



# City of Madison

## Meeting Minutes - Final

### TRANSIT AND PARKING COMMISSION

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

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Tuesday, March 8, 2005

5:00 PM

215 MLKJ BLVD RM 260 (MMB)  
(After 6 pm, use Doty St. entrance.)

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#### A. CALL TO ORDER

**Present:** Ald. Kenneth Golden, Ald. Robbie Webber, Carl D. Durocher, L. Jesse Kaysen, Chris R. Carlsen, Gary T. Dilweg and Diane L. Paoni

**Absent:** Ald. Brenda K. Konkel and Kenneth M. Streit

**Excused:** Tim Wong and Kevin L. Hoag

Tim Wong arrived at 5:15 (advance notification he would be late); Ald. Konkel arrived at 5:20; Ken Streit (2nd Alt.) arrived at 6:00; Kevin Hoag was absent (advance notification)

#### B. APPROVAL OF MINUTES - 2/8/05

A motion was made by Kaysen, seconded by Carlsen, to Approve the Minutes. The motion passed by acclamation.

#### C. PUBLIC COMMENT

*None*

#### D. NEW BUSINESS ITEMS

D.1. [00665](#) Relating to 2005-2006 Paratransit Licensing.

**Sponsors:** Kenneth Golden

A motion was made by Ald. Golden, seconded by Ald. Webber, to Refer for Introduction to the COMMON COUNCIL. The motion passed by acclamation.

Durocher noted that this is the annual license renewal item for the taxicab companies. Representatives from each of the five taxi companies were present to answer questions, as was Bill Knobloch of the City Transportation Department.

Members first heard from the registered speaker.

Michael Berliner, P. O. Box 1415, Madison

- Noted the valuable service that taxis provide in transporting people and packages.
- Since June 1998, he has experienced a problem with being awakened by taxi drivers honking their horns. People who work different shifts be able to live in peace & quiet, without blaring horns.
- Other services conduct their business without using horns (food delivery, UPS, delivery services, etc.)
- Taxis pick up passengers at other locations without blowing their horns (e.g., hospitals, hotels, etc.)
- He has talked to drivers outside his apartment and has called the dispatcher as well as Badger Cab owner Tom Melms. He has also contacted his alder and the Mayor. His alder advised him to contact Bill Knobloch, which he did.
- Response from dispatcher was that they couldn't control the drivers and it wouldn't do any good to talk to the drivers since there's a high rate of turn-over. Dispatcher said they could post a sign reminding drivers not to use their horns.
- Possible solutions: Ask drivers to get out of their vehicle and ring the doorbell to let riders know they are there. Have the driver call the customer's home. Have the driver radio the dispatcher and have the dispatcher call the customer's home.
- If reduce use of horns to only emergency or safety reasons, would make Madison a more desirable place to live.

Members thanked Mr. Berliner for his comments.

Kaysen wanted to know how Badger Cab insures that its drivers are not working longer than 12 hours. Tom Royston, Badger Cab General Manager, stated that the drivers have an 8-, 10- or 12-hour shift. The drivers lease their vehicle from Badger. Drivers are allowed no more than ten minutes beyond their shift before being charged for the vehicle. There is usually another driver waiting for the vehicle. The drivers also punch a timeclock at the end of their shift and their log is time-stamped.

Kaysen asked for clarification of the remark in the staff report re: Badger Cab paying the licensing fee for two accessible vehicles. Mr. Royston advised that while Badger does not offer an accessible cab, it did make an anonymous donation to Union Cab for licensing their cabs.

Webber referenced the proposed ordinance change re: DUIs and asked whether Badger has a policy re: drivers who receive a DUI while they are employed at Badger. Mr. Royston noted that a driver's DUI conviction could impact Badger's insurance and the driver would be dropped, or the Madison Police Dept. could revoke the permit, although it's been quite a few years since that has happened. He agreed with the condition that three DUIs within a 10-year period would prohibit someone from getting a driver's permit. In fact, he felt it could be even stricter. He was not aware of anyone being drunk while driving a taxi. Badger has a random drug and alcohol testing program and always tests drivers after an

accident. He clarified that Badger will not automatically terminate a driver who is charged with DUI while off-duty, it depends on the insurance company. Webber asked what their current policy is regarding DUIs, and Mr. Royston stated that there is no hard and fast policy.

Golden asked whether Badger performs criminal background checks on drivers, and Mr. Royston stated they use CCAP. Golden was especially concerned about the drivers transporting Metro paratransit customers. Mr. Royston pointed out that the MPD decides who can get a permit. But if he sees someone with a long criminal history, he tells the person that the MPD will not issue them a permit. He acknowledged that the Metro paratransit riders are an extremely vulnerable population, and Badger is working on ways to tighten up driver eligibility.

Durocher referenced the potential ordinance change to establish a standard increment for mileage and waiting time. He was curious as to Badger's position on this, even though it wouldn't affect them. Mr. Royston remarked that he would like to see as little confusion as possible when it comes to rates and would like to see mileage increments the same for all companies although each company could charge what they wanted for each increment. He felt standard increments would be helpful for customers.

