

## **Minutes**

### **Urban Transportation Commission Tuesday, April 8, 2008 6:00 P.M. 303 W. 2nd Street Boards and Commissions Room**

#### **Members Present:**

Andrew Bucknall  
Melissa W. Hawthorne  
Ed Easton  
Carl Tepper  
Richard MacKinnon  
Dustin Lanier  
Dana Lockler

#### **Members Absent:**

Patrick Goetz

#### **Public Works Staff Present:**

Ronnie Bell  
Steve Grassfield  
Gilda Powers

Mr. Bucknall opened the Urban Transportation Commission meeting at 6:20 p.m.

#### **1. Citizens Communications**

Mr. Jimmy Castro, citizen, addressed the Commissioners to remind everyone to take time to vote on the May 10<sup>th</sup> Bond Election of the Austin Independent School District. He spoke in favor of all three propositions and provided a brief overview of each one of them. The total Bond Package is \$343 million dollars.

Mr. Gerard Kinney, citizen and President of Scenic Austin, addressed the Commissioners to talk about the importance of keeping the transportation routes used by motorist, pedestrians, or bicyclist, free of obstructions. These obstructions could be power lines, signs, etc., that would preclude citizens from enjoying the beauty of both the natural and the built environment that surrounds Austin.

#### **2. Proposed changes to Capital Metro STS (Paratransit)**

John-Michael Cortez, Community Relations Specialist with Capital Metro, thanked the Commissioners for the opportunity given to Capital Metro to present some of the changes being proposed to their current Paratransit service. He also gave information about the different proposals Capital Metro is working to update or change some of their services as part of the "All Systems Go" plan to increase or double the rider ship by the year 2025. Some of the changes necessary to achieve their goal include a fare increase, charges for the schedule books, changes to the Dillo system, and the proposed changes to the

Paratransit service. Mr. Cortez introduced Ms. Inez Evans, Director of Paratransit with Capital Metro.

Ms. Evans gave a detailed overview of the proposed changes that Capital Metro would like to implement to the paratransit service. She said the Americans with Disabilities Act (ADA) obligates Capital Metro to offer paratransit service to all locations within a  $\frac{3}{4}$  mile radius of regular bus services. Paratransit or Special Transit Service (STS) is a parallel service to regular bus service routes and it is offered for persons with disabilities who are not able to use regular bus service. She described the seven proposed changes to their current service: pick-up window, cancellations and no shows, advance reservations, call center hours, open returns, taxi vouchers, and eligibility.

Ms. Evans gave background information on the reasons Capital Metro had to propose these changes. She listed wasted trips due to cancellations and no-shows, poor quality control of the services being offered by some taxicabs, budget constraints, and an increased demand that exceeds capacity. She stated that approximately one year ago, stricter quality control measures went into effect and they have already seen a positive change, with some companies electing not to participate in their voucher program. Chair Bucknall asked for clarification on some of the statistics for no-show rates and expressed concern on how these proposed changes would affect persons with limited resources or disabilities.

Commissioner Lanier asked for clarification on the eligibility and validation process. Ms. Evans explained that the eligibility criteria used to determine the type of service a person could receive is according to ADA requirements. There are three categories: physical or cognitive disability; trip by trip eligibility due to poor access to fixed routes; and conditional eligibility due to weather conditions. Ms. Evans also said that Capital Metro has made a commitment to not implement any of these changes until the public process concludes.

Commissioner MacKinnon asked about the difference between the no-show rates and the increase demand. Ms. Evans explained that the calculations are based on different variables, including season, days of the week, subscriptions or on-demand customers, etc. She also said that the subscription customers are more consistent than the on demand customers, making it easier to manage and to help improve their on-time performance.

Ms. Evans explained in more detail some of the proposed changes. The current pick up window will change from 15 minutes to 30 minutes to improve performance, productivity and efficiency. The cancellations and no-shows will change from a \$1.20 to a \$10.00 penalty for late cancellation or no-show. Advance reservations will change from 8 days in advance to 3 days, to reduce late cancellations and no-shows rate. The call center hours will change from 7:00 a.m. to 9:00 p.m. on weekdays and 7:00 a.m. to 7:00 p.m. on weekends, to seven days a week 8:00 a.m. to 5:00 p.m. with reservations via Interactive Voice Response 24 hours a day. Open returns will not be offered, only will-call service or premium fares to improve on-time performance. The taxi vouchers that currently provide same day service, with many customers calling cabs directly, will be redesigned to shift most voucher runs to scheduled trips with a single contractor. Every vehicle will be equipped with a Global Positioning Service (GPS) device to allow monitoring and better service to customers.

Commissioners expressed concerns about the time consumers would have to wait for a pick up, including those consumers that do not have access to a telephone or their disabilities do not allow them to wait for what it could amount to 25 minutes. Ms. Evans explained that under ADA guidelines, Capital Metro is not allowed to take into account the person's disability when assisting with reservations; therefore all consumers receive the same level of service. She said that they will be monitoring these processes to get to the best possible practice with input from the community.

