

TRANSIT AND PARKING COMMISSION COVER SHEET

AGENDA ITEM # F.1.	MEETING DATE 2/14/2006
ITEM Overture Center Meter Hoods	
ID Number FINAL	Council report back due date:
OTHER REFERRALS AND ACTIONS TAKEN TO DATE: (Asterisk indicates lead agency.)	
<p>STAFF DISCUSSION OF ITEM Overture Center needs to hood meters to provide for the convenience and safety of event producers and event attendees. Contract obligations with event producers often include an on-street or near-by parking provision. Shows attended by school children that arrive in buses require near-by parking to safeguard school children and make the loading/unloading of children efficient and convenient. In the past, Overture has been allowed to bag as many meters as they feel they need without regard to meter hooding fees or special event fees and permits. Overture has obtained permits for some events like the school bus shows but did not have permits for other events. Street use permits are obtained through the street use committee. A fee of \$50 per permit for a single day event or \$150 per permit for multiple day permits. The permit fee is not connected to the number of blocks used for an event. A ten-block event as the same fee as a 1-block event. MGO 12.1425 (4) (b) (copy attached) states "No fee shall be charged for hoods issued for those purposes enumerated in Sec. 12.1425(4)(a)2." This includes weddings and funerals.</p> <p>Parking meters removed from service to the general public can be an inconvenience to other parkers and near-by businesses. Individual business owners and business groups have complained that allowing Overture to bag on-street meters at little or no cost encourages them to bag more meters than necessary and for a longer term than necessary. This group of businesses claims that unnecessary bagging of meters negatively impacts their business.</p> <p>The Parking Utility has a meter bagging process and fee. The proposed fee is \$13 per day/meter. The intent of this fee is to encourage people that purchase these bags to use them for the fewest number of days necessary and to bag the fewest number of meters as necessary. MGO 12.1425 allows bags to be purchased for two reasons: special events and near-by construction.</p>	
<p>FISCAL IMPLICATIONS: No impact on the tax levy. The Parking Utility funds all of its costs internally by fees assessed to its customers. Ten percent of the revenue (including meter hooding fees) generated from the on-street meters will go back to the General Fund.</p>	
<p>MATERIALS PRESENTED WITH ITEM: MGO 12.1425 Copy of article from 1/15/6 WSJ concerning meter bagging Map of area that could be bagged by Overture Copy of the street use permit dtd 1/26/6 for school bus shows in February (9 shows)</p>	
<p>STAFF RECOMMENDATION: <u>For special events, staff recommends a meter hooding policy that requires bags to be purchased for all meters outside of streets that are closed for the event.</u> This would require a modification to MGO 12.1425 (4). Staff recommends no change in the meter hooding policy regarding related to construction.</p> <p>The Parking Utility and the community as a whole benefits greatly from special events. Parking Utility facilities are often used at a time of underutilization (nights & weekends) and the revenue lost due to meter hooding is often made up with revenue increases in other facilities. Unrestricted meter hooding however</p>	

leads to unnecessary hooding for terms longer than necessary. Free hooding exacerbates this problem. In Overture's case, they have both free and unrestricted hooding. Overture uses bags purchased by them and hoods meters at their own discretion. There is no involvement by the Parking Utility. The newspaper article of 1/15/6 indicates bags with enforcement dates from 1/11/6 through 1/21/6. There was no special event permit issued to the Overture Center for these dates. They paid no fee to the city or the Parking Utility for the bags or lost revenue. There was no city oversight as to the number of bags used or the length of time the meters were hooded.