Golden asked Mr. Royston to comment on Mr. Berliner's horn complaint. Mr. Royston admitted that drivers sometimes forget that not everyone is on the same schedule and that many people sleep during the day. He receives horn complaints on occasion and tries to address them. Badger has put up notices and the dispatcher tells drivers to go into building rather than use their horns. Mr. Royston pointed out that Badger transports over half a million passengers and he gets very few complaints about horns. Referencing Mr. Berliner's suggestions, Mr. Royston noted that it's not always possible for the dispatcher to get the phone number of a passenger or to have time to call the passenger back to let them know the cab is there. He did like the idea of having drivers carry a cell phone so that they could call the passenger (when a phone number is available). Mr. Royston indicated that Badger will continue to work on addressing Mr. Berliner's complaints and will try to work with the individual drivers. He acknowledged that it is a problem but not a huge issue when you look at the number of taxi calls in a year. Golden asked that Badger monitor the issue for next year's report. Carlsen asked why horns are not used in hospital zones, and Mr. Royston thought there was an ordinance prohibiting it. Carlsen suggested adding apartment buildings to the list. Webber indicated there's a State law that you can't use a vehicle horn except in emergencies.

Bill Knobloch wished to reply to Mr. Berliner's complaint. He advised that there is a State statute, adopted by the City, that prohibits the unnecessary use of horns. But enforcement is the problem. Sgt. Emil Quast of the Madison Police Department was present and indicated that he did issue a noise citation to a cab company about 20 years ago. Knobloch pointed out that many passengers use a pay phone to call for a taxi, so it's not possible for the dispatcher or the driver to call them to let them know the taxi has arrived.

Wong noted that Wilson Street is a designated bike route and asked whether Badger could instruct its drivers to not use Wilson Street as a cut-through and speedway. Mr. Royston noted that Badger's office and fuel tank are on Wilson Street and cabs heading east will probably stay on Wilson until they get to

Baldwin. He asked Wong to call in with the cab number and drivers will be dealt with individually. Wong noted that there's also a problem with taxi drivers not looking for bicyclists when they come out of the fueling station. He asked that Badger put up a stop or yield sign, and Mr. Royston indicated they could do that.

Webber wanted to know what the other taxi companies thought about the proposed DUI policy. Karl Schulte, Union Cab General Manager, stated that a person with two or three convictions within ten years would not be hired at Union; one conviction within the past seven years might mean the person wouldn't be hired. Once a person is hired and they then have a DUI conviction, Union generally follows the judge's recommendation, i.e., if the person is allowed an occupational license, they can continue to drive for Union. The decision comes down to Union, the insurance company, and the MPD. Mr. Schulte stated that not very many Union drivers have been convicted of DUI so he doesn't have a lot of experience with it.

Durocher asked how Union felt about the proposed no-load fee. Is it a common problem, and how does Union deal with it now? Mr. Schulte stated that sometimes the person is at the pick-up site but no longer wants a ride, or is waiting for a different taxi. Union could tag the caller's phone number and try to collect the fee later. Union currently has a no-load fee, but there's no ordinance authority behind it. Paoni asked whether the no-load caller is charged the fare to the destination they had given to the dispatcher. Mr. Schulte replied no, the no-load fee is a standard, nominal fee.

Rick Nesvacil, Madison Taxi Manager, stated that Madison Taxi's DUI policy is one conviction within five years. Sometimes if a former employee comes back, Madison Taxi may look at that person's situation differently. The insurance company response makes a difference, as well as the MPD.

Durocher noted that Laidlaw provides a variety of services but is not a call-on-demand service. Mike Honer, representing Laidlaw Transit Services, acknowledged that Laidlaw is not a "regular" taxi service. Their contract with Madison Metro requires them to maintain a City-issued taxi license. If it wasn't a requirement of their contract, they would not apply for a license.

Knobeloch reviewed the Conclusions and Recommendations portion of the staff report. Staff recommended that all the taxi companies be relicensed. They do a good job and have very few complaints, especially in view of the number of rides provided. The accessible taxi service is working on a voluntary basis. Union Cab provided 261 accessible rides in November 2004, proving there is a high demand for the service. It works well to have only one company offering the rides, and Union uses it as a sales tool. The Common Council adopted a resolution encouraging people to use carriers that provide accessible service. Madison Taxi has indicated they may provide accessible service since some of their accounts are requesting it. The system is working well and should continue as is for now, and there's no need to collect a fee from the other carriers to help support Union's service. The ordinance contains a sunrise clause if the voluntary program ceases to work.

Traffic Engineering and MPD staff recommended 11 changes to the ordinance.  
(1) Change the operating license term from one to two years. The annual renewal takes up a lot of staff resources and there's no need to do it that often. Staff will

continue to review operating statistics on an annual basis.

