

CITY OF NORMAN, OK CITY COUNCIL STUDY SESSION

Municipal Building, Executive Conference Room, 201 West Gray, Norman,
OK 73069

Tuesday, October 18, 2022 at 5:30 PM

MINUTES

It is the policy of the City of Norman that no person or groups of persons shall on the grounds of race, color, religion, ancestry, national origin, age, place of birth, sex, sexual orientation, gender identity or expression, familial status, marital status, including marriage to a person of the same sex, disability, retaliation, or genetic information, be excluded from participation in, be denied the benefits of, or otherwise subjected to discrimination in employment activities or in all programs, services, or activities administered by the City, its recipients, sub-recipients, and contractors. In the event of any comments, complaints, modifications, accommodations, alternative formats, and auxiliary aids and services regarding accessibility or inclusion, please contact the ADA Technician at 405-366-5424, Relay Service: 711. To better serve you, five (5) business days' advance notice is preferred.

CALL TO ORDER

PRESENT

Mayor Larry Heikkila
Councilmember Ward 1 Brandi Studley
Councilmember Ward 2 Lauren Schueler
Councilmember Ward 3 Kelly Lynn
Councilmember Ward 4 Helen Grant
Councilmember Ward 5 Rarchar Tortorello
Councilmember Ward 6 Elizabeth Foreman
Councilmember Ward 7 Stephen Holman
Councilmember Ward 8 Matthew Peacock

ABSENT

None

AGENDA ITEMS

1. DISCUSSION REGARDING A MICROTRANSIT PILOT PROGRAM.

Mr. Shawn O'Leary, Director of Public Works, introduced HNTB Corporation (HNTB) representatives, Mr. Ryan Billings, Project Manager; Ms. Allison Buchwach; and Ms. Kay Blackburn. He said HNTB is a multi-national corporation with expertise in microtransit services.

Item 1, continued:

Mr. O'Leary said during the budget process, Council allocated \$750,000 to fund an on-demand, turnkey microtransit program and tonight Staff will be looking for guidance from Council as microtransit can be many different things. He said there are very few programs throughout the United States and Norman will be the first City in Oklahoma to have a microtransit program.

Mr. Taylor Johnson, Transit and Parking Manager, provided an overview of current public transit services and facilities. He said the fixed-route service includes a free fare system; operates on a fixed-route schedule Monday through Friday from 7:00 a.m. to 10:00 p.m. and Saturday from 10:00 a.m. to 7:00 p.m.; serves various destinations throughout Norman; consists of 13 buses (seven new replacement buses on order); carried 244,482 passengers in FYE 2022; and 63,094 passengers in FYE 2023 with an average daily ridership of 911 passengers and 375 passengers on Saturdays. The fixed-route service includes five local routes consisting of Main Street, Lindsey Street East, Lindsey Street West, West Norman Link, and Alameda Street as well as two specialty routes, Norman/Sooner Express to Oklahoma City and Social Security Office route to Moore.

The current Plus Paratransit service is fare free; operates on a schedule of zones that includes Zone 1, Monday through Friday from 7:00 a.m. to 10:00 p.m. and Saturday from 10:00 a.m. to 7:00 p.m. and Zone 2, Monday through Friday 7:00 a.m. to 7:00 p.m.; consists of 15 buses (five new replacement buses on order); carried 21,625 passengers in FYE 2022; 5,991 passengers in FYE 2023 with an average daily ridership of 89 passengers and 12 passengers on Saturdays; the service provides transportation for eligible individuals who are not functionally able to ride fixed-route bus service due to a disabling condition; and passengers must submit an application and once approved, customers can schedule a trip one to seven days in advance. Zone 1 is a paratransit service required to be provided within 3/4 mile around fixed-routes and Zone 2 is paratransit service provided within 3/4 mile of fixed-route to City of Norman limits and is a service provided beyond what is required.

The Transit and Public Safety Maintenance Facility located on North Flood Street is an 18,634 square foot facility consisting of office spaces and service bays to maintain large public transit and public safety vehicles with a construction cost of \$7,584,743.41. The City is currently utilizing Cleveland Area Rapid Transit's (CART) Brooks Street Transfer Station, which has supportive infrastructure (sidewalks, bike lanes/paths; access to street grid for routes); improves access to major destinations; and continues momentum of creating a more vibrant downtown. The City recently purchased property located at 320 East Comanche Street for the Downtown Transit Center.

