \$1.00 surcharge is high. If the average ride is \$12.00, it represents an 8% increase. Schulte confirmed that the average ride is \$11 to \$12. In late July and early August, he saw a need for a 50¢ to 75¢ increase, but he didn't know where gas prices will go. A \$1.00 surcharge may not be enough, but it will improve the health of the company. Schulte recognized that a \$1.00 surcharge will affect their customers.

Rick Nesvacil, Madison Taxi, 1403 Gilson Street

- Madison Taxi supports the ordinance.
- Provided hand-outs re: Wisconsin's daily fuel gauge report and a compilation of national news articles re: taxi companies imposing a surcharge or raising rates
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- It's very evident that Madison Taxi needs to target the \$1.00 surcharge toward costs.
- He noted that it's up to each taxi company to set what surcharge they want, up to a maximum of \$1.00.
- He heard that four major refineries will be off-line for at least nine months, so he would prefer the ordinance have a nine-month time limit rather than six months.
- Madison Taxi is trying to survive and to take care of its drivers. Gas prices have been a very big hit.

Paoni asked whether Madison Taxi considered a maximum surcharge for a short ride. Nesvacil stated they looked at it but it didn't seem to be a viable option. In response to Paoni's question, Nesvacil indicated the surcharge will be posted both inside and outside the cab.

McCabe asked why Madison Taxi preferred a nine-month period. Nesvacil stated that in addition to the four refineries being down for that period of time, a longer period allows more time for planning and gets the companies completely through the winter months. A six-month period is okay but nine months would be better.

Durocher asked the same question he asked of Union: why institute a surcharge instead of raising their rates? A surcharge affects a short ride the same as a long ride, but a cab's rates are related to the length of the trip. Nesvacil stated that they are trying to relate the surcharge to the cost of fuel. Raising the rate will max some people out of the system for long rides. A rate increase would impact a five-mile ride more than a \$1.00 surcharge. Also, a flat surcharge is easy for people to understand, they know what the cost will be. Durocher asked if it's correct to say that a flat rate surcharge penalizes short trips and a rate increase penalizes long trips. Nesvacil agreed with that, noting the average trip cost is \$11 to \$12 and the average trip length is three miles.

Tom Royston, Badger Cab, 303 S. Ingersoll Street

- Badger Cab supports the ordinance.
- He felt cab companies will pick a surcharge amount and stay with that for the entire six-month period and that customers would find it too confusing if taxi companies changed the surcharge during the six-month period.
- He was not sure whether Badger will implement a surcharge since it may not be equitable for those taking a short ride.
- He did not anticipate gas prices dropping dramatically but if they do go down, the surcharge would be over and rates would be the same as before. However, if cab companies raised their rates to mitigate the fuel increase, it's unlikely they would later lower their rates.
- All of Badger's cabs use propane, and the cost of propane is going up at about the same rate as gas.
- In the past, Badger has locked in a fuel price but did not do so when the last lock-in period ended in late spring. Prices have increased about 55% since spring
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- Badger did not use the surcharge the last time it was allowed but it's good to have it available.

Keith Pollock, transportation operations analyst with Traffic Engineering, was present to answer questions. He recognized the problems faced by the taxi companies, noting that fuel accounts for about 17% of their total costs. Staff supports the ordinance with some technical amendments: (1) during peak periods, metered cabs may charge only one additional dollar if all passengers are going to the same destination; (2) a shared ride cab may only charge one additional dollar if all passengers are going to the same destination; and (3) allow taxi companies the option of setting a surcharge less than \$1.00 per trip. Pollock indicated he did not have an opinion on six months versus nine months. However, if the six-month period is approved, the issue can be revisited if necessary. In response to a question by Paoni, Pollock advised that the previous surcharge was before his tenure. However, it was his understanding that once the surcharge period was over, the companies rolled it into their new rates.

Paoni asked whether the cab companies can raise their fares during the six-month surcharge period. Pollock stated yes but the company would not be able to continue charging a surcharge. Golden asked if there's any consequence for paratransit. Crystal Martin, Metro Paratransit Manager, was present and replied no since the paratransit rates are set by the contract. However, the anticipated that the fuel price increases will be reflected in the next round of contracts.

Motion by Golden/Radomski to approve the resolution with the three amendments recommended by staff, and keep the period at six months.

Golden remarked that there's a logical reason for doing this and pointed out that one of the reasons for the recent bus fare increase was the cost of fuel. The amendments are important for consumer protection. He felt the ordinance is an example of the City being business-friendly. He wasn't sure that there needed to be a surcharge "lock-in" - it might be more competitive if the cab companies are able to lower their surcharge during the six-month period. Durocher wanted clarification whether it's an option for cab companies to change the surcharge during the six-month period. Pollock confirmed that a company could change the amount of the surcharge, up to a \$1.00 maximum, as long as the company filed the new surcharge with the City Clerk and posted it on the vehicles.

Wong was uncomfortable with the ordinance since all trips, regardless of length, are charged the same amount. He thought it would be better to have a surcharge that was proportional to trip length. A \$1.00 surcharge on an average ride of \$12 equals 8% of the total fare. Wong felt a \$1.00 surcharge exceeds what is needed to address fuel costs. It might be better to have a temporary rate increase. Pollock commented that a temporary rate hike might be more complex and customers might not understand what they are paying. Most people understand that fuel costs have gone up dramatically and a \$1.00 surcharge would be easy to explain.