- (2) Change the driver's permit term from one to two years. MPD would still review the permits each year and do background checks. The fee would be reduced from \$25/year to \$45/two years.
- (3) Currently, all permits expire on the same day. The recommendation is for a staggered system.
- (4) Allow the MPD to invoice the taxi companies for the driver's permits. Invoices would be issued once a month. It was noted that some drivers pay individually, while others have the company pay. The taxi companies are okay with being invoiced.
- (5) Change the criteria to prohibit permits for drivers who are on probation or parole for certain felony crimes against persons or are a registered sex offender. Convictions for other crimes would be decided on a case-by-case basis.
- (6) Change the criteria to prohibit permits for drivers who have three DUI convictions within a 10-year period. Existing drivers with three convictions would be grandfathered in.
- (7) Allow taxi companies to refuse service in bad weather when non-emergency vehicles should not be on the road. Madison Metro has pulled its buses from the streets twice in the past ten years, and the change would allow taxis to suspend service when Madison Metro suspends service.
- (8) Allow taxi companies to charge a cleaning fee for customers who soil a cab. Right now, all of the companies have a fee on the books but there's no legal authority to enforce it. The fee is \$50 to cover the cleaning (doesn't include the time that the cab is out of service). Authority for the fee is long overdue.
- (9) Create a no-load fee. Currently, a cab doesn't have to provide service to someone who has called more than one cab. With a no-load fee, the customer might pay the fee to one cab and ride in the other. The fee would be the drop or first increment charge.
- (10) Allow MPD to prohibit cabs on State Street during certain events, such as Halloween. Taxi companies are not in favor of this. The MPD would call the companies ahead of time and tell them that drivers have to pick up fares at the corner.
- (11) Allow taxi companies to charge a premium (1.5 times the regular fare) when a customer requests a vehicle for six or more passengers.

The above changes are the ones recommended by staff. Knobloch noted that staff did not recommend having a standard mileage and waiting time increment. He has not received any complaints about not having a standard increment.

Paoni asked whether the DUI convictions impact whether someone can have a CDL. Knobloch advised that a CDL is required for a vehicle with 14 or more passengers.

Referencing the premium fee for a large vehicle, Paoni questioned what would happen if a rider requested an accessible taxi but the only accessible vehicle was a large one - would they be charged the premium fare? Knobloch stated that if the customer does not request a large vehicle, they don't have to pay for it. He also pointed out that the accessible vehicles only carry 5 passengers. Paoni asked that language be added to exempt accessible vehicles. She wanted to insure that a rider requesting an accessible vehicle would not be charged 1.5 times the regular fare simply because the only accessible vehicle available was a large one. Knobloch advised that the ordinance language will come back to the TPC for input.

As far as the no-load fee, Paoni asked what would happen if someone called for a taxi, waited a long time without the cab arriving, and then called another taxi company. Would the person be charged a no load fee? Knobloch indicated that it's an issue of reasonableness. There's no language as to how much time a taxi has to pick up a customer, but such language could be added. Hopefully, a customer would call back the first company and tell them that a second taxi company had been called.

Kaysen suggested that the provision re: removing taxis from State Street be linked to Madison Metro, i.e., taxis could be removed when buses are removed. Sgt. Quast noted that buses are detoured ahead of time. Debo noted that the bus detours are usually dealt with through the street use permit process. Konkel suggested that the prohibition of taxis on State Street be tied to the glass bottle ban or something like that.

Referencing the proposal to invoice companies for the driver permits, Kaysen was concerned about putting the MPD in a situation where they don't get paid. It removes the individual operator's incentive to pay the \$25 fee. She suggested consideration be given to including a provision that if the invoice is more than 10 days past due, no additional drivers will be permitted for that company.

Kaysen asked whether the peak period multiple loading from the Dane County Regional Airport would be triggered by Clean Air Action days. Knobloch stated that currently the County and MDOT are allowed to declare peak periods, and the times are usually centered around events like students leaving/arriving during holidays. Customers are still allowed to request a single ride. A link to Clean Air Action days could be put in the ordinance.

Carlsen suggested that the company licenses and the driver permits be staggered, i.e., company licenses in even years and driver permits in odd years. Knobloch noted that MDOT does the licensing for the companies and MPD does the permitting of the drivers, so staggering would not really make a difference. But Carlsen noted that it might make a difference for the cab companies since they wouldn't have all the expenses in one year.

Konkel suggested that the City Attorney look at the language relating to felony person crimes and registered sex offenders since some of the crimes may have nothing to do with driving a cab. Perhaps instead of a blanket prohibition on all felony person crimes, narrow it to ones related to operating a cab. Knobloch stated he will discuss it with the City Attorney's office. Sgt. Quast indicated the category of felony person crimes is narrow and the MPD has used this criteria in the past. The felony person crimes are the type of offenses that show a propensity to use violence. Konkel pointed out that the prohibition against registered sex offenders might catch people where the sexual contact occurred in a relational situation and doesn't relate to driving a cab. Golden wanted to add the violations from the Vulnerable Adult Act. (Wis. Stats. Chapter 971), especially given the Metro+Plus connection. He suggested looking at the Wisconsin caregiver law in Chapter 46 which has a process for identifying violations related to contacts with people and a process for declaring a person rehabilitated. It might address Konkel's concern about a 17 year old who had sex with a 15 year old and was convicted as a sex offender. Look at that law and also talk with the City Attorney.

Regarding the licensing period, Golden suggested a one-year "probationary" license for new companies. After the initial one-year license, then go to two years . He also wanted to see a conditional approval for two years such that an existing company could be brought back after one year if it's not operating well.

