



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, August 12, 2015

5:00 PM

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

A. CALL TO ORDER/ROLL CALL

Vice-Chair Bergamini called the meeting to order at 5:00 PM.

Present: 9 - David Ahrens; Chris Schmidt; Rebecca Kemble; David E. Tolmie; Wayne Bigelow; Margaret Bergamini; Ann E. Kovich; Kenneth Golden and Kate D. Lloyd

Excused: 1 - Gary L. Poulson

Please note: There is one vacancy on the Commission in the position of Second Alternate. Also, Lloyd arrived at 5:04 PM, after Item E.1.

B. APPROVAL OF MINUTES

Golden pointed out a typo in Item G.2., paragraph 3, bullet 12, which should be corrected to say: He felt this could be done simply for transit reasons. But at the same time they shouldn't abandon their role in terms of other social issues.

A motion was made by Schmidt, seconded by Bigelow, to Approve the Minutes as amended. The motion passed by voice vote/other.

C. PUBLIC APPEARANCES - None.

D. DISCLOSURES AND RECUSALS

Kemble disclosed that she was a worker/owner at Union Cab. Golden recused himself from Item H.1.

E. ORGANIZATIONAL MEETING

E.1. [39575](#) Election of Chair and Vice-Chair - TPC 08.12.15

Schmidt/Kovich nominated Gary Poulson for the position of Chair. After Bergamini made three requests for other nominations and none were proposed, Poulson was elected Chair by acclamation.

Bigelow/Tolmie nominated Margaret Bergamini for the position of Vice-Chair. After Bergamini made three requests for other nominations and none were proposed, Bergamini was elected Vice-Chair by acclamation.

[Please note: Lloyd arrived at this point in the meeting, at 5:04 PM.]

- E.2. [39576](#) Re-affirmation/proposed changes to TPC Rules and Procedures - TPC 08.12.15

In Section II-Meetings (C)(2), Ahrens proposed deleting the words: Starting May, 2011.... Kovich/Golden moved to make this change. The motion passed by voice vote/other. Golden pointed out that the Rules and Procedures may need to be revisited and changed later in the year, if the resolution to add a Transit Partner to the Commission was adopted.

- E.3. [39577](#) Appointments to other committees, if any - TPC 08.12.15

Bergamini noted the two Mayoral appointments to the TPC Subcommittee, Alder Zellers and Sandra Torkildson. She further noted that most of the committees were filled, though they were filled through April, the normal appointment term. They might want to address this in their Rules at some point. She also mentioned the vacancy on TPC and on ADATS. Golden said he was volunteering for ADATS, and was stepping out of CSOS. Bergamini said PCPWD had some vacancies, which could be filled either by Citizen members or TPC members. If TPC members were interested in any of these positions, Bergamini suggested they speak to Poulson.

F. TRANSIT AND PARKING QUARTERLY REPORTS

- F.1. [39579](#) Parking: July 2015 Activity, June Revenue-Expense and Occupancy, YTD Expenditures Reports - TPC 08.12.15

Asst. Parking Utility Manager Scott Lee commented as follows.

- Staff was still unable to provide expense comparables to 2014, but for revenues they could.
- Revenues were off approx. 3% at attended facilities, and also down by 6% at onstreet meters. Overall, they were down 3% for the first six months; partly due to repairs causing closures in parts of the ramps.
- Budget was based on last year's numbers, and they were running about the same % below there.
- Monthly permit revenues were up, but not enough to offset the loss from hourly ramp parking.
- Occupancy data showed metered lots were consistent with the past, and average weekday occupancy in the ramps was higher. They were trying to reconcile this info with the drop in revenues. Occupancy data was based on the 10 to 2 peak, so it appeared that night and weekend usage in their facilities had dropped off.
- These occupancy rates were on par with the industry average of 80-85% full, which was basically a full facility.
- The Utility controlled the number of monthly permit parkers in the garages, to keep capacity for hourly parkers. They were limiting the number of leases in the ramps at this point, in advance of Gov East being taken offline in 2016. They didn't lease as many spaces as people wanted to keep them available for hourly parkers.
- Onstreet metered revenue was running fairly consistently with where it was in the past.

Lee answered questions.

- Demand for monthly permits had increased, with 600 people on waiting lists

across all facilities (this included some duplication). Gov East had ~130 people, and some had 200 or more on their waiting list; except for State St-Campus, which had capacity. But with SS-Campus over a mile away from Gov East, this was not a viable option for most people.

- The last time the fee for RP3 was evaluated was 1997, when the fee was increased. Lee had asked staff to be sure to ID all the RP3 hours on their timesheets to get a better assessment after this cycle of what their actual costs were to implement the program. Any change would not affect this year, but with the rate increase scheduled for later this fall, this would be factored into 2016.
- Parking paid for five positions in the MPD Parking Enforcement department. Enforcement costs for RP3 came out of the General Fund.
- Long-Term Agreements were leases obtained by businesses that ran longer than a year (up to five years); unlike the Monthly permit agreements that ran on a month-to-month basis.
- Re: proportions for monthly permit parking vs. hourly parking, bond financing required no more than 10% of spaces be used for monthly. That % went up a bit when the Utility paid off its bond financing. In the industry, parking operations tried to fill their capacity with hourly parkers and backfill it with monthly, because generally revenue favored the hourly.