**3. Discussion and possible Recommendation of proposed changes to Section 13-2-388 of the Code of Ordinances.**

Ms. Jessica Kingpetcharat, Principal Planner with Watershed Protection and Development Review, gave a brief recap of the proposed changes. She stated that this change was based on a Council resolution from November 2007 directing staff to come forward with the initiated amendment. She stated the reason they brought this issue to the UTC is because it requires an amendment to a section of the Transportation Code, specifically Section 13-2-388, Advertising on Taxicabs Permitted. The change will add a sentence to the section to read: *"For each taxicab displaying an advertisement, the franchise holder shall pay a fee to be determined by ordinance."*

Ms. Kingpetcharat also referenced a letter from the Austin Design Commission to Mayor and Council members. The letter stated they have no objection to imposing a fee to taxicabs displaying advertisement, as long as the fee is enough to cover the expenses of the program and the enforcement of the ordinance.

Commissioners asked for clarification on the reasons behind the amendment. Ms. Kingpetcharat said it was to use the money generated for code enforcement through general funding. Commissioner Hawthorne asked if there was a fee already set in place. Ms. Kingpetcharat said it would be approximately \$10.00 to be paid at the time of inspection. Mr. David Lloyd, City's Attorney, explained that because this is a Council generated resolution, the Commission's motion would be recommending the amendment to the Code as stated.

**Motion by:** Melissa Hawthorne  
**Seconded by:** Ed Easton

**Motion:** To recommend that the City Council amend Section 13-2-388 of the Code of Ordinances to impose a fee for each taxicab displaying an advertisement.

**Ayes:** Bucknall/Easton/Hawthorne/Locker  
**Nays:** MacKinnon/Lanier/Tepper  
**Abstain:** None  
**Absent:** Goetz

**4. Vacation of Right-Of Way. File 8520-0711; 4200 North Lamar Boulevard**

Mr. Alex Papavisiliou, Property Agent, Office of Contract and Land Management, presented a request by Seton Medical Center to vacate the property that is currently under license agreement through the City and being used for adjacent parking. Mr. Papavisiliou

stated that staff recommends the vacationing as there would be no easements or encumbrances to consider. He also said that staff received one objection from a property owner who did not provide specific reasons.

**Motion by:** Melissa Hawthorne

**Seconded by:** Dustin Lanier

**Motion:** To approve Vacation of Right of Way as proposed by staff

**Ayes:** Bucknall/MacKinnon/Easton/Hawthorne/Lanier/Locker

**Nays:** None

**Abstain:** None

**Absent:** Tepper/Goetz

## **5. Discussion and possible Action on Amendment and Adoption of UTC Bylaws.**

Chair Bucknall asked the Commissioners if they have had a chance to review the bylaws format that was provided by the City Clerk's office. He explained that he had inserted the current UTC bylaws into the new template. Commissioner Lockler asked if the wording on the current bylaws deviate from the wording on the Code of Ordinances, would there have to be a request to amend to match both versions.

Mr. Ross Crow, Assistant City Attorney, explained that the City Clerk's Office has been reviewing all boards and commissions bylaws, and has asked everyone to adhere as close as possible to the standard template provided. The Commissioners discussed replacing Austin Transportation Study (STS) Program, which is currently in the City Ordinance and no longer exists, with Capital Area Metropolitan Planning Organization (CAMPO)

After consideration, the Commissioners recommended that the following changes or additions be included in the motion: to Article 2, add CAMPO; Article 4-C should read *"The term of office shall be one year, beginning October 1 every year and ending September 1 every year..."*; Article 7-D to read: *"The regular meeting of the board shall be held on the second Tuesday of each month at 6:00 p.m., at the Austin City Hall, Boards and Commission Room, located at 301 West 2<sup>nd</sup> Street, Room 1101, unless otherwise determined by the board. If the regular meeting day falls on a City observed holiday, the meeting will be held on the following Tuesday."*; and Article 8-A to include a comma to read *"Each committee shall consist of at least three Commissioners appointed by the chair, and a staff member appointed..."* which will allow for better reading.

Mr. Crow explained that if the Commissioners decide to request a change to the bylaws, i.e. time or date of the meetings, this should be made to the Council Audit and Finance Committee through a recommendation from the Commission, but if the change is in contradiction to the actual ordinance, this would have to be submitted to the City Council. He also reminded everyone that the ordinance allows for a once a year amendment to the bylaws, therefore his recommendation was to continue to operate as normal, but to make a list of changes to submit all at once at a later time.

The Commissioners discussed the difference between standing committees, sub-committees and liaisons. Commissioners expressed their concern in regards to having three members in a standing committee. Sharon Smith, Assistant City Attorney, said that

the bylaws should be approved as presented and if there are any changes, the Commission should submit the amendments to the City Clerk.

**Motion by:** Melissa Hawthorne

**Seconded by:** Dustin Lanier

**Motion:** To recommend approval of new UTC bylaws using the standard format as required by Section 2-1-44 of the Code of Ordinances.

