City of Madison

Meeting Minutes - Final

TRANSIT AND PARKING COMMISSION

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

Thursday, September 6, 2007 | **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

Durocher called the meeting to order at 5:09 PM.

Present: Brian L. Solomon, Jed Sanborn, Carl D. Durocher, Amanda F. White, Gary Poulson, Tim Wong, Sharon L. McCabe, Kevin L. Hoag and Kenneth M. Streit

Excused: Robbie Webber and Duane F. Hinz

Solomon arrived at 5:23 PM, and Wong arrived at 5:29 PM, after the Minutes were approved.

B. APPROVAL OF MINUTES - 8/14/07 Meeting

McCabe/White moved to approve the Minutes of the 8/14/07 meeting. The motion carried unanimously.

C. PUBLIC APPEARANCES

Jamie McCarville, read a letter from the Capitol Neighborhoods Inc. Alcohol Issues Committee addressed to the Commission, which said that the Alcohol Issues Committee believed that alcohol advertising should be banned on Metro buses as a matter of public health and safety. She distributed copies of the letter and informational materials to support the Committee's position, which included a discussion of legal issues and a study related to teen drinking and advertising. [Electronic or hard copies of the letter and attachments are available by contacting TPC Recording Secretary, Anne Benishek-Clark at 267-8751.]

In response to questions, McCarville said that the Neighborhood Association would like to see alcohol treated the same way as tobacco, and would oppose any alcohol ads, not just (the more conspicuous) fully wrapped ads. The Association had been documenting crime in the downtown, which showed that alcohol was an accelerant in 80% of the crime. She added that the Association had attended several different commissions/committees to present information about this issue. Durocher noted that the two-year pilot of fully wrapped ads and related contracts were still playing out. He invited McCarville to return when the pilot program ended and the Commission would be reviewing and discussing the issue. He also noted that various groups were waiting for a written opinion from the City Attorney's office about advertising and first amendment issues.

Hoag wondered if any of the cities (listed in the letter), which currently banned alcohol advertising on their transit systems, had ever been challenged in court over this issue. With legal challenges of major concern, Hoag said he knew of only one case in California challenging such a ban where the transit system had lost. McCarville felt that a viable argument could be made that the first duty of

government was to ensure public health and safety. Hoag also noted the trade-offs involved in allowing ads on buses as a means to hold down fares. Kamp said the Neighborhood's letter and info materials had been forwarded to the City Attorney's office.

Julia Sherman, 6729 Frank Lloyd Wright, Middleton, 53562, expressed concern about alcohol ads on community buses, especially as they impacted teens and underage drinking. She cited the Snyder-Milici study (distributed by McCarville) that showed how alcohol ads influenced the amount teens drank, and said that the City needed to take steps to lessen the attractiveness of alcohol to kids.

She said that she had worked for a group, which had helped communities remove alcohol advertising from public venues, and which had structured constitutionally defensible ordinances in such places as Philadelphia. She distributed copies of sample policies from various transit systems across the country, which barred alcohol ads. [Electronic and hard copies of these policies are available by contacting TPC Recording Secretary, Anne Benishek-Clark at 267-8751.]

Sherman said that not all speech was equal; commercial speech was treated differently than political speech. She suggested that, as “managers” of the bus system, the Commission could frame a constitutionally defensible ordinance to ban certain products, because they would be acting as managers not as government censors. She noted the eye-catching size of the fully wrapped ads, which is alluring to children; even limited advertising increased the propensity for children to begin experimenting and drinking at an earlier age. As a result, she felt the City, for public health reasons, had a legitimate basis for banning alcohol ads. She felt that the commercial debate about fully wrapped ads was a separate issue.

D. TRANSIT AND PARKING REPORTS

D.1. **07442** Parking: July 2007 Revenue and August Activity Report ag09.06.07

Knobeloch noted recent meetings of the Parking Strategic Plan Committee (per enclosed Minutes). Looking at the monthly report, Knobeloch cited the following items:

· YTD revenue was up 13% vs. 2006, all due to rate increase. Budget was 5+% over actual (both for July and YTD), due to conservative model used in developing budget. Also, there were three more revenue days in July 2007 vs. July 2006.