Golden remarked that it would be interesting to find out how much RP3 enforcement cost compared to how much revenue was received through citations. It would be hard to get a fully loaded cost from MPD, but it would be interesting to see if this was balancing, if costs were being covered. Lee said he would ask MPD for this info. Bergamini noted that the Utility had done what Lee described: When it paid off its debt a few years back, it had increased the number of monthly permits at certain ramps with lower occupancies.

F.2. [39580](#)

Metro: YTD Fixed & Paratransit Performance Indicators, Financial, Performance Measures, Ride-Revenue-Fare Type, Historical Financial & Ride, Hybrid, and Customer Feedback Reports - TPC 08.12.15

Metro Transit General Manager Chuck Kamp introduced Transit Services Manager Ann Gullickson, Paratransit Program Manager Crystal Martin, Planning Manager Drew Beck, and Finance Manager Wayne Block. Kamp reported two recent events to celebrate.

- An appeals court had upheld Metro's gun ban on buses (article attached). Gullickson, ACA John Strange and ACA Carolyn Hogg had done a lot of good work on this. The decision made a lot of sense in terms of providing safe service to the community. The appeals were likely to continue, but staff felt more confident that they were on the right track.
- A week earlier, Channel 3 had run a story about how Metro Bus Driver Tim Homann rescued a 1-1/2-year old toddler from a busy street. A customer took the video and alerted Channel 3. Homann was very modest about the whole thing, and had asked Metro not to refer any other news org's to him. Homann's actions really represented the best of Metro.

Turning to the Quarterly Reports, Kamp made the following comments.

- Fixed ridership YTD was down 4.4%, probably due to fuel prices, which were \$100/barrel last year and were \$50-60/barrel now.
- The number of vehicle accidents were flat, with a slight drop in chargeable and preventable.
- Road calls were up, but as previously noted this was due to fuel gelling in

the winter, and some continuing issues with engine performance. As engines were calibrated more carefully to meet EPA standards, codes for indicating trouble were more narrowly defined. This was costing some parts and road problems.

- Re: the drop of 350K rides, route productivity showed that six heavy-hauling routes (inc. 80, 2, 3, 4, 6) accounted for 250K of the 350K. The drop was pretty much across the board.
- On the other hand, ridership on Route 50 was up a healthy %. Per the suggestion of the NRT, this route had been changed last August, to add more mid-day service. It ran to three grocery stores. Though its productivity had dropped 7%, ridership had gone up 21%.
- Route 75 between the Square and Verona was up both in riders and in productivity. Metro frequently received requests for additional service out to Epic on Route 75.
- So while there were exceptions, the drop was pretty much across the board. APTA was reporting 2-3% drops for systems of comparable size. Fuel prices were likely the reason.
- Paratransit ridership was up 3.6%, driven by riders eligible for MA waiver. Chargeable accidents were down by one; preventables were flat. Inspections were down because Metro's in-house service level was down.
- YTD Paratransit ridership was up 4,000 overall; with DDS trips up 8,000. Complaints were up for two contracted services, Abby Vans and Badger Bus. Martin did site visits to both of them to talk about bringing those numbers down. On-time performance was well above the industry average (of 90%).
- DDS Trips were those riders on MA waiver. DDS subscription trips were tracked to compare to casual trips (out of the total number). DDS Subscription trips were a subset of (total) DDS Trips. Subscription trips were those that were regularly scheduled, such as trips to dialysis 3 days/week.
- D2D were door-to-door trips, where passengers have requested an escort to/from the door of the building. D2D info was helpful to know since it affected the timing of these trips, and indicated the level of interest in the service. D2D = 75% of their requests.
- Financials: Reserves had gone up \$600K from the start of 2015, to \$5.6 million.
- Factors contributing to this: Total Revenues were close to budget (at -\$19K), and were driven by Passenger Revenues, which were down by \$129K because of the drop in ridership.
- Operating Expenses were well under budget, largely due to personnel cost and benefits savings, despite some cost overages, such as for parts due to engine issues.
- Another item that was underbudget was fuel cost. Metro's fuel price was now locked in through end of 2017. The 10-year chart showed the volatility of fuel. One advantage of locking in fuel costs, esp. for partners, was predictability, making budgeting and financial performance more steady.
- Re: budget overage for Parts: Certain repairs that were needed to ensure engines were performing to meet EPA standards, had become heavier than anticipated. EPA standards had become more strict over the past couple of years; and Metro was caught a bit off guard with regard to how much costs for engine had gone up. Another issue related to parts was a problem with rear doors sticking, and costs for door parts had also gone up. They were trying a new configuration to try to get that under control. Parts were under warranty for only the first year; and the average age of the Fleet was 8-9 years.
- The rise in County funding was due to the increase in MA waiver ridership.

Federal funding for MA waiver was passed through the County, and as ridership went up, so did the funding. This had gone up quite a bit over the last 10 years.

- Salaries and benefits were under budget because of some vacancies. Also a labor contract had just recently been approved; and leading up to the settlement, Metro wasn't sure if it might involve retroactive pay. So this had been built into the budget. A COLA increase was planned for December, but retroactive pay was not part of the settlement. Lastly, two maintenance positions hadn't been filled that would now be filled.