Overture Center states that they bring over 1 million visitors annually to the central city with a substantial positive financial impact to certain local businesses and the Parking Utility. Overture recognizes that there is no authority to treat them differently than any other business or special event sponsor. Overture has been working with the Parking Utility to create a fair and equitable process. The policy must either exempt Overture from the rules followed by others or require them to operate under the same rules as others. Parking Utility staff feel that Overture should operate under the same rules as others and that the rules should be as follows:

Every event sponsor receiving a special event permit shall receive free of lost revenue charge (paper bags will cost \$1 each) hooding privileges for all meters on streets closed to the public due to the event. Event sponsors may receive at the posted meter hood fee (roughly the meter rate x # of hours enforced) additional hoods to facilitate their event. Street meters are not enforced on Sundays and meters bagged on Sundays would not be subject to this fee. The fee would apply to meters taken out of service for equipment required under the terms of the street use permit – such as dumpsters.

If requested, contractors will receive hoods for the in-street meters adjacent to their work site at the posted meter hood price (proposed \$13/day or \$7 ½ day). Contractor hangtags would operate with similar pricing and conditions.

The impact of this proposed new policy will be an increase in fees to the contractor or event sponsor who removes meters from use by the general public. We hope that this will encourage them to take fewer meters out of service for a shorter amount of time. This will benefit other parkers including residents and local businesses.

Besides Overture, many other event sponsors require additional paid parking to be removed other than the streets closed. Overture will generally close Henry Street right behind their building and a small section of Dayton Street. The other meters removed from service by Overture are on streets open to motorists. The street use committee must approve all street closings and streets like West Washington Avenue aren't likely candidates for street closing for Overture. Other event sponsors like Concerts on the Square, Taste of Madison and Art Fair may close the square and a few spokes, but may ask for bagged meters on unclosed streets. If this proposal were approved, these groups would need to pay the normal meter-bagging fee to hood the rest of these meters. Additional meters are often necessary because they sell all of the available space on the square to vendors or use it for patron activity.

Whatever proposal is implemented, it needs to be uniform. Choosing between worthy or unworthy groups is not an exercise the parking utility should be engaged. If a wide-open policy is approved you can expect a very long line of "me too" groups to apply for similar privileges. This list of possible event sponsors will include public and private groups, including individual private businesses. Every city agency is a potential user of an expanded policy. A poorly defined policy will promote abuse.

PREPARED BY:

SIGNED

William Knobloch, Parking Operations Mngr.

David C. Dryer, City Traffic Engineer

12.1425 TEMPORARY "NO PARKING" ZONES.

- (1) The purpose of this ordinance is to provide guidelines for the use of "No Parking" hoods and to provide a method to equitably assess the use of the metered on-street parking for events which require no parking areas in metered parking areas.
- (2) The Director of Transportation or designee may establish a temporary no parking zone on streets in the City of Madison where parking meters have been installed. Applications for establishing a no parking zone area shall be made on a form designated by the Director of Transportation and shall include a description of the purpose for which the permit is sought, the number of hours and the number of metered stalls which are to be restricted.
- (3) Upon granting the request, the Director of Transportation shall issue to the applicant the number of hoods required to post each meter included in the restricted area "No Parking". The hoods shall bear an expiration date. Placing and removing the hoods shall be the responsibility of the applicant. Hoods shall not be placed on meters more than two (2) hours before the event is scheduled unless specific authority to do so is granted by the Director of Transportation. All hoods shall be removed immediately after the event is ended and, if the street has been closed, the hoods shall be removed before the street is reopened. Hoods may not be transferred to other dates or locations nor may the dates and location specified on the hoods be altered.
- (4) (a) Hoods may be issued for the following purposes:
 - 1. Prohibit on-street parking to facilitate construction on property adjacent to the street right-of-way.
 - 2. Prohibit parking for events granted a street-use permit pursuant to Sec. 10.056 of the Madison General Ordinances and to prohibit parking for weddings and funerals.
- (b) Fees per hood will be as follows:
 - 1. The existing on-street hourly meter rate times the number of hours of proposed use plus fifty cents (\$.50) per hood. A four (4) hour minimum rate shall apply and nine (9) hour maximum rate on days shall apply.
 - 2. No fee shall be charged for hoods issued for those purposes enumerated in Sec. 12.1425(4)(a)2. of this ordinance.
 - 3. Lost and stolen hoods will be replaced at fifty cents (\$.50) per hood.
- (5) No charge for hoods will be made to prohibit parking to facilitate any street or utility work when all or a portion of such work is within the street right-of-way or to prohibit parking for any work under a City of Madison Public Works contract or to prohibit parking to provide for the uninterrupted flow of traffic around construction within the street right-of-way.
- (6) Any person who uses or permits the use of a parking meter hood which is not authorized by the Director of Transportation or who shall fail to comply with the requirements of this ordinance shall be subject to a forfeiture of not more than two hundred (\$200).
- (7) No provision of this ordinance is intended to limit the authority of the Traffic Engineer under Sec. 12.03 of the Madison General Ordinances.