· Actual YTD total revenues were 5.53% over budget, with the biggest percentages as follows: Gov East was 16.17% over, and Cap Sq meters were 49.72% over, and Monroe Street was 81.74% over budget.

· Actual YTD revenues vs. 2006: Gov East went up 20.78% (with 22% rate increase); Cap Sq meters went up 40.42% (with 25% rate increase); and Monroe Street area went up 116.14% (with 43% rate increase).

· Average weekday occupancies for 2006 vs. 2007 were more “apples to apples” (because rate increases no longer had to be factored in): Brayton Lot went from 88% to 85% and Buckeye Lot went from 68% to 60% (although revenues went up because of three extra days); Cap Sq North went from 53% to 49%, Gov East went from 81% to 85%, Overture went from 49% to 48%, State St Campus went from 61% to 54%, and State St Cap went from 43% to 44%.

Knobeloch discussed the question posed at the previous meeting about whether revenues generated from last year's rate increase were on target with what was supposed to happen. The rate increase was set to generate $1.132 million, Parking would have enough money to fund replacement of Gov East and other projects. To reach this goal, Parking needed to be generating $94K/month, but was actually generating $140K/month at this time. Though occupancy was still falling in some locations and this rate was not guaranteed, if it should continue, Parking would meet all its obligations including rebuilding Gov East (at $26 million). Knobeloch did not expect to see a rate increase next year, but could see an increase in 2009 and 2012.

Knobeloch distributed a handout with information about Parking's Capital Improvement Program, which included eight projects. He noted the first item, repairing current ramps, costing between $350K and $594K per year over the next six years.

He also talked about item 5, the Brayton Garage project scheduled for 2009-10: an aboveground ramp with 500 stalls, with one story under ground, rising four stories, with ability to expand vertically, costing $10 million. State would probably move their parcel over to E. Washington side of the lot and build a building there. Along with housing a year-round farmers' market (using $2.3 million budgeted by Planning and Development), the Brayton Garage would provide replacement parking before tearing down Gov East -- crucial for business. Noting that underground parking was very expensive at $50K/stall (vs. $20K/stall above ground), Knobeloch suggested that Gov East could be rebuilt above ground at the cost of $16 million, with the remaining $10 million going towards Brayton project (to provide needed parking during GE construction). With underground parking, Gov East would cost $26 million.

Responding to questions, Knobeloch said that he had explored adding office space at Cap Sq North and developing the lot behind MMB, through joint projects with developers; but they were found to be too costly for the developer. He felt there was much latent demand around the MMB and Brayton Lots. In terms of alternatives to building Brayton Garage, Knobeloch thought commuters would be reluctant to park at peripheral ramps and use a shuttle to get downtown. Members expressed enthusiasm for the idea and location of the year-round farmers' market.

Returning the monthly report, on-street vacancies had gone from 32% in '05, to 34.2% in '06, to 36.4% in '07; and off-street vacancies had gone from 29% in '05, to 31.9% in '06 to, to 35.7% in '07.

Looking at occupancy for the three months of May, June, July for 2006 vs. 2007, both years showed decline over summer, as follows:

· City lots had gone from 79.2%, 88.1% and 82.1% in 2006; to 86.4%, 86.9% and 83.1% in 2007.

· City ramps had gone from 73.5%, 66% and 65.6% in 2006, to 72%, 65% and 64% in 2007.

· Total city streets, lots and ramps had gone from 72.5%, 66.7%, and 65.2% in

2006, to 70%, 65.8% and 64.5% in 2007.

McCabe/Poulson moved to accept the report. The motion carried unanimously.

D.2. 07443 Metro YTD Performance Indicator Reports ag09.06.07

Kamp noted the following items for Fixed Route Performance Indicators:

· Revenue Indicators: Operating revenue/operating cost increased from 21.8% to 23.4%, and passenger revenue/total passenger trips increased from 63¢ to 67¢, both positive trends.
· Expense Indicators: Cost/revenue hours was up slightly by 2.5%, but cost/passenger trip was down slightly by 2%.
· Operations: Trips/revenue hour increased from 32 to 33.5.
· Maintenance inspections continued to be on track.
· Complaints, compliments and suggestions were up (and staff would soon provide more detail about types of complaints.)