Webber was happy to see the change re: three DUIs in 10 years but thought the ordinance should be even stricter on DUIs. She would like to see something added to prohibit the issuance of a permit to someone who's had a DUI conviction within the past one or two years. If someone has a recent DUI, they should not be getting a taxi permit. Also, if someone is convicted of DUI while they have a taxi permit, the permit should be immediately suspended. Knobloch advised that even with a two-year permit period, the DMV and criminal records will still be checked every year. Webber reiterated her belief that someone should not be driving a cab if they have a conviction. Knobloch noted that persons convicted of DUI often get an occupational license. He asked for a consensus from the TPC on what they wanted in the ordinance. Golden thought it would be helpful to see some kind of context, i.e., what do other Midwest cities do, and what is provided in State law. Sgt. Quast stated that in Milwaukee, persons with a felony conviction or a DUI cannot apply. He advised that the MPD revoked the taxi license of a driver charged with sexual assault; the charges were later dropped, and the driver sued the City. The state court upheld the City's right to revoke the license because the public has an expectation that the City will provide safety. Golden reiterated his desire for some type of context before making a decision. Konkell commented that the court determines whether someone gets an occupational license, and if the court makes that determination, should the City make a different determination? She suggested that the City should rely on the court's decision. Carlsen agreed with Webber that the City needs to be more strict with people who have had a DUI conviction. He felt that people get an occupational license fairly quickly. He asked what City agencies do with employees who must drive as part of their job and suggested the ordinance align itself with City policy. Knobloch stated that in Traffic Engineering and Parking, employees who get an occupational license can continue driving on the job.

Kaysen remarked that there seems to be a lot of input to staff for a draft ordinance. Dilweg raised the question: if there were no taxi rules at all and the cab companies were controlled by their insurance, would a lot of these things be covered? Knobloch stated that the insurance companies look at each driver and do disallow some drivers. Dilweg wanted to know how active the insurance companies are. Knobloch felt that the City should not allow only the taxi companies to decide who drives for them. The cab companies don't have access to all the information, for example, they can only access the Wisconsin court database. Knobloch stated that he looks at each accident report for each cab company and whether the driver was impaired. He has not seen a case in Madison where the taxi driver was impaired while on the job.

Motion by Golden/Webber to accept the staff recommendation to grant the licenses and to refer the recommendations for ordinance revisions back to staff and have staff bring back a report to the TPC; motion carried unanimously.

D.2. [00493](#)

Authorizing the Mayor and the City Clerk to enter into an agreement with RNL Design for a Building Needs Analysis Study.

**Sponsors:** Brenda K. Konkel and Kenneth Golden

A motion was made by Kaysen, seconded by Ald. Webber, to RECOMMEND TO COUNCIL TO ADOPT - REPORT OF OFFICER. The motion passed by acclamation .

Debo commented that this study has been a long time in the works and has been included in the capital budget the past two years. Metro staff went through a long process of reviewing the four excellent proposals. Staff is anxious to get started on the study.

In response to a question, Debo stated that Metro currently has 199 buses and the study will look at accommodating 237 buses, which takes into account expanded service under the Transport 2020 recommendations.

D.3. [00681](#)

Authorizing the Mayor and City Clerk to execute an agreement with Sam Van Galder USA, Inc., a Coach USA Company, that would extend an existing three-year agreement by three years for provision by Van Galder of an annual contribution of \$24,000 to Metro Transit, City transit utility, for each of the next three years to help defray the cost to Metro Transit annually for maintenance of the Dutch Mill Park & Ride lot.

**Sponsors:** Brenda K. Konkel

A motion was made by Kaysen, seconded by Carlsen, to RECOMMEND TO COUNCIL TO ADOPT - REPORT OF OFFICER. The motion passed by acclamation .

Paoni noted that the annual contribution remains the same for each year of the three-year extension and asked about an increase for inflation. Debo noted that VanGalder made it clear that there is no requirement that they make any contribution and that other providers use the lot as well. She expressed her thanks to VanGalder for being as helpful as they have been. The agreement is reasonable for VanGalder and helps reduce Metro's contribution to the maintenance expenses. Debo expressed interest in pursuing similar discussions with one or more other providers who use the lot, such as Badger Bus.

Debo reiterated her appreciation for the voluntary contribution by VanGalder.

D.4. [00590](#)

SUBSTITUTE - Authorizing the Parking Utility to exchange the Evergreen Parking Lot located at 1802 Monroe Street for a parking lot condominium in the proposed Monroe Commons redevelopment project.

**Sponsors:** Kenneth Golden

*Recommend adoption of substitute. (BOE considered this item before a substitute was created & recommended by the TPC.)*

A motion was made by Ald. Golden, seconded by Dilweg, to Return to Lead with the Recommendation to Approve as Substituted to the BOARD OF ESTIMATES. The motion passed by the following vote:

**Excused:** Hoag

**Aye:** Golden, Webber, Kaysen, Carlsen, Wong, Dilweg and Paoni

**No:** Konkel



**Non Voting:** Durocher and Streit

Motion by Golden/Webber to take up item D.4. out of order to accommodate the registrants; carried unanimously.