Golden noted that the Federal funding for MA waiver represented only 58% of the cost of the ride; and property tax was taking a hit for the rest. The County provided nothing. Kamp said the three revenue sources that had gone up the most over the past 10 years was the City tax levy, the MA Waiver, and Fare Revenues. Other revenues like State funding had not kept up. Golden said that it was nice that we received 58% of the funding. But with a lot more people riding, we were spending a lot more of the property tax, and because that was all blended in with the mainline revenues, we couldn't see that clearly unless it was pulled out for Paratransit. The City was really subsidizing the County to the tune of ~\$1.5 million.

Kamp continued.

- Performance Measures compared Metro to its peers (with similar populations and service levels). Looking at the last available info from DOT for 2013, six key areas of transit performance were measured. If systems were struggling in these areas, it could affect their State funding.
- Happily, in five of the six categories, Metro did better than its peers. Expense per revenue hour was the one exception: Metro was about \$4 higher than its peers. But for such things as Cost/passenger, they were 30-40% lower than their peers, and service levels and ridership were higher than their peers -- overall, a good report card.
- The Combined numbers mixed Fixed and Paratransit together, making them hard to sort out. Metro's numbers for each area were shown broken out, but data for peers was not available broken out.
- The Revenue/expense ratio (aka Farebox ratio) was the % of all operating expenses covered by passenger revenues. Peers were at 21%, Metro was a little higher at 25%. This was an important number to consider when discussing fare increases.
- Fixed Route Passenger Revenue Comparison: Revenues were down overall by \$150K. Unlimited ride pass revenues were up, but cash and ticket revenues were down by \$250K. As seen in recent contracts with UW and UW-ASM, a 4-year average was built into how revenues were collected. So if the ridership dropped, the average dampened how quickly revenues dropped. Similarly, if ridership rose very quickly, it protected the UW from a quick spike in cost increases. In this case, it was helping keep unlimited ride revenues up.
- Fixed Route Rides: Though Unlimited Ride Pass rides were down by ~150K, the revenues in that category was up; again, because revenue was protected in the agreements.
- Revenue/Ride % Change: Though rides were down 4.4%, revenue was down less so by 2.5%, due to the UW pass agreement.
- 10-Year Annual Performance: County MA Waiver funding was up 60%. Local revenues were up by 70%. State and Federal revenues were up by smaller amounts, and in fact were up by amounts closer to what expenses were up by

or less; State revenues were not keeping up.

- Contingency reserve: The Council and TPC had established a guideline that there be a ~\$2-3 million reserve. In 2010, the reserve was \$96K because of fixed cost for fuel. Metro had slowly built up their contingency to \$5 million. Metro would later be asking approval on a lease for more space that was made possible using some of the contingency \$.
- Over ten years, Rolling Stock-Equip. Repairs/Maintenance went up by an amazing amount. Last year, \$472K was spent; in 2005, \$64K was spent. This was due to software maintenance fees (listed here rather than under Administrative). They had become more dependent on automatic vehicle locator systems for bus apps and more dependent on systems to do Paratransit scheduling, etc. Admittedly this wasn't a lot inside a \$55 million budget, but still this change was noticeable.
- 10-Year Fixed Route Rides: Ridership had increased 33% from 11.475 million to 15.223 million. Cash/Ticket rides increased by a smaller amount of 22%, whereas Unlimited Ride Pass rides had increased by 59%. From larger pass programs to smaller, this category was an important driver in the increase in ridership.
- Every year, staff would provide these 10-year reports on a rolling 10-year basis.
- Fuel economy for the Hybrid buses was higher, typically 20% or more, and therefore the cost/mile (CPM) was lower, both for the newer and older Hybrids. When the Hybrids were first new, they had heard they might be replacing the batteries every six years, which would be expensive. But they had not replaced a battery in eight years. They had had a couple major repairs on a component of the battery system, but the Hybrids continued to outperform the regular buses. The \$0.32 CPM difference for the newer buses was amazing.
- Customer Feedback: 2014 and 2015 had a similar number of inputs, which were broken out by different areas where managers had staff responding to the feedback. Their goal for responding within 10 days was 90%; their actual response rate was 91%.

Golden/Bigelow made a motion to receive both the Parking and Metro quarterly reports. The motion passed by voice vote/other.

G. NEW BUSINESS ITEMS

- G.1. [39460](#) Relating to Madtownpedalcab LLC application for a Pedal Cab operator license.

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

- G.2. [39143](#) Resolution Establishing the City of Madison Certification Program

Mayoral Assistant Anne Monks discussed the item.

- Some ordinance changes were being considered in consultation with the conventional taxicab companies; and the intention would be that those changes (related to licensing), would also be the certification for taxicabs.
- The timeline for taxi certification program would depend on how long it took to work through the issues with the companies, to develop proposals that would make them more sustainable with the competition that had been

mandated by the State.

Kemble said at its last meeting, the Economic Development Committee had suggested that the resolution be broken up into four different proposals, because the Taxicab Certification Program would be the easiest to do because the regs were already written. But the Living Wage and the Landlord Best Practices would probably be somewhat more contentious, and would need more work to figure out what level to aim them; i.e., whether it would be about marketing, City enforcement and/or oversight at different levels, etc. Monks said her understanding was that the Mayor's intention was to break them up.

Members discussed possible actions to take. Bergamini pointed out that the resolution said staff would be developing programs and sending reports to the Council, where acceptance of the reports would constitute approval of each program; and wondered if perhaps this would be the only time the TPC would be seeing this. Monks said that wouldn't apply to the Taxicab program, which would involve a new taxicab ordinance that would come back to the TPC. The implementation would be broken up; and she had understood that the Taxi Certification Program would be part of the new ordinance. Though she hadn't been part of a discussion that talked about how the other programs would be, she thought they would be separate in the ordinances rather than included in an omnibus certification ordinance. The City Attorney himself worked on the resolution.