Looking at Fixed Route July and YTD comparisons for 2006 and 2007:

· YTD vehicle miles and hours of service were pretty much the same, with less than a 1% difference.
· Total rides YTD increased by 353K.
· Passenger accidents YTD increased by 23, and vehicle accidents at 138 YTD remained the same as 2006; one-third of drivers had gone through refresher training over the summer, and almost all operations supervisors had gone through accident investigation training.

Looking at YTD route productivity, ridership productivity (rides/hour) increased from 32% to 33.5% = 4.6% over '06; without UW circulators, the increase was 4.4%. Route 80 was the most productive at 83.82 rides/hour (vs. Route 89 at 1 ride/hour).

The new Weekend Ridership and Productivity report showed that weekend ridership was up 3.4% over the first half of '07 ridership (not as strong as overall ridership); but without Campus routes, was up 4.7%. Weekend productivity was about same as last year. Weekday productivity was 33 rides/hour compared to 22 rides/hour on weekends. Reports would soon include more comparisons for Routes 40, 47, 48 and 18, as well as for evening ridership.

Paratransit Performance Indicators showed:
· YTD operating cost/passenger trip decreased slightly from $27.94 in '06, to $27.58 in '07 (where costs were incremental and not driven by ridership, vs. Fixed Route decrease in cost/trip from $3.06 to $3.00, which was driven by increase in ridership.)
· Total trips YTD had increased by 6%, from 143K to 153.8K (a continuing monthly trend).
· No-shows had dropped slightly, from 2.1 to 2.0%.
· On-time performance for all providers was strong, ranging from 92 to 96%.
· Total YTD paratransit ridership had increased by 8,686, about a 6% increase.
· Though showing an YTD increase in passenger accidents, the accidents themselves were minor; number of vehicle accidents YTD (8) was the same as last year.
· Vehicle inspections were on track.

John Etzler, Metro Finance Manager, talked about YTD Financial Performance Report. He said that, with passenger revenues higher than expected, Metro was looking at a $200,000 surplus. Advertising revenues were below budget; had thought that when they went out for bid on the guarantee, it would be higher; and the contract didn't start until Feb/March, later than expected. So this will continue to be less. Expenses had remained steady (per the budget). Salaries were coming in less than anticipated; not sure if this was due to the way budget was spread out, or if something else was at play. Fuel costs were locked in by contract, so they had remained stable, and were not as big a factor as in past years.

Responding to questions about the Financial Report, Etzler said that the fuel contract would run through December 31, 2007; and Metro was running close to what they estimated to purchase. He wasn't sure what the price difference would be, if the fuel were bought now at current prices. Kamp said that although salaries were down ($419K), the OT (time and a half) was up ($250K) because Metro had been short-staffed for a while, but now had more staff; staffing/costs fluctuated.

Wong noted that the YTD number of transfers of revenue passengers (583K) was 8-9% of the total number of revenue passengers (using cash or 10-ticket packs), and wondered why the percentage of 47% was used (for transfers) to calculate the average adult fare. Kamp said that the 40-60% number used in the calculation was an estimate, based on data available within certain limited categories; and he wasn't sure why the ratio was so much smaller in the monthly report.

Streit/Wong moved to accept the report. The motion carried unanimously.

E. OLD BUSINESS ITEMS - None.

F. NEW BUSINESS ITEMS

F.1. **07444** Funding formulas approved by CSOS and reviewed by Funding Subcommittee of the Ad Hoc Metro Long-Range Planning Committee

Durocher stated that the update would be an information item only, and the proposal would come back as an action item at the next meeting.