Members first heard from the registered speakers.

Audrey Highton, 609 Chapman Street, representing the Dudgeon-Monroe Neighborhood Association and Chair of the DMNA working group for Monroe Commons

- Initial neighborhood concerns were forwarded to City Transportation staff and to the developer.
- Outcome of several meetings is that there is a mechanism in place to monitor traffic and transportation problems both during construction and afterwards.
- Looks forward to protected underground parking.
- Believes that the neighborhoods can work effectively with the MPD to monitor usage from a safety standpoint.
- Reassured by the anticipated traffic island in front of Monroe Commons that ped safety in crossing Monroe Street will be enhanced.
- Neighborhood involvement in the design of the Spooner side plaza will improve safety for Randall School students, as will speed bumps on West Lawn.
- Neighborhood's concerns have been considered by the developer and the discussions have provided a forum to make the transition from construction to completion as smooth as possible.

Carol Schroeder, 1909 West Lawn Avenue, representing the Monroe Street Merchants Association

- The Merchants Association is excited about the Monroe Commons project.
- Project will gain back the private parking that was lost with the closing of the Ken Kopp's store.
- The Evergreen Lot will be replaced with a compromise worked out between the developer and the neighborhood, including considerable input from the merchants.
- Felt that the developer listened to the merchants.
- Parking is key to the success of a commercial district.
- Hopes that the project moves forward.

Konkel asked about the location of the metered stalls. Ms. Schroeder indicated that the metered parking will be moved from the Evergreen Lot on the east end of the site to the west side, near the grocery store. The underground parking will be free, making it desirable. Originally the metered parking was going to be underground and the surface lot next to the grocery would be free, but this new plan puts the two parking locations on a more even basis. Konkel asked whether the merchants think there's enough parking and that the public will be able to find it. Ms. Schroeder did not think there would be any problem with finding the parking, and there will be signing. She felt there will be some "sharing" of parking, i.e., parkers will visit both the grocery store and nearby businesses.

Bryce Armstrong, 1105 Lowell Street, registered in support and was available to answer questions.

Greg Collins, 2 East Mifflin Street, representing Monroe Neighbors LLC, registered in support and was available to answer questions.

Motion by Golden/Dilweg to approve the resolution.

Golden felt this should be an easy decision for the TPC. The Parking Utility is getting more than what it has now, at no additional cost. The surface lot is losing money every year and is subject to the weather. The new parking stalls will be covered. The parking is in a choice location in the heart of the business district, which may result in increased utilization of the parking and thus increased revenues for the PU. The narrow aspect of the exchange should be easy to decide - it's a win/win situation for the neighborhood, the business district, the developer and the PU. Carlsen noted the structure has two disabled stalls and asked what the entrance height will be. Golden said that this is dictated by ordinance.

Konkel asked whether the PU analyzed the fiscal impact of the exchange. Knobloch indicated that the PU anticipates occupancy will go up. The rate in the lot is 30 cents/hour, but he did not know whether the rate would stay the same. As far as maintenance costs, the agreement limits the City's obligation to the seven-year average for maintenance of the Evergreen Lot (\$8,600), plus an annual 3% inflation increase. The PU won't spend any more on the new parking than what it spends on the lot. Indirect costs such as staff time will be the same. The parking will be enforced 24 hours/day, as is the Evergreen Lot.

Wong asked about bike parking in the new facility, and Knobloch replied there will be ample bike parking. In response to Wong's question about the TIF contribution, Don Marx of City Real Estate stated that the total TIF for the project is \$2,322,000.

Kaysen asked whether the PU will be able to put up ads on the walls in the Public Parking Unit, but Knobloch advised that the PU will not own the walls.

Kaysen asked why the agreement refers to the City instead of the Parking Utility. Anne Zellhoefer, Assistant City Attorney, stated that the PU does not have legal authority to own property.

At the request of staff, Golden offered an amendment to his motion, seconded by Kaysen, to revise item #9, Maintenance, by deleting the word "capital" from the phrase "repairs and replacements."

Konkel asked whether additional public parking is addressed in this resolution. The PU is exchanging 24 metered surface lot stalls for 24 metered stalls in the new facility, but where will the free public parking be located? Marx advised that there will be 38 stalls below ground for the grocery store. Konkel wanted to know if there's any guarantee that these stalls will remain available to the public. Marx thought that might be covered in the land use approval process. Golden interjected that the other parking is not on the table; the issue for the TPC is the exchange of the 24 spaces. However, Konkel noted that the businesses are counting on those other spaces. The PU was basically exchanging its existing 24 public stalls for 24 grocery store stalls, and she wanted to make sure there was other public parking. Marx was not aware of what conditions are included to insure that these remain public stalls. Konkel reiterated that these stalls are an important part of the exchange because they are an important element of the parking scheme.

Paoni wanted to know what the City will end up owning, and for how long. Marx

replied that the City will own a "cube of space forever" or until the building is sold . Attorney Zellhoefer indicated that the City has fee title.

Konkel referenced the earlier comment about ads on the walls. The agreement does mention that the PU can install signs. Marx indicated this referred to parking informational signs, and Konkel suggested that the language be cleared up to reflect this.