(Cr. by Sub. Ord. 7651, 3-4-82)

Curses! Bagged again

So once again, you're circling the Henry Street area Downtown, looking for a parking spot, and it seems like somebody has put yellow canvas bags over half of the area's parking meters, banning parking in public spaces.

That would be the Overture Center, which has the right to bag meters at will without paying the city for lost parking revenue.

"They have been too arrogant for too long," complains Jeff Price, who owns House of Wisconsin Cheese, 107 State St. He said bagging meters makes it

Send us an SOS!

Is something wrong in your neighborhood, your city or Wisconsin? Send an SOS: justask@madison.com, 608-252-6192, or P.O. Box 8058, Madison, WI 53708.

tougher for customers to get to Downtown stores.

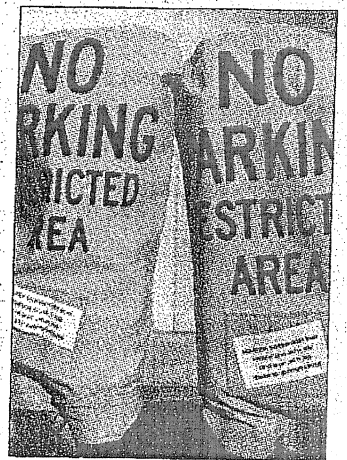
Overture bags meters for days at a time. And there's no limit to the number of meters the center

can bag, said Madison Parking Manager Bill Knobloch. The Kohl Center also bags meters, but far fewer.

Overture has bagged four meters on Henry Street from now until Jan. 21. That means motorists can't park across from the federal courthouse.

Rudy Lineau, Overture director of theater operations and facilities, says the center bags up to two dozen meters on Henry, West Johnson and West Mifflin streets

Please see SOS, Page D2



PATRICIA SIMMS - State Journal

The Overture Center regularly "bags" as many city parking meters as it needs.

"We simply have no choice because we are landlocked and have no other place to put business vehicles, and very frequently we are required to provide parking for acts that come into the Overture Center."

RUDY LINEAU
Overture Center

SOS

Continued from Page D1

and West Washington Avenue, usually for dropping off and picking up schoolchildren attending shows.

"We simply have no choice because we are landlocked and have no other place to put business vehicles, and very frequently we are required to provide parking for acts that come into the Overture Center," Lin-