Kamp remarked that the first three items in the document about funding formulas were recommendations for the 2008 budget, while the fourth issue (Contingent Reserve) was a recommendation for the 2009 budget. He said that CSOS members reached agreement in mid-August, after Metro's budget had been submitted to the Mayor in early August. The Mayor had requested that departments make 3% reductions in their budgets, and to deal with the contingency reserve would have required Metro to make even more difficult choices. Kamp felt that the time to look at the contingency reserve issue and to prepare the budget in a timely manner would be 2009. He said that the 2008 budget had been prepared with the other three items in mind. He wanted members to have time to review the recommendations and ask questions before taking action on them at the next meeting. If the Commission approved the recommendations, Metro would need to update contracts, some of which had not been updated since the late 80's-early 90's.

Sanborn asked what would happen once the contingency fund was built back up (by billing partners for actual costs and hours), and Metro needed to dip into it to cover cost overruns: would the overruns then be built into the budgeted costs for partners in the following year? Etzler said that this would be the best approach, and that such costs (to partners) might be recouped over a year or two, depending on the scope of the deficit. Kamp noted that all of the partner representatives had through a unanimous vote agreed to take this approach.

Kamp clarified Item #4, where it said that the fund would be kept at $2 million, plus or minus $1 million: If the fund went below $1 million, they would begin building it back up; but if smaller amounts were drawn out, Metro could wait a while to see if they needed to rebuild it. Likewise, if the fund went over $3 million, Metro would build adjustments into the budgeted amounts to partners. People felt that $2 million was an appropriate level for the contingency fund, given Metro's $45 million budget.

In response to Sanborn, Etzler said that the methodology used in calculating budgeted costs for partners - allocating revenues and costs - would remain the same, except that "revenues" now included all revenues, not just passenger revenues. Regarding the additional $197K in costs for 2007 because of changes to Campus routes, Etzler said that the UW would be paying the lion's share of this; however, some would be split out to other partners due to the way federal aids are handled in the formula.

Wong noted that Metro would be billing partners for actual costs until the contingency fund was built back up, and wondered why Metro wouldn't continue the practice. Etzler talked about "5th quarter" payments, which occur in April/May following everybody's fiscal year. Traditionally, partners were billed based on actual cost. But over the past several years, partners had been billed for any change in service hours based on budgeted cost rather than actual cost, as a way to alleviate the impact of the billing on partners for services received in the preceding year, after their books for that year were closed.

As far as aligning estimates more closely to actual costs, Kamp commented that large, unprecedented increases in diesel fuel costs in two of the past four years occurred at about the same time as Metro began using a budgeted rate/hour rather than actual. Metro began to use budgeted rates/hour five years ago at the suggestion of the auditor, when the contingency fund seemed adequate. The timing of these events forced Metro to draw down the contingency fund from $2.3 million to less than $200K. The new plan would make Metro more stable, by allowing Metro to charge budgeted costs when the fund was adequate and actual costs when the fund dipped below $1 million. Partners would be making 5th quarter payments at actual costs to build the fund back up, and would be sharing the risk of unexpectedly high fuel costs. When asked about how the participating municipalities would deal with this, Etzler said that the 5th quarter payment could be either a debit or a credit, and had alternated fairly evenly over the past 20 years except for recent years with fuel spikes.

Poulson asked how the $2 million level compared to peer systems and to industry standards. Kamp said that anecdotally, peers who were RTA's typically had a contingency fund, while city-owned transit systems did not. In Kamp's experience, there didn't seem to be a standard either for having such a fund, or

for setting levels for such a fund. He thought it was easier to establish a fund as an RTA; and it was harder to do when dealing with several partners and yearly cost fluctuations. No action was needed/taken on the item.

F.2. 07261 SUBSTITUTE - Accepting sponsorship of Miller Brewing Company to help offset the cost of providing free expanded transit service on New Year's Eve and authorizing the Mayor and Clerk to sign an agreement with Miller Brewing Company, which may contain an indemnification clause.

A motion was made by Poulson, seconded by McCabe, to RECOMMEND TO COUNCIL WITH THE FOLLOWING RECOMMENDATIONS - REPORT OF OFFICER

RECOMMEND TO ADOPT SUBSTITUTE (Version 2), which adds the word "help" in the title and the 7th paragraph of the resolution, to say, "... to help offset the cost...." to better reflect that Miller Brewing shares the cost of the free expanded service on New Year's Eve but does not pay for all the costs associated with the program.