Motion carried, with Konkel voting no.

D.5. [00710](#) Discussion: 2006 Transit budget

Debo directed attention to the Revenue & Expense Projection chart (through 2007 ). She stated that it's used as a planning tool and has been provided to the TPC twice in the past as part of the past two Strategic Plans and twice in the past two financial audits. She referenced the footnote re: the estimated deficits for 2006 and 2007. The projected 2006 deficit is \$1,180,600, and Debo emphasized that expenses continue to grow by about 3% each year, or about \$1.2 million. The largest revenue source is the State, and transit funding has been frozen at the 2003 level. The Governor has proposed a 2% increase in the next biennium (2006 & 2007), but Debo did not expect the legislature to pass this given the State budget problems. A limited amount of Federal funding is available for capital maintenance. Metro's contracting partners and the City of Madison also have limited funds.

The deficit minus projected identified additional revenues leaves a shortfall of just under \$700,000. Debo presented four options for filling the gap: fare increase, additional revenues from shelter advertising, service reductions/ efficiencies, and a change in how the City pays for transit service. She would like to take a long-term approach to fixing the budget problem since expenses will continue to increase \$1.2 million+ each year. Debo strongly supported pursuing discussions with the City on changing its budget allocation. Metro's costs go up each year, including labor costs. She would like to put all municipalities on the same level for billing, i.e., each municipality pays for its level of service. This would make a huge difference to Metro's budget for the long term.

Wong wanted to know how much would be generated by a 2% increase in State funding, and Debo replied about \$280,000.

Another option for consideration is to establish an automatic fare increase each year. This would provide a mechanism to help cover the growth in expenses. Fares would eventually increase at the same rate as expenses. This would help address the long-term budget needs and is an idea for TPC discussion.

Debo noted that she will have a better idea of the deficit as Metro gets into the budget process and staff can then prepare a package of efficiencies for TPC discussion to further close the gap if necessary. She had included a proposed schedule in her memo. She suggested having fare discussions at the next two regular TPC meetings, then hold a public hearing on June 13, take action at the regular meeting on June 14, and implement the changes in July or August. In the past, fare changes have occurred at the beginning of the year. But now most of the revenue is coming from ride pass agreements that tend to follow a school semester timing schedule. MMSD supplementary school service also follows a semester pattern. She would like the TPC to consider this during the fare discussions.

Webber referenced the statements in Debo's memo re: putting all the cities on an equal footing and that the City doesn't recognize the intrinsic connection between the increasing cost of providing service in the City and the necessity to pass along those increased costs to the City for providing the service. Debo explained that Metro has contracts with all its partners. Metro receives Federal funding for the urbanized area and it is applied to the partners on a formula basis. But Madison is not treated the same. Madison has not increased its contribution for many years (except for last year), and the City lags behind in terms of funding the service level it receives. Debo would like to talk with the City about a cost

allocation approach identical to the other partners wherein the City would be billed for cost increases based on the level of service it receives. She felt it would be worthwhile to pursue this discussion. Debo advised that Metro acts as a regional transit authority in terms of its allocating costs on a formulaic basis and billing the other partners, except for the City.

Webber asked if there's an estimate of the additional revenues that would be generated by leasing space at the transfer points and park-and-ride lots for concessions. Debo replied that this is part of the Strategic Plan and Julie Maryott-Walsh will bring a plan forward later this year. Webber felt that leasing space to vendors could bring in a good chunk of money.

Webber wondered whether the ride pass agreements represent a more stable source of revenue and should be expanded. Would it help financially if there were more contracts? Debo stated that Metro is in discussions with Meriter, and she hoped to have the agreement for City employees implemented in July. She pointed out that when the agreements are first negotiated, the minimum amount is based on what the employees are currently contributing to the transit system through cash, passes and tickets. Webber asked how that is determined, and Debo replied through a substantial survey. The survey is the basis for contract negotiation. The not-to-exceed amount anticipates a certain level of ridership growth. As far as whether the agreements bring in something that the system currently doesn't have, that is true for the older agreements. But Debo didn't anticipate immediately seeing substantial revenue or ridership increases from the new agreements. However, the fare information that will come to the TPC beginning next month will include a mechanism to increase the rate per trip on a regular basis. Debo clarified that over a period of time, she does expect to see ridership and revenue growth from a ride pass agreement, but it takes a while.

Wong wanted to know how much revenue would be added if the City's contribution was based on service provided. Debo wasn't sure but estimated the additional revenue would be in the \$200,000 range. In response to Wong's question, Debo stated the proposed 2% increase in State transit funding is what the Governor proposed. She advised that the Wisconsin Urban and Rural Transit Association (WURTA) requested increases of 3% and 5% in the biennium budget and contacted the Governor's office to get support for more revenue. However, Debo felt it unlikely the legislature will support even the 2% increase. Wong expressed optimism that the legislature would not freeze transit funding again. He calculated that a 2% increase in State funding would bring in an additional \$ 303,000 and a fare increase would not be necessary for 2006.