ACA Adriana Peguero confirmed this, and said the resolution outlined that these certain areas would get a seal of approval to show they had met these higher standards from the City. This would require modification of ordinances as well. For taxicabs particularly, there wouldn't be licensing and then a separate level of certification. Once taxis were licensed, they would be certified. The taxi ordinances would need to be overhauled, to change the regs so taxis could compete with TNCs and to put a City seal on taxis that they were certified.

Monks added that they had taxi ordinances to say the City was trying to maintain good quality services and provide assurance to the customers. Our ordinances were doing that anyway, and this would not be a profoundly different concept. Certification would be a way of advertising that.

In further discussion, members said that the Certification Programs would formalize things and make them more visible to the public. By approving the resolution, the TPC would allow the work to be done, which would then come back to the Commission. A motion was made by Bigelow, seconded by Schmidt, to Return to Lead with the Recommendation for Approval to the ECONOMIC DEVELOPMENT COMMITTEE. The motion passed by voice vote/other.

G.3. [39444](#) Creating Sec. 10.31(3)(f)5. of the Madison General Ordinances to waive any privilege in street fees for bus shelters.

A motion was made by Golden, seconded by Bigelow, to Return to Lead with the Recommendation for Approval to the BOARD OF ESTIMATES. The motion passed by voice vote/other.

G.4. [39501](#) Authorizing the execution of a Lease between the City of Madison and

Madison Golf & Development Group, LLC for space within two buildings located at 7613 Century Avenue, Middleton for the storage of Madison Metro Transit's buses serving the west side of the City. In connection with this Lease, the authorization to amend Madison Metro Transit's 2015 adopted operating budget by \$73,130.

A motion was made by Golden, seconded by Tolmie, to Return to Lead with the Recommendation for Approval to the BOARD OF ESTIMATES.

Kamp said the new space would be used for 15 westside school dodger buses sent out M-F. This was to relieve overcrowding; not for expansion. Metro's garage was built for 160 buses, but 215 were parked there. Metro had spent 2-3 years looking for adequate space to relieve overcrowding. If approved, staff would work on logistics for implementing this in the fall.

Golden asked if this level of relief would permit Metro to take possession of new buses to be able to provide additional buses to Epic and modest expansion on the fringes of service. Kamp said that over the past 10 years, saying yes to one had meant saying yes to 40. Kamp thought they could potentially provide ten more buses to Epic over the next five years. But they couldn't do that with this lease. As for whether they could possibly provide one or two additional buses, they could look at this, but hesitatingly, because of expectations and issues of equity. Staff was doing an analysis, and would be bringing them some of the issues related to service configurations and how they met priorities.

Golden said that it would be good to have some info sooner rather than later, regarding Metro's waiting list, lottery or criteria for who would (eventually) get more service. He hated to think that an org like Epic would ask for service, then would go out and buy their own buses, and they would lose them permanently. The more they tried to be responsive, the better.

Kamp mentioned that Gullickson, Planning staff and others were part of Metro's internal Service Development Committee, which went through these sorts of issues in agonizing detail. The charts showed they had some low ridership routes, but some of these filled important needs in other areas. In looking at potential trade-offs, it would be hard for staff to make a recommendation, but they would try to do that.

Gullickson said they were cautious about expanding because this was only a three-year lease. They would have liked a longer lease. The space was located in an area with development potential in Middleton, and the owner wouldn't commit to a lease that would bridge them to a new facility at Nakoosa. If they had to take all 15 of the buses back to their facility, it would be that much harder if they expanded the fleet. She didn't have confidence that they would be able to hold onto this site until they were able to build something at Nakoosa.

Kovich confirmed that this was about relieving overcrowding; and said that Metro staff had been sensitive to balancing service needs. Kamp added that expanding service was fun, and if they weren't doing it, it was because they wanted to take care of how things were working in the garage. Bergamini noted that this would still leave the E. Wash. garage substantially overcrowded by about 50 vehicles; this lease would provide small relief.

Gullickson said no staff would be located at this facility. This was a former school bus facility used by Middleton-Cross Plains school district. The buses stored there would serve Memorial H.S. and the middle schools that fed into it. Part-time employees would pick up the buses, and the doors would be closed behind them. An hour and a half later, the drivers would return and park the buses there. At 2 PM, a dozen employees would show up again to do the afternoon school runs, after which the doors would again be closed. There would be no fueling there (which would be expensive to add). These buses were out for relatively short periods, and would be fueled once a week at the main garage. A lot of logistics and dead head miles were involved.

The motion passed by voice vote/other.

H. INFORMATIONAL PRESENTATIONS AND DISCUSSION ITEMS

- H.1. [39581](#) Parking: Update on JDS Development Proposal, presented by Asst. Parking Utility Manager Scott Lee and Planning, Community and Economic Development Director Natalie Erdman - TPC 08.12.15

Asst. Parking Utility Manager Lee and Planning Community and Economic Development Director Natalie Erdman briefed members on discussions with the JDS Development group.