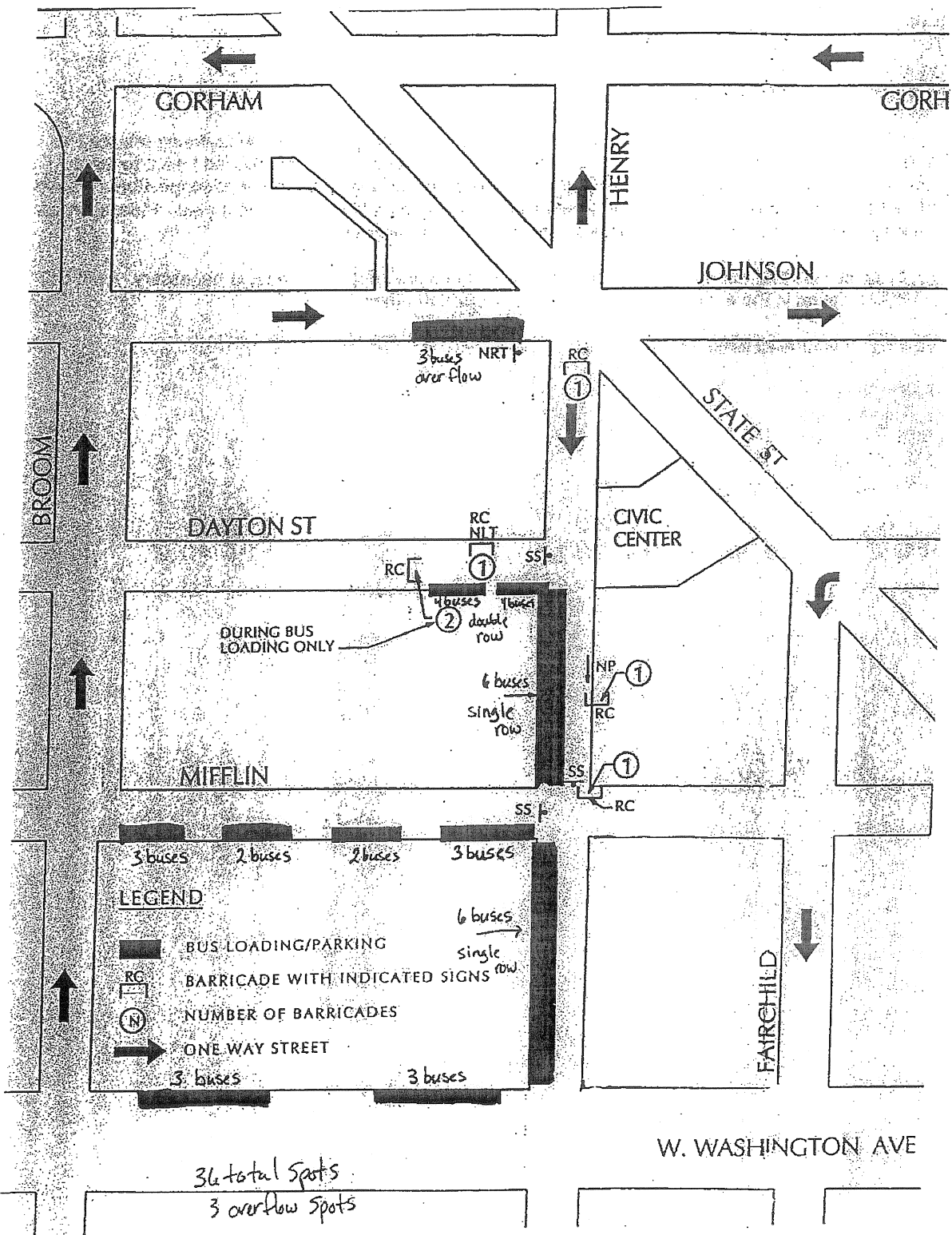
eau said.

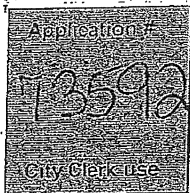
But Price points out that tour buses on the Capitol Square often drop off passengers and park at the Alliant Center.

And why can't the center bag only the number of meters needed during very limited times, instead of bagging for days or weeks?

"We are in favor of that," said the city's Knobloch.