Wong expressed concern about another fare increase because Metro will lose choice riders. He felt Metro and the TPC should do whatever they can to avoid raising fares. Debo recognized the concerns about a fare increase. However, Metro riders have made it clear that they would rather pay more than see cuts in service, so she thought it better to focus on fares first and then if there is still a budget hole at the end of the year, look at reducing service. Fare increases would be the beginning of the discussion to help Metro successfully address what's going on this year and hopefully establish a means for addressing the annual budget problems. The 3% increase in expenses will go up each year. Kaysen remarked that if Metro has a programmed fare increase, there should be an increase in the tariff on unlimited ride passes, and Debo indicated that rate increases for such pass programs are part of it. As was discussed conceptually

last year, Debo would like to incorporate the unlimited ride pass rate in the tariff and will include that in the proposal she brings to the TPC. Kaysen asked Debo if she anticipated an increase in the base fare, the discounted fare, or both. Debo stated the fare proposal will probably be an increase across the board to generate revenues for this year and future years.

Paoni asked whether the unlimited ride pass agreements that are currently in negotiation will be put on hold until the fare structure is decided. Debo replied no. The rate for the City employees agreement was given to the City last year so it could be included in the City's 2005 budget. Talks with Meriter are just beginning. The contracts with partners have varying lengths, and three are coming up this year. This will be addressed in the fare proposal brought to the TPC.

Paoni referenced the Fixed Guideway funding, and Debo indicated that is a capital budget item. The capital budget is also tight and is reflective of the problems with the Federal budget for transportation programs; the reauthorization bill has been lagging for two years. Also, Metro has to compete with all state transit systems, and there's more demand than there is money. Metro has been fortunate in recent years to get ITS funding but that won't last forever. Wong asked about the federal funding mechanism. Debo explained that federal funding uses a formula for transit assistance for capital items. The capital grant may be used for capital maintenance but there are rules as to what it can be used for. Metro has used the maximum amount available under formula assistance for capital maintenance - the amount that can be applied against annual operations costs.

Wong brought up the issue of the parking facility tax-exempt bonds. They're coming due and there was talk about maybe renegotiating them as taxable bonds for a higher rate that would allow us to do something more with the revenue than just restrict it to Parking Utility functions. He wondered if anyone knew when those bonds are being renegotiated and to what extent we could capture some of that money if we were using taxable bonds instead of tax-exempt. Wong framed his question as that supposedly the bond that is paying for the structures is tax-exempt and therefore written into it is a requirement that all money it generates goes back to the Parking Utility. His understanding is that if the bonds were not tax-exempt, the City has more leeway on what to do with Parking Utility revenue. Durocher felt it would be purely speculative if anyone at the meeting tried to answer the question whether there's a way to tie in Parking Utility revenue with the Transit Utility's budget. Kaysen commented that there's another way of thinking about the answer to that: are we the "City" Transit and Parking Commission, or are we the Transit Board? Does it become a conflict of interest for the TPC to consider the question of how the City would come up with the additional amount that Metro would bill the City? Debo felt it would certainly be worthwhile and appropriate for the Transit and Parking Commission to consider Wong's suggestion. After all, it would be odd indeed if the TPC did not allow some transit issues to be considered in a parking discussion, and some parking issues to be considered in a transit discussion. Hopefully we have a more global view of this thing. Durocher noted that the TPC is the Board of Directors for both of the utilities. He felt the TPC's charge is to have oversight that is to the benefit of the City in general while operating each utility to its best advantage. He thought the limitations on what we can do with Parking Utility revenues are more a consequence of municipal bonding rather than whether they're tax-exempt or not, although his comment was speculative. Another issue to consider is that for

years now, the TPC has had a precedent of authorizing donations from Parking Utility money to community events. Golden interjected that that door was nailed shut when the TPC voted to no longer provide funding for the By Youth For Youth project. Paoni asked that the bonding issue be referred to Parking staff to come back at next month's meeting. While Debo hoped to see it come forward at some time in the future, she wasn't sure that Parking staff would be able to address it within a month's time. Paoni felt the information was needed by next month in order to follow the schedule laid out in Debo's memo. Durocher stated he would follow up with David Dryer and find out whether he sees any direction to go with this.

[Dilweg left at 7:35 p.m.]

## E. OLD BUSINESS ITEMS

- E.1. [00712](#) Transit updates re: service to Verona, The American Center service expansion, ITS equipment installation, St. Marys Unlimited Ride Pass program, City of Madison Unlimited Ride Pass agreement, Meriter discussions, UW Campus Plan, UW Stadium TDM Plan, print media revenue generation, signal prioritization, policy concerning behavior on buses, ultra-low sulfur fuel in transit buses

Debo gave a brief update on various transit-related projects.

- She will be meeting with Epic and Verona soon to discuss the commuter bus service planned to begin in August; the reverse commute grant application seems to be going well.
- The American Center expanded commuter bus service started on Monday.
- The digital signs are up at the North Transfer Point and will soon be up at MATC.
- Metro refined the timing for announcements inside buses, which are now fleet-wide.
- St. Marys unlimited ride pass agreement went into effect in February.
- Beginning discussions with various parties to plan the implementation of the unlimited ride pass agreement for City employees.
- Metro is very involved in the UW Campus Plan and the UW Stadium TDM Plan.
- Julie Maryott-Walsh, Metro's Marketing Manager, will be bringing information on the print ads revenue generation to the TPC.
- Signal prioritization planning is in the works.
- She will be bringing a policy re: behavior on buses to the TPC (will be similar to policy adopted by the Madison Library).
- Buses will have low sulfur fuel in July.