- (Erdman) They last reported that an agreement had been signed that provided the four corners of the overall transaction, but left a lot of work to be done to fill in the details.
- The Negotiating Team was now working with the Development Team on an amended and restated development agreement, which would bring more detail to the transaction, with the expectation that they would bring the proposed terms of this to BOE on 8/24 and to the Common Council on 9/1.
- Depending on how those bodies felt about the state of negotiations and if they were authorized to proceed, an amended and restated development agreement would be signed sometime around 9/15.
- From there, the developer would have to meet a long list of items and contingencies, with the goal of working through the land use approvals, more detailed design documents among other things, in order to close on a land transfer in December.
- As part of the resolution to approve the existing development agreement, the Council had asked the Team to look into several items, two of which were directly related to the parking.
- In their 8/24 report to BOE, they were asked (first) to include an analysis of the potential impact to the Parking Utility of the 650 additional parking stalls as part of a 1,250-stall parking structure (with 600 transferred to the Utility and 650 reserved for the private development when construction was completed).
- The second request was to provide an analysis of the impact on the Utility and the City budget for the 17-month loss of revenues from Gov East.
- At the request of the Utility, revisions had been made to the parking structure design. Additional work was still needed.
- (Lee) Previously, he had only been able to present what was initially proposed in the RFP. Since then, the Utility had received significant revisions and multiple iterations from the Development Team.
- A diagram (attached) had been distributed that provided a cross-section of the design, with a view from Wilson looking towards Doty. The design showed levels up to Level 5, which pertained only to parking. (Additional levels for

other uses might go above that).

- The green was the Exact Sciences facility on Block 88, the gray was parking, and the blue was the hotel entrance or other uses on Block 105.
- A significant design change was that, in addition to the one level (B1) of parking below Exact Sciences, they had increased their parking capacity under Block 88 under the building on levels B2, B3 and B4.
- Staff had not seen this before, and in fact, hadn't noticed it until they had met with their Parking consultants the day before, to review the whole design concept to figure out what had changed since their original concept. Looking at the little numbers(1-14) across the top of the diagram, the original concept went to number 9, ending at the Block 88 edge of Pinckney Street. As best as they could determine, the original concept did not go under Block 88, except on level B1, which they had known all along.
- Their latest design showed parking going to number ~10-1/2, which seemed to indicate they would have to excavate and complete that area of parking prior to the building of structure on top. If that was the case, they should be able to push it further towards the MMB side, which would alleviate a lot of staff concerns about the design of the Parking Utility's component of the parking structure, namely the flow, and the accessibility features that were currently hampered by putting the Utility's portion on the upper part of Block 105, and the JDS portion on the lower part .
- In the diagram, Levels B2 through B4 were Exact Sciences, along with a small portion of B1. Part of B1 and Levels 1 through 5 on Block 105 were the Utility's parking, which would be spread over six levels. This would not be convenient for Gov East parkers, who were currently mostly hourly parkers (staying less than three hours).
- Parking would be responding with some proposed changes to the design, based on the recent conversation with their consultants.
- An important change was that now the garage was connected from Level 5 all the way to B4 (vs. previous designs where one entrance only went up and the other only went down). Now it was inter-connected, but that created additional problems because single ramps between levels created congestion.
- Progress had been made in improving the design, but there still was a ways to go for staff to feel it was a good design.
- In the diagram, the existing Gov East fell between top number 7 going to the right to number 1, and between Levels 1 to 4.
- Replacement for the Utility would be B1 and up, with B1 being from top numbers 1 to 8.
- Part of B1, and B2 through B4 would be the private component.
- B1 from top numbers ~8 to 14 was a section that was segregated and would work well for the City's Fleet facilities; but Exact Sciences wanted this for their people because it would include an elevator system that would travel directly up.
- The Utility's portion of B1 would = 150 spaces, Level 1 = 45, Level 2 = 41, Level 3 = 118, Level 4 = 118, and Level 5 = 108.
- (Erdman) The Team had been told that the new configuration wouldn't change the timing for tearing Gov East down, still a 17-month timeframe from the demolition of Gov East until the new parking would be opened. They had asked the Development Team how they might compress that schedule, and start demolition later in June/July instead of March 2016. They were hoping to have some of this info by 8/24.
- They had also been talking to ULI about completion of parking at the Anchor Bank site, and they were potentially interested in providing 200 spaces of

hourly parking starting in Nov. 2016.

- Of the 520 spaces in Gov East currently, ~115 were monthly parkers, who could be moved somewhere else. So from their perspective, the loss of parking at Gov East was about the ~410 hourly parkers, for which the 200 spaces at Anchor would provide some additional capacity.
- With MMB scheduled to be vacated in July 2016, members of the public who came to offices in MMB for certain services would be going elsewhere, taking some of the pressure off the area as well.

Kemble noted that they had been told that there could only be one deck of parking below Exact Sciences because they couldn't excavate deeper than that. But it looked like they would be excavating down three more levels. Why couldn't they move that over? Erdman said this was the first time she was seeing that would excavate under Block 88. They had been saying that they couldn't go down four full levels, and then build (parking) back up to point where they could build Exact Sciences above it in the 17-month timeframe they have to deliver the Exact building. She didn't know the answer to that question, but would ask. Lee said that if the parking could be extended further over, that would not only free up space above the new Gov East, but it would improve the flow, which would alleviate some of their biggest concerns with the design. Parking staff had only just discovered the plan to go under Block 88 a day earlier.