Amendment by Paoni/Golden that there be no surcharge on fares under \$10.00.

Golden wanted to hear from staff and cab representatives before accepting the amendment as friendly to the main motion. Royston stated that Badger would not be able to implement the surcharge except in a few cases since their shared ride rates are 40-50% less than the metered rates. Royston emphasized that adopting the ordinance doesn't mean that every cab company will implement a surcharge, or that they will implement the \$1.00 maximum. Schulte indicated that if the surcharge is limited to fares over \$10, it would not help Union enough and they would probably need a \$2 surcharge for trips over \$10. He stated that Union is very conscious of the impact on customers and they try to keep their costs down. But he has no idea what gas prices will be this winter, and the surcharge gives some breathing room. Nesvacil agreed with Schulte, noting that Madison Taxi provides many short trips on the weekend and the increase in fuel prices applies to the short trips as well as the long trips.

Golden did not accept the amendment as friendly. Paoni withdrew her amendment.

Golden pointed out that the surcharge is not a long-term deal, it's a response to a very unusual situation and is an option that worked once before. He felt the option will probably disappear before six months because it will be rolled into a rate increase. This is a temporary measure. Wong disagreed that it's temporary.

He felt the surcharge should be proportional or else deal with the increase in fuel prices through a rate increase.

Streit called the question.

The motion passed by the following vote:

Absent: Carlsen

Excused: Sanborn

Aye: Golden, Radomski, McCabe, Hoag, Paoni and Streit

No: White and Wong

Non Voting: Durocher

Enactment No: ORD-05-00153

F. TRANSIT AND PARKING REPORTS

F.1. [01992](#) Parking July 2005 Revenue Report (Sept. meeting)

Motion by Paoni/Hoag to refer F.1. and F.2. to the next meeting.

Hoag was concerned about not seeing Parking staff representation at the TPC meetings. McCabe echoed his concern and said she would like to have staff present so members can ask questions about the Parking report. She did not necessarily think that this month's report had to be referred since the August year-to-date report will be on the next agenda as a regular item. But she did want staff present so members can ask questions.

Wong separated out item F.2. from the motion.

Motion by Paoni/McCabe to refer F.1. to the next meeting and request Parking staff to be present; carried unanimously.

F.2. [01991](#) Metro YTD July Performance Indicators (Sept. meeting)

Motion by Paoni/Hoag to refer to the next meeting.

Paoni stated she was requesting referral so that the TPC has time to talk about the report. White preferred to deal with the report at tonight's meeting but for next month have the reports earlier on the agenda. The report is a year-to-date report and next month's report will incorporate the numbers from the July report.

Friendly amendment by White, accepted by Paoni, to refer the Performance Indicators to next month, to reorder the agenda for next month's meeting to take up the Transit report earlier, with next month's numbers. Motion did not carry.

Motion by McCabe/Radomski to accept the July report and to have next month's report earlier on the agenda.

Wong asked if there's been any fall-out from the fare increase for the student semester pass. Debo was not sure and said she would have to check Metro's feedback. She will report back at the next meeting.

Wong supported the idea of having the reports earlier on the agenda. He also mentioned that the highlights are useful and requested that Debo note things like changes in route productivity. Debo advised that she includes highlights in the cover sheet. She does not focus on the monthly route productivity too much, especially since some of the routes are interlined. She tends to look at the bottom line data. Wong asked if the route productivity chart will be changed given the new data that's becoming available. Debo stated yes, and each route will be listed separately. This means it won't be possible to compare the routes to previous years but the basis will be started for comparing to next year's data. Wong noted there will be a wealth of information that was not available previously, and he wanted the TPC to talk about how to capture that information and turn it into a useful discussion for TPC members.

Motion carried unanimously.

[Paoni left at 7:50 p.m.]

G. REPORTS OF OTHER COMMITTEES/COMMISSIONS/AD HOC GROUPS (presented for information only)

G.1. ADA TRANSIT SUBCOMMITTEE - 8/04/05 minutes

Durocher reported that the committee spent time discussing a concern about the swipe card technology. Accommodations are available.

G.2. Contracted services Oversity Subcommittee - None; August meeting canceled.

Durocher stated he is still looking for a second TPC member to serve on the CSOS and encouraged members to volunteer. Debo mentioned that getting full membership is important since this committee often has quorum problems. But it is a very valuable committee. She will be bringing forward an ordinance change to delete Shorewood from the membership and to add Verona.

G.3. Parking Council for People with Disabilities - 8/16/05

G.4. Long Range Transportation Planning Commission 8/18/05

G.5. Mid State Street Parking & Mixed-Use Facility Evaluation Team

G.6. State Street Design Project Oversight Subcommittee

G.7. Joint Southeast Campus Area Committee

Hoag reported that the committee has not had a quorum for several meetings.

H. GENERAL DISCUSSION ITEMS

H.1. General Announcements by Chair

None

H.2. Commission member items for future agenda

None

ADJOURNMENT

Upon a motion by Wong/McCabe, the meeting adjourned at 7:55 p.m.

Informational Enclosure: 8/23/05 letter to Ald. Konkel by David Nordstrom