Following is the discussion related to this item, which preceded the vote.

Poulson/McCabe moved to recommend adoption of the resolution. Wong registered concern about the name of the resolution, which said “Miller Free Contract,” because members had previously been told that Miller paid a percentage of the actual costs, not all of the costs. Etzler/Kamp said that $10K covered most of the wages and lost revenue, but didn't pay for the additional operating costs associated with extending service from 10:30-11:00 PM to 4:00 AM. Kamp said that Metro had softened the language in one part of resolution to say that Miller' contribution would “help offset” the costs, and agreed with Wong that previous analysis showed Miller's contribution of $10K didn't cover everything.

Wong, seconded by Solomon, moved to amend the resolution, to add the word “help” before the word “offset” in the title, and (as later suggested by Sanborn) to do likewise in the seventh paragraph (of the body of the resolution). Poulson, who made the original motion, accepted the amendment as friendly.

Please note: McCabe left at the meeting at this point in the meeting, at 6:30 PM, before the following votes were taken on this item.

The motion carried unanimously to amend the title and the seventh paragraph of the body of resolution, by adding the word “help” to say “help offset the cost”. A vote was then taken on the original motion to recommend adoption of the resolution as amended. The motion passed by acclamation.

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

Wong/Poulson moved to accept Agenda Items G.1. through G.8. The motion carried unanimously.

G.1. ADA Transit Subcommittee (May meeting minutes attached; June and July meetings cancelled)

G.2. Contracted Service Oversight Subcommittee (August minutes of combined meeting of CSOS and Funding Subcommittee not yet available)

G.3. Parking Council for People with Disabilities (June Draft meeting minutes attached)

G.4. Long-Range Transportation Planning Commission (August meeting minutes attached)

G.5. State Street Design Project Oversight Committee

G.6. Joint Southeast Campus Area Committee

G.7. Long-Range Metro Transit Planning Ad Hoc Committee (August meeting cancelled)

G.8. Ad Hoc Committee to Develop Parking Strategic Plan (August 7th and 20th meeting minutes attached)

H. GENERAL DISCUSSION ITEMS

H.1. General announcements by Chair

Durocher announced that the delivery of replacement bus shelters on Square had been delayed. He noted that the Commission hadn't endorsed tearing down the old ones until there were guarantees to replace them. To address this issue and the approach of colder weather, Kamp discussed Metro's contingency plan to begin erecting as many temporary shelters as possible, using spare shelters and parts. The delivery date for the new shelters had been moved back to late October. The entire project (including installation of the new shelters) was supposed to have been completed by September 14th. Kamp said that extra costs to Metro for materials and labor were being covered, though because Metro hadn't arranged the contract, he wasn't sure whether the money would come from the contractor or somewhere else. Kamp agreed to provide a breakdown of these extra costs at the next meeting. Some members hoped that priority would be given to erecting a temporary shelter near the YWCA.

H.2. Commission member items for future agendas

Members noted recent publicity about the start-up of the five new hybrid buses and asked if Metro would be tracking fuel savings and maintenance costs, as well as environmental benefits like lower mpg, carbon dioxide and particulates. Kamp said that Metro would be carefully reviewing these issues, esp. before buying more hybrids; and added that drivers and maintenance staff would be receiving special training in hybrids. Along with some special paint schemes for the buses designated for the UW, one advertiser was planning an ad highlighting the bus as a hybrid. He said that mpg would be tracked by bus number, but that it was possible to invest in intelligent systems, which could track engine use by driver/time of day. He also said that Metro was looking at the possibility of incentive pay for drivers who save fuel. One member suggested installing small add-on devices to give drivers direct feedback about mileage and fuel use to motivate them (and to avoid contract issues re: incentive pay). Kamp said that a press conference announcing the hybrids would be held on Tuesday, 9/11th at 12:15PM in the UW Arboretum.

ADJOURNMENT

By motion of Sanborn/Poulson, the meeting adjourned at 6:50 PM.