Erdman said the Team had been told by third party contractors that to go down four levels and build parking back up would take six months, time they didn't have. Whether they could do that level of building underneath, she didn't know. Bigelow wondered how they would excavate deeper on one portion of Block 88 and still begin construction on the other part. Lloyd said she thought it could be done, and thought to go all the way over would take a lot longer. Erdman said the Mayor had asked Kevin Conroy if they could give them another four months, and Conroy said no. They were already having issues with researchers being located apart from other staff; they were a company that needed to be located in one place to be effective.

Ahrens said it would be a tremendous opportunity lost if they went under Block 88 just one-third of the way because of few months delay (for a company who wanted our funding to build their facility), when this change would reduce above-ground parking by two floors or more. In further discussion, Lee clarified that extending the ES parking under Block 88 would reduce the number of above-ground spaces for the Utility, which would be back-filled below ground.

Bigelow noted that the Commission had previously voted not to spend more money on below-ground parking than it would if the garage were built above-ground. Erdman said that TIF would pay for the difference in this cost. Per the current transaction, the Utility would pay for 560 spaces at the above-ground/stall rate, the City would pay for the 40 replacement Fleet spaces, and the City would pay the premium for any underground spaces the Utility would take. Lee added that part of that would be offset by the sale of the air rights on Block 105, which the Utility owned, that they would contribute back to reduce the difference that TIF would be absorbing. Erdman said putting more spaces below ground would reduce the levels above-ground, producing more air rights for a hotel above that.

Schmidt said that the understanding had always been that the TIF would cover the difference, that Utility would be responsible for replacing Gov East as is. This was how it had been budgeted for the last year or two. No matter who owned the underground spaces, the TIF would cover the difference. The new State law would cover this for the Utility, or a traditional TIF would cover it for a private owner. The difference between above and below ground was ~ \$9K/stall.

Bergamini wondered about the timing of the process. The Commission was concerned about the impact of this development on the finances of the Parking Utility for which it was responsible. The TPC would not be meeting again until 9/16. She asked how this would fit with the timeline for approvals.

Erdman said the amended and restated agreement would approve the general terms of the financing, and set forth a number of conditions to close the transaction and final approval of the design for the parking structure. These would have to be resolved prior to a closing. Erdman anticipated being back at the TPC as the designs progressed from a schematic to more complete design. She didn't think the BOE or Council would need action by the TPC for the terms of the agreement, which would say the structure would contain 1,250 spaces, and be designed with the right of the City to approve the designs.

In response to a suggestion from Kemble, Erdman explained why the 9/1 date was no longer as critical as it had been, and why there would be more time for TPC and other committees to review things.

- The original transaction assumed that as of 9/1, the developer needed to buy the land underneath Block 88 and Block 105 to bring into play a 1031 exchange. They had an investor with \$15 million, who had identified a property that was going to be sold. They needed a legal 1031 exchange to defer taxes, which required that they identify a new property. This was going to be that property.
- So they were standing on their heads in order to get the 1031 exchange done, to make sure that if the ultimate transaction didn't close in December, it would unwind and the property would come back.
- There was a whole series of things that had to happen around 9/1, while they continued to plan and do their planning reviews by December.
- Exact Sciences was still requiring the Council approve the terms of an agreement by 9/1, and sign an amended and restated development agreement by 9/15, for them to continue to move forward with this as their primary site.
- However, the agreement was set up such that with a general agreement on the financing that the City would provide, and on some specific things that would have to happen before a closing, we would enter into that amended and restated agreement.
- A lot of things still had to happen, including many land use approvals. This meant going before the Landmarks Commission because Block 88 was an historic block; going to the Urban Design and Planning Commission; formal approvals for the subdivision of Block 88; as well as full sets of plans and bidding of documents. All of this needed to occur between now and December, the anticipated closing date.
- The next step was to identify what they agreed on and what they still needed to work on, before they were actually committed to a closing in December.
- The investor interested in doing the 1031 exchange realized they weren't

going to be close enough to get to a closing. They have identified a different property and they now had until December for the 1031 exchange.

- The City Attorney was very involved in what the documents were going to look like; but the Team was mostly relieved that they wouldn't have to worry about putting those documents in place while they were trying to put in place much more complicated and valuable things like what would the parking structure look like.

Lee responded to other questions.

- Parking staff estimated that over 17 months, they would lose ~\$2.3 million in revenue. Gov East could generate \$2.8 million, and staff estimated they could retain ~\$500K for permit parkers.

- Unfortunately the only facility that could safely accommodate them was at State Street Campus, which was over a mile away. If they weren't successful in relocating them there in substantially similar numbers, they risked losing \$275K.

- The Utility would have a reduction in expenses of about \$670K, a good portion of which was PILOT and sales tax, which directly benefited the City.

- The Utility didn't anticipate a reduction in staffing. They would simply relocate their employees to other facilities. They were holding open any vacant positions they had currently, to be able to move employees at the facility to these vacant positions rather than eliminating staff. Of course, that would be a Council decision.

- The net effect would be ~\$1.6 million over 17 months, roughly \$100K/month. That would change if they delay demolition of Gov East for a few months, and it could swing the other way if it took longer to complete the facility.

- Or if they didn't relocate the permit parkers in bulk, and these parkers chose to park at a closer facility on an hourly basis, that could create some hourly income from them. However current hourly parkers would probably park at closer facilities as well.

- If the garage were to be rebuilt without any development connected to it, it would take about year and cost about \$1 million.

- The original intent was to put some spaces below Block 88, to preserve some spaces there.

