

CITY COUNCIL
COMMUNITY PLANNING AND TRANSPORTATION
COMMITTEE MINUTES

November 24, 2014

The City Council Community Planning and Transportation Committee of the City of Norman, Cleveland County, State of Oklahoma, met at 5:00 p.m. in the Conference Room on the 24th day of November, 2014, and notice and agenda of the meeting were posted in the Municipal Building at 201 West Gray and the Norman Public Library at 225 North Webster 48 hours prior to the beginning of the meeting.

PRESENT: Councilmembers Miller, Williams, and Chairman Jungman

ABSENT: Councilmember Holman

STAFF PRESENT: Ms. Brenda Hall, City Clerk
Mr. Steve Lewis, City Manager
Ms. Jeanne Snider, Assistant City Attorney
Mr. Mike White, Fleet Maintenance Superintendent
Ms. Syndi Runyon, Administrative Technician IV

OTHER GUESTS PRESENT: Mayor Cindy Rosenthal
Ms. Karlene Smith, Marketing Specialist for Cleveland Area Rapid Transit (CART)

Item 1, being:

CART RIDERSHIP REPORT INCLUDING SAFERIDE AND EXTENDED SERVICE FOR THE MONTH OF OCTOBER, 2014.

Ms. Karlene Smith, Planner and Grant Specialist, Cleveland Area Rapid Transit (CART), highlighted the CART ridership report for October, 2014. She said CARTaccess ridership is up 3% from FYE 2013, but down 6% compared to the month of October, 2013. The fixed route service is up 6% from FYE 2013 and up 2% compared to October 2013. She said CART does not know why CARTaccess is down 6% from October 2013. She said there has been a decline in ridership in Zone 2, which has been attributed to riders moving out of that zone or passing away. She said ridership for CART's test Route #42 to Research Campus has increased as well.

Ms. Smith said beginning January 12, 2015, CARTaccess riders will be able to ride the fixed route service free of charge by showing their Americans with Disability Act (ADA) card.

Ms. Smith said CART is in the process of evaluating all the routes looking for points of improvement, possibly adding night service, and possibly providing additional service on Main Street in areas of demand.

Councilmember Miller said CARTaccess is not available on Sundays and that is one area of service constituents would like to have to be able to attend church. She said many churches provide transportation, but many do not. Ms. Smith said CART's Long Range Plan includes CARTaccess and fixed route service on Sundays; however, funding is the biggest issue. Councilmember Miller said if CART could give the Committee a cost, *perhaps* that is something Council could discuss during budget meetings and Ms. Smith said she will provide a dollar figure to the Committee next month.

Item 1, continued:

Councilmember Miller asked about bus service to apartment areas around Cedar Lane and Classen Boulevard and Ms. Smith said CART wants to focus on improving existing service before adding additional routes, but have had discussions regarding this and realize there is a tremendous need for transportation in that area.

Items submitted for the record

1. Cleveland Area Rapid Transit Ridership Totals for the Month of October, 2014
2. Cleveland Area Rapid Transit (CART) Monthly Report

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Item 2, being:

DISCUSSION REGARDING TRANSPORTATION NETWORK COMPANIES SUCH AS UBER AND LYFT IN RELATION TO THE CITY OF NORMAN PUBLIC TRANSPORTATION ORDINANCE.

Ms. Brenda Hall, City Clerk, said tonight Staff will present a broad overview of the City of Norman's current public transportation regulations as well as information on Transportation Network Companies (TNC), such as Uber, Lyft, and Sidecar, including other cities ordinances. She said there is a lot of documentation on TNC's on a national level all across the United States (U.S.) and many cities have adopted local ordinances to address TNC's.

Ms. Hall said Norman's current regulations for Taxicab/Motorbus/Limousines are in Chapter 13, Article XX, of the Code of Ordinances. She said the purpose of this discussion is to create a level playing field that is fair to all companies; encourage free market competition; simplify the regulations to promote compliance and improve enforcement; and focus regulations on issues that are important to the City such as driver qualifications, vehicle safety and appearance, and insurance.

Ms. Hall said some arguments and/or objections to TNC's include proper insurance, inspection of vehicles, and identify them, and a belief that the playing field is not level because TNC's do not have a central dispatch office open 24 hours a day.

Ms. Hall highlighted current regulations for Taxicab/Motorbus/Limousine Licenses as follows:

- Must maintain central place of business and keep open 24 hours;
- Evidence of insurance – \$100,000/\$300,000/\$50,000;
- Color scheme or insignia for vehicles;
- Schedule of rates submitted and posted in vehicles;
- Annual Inspection of vehicles;
- Driver permits – background checks; and
- Annual reports – daily manifest.

Ms. Hall said the City of Norman currently has three operating taxicab companies with a total of 16 vehicles licensed.