## F. TRANSIT AND PARKING REPORTS

- F.1. [00707](#) Parking Report - January revenue  
Motion by Wong/Golden to approve the Parking report; carried unanimously.
- F.2. [00709](#) Transit pre-audit December financial and performance indicator reports and January performance indicators



Motion by Golden/Carlsen to accept the Transit report.

Webber mentioned that Route 38 has been so full that a second bus has been immediately following the first one. She asked whether the two buses could be offset. Debo advised that the second bus is a supplemental bus to pick up riders who could not be accommodated on the first bus. Webber noted that the 15-minute headway could be reduced to 7½ minutes if the second bus was offset. The route might gain more ridership if there was a shorter headway. She felt it would be better if one bus didn't immediately follow another. If a rider is a minute or two late, then they've missed both buses. But Debo noted that if riders are waiting for the bus and it just passes them by because it's full, they don't want to wait another 7½ minutes. She said it's fairly common to have supplemental buses in some corridors; she estimated the Jenifer St. corridor has seven supplemental buses. She directed attention to the Route Productivity Chart and the bottom line "Unknown Route & Road Buses." She stated that it's really now all road buses (supplemental buses).

Kaysen directed attention to the route productivity chart and pointed out that there are very routes operating below 60% of the system average. She felt this is an indication that staff have already found most of the efficiencies and it will be very difficult to make further service cuts to fill the budget hole.

[Ken Streit left at 7:45 p.m.]

Referencing the pre-audit 2004 financial report, Kaysen noted that overtime was slightly higher than budgeted. Debo stated that when the TPC gets the audit, members will see that overtime has gone down substantially each year and Metro has made good progress the last few years. But now Metro is running into a budget process anomaly. When Metro submits its budget, the City automatically cuts 2% from the wages because citywide, that's the standard number used for turn-over. But Metro doesn't have turn-over like that. Unlike some City agencies, Metro can't let many positions go unfilled because the bus routes have to be covered. The City has offered to drop the 2% element in the 2006 budget, and Metro plans to take them up on that. The overtime is a budgeting issue rather than a trend. Paoni asked whether part of the operating budget deficit is due to the budget anomaly that resulted in a net overage in salaries & benefits of \$174,000. Debo said probably so. Paoni asked whether it's still true that a large amount of the overtime is related to special events, and Debo replied yes. She stated that Metro is not contractually obligated to provide the special event service. In 2005, Rhythm & Booms transit service will be covered by funds from the City's rooms & meals tax. Wong wondered whether Metro's low turn-over was in itself an anomaly, and Debo noted that due to a contract change, many retirements were postponed until January 2005. Wong asked whether a regular attrition rate would result in a 2% salary savings. Debo stated it doesn't make sense from a budgetary standpoint for Metro to have its wages cut 2% in the budget. The City doesn't pay for Metro's wage increases. One of the budget objectives is to be as accurate as possible, and she plans to take up the City on its offer to stop using the 2% reduction.

Carlsen advised that the bus shelter by Hilldale was taken down in January. Debo indicated that the shelter is owned by the State. Wong noted that several bus shelters on State Street are missing, and Debo stated that is part of the State Street reconstruction project.

Motion to accept carried unanimously.

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

- G.1. [00713](#) ADA Paratransit Plan Oversight Subcommittee  
**Kaysen reported that at the 3/3/05 meeting, they discussed the possibility that Metro+Plus may no longer require subcontractors to have a taxi license and may use a different system to assure the drivers have had a background check. The three-year contracts for the subcontractors are about to expire**
- G.2. [00714](#) Contracted Service Oversight Subcommittee  
**Wong was surprised that there were minutes for the 2/24/05 meeting since there wasn't a quorum. Debo noted that the CSOS is not a policy or action committee and she simply provided updates on various transit topics.**
- G.3. [00715](#) Parking Council for People With Disabilities  
**February meeting was canceled since it fell on the same evening as the TPC meeting.**
- G.4. [00716](#) Long Range Transportation Planning Commission  
*No report (minutes were included in agenda packet)*
- G.5. [00717](#) Mid-State Street Parking and Mixed-Use Facility Evaluation Team  
**Ken Streit was no longer present to give a report. Minutes from three meetings were provided to members.**
- G.6. [00718](#) State Street Design Project Oversight Subcommittee  
*No report*
- G.7. [00719](#) Joint Southeast Campus Area Committee  
*No report*

## H. GENERAL DISCUSSION ITEMS

- H.1. General Announcements by Chair  
*None*
- H.2. Commission member items for future agenda  
*None*

## I. ADJOURNMENT

*Upon a motion by Kaysen/Golden, the meeting adjourned at 7:55 p.m., with Wong voting no.*

Informational enclosure: "Transit Irony" article, Governing magazine (Jan. 2005)