- The 200 hourly spaces at Anchor Bank would be a service to the Utility's customers, but wouldn't provide revenue to the Utility.

- If the Utility were somehow able to put some parking under Block 88 and bring that online first (as Gov East was demolished), the costs would vary.

- There would be a significant impact on the Parking Utility regardless.

Erdman addressed a question about the terms of the JDS private parking operation.

- The terms were being discussed, and would be presented to BOE.

- The current proposal by the developer was for the 1,250 spaces to look and operate like it was one structure run by the Parking Utility.

- The facility would have three card entrances, two on Doty, and one on Wilson. Parkers would take their ticket and come into the structure.

- Public parking would be up, and there would be signage directly parkers to hourly spaces.

- The private spaces would primarily be down, and there would be a second gate. Monthly parkers at ES would stick their card in at that gate, or hotel parkers would stick their card in at that gate. This would make it less likely for an hourly parker to end up in private parking spaces.

- However, hourly parkers could sometimes use some of the reserved spaces on hourly basis, for special events at night or on weekends, the ticket scanner would take note of that. But that would be at capacity. For the most part, hourly parkers would be directed to public parking whether they were monthly permit parkers with the Utility or if they were transient parkers.
- This would be one piece to avoid having the private parking compete with the transient parking which generally was more lucrative than the monthly parking.
- A second piece was the analysis of the overall economics of the transaction included a statement by the developer that everybody would pay commercially reasonable rates, whether they were in the office building or in the hotel. The City would get a fixed payment off of the private spaces = to \$115K annually vs. a participation which they had talked about before. The rest of the revenue that would come out of this was needed to support the financing on the Exact Sciences building.
- This was the financial analysis for which they were still requesting additional information.
- This flat rate of \$115K would most likely be paid to the CDA with a pass-through PILOT payment to the City to make sure this money went back to where it should be. They were working through the details, but this would probably be put into the TID, the taxing jurisdictions since it would be TIF that would be used for the structure.

When asked if JDS, the named operator, could possibly rent 250 spots to people currently on the Utility's waiting list (during the years they would have excess spaces), Erdman said the Team hadn't talked about anything that would restrict JDS from renting on a monthly basis. It was generally felt that the Utility provided mainly hourly parking at Gov East, and that they chose to continue to provide this, and there wasn't a big appetite for the monthly parkers. It was possible for JDS to park people off the waiting list.

Lee said JDS could lease a significant portion of their excess capacity esp. in the early years to people who would pay to park downtown. The Utility's concern was how to negotiate what was commercially reasonable. These were the things the Negotiating Team had to wrestle with and the BOE had to identify. The Utility charged a premium at Gov East over what they charged at other facilities. ULI across the street charged a hefty price also. There was more demand right now than supply. Whether JDS could fill their spaces or whether people would leave other facilities (inc. ULI's, etc.) to park there, he didn't know. He thought the Utility's waiting list would shrink drastically, and presumably some of those on the list were probably now hourly parkers. 72-75% of their current customers at Gov East parked for three hours or less. Approx. 10% of hourly parkers stayed eight hours or longer.

Bergamini mentioned how Gov East served many different buildings and org's in the area, inc. the City and County, the courts, and private businesses; and wondered if any data was available about the destinations for short-term parkers at GE. Lee said that a survey was done years ago, but they didn't have any updated info. Bergamini observed that this was a social equity issue, in that parking was critically important for people who needed to access government offices for various purposes as well as to be able to attend community events and enjoy downtown retail and entertainment. She was concerned about the differential impact of this reconstruction and its

timing/phasing, as well as the kind of pricing they would eventually have to talk about.

When asked, Lee said a couple of locations for a Bike Center had been discussed. Erdman said a previous study conducted by Kimley-Horn and a consultant had recommended ~3,000 sf for this, and listed a number of things that could happen there. Currently, this was "box". Neither the City nor the Utility had an interest in running that Bike Center. Right now, the idea was that they would create the space and find somebody else to run it. They didn't know of anyone who was interested.

As far as being run as one structure, Erdman and Lee said the Parking Utility would be on-site to maintain their portion and JDS would be responsible for maintaining theirs. However, there would be one set of card access systems, and the controls and the entrance/exit systems would all be centralized and run by the Utility. With the public portion on top of the private portion, the Team had discussed including some language in the lease about regular structural inspections. Technically, the CDA was building the structure. They were contemplating a construction administration contract with JDS, who would do the construction administration. But the City would hire an independent consultant advisor to oversee the plans and the actual construction of the deck, to make sure the garage was designed and constructed properly, and the Utility would participate in the review of the construction documents.

Bergamini asked staff to contact the Commission if they felt a need to hold a special meeting before 9/16. [Please note: Schmidt left at this point in the meeting, at 7:05 PM.]

H.2. [39583](#)

Accessible Taxi Services - TPC 08.12.15

Bergamini referred to the two documents distributed to members (attached). Before reviewing and accepting the report, members felt it would be helpful to hear recommendations from ADATS. A motion was made by Golden, seconded by Kovich, to Refer to the ADA TRANSIT SUBCOMMITTEE TO THE TRANSIT AND PARKING COMM. The motion passed by voice vote/other.

H.3. [39585](#)

Metro: Summary of the 2014 Metro Transit System Audit, presented by Jodi Dobson, Baker-Tilly - TPC 08.12.15

Jodi Dobson, Partner at Baker Tilly, summarized the 2014 Metro Audit. (Presentation document attached.)