Item 2, continued:

Mayor Rosenthal asked if TNC's post their rates on or inside the vehicles and Ms. Hall said no. She said TNC's use a cell phone application (app) that displays the cost of the ride when the rider enters their destination. She said some cities have placed caps on the rates because some of the controversy over these companies is they charge surcharges during peak times when big events are taking place in cities. She said the cap keeps companies from exceeding a certain dollar amount.

Mr. Lewis asked which cities have worked collaboratively with the TNC's and Ms. Hall said all the cities she surveyed worked with the TNC's and Mr. Lewis asked which City would be the best example of that process and Ms. Hall said OKC and Tulsa both had Committees looking at regulation over an eight month to one year process that included input from TNC's and taxicab companies. She said the State of California was the first State to regulate TNC's and went through the most deliberative rule-making process where arguments were submitted and each argument was individually ruled on.

Mayor Rosenthal asked how many Uber or Lyft drivers are in Norman and Mr. Adam Dries, General Manager for Uber in Oklahoma, said he could not say what the exact number of drivers are for Norman, but there are several hundred drivers in the OKC Metro area. Ms. Hall said Staff has been unable to make contact with a Lyft representative.

Chairman Jungman asked if the drivers or the Corporation would pay the license fees and Ms. Hall said in Norman's scenario, the Corporation would pay license fees.

Councilmember Miller asked if other cities require TNC's to place some type of company identification on their vehicles because it concerns her there is no way to identify these companies. She said some type of identification would be an added measure of safety for the public. Ms. Hall said many cities require some type of magnetic or window cling insignia and Staff has discussed that as well. She said Staff would like some type of information on the insignia that ties the identification to a specific vehicle such as the license plate number as well as company name.

Ms. Hall said TNC's are technology platform companies using Smartphone applications to connect riders to drivers. She said payment is made with credit cards so no cash is involved. Most TNC's require background checks on all drivers and proof of insurance for their vehicle. Uber has a Driver Rating/Feedback System that prompts for additional information if the rating is below three stars. She said Uber does not allow their drivers to accept street hails. She suggested the City require National background checks as opposed to limiting background checks to the State of Oklahoma.

Ms. Hall said Staff is looking for direction on how to proceed and Chairman Jungman asked the Committee their thoughts on whether or not the City should regulate TNC's. Mayor Rosenthal felt the City should regulate them, but did not need to reinvent the wheel in order to do that as she did not want to spend a year discussing regulations. Chairman Jungman agreed and said there is a lot of information out there from other cities and suggested Staff put together some regulations for the Committee to review in 2015. Councilmember Miller felt the City should have TNC regulations for safety of the traveling public. Mayor Rosenthal said there is also a fairness issue with taxi companies and if there are several hundred people in Norman picking people up for a fee, the City has an obligation to those consumers as well. Chairman Jungman felt that some of the existing taxicab regulations were excessive and thought the Committee may want to consider changing some to those regulations that respect both types of businesses.

Item 2, continued:

Councilmember Williams said safety is an issue for him so he would like to have some type of provision that unaccompanied minors must have documentation that they have permission to be transported by a TNC. Councilmember Miller suggested requiring a parent or guardian call for and pay for the ride in order to ensure a minor has permission.

Mayor Rosenthal did not want regulations that would place undue burden on City Staff and Ms. Hall said allowing vehicles to be inspected by a third party would help take some of the burden off of the Fleet Division since they are currently conducting those inspections for public transportation vehicles prior to licensing as well as prior to annual renewals.

Ms. Clyda Teegerstrom, 806 Nancy Lynn Terrace, asked if TNC's have adequate commercial insurance and Ms. Hall said Staff has not seen the policy, but Uber has stated they provide commercial insurance coverage from the time a driver accepts a ride request to the time the rider arrives at their destination. She said proof of adequate insurance would be required as part of the City's regulations. Ms. Teegerstrom asked if drug and alcohol testing will be required and Chairman Jungman said drug and alcohol polices will be considered as part of this process.

Ms. Hall said Staff will work on regulations to bring back to the Committee next year.

Chairman Jungman said the next regularly scheduled meeting is December 25th and asked if Committee members could meet Monday, December 22nd instead and there was consensus to meet on December 22nd.

Items submitted for the record

1. Memorandum dated November 18, 2014, from Brenda Hall, City Clerk, to Council Community Planning and Transportation Committee
2. Norman Code of Ordinances - Article XX. – Public Transportation
3. Comparison of Ordinances for Transportation Network Companies
4. Information about Uber, and Lyft Network Transportation Companies
5. PowerPoint presentation entitled, "Public Transportation – Transportation Network Companies, Community Planning & Transportation Committee, November 24, 2014"

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Item 3, being:

MISCELLANEOUS PUBLIC COMMENT.

None

The meeting was adjourned at 6:07 p.m.