**Ayes:** Bucknall/MacKinnon/Tepper/Easton/Lockler/Hawthorne/Lanier

**Nays:** None

**Abstain:** None

**Absent:** Goetz

## **6. Discussion and Review of Certain Towing Procedures**

Mr. Pat Johnson, citizen and with Texas Towing Compliance, addressed the Commission to voice his concerns in regards to towing practices and procedures occurring in the community, specifically the unfair treatment to citizens that do not speak the language of some wrecker drivers and towing facilities that are charging unauthorized fees. Mr. Johnson said people should be able to have an easy way to file a complaint and a Bill of Rights be given at the impound facility in a language they understand. He also said that every wrecker driver or facility should provide the customer with a written receipt to avoid wrong doings or threats.

Commissioner Tepper asked Chair Bucknall if a sub-committee would be beneficial to address this issue and come up with a recommendation. Commissioner MacKinnon asked if there was a Bill of Rights already in existence and was told that at the last meeting APD stated there was a Bill of Rights. He stated that he would like to see the Bill of Rights list these four items: Acceptance of credit cards; lot location; cost limit; and towing criteria.

The Commissioners discussed at length the changes they would like to see in the Bill of Rights, including updating of the web link and information on how or where to make a complaint. Mr. Johnson also stated he would like to see Channel 6 run a slide warning the public of the illegal practices of some wrecker companies. Commissioner Tepper invited Mr. Johnson to participate in a sub-committee. Mr. Johnson agreed.

After further discussion the Commissioners agreed to form a sub-committee and bring recommendations to a future meeting. The sub-committee will be composed of Commissioners Tepper, MacKinnon and Easton with participation from APD and Mr. Johnson.

## **7. Downtown Commercial and Loading Zones Briefing**

Mr. Ronnie Bell, Engineer with Public Works, explained that this issue was brought up in the last meeting. He talked to Mr. Alan Hughes, Supervising Engineer with Public Works, who currently handles the Central Area of Austin where most of the downtown commercial and loading zones are located. According to the documents provided by Mr. Hughes, the majority of the commercial and loading zones are for 30 minutes, Monday through Saturday from 7:00 a.m. to 7:00 p.m., which allows for customer parking at night

and all day Sunday, with some exceptions. Commissioner Tepper mentioned that he has seen some signs with “Commercial Zone at all hours” and would like to know if he could call 311 to report them and perhaps have the City look at it. Mr. Bell said that by calling 311, the request will come to our office and each location will be reviewed.

**8. Projected Transportation Projects for City Council Action**

**9. Approval of Minutes from March 11, 2008 Meeting**

**Motion by:** Melissa Hawthorne  
**Seconded by:** Richard MacKinnon

**Motion:** To approve the minutes.

**Ayes:** Bucknall/Easton/Hawthorne/MacKinnon/Tepper/ Lanier/ Lockler  
**Nays:** None  
**Abstain:** None  
**Absent:** Goetz

**10. Announcement of Upcoming Events**

None

**11. Committee and Commission Reports**

Commissioner Hawthorne asked if it would be possible to change the agenda wording to say “Liaison” instead of “Commission” or “Special Committee”. She said she has been attending the Planning Commission Comprehensive Plan Sub-Committee meetings on a regular basis and believes it is very important for UTC to continue to attend as some transportation issues do come up in those meetings.

Commissioner MacKinnon reviewed the list of Committees and Commissions that are currently listed on the UTC agenda and proposed the sub titles to be as follows:

Downtown Commission Liaison – Goetz  
CMTA Liaison – MacKinnon  
Bicycle and Pedestrian Committee – Goetz  
CAMPO Liaison – MacKinnon  
Ground Transportation Committee – Tepper  
COA LUT Liaison – Bucknall  
TOD Committee – Easton  
CAG - SCIP Liaison – Lockler

Commissioner MacKinnon gave a small briefing on CMTA. He said the Chairman of CMTA has presented his resignation effective May 31<sup>st</sup>, the Chief Operating Officer has resigned, and the Vice President of Development position has been created.

Commissioner Lockler said that SCIP has been concentrating on putting sidewalks in front of historic residences or structures. There is public utility construction going on and it may be affecting the construction of the proposed safety islands.

Chair Bucknall asked if everyone could be available to have a planning meeting on April 29, 2008 at One Texas Center. Staff will notify everyone once the room is reserved.

## **12. Future Agenda Items**

The Commissioners discussed the option to have the special committee that will be looking at the towing issue also look into Valet Parking. Some citizens have expressed concern at being towed without notification that the zone is reserved for valet parking only.

- Bicycle access through Riverside Drive Status
- More accommodation for bicycle riders at public facilities and new constructions
- Mueller Project needs bicycle lanes, parking and accommodations. Why was land given away and promised project not completed?
- Review of the towing signs to include phone numbers of the regulatory agency or 311
- Towing Bill of Rights
- TIA update
- Valet Parking – Towing issues
- Planning meeting on April 29, 2008

The meeting adjourned at 9:15 p.m.

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Andrew Bucknall, Chair  
Urban Transportation Commission

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Jose R. Ramos, P.E., Acting Director  
Public Works Department