- Overall Results: Metro received an unmodified or clean opinion, the highest level of assurance that Financials were presented fairly, thanks to Metro staff.
- Pages 3-21 provided a nice overview of operations, in plain language.
- Compliance testing in the City's single audit report produced no transit related findings, which was very positive.
- No issues were anticipated with the NTD certification.
- Ridership: The trend showed continued growth, hitting a record high of 15 million in 2014.
- Revenues: The 5-year trend showed revenues increasing, with a 4.5% increase between 2013 and 2014, driven by ridership increase and consistent with the increase in expenses.
- City aid increased significantly in 2014, while the State and Federal aid

showed minor increases.

- Looking at revenue %'s, many components stayed stable from year to year, exc. for the shift in City aid from 20 to 22% and State aid from 31 to 29%.
- Expenses: Showing a similar picture, with a 4% increase year over year, with the most significant increase in parts and fuel under Material and Supplies. Employee comp and benefits increased just 3% between 2013-14, and was 72% of total expenses, consistent with 2013 and similar org's (being a labor-intensive operation.)
- Contingency reserves: The Management Analysis highlighted the build-up of these. It was commendable that Metro had a policy as to what these should be and how they should be used.
- The auditors looked at financial processes and procedures in order to properly design their review and focus their testing. With smaller org's, they would frequently find control deficiencies because they didn't have enough staff to properly segregate duties. They had nothing like this to report for Metro.
- However, the auditors often had recommendations for continual improvements. For Metro, these included timely preparation of invoices on some contracts, reviewing journal entries, and documenting procedures that happened only once a year.
- Management was in agreement with these, and it was just a matter of working through the timing and filling vacant positions to able to document those processes.

When asked how urgent or critical these recommendations were, Dobson said they didn't feel these items would result in a material misstatement in the Financials or numbers being off such that the TPC would be misled by them. However, these improvements would enhance efficiencies and cash flow. Documenting processes helps when org's have turnover and new employees.

Dobson provided the Required Communications to the TPC, the governing body.

- The responsibilities of Management and the Auditor were outlined.
- No new accounting standards were applicable to 2014; and no new or unique transactions needed to be brought to their attention.
- Very consistent and reasonable methodology was used for key estimates in post employment benefits and accrued sick leave.
- The auditors had no difficulties or disagreement with Management to report.

Re: the recommendations, Kovich thought that setting priorities, goals and timeframes could be helpful. Dobson said she would leave that to Management, given the many different priorities they had. Kamp mentioned that some of the vacancies were of a confidential nature, which had limited their ability to deal with them in a timeframe they could control. Some of that had improved recently, and Finance was working to fill vacancies.

Block noted that timeliness in billing in previous years was associated with staffing and changeover in staffing. This year, the biggest issue was associated with the MA Waiver program, where Metro had a contract with the County, whereby Metro billed them a monthly amount based on the original contract even though the total amount for the year is based on total service provided. They knew that throughout the year they were providing more service, but they were restricted by the contract to bill only the monthly amount. At the end of

the year, they issued a final bill to bring them up to the total amount due. This year, that was a huge number. Part of the recommendation was to look at that contract process to maybe not allow the County to withhold that money throughout the entire year. It wasn't until February that they were able to process a final bill for a half million dollars. At this point, it was a contract issue that could probably use some work with Finance and in negotiations with the County.

Dobson added that even if Metro were not able to change the contract this year, they might look at how to proactively look at this in the future and how might affect other contracts. Block said the contract was based on the prior year's experience, and once again ridership was up significantly. As a result, they were currently experiencing a deficit between what they would be charging if the amount were based on actual ridership vs. what Metro was billing them. Golden suggested that Metro might discover they had a bit more leverage than they thought if they checked the State audit guides for waiver programs, which a few years ago, wouldn't allow this. The contract may be inappropriate. Block said that part of their agreement was to look at the contract and modify it to make it more advantageous.

Bergamini thanked Dobson for her work and presentation. [Please note: Lloyd left at this point in the meeting, at 7:25 PM.]

- H.4. [39586](#) Metro: Update on citizen report of broken emergency exit on bus - TPC 08.12.15

Bergamini said this item was on the agenda because the original complaint had been brought to the TPC, and staff said they would report back to the group about it. Kamp reported that the hatch was fixed and they were reviewing their processes.

**I. REPORTS OF OTHER COMMITTEES - for information only; no action required.
(Most recent meeting minutes electronically attached, if available)**

[07828](#) ADA Transit Subcommittee
Contracted Service Oversight Subcommittee
Parking Council for People with Disabilities
Long-Range Transportation Planning Commission
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) - None.

- J.2. Commission member items for future agendas

Golden, who chaired the Transportation Subcommittee for the County, mentioned that they would be holding five listening sessions concerning transit starting 8/22. They would be held in various locations along five main corridors, and would address the role of the County in transit. The

Subcommittee would be reporting and making recommendations to the County in time for their budget process. Bergamini urged members to review the draft TDP that had been sent to them, follow the money and make their suggestions. Also, the UW was engaged in their master planning process, which included their Transportation Plan, and had a website showing dates of public hearings in September and soliciting comments.

ADJOURNMENT

A motion was made by Bigelow, seconded by Tolmie, to Adjourn at 7:28 PM. The motion passed by voice vote/other.