— Patricia Simms





Capitol Square/Community Festival Events Street Use Permit Application

-----Event Organizer Information-----

Name of Group Overture Center for the Arts
 Address 201 State St
 City/State/Zip Madison WI 53703
 Contact Name Jacqueline M Goetz (Jacqueline)
 Contact Phone 258-4153 (W) _____ (H) _____
 Phone During Event 258-4177
 Fax 258-4971 E-mail address goetz@overturecenter.com

Is sponsor agency a 501(c)-3? No Yes, #ES-_____

-----Event Information-----

Name of Event School shows in Overture Hall
 Event Web Site www.overturecenter.com
 Type of Event Festival Music/Concert Rally Run/Walk
 Neighborhood Block Party Other performance (school)
 Location Capitol Square (note specific blocks/streets requested below)
 Podium/700-800 State St. (a.k.a. Library Mall)
 residential streets (note specific blocks/streets requested below)
 other (note specific blocks/streets requested below)

Street(s) & blocks requested 100-200 N Henry St
off-duty officers will direct traffic

Event Date(s) February 2006 (see Attached Event Schedule see attached)
 Rain Date _____ Set-up time _____
 Annual Event Yes No Event start time _____
 Event end time _____
 Tear-down time _____
 Estimated Attendance 2000/per show

Public Amplification No Yes, hours: _____ to _____

-----Event Organizer Signature/Verification-----

This permit is subject to all ordinances, statutes and laws appropriate in addition to all rules and regulations detailed in the permit application instructions and guidelines. Falsification of information will result in forfeiture of up to \$200 per falsified item. The person/group named in this application will be responsible for the conduct of the group and for the condition of the reserved area. This permit is subject to all Municipal Ordinances as defined by the City of Madison, in addition to all rules and regulations governing the City's Parks Division. The applicant has read the Special Events Explanation packet. The applicant has attached all of the appropriate permit applications for this event.

_____/We waive the 21-day decision requirement. _____ (please initial)

Signature

Date

1/17/06

Return the completed application and non-refundable application fee (\$50.00 for one time event/\$150 for special events) to:
 City Clerk Office
 270 Park St Blvd
 Room 103
 Madison WI 53703
 Questions? Call 258-6633

APPROVED

PARKS DIVISION 314

STREET USE PERMIT APPLICATION

Conditions and Approval

OFFICE USE ONLY	
Conditions:	
<input type="checkbox"/> Per Attached:	<input checked="" type="checkbox"/> Must maintain 16' emergency access lane
<input type="checkbox"/> Noise must be kept at reasonable levels at all times	<input checked="" type="checkbox"/> Barricades placement as per plan filed with City TE
<input type="checkbox"/> Event cannot displace licensed city vendors	<input type="checkbox"/> Call 267-8756 to arrange for meter bags and street signs.
<input type="checkbox"/> No Amplification before 12:30 p.m.	
<input type="checkbox"/> Call Sayle Street Garage, 266-4767, to arrange for pick up and return of barricades.	<input type="checkbox"/> Other:
_____ Approved _____ Denied Per MGO 10.056 Date: _____	

OFFICE USE ONLY			
Capitol Police		Parks	<i>Tom Sluff</i>
City Police	<i>Greg P. [Signature]</i>	Risk Manager	<i>K. J. [Signature]</i>
Event Coordinator	<i>K. Hamlet</i>	Streets	<i>Melvin [Signature]</i>
Fire	<i>[Signature]</i>	Transportation	
Metro			
Insurance	REQ Y N RCVD _____	SU MTG DATE	<i>1-26-06</i>

**ATTACHMENT TO STREET USE PERMIT APPLICATION
(February 2006)**

<u>DATE</u>	<u>SHOW</u>	<u>STREET CLOSED</u>
Wednesday, February 1	Danny, King/Basement	8:30 am - 11:30 am
Thursday, February 2	UW Band	8:30 am - 11:30 am
Friday, February 3	UW Band	8:30 am - 11:30 am
Monday, February 6	Gold Rush	8:30 am - 2 pm
Monday, February 13	Paco Pena	8:30 am - 11:30 am
Thursday, February 16	Heart/Suitcase	8:30 am - 11:30 am
Friday, February 17	Stinky Cheese	8:30 am - 2 pm
Monday, February 20	Peking Acrobats	8:30 am - 2 pm
Monday, February 27	Pinocchio	8:30 am - 11:30 am