Council approved the Go Norman Transit Plan on June 22, 2021, that proposed route changes in 2023 and included recommendations for future improvements, such as adding routes, increasing frequency, and adding service periods.

Mr. Billings said HNTB's goal is to develop a microtransit pilot project that will align with the Go Norman Transit Plan; however, before moving forward HNTB wants to understand the needs that a microtransit system can address with existing conditions and finding alternative development and testing as well as recommendations and adoption prior to implementing a pilot program.

Item 1, continued:

Ms. Buchwach said a microtransit program would be a publicly regulated, software-enabled transit service that uses multi-passenger vehicles (cars, vans, or shuttles) to provide on-demand or semi-fixed schedule/route services. Vendors provide three key components that include passenger app, driver app, and back office and administrative functions, e.g., routing, dispatching, and reporting. She said microtransit on-demand coverage area or geographic “zone” can service one or a few destinations with dynamic routing determined by demand as well as service to a hub or transfer point with routing determined by demand.

A fixed-route plus on-demand coverage area or “zone” would include vehicles traveling along a fixed-route where there is high demand, floating stops for fluctuating demand, and demand response for low demand. Microtransit can include services such as curb-to-curb, door-to-door, or pick-up/drop-off locations impacting the number of vehicles needed. The range of fares are determined by whether services are provided by City Staff/vehicles or through a contract with a third party (turnkey service).

Other expectations for microtransit can include the following:

- Productivity Problem – demand based service is less efficient and more expensive per passenger and high subsidies could lead to inequitable allocation of services
- Opportunity Cost – serves fewer people and funding could benefit more people through the improvement of fixed-route service, improving stations and amenities, or improving pedestrian access
- Microtransit can serve other roles; microtransit can replace low-productivity of fixed-route services (where passengers per hour are five or fewer) and is beneficial in certain situations, such as in areas where fixed-route is difficult/not viable, or to improve the reliability and coverage of paratransit.

Ms. Buchwach highlighted other cities’ microtransit pilot performance costs that include AC Transit - \$214 per vehicle service hour and \$71 per passenger trip; Cherriots - \$65 per vehicle service hour and \$18.57 per passenger trip; DART (Dallas) - \$46 per vehicle service hour and \$18.40 per passenger trip; Greater Dayton RTA – RTA pays Lyft and taxis and uses in-house paratransit/\$13.00 per passenger trip; Denver RTD - \$83 per vehicle service hour and \$21.84 per passenger trip; HART – pays contractor by trip/\$10 per passenger trip; Houston Metro - \$75 per vehicle service hour and \$31.25 per passenger trip; Kitsap Transit - \$130.72 per vehicle service hour and \$35.68 per passenger trip; LYNX - \$41.47 per vehicle service hour and \$12.60 per passenger trip; MST - \$54.18 per vehicle service hour and \$13.44 per passenger trip; NVTA - \$44.48 per vehicle service charge and \$17 per passenger trip; NCTD - \$97 per vehicle service hour and \$36 per passenger trip; and TDU - \$34.69 per vehicle service charge and \$7.34 per passenger trip.

Councilmember Lynn said he would like to know more about how the VIA Transportation model in Arlington, Texas, works. Do they offer vouchers, passes, etc.?

Item 1, continued:

Case Studies

Arlington, Texas, provides full replacement of public transit for 99 square miles; incremental build-out of coverage areas; fares of \$3 to \$5; pickups within two blocks of residence; and a 12-minute average wait time. Mr. Johnson said this is a large system with 53 vehicles and Arlington is planning to expand to 68 vehicles (\$8 million dollar contract with VIA Transportation for current vehicles).

Lincoln, Nebraska, provides curb-to curb service, pooled (shared ride) service within City limits; has overlapping microtransit and paratransit service fleet by requiring all vehicles be Americans with Disabilities Act (ADA) accessible; a fare of \$5 per trip; operates weekdays from 7:00 a.m. to 2:00 p.m. and 4:00 p.m. to 7:00 p.m. with Saturday service operating from 7:00 a.m. to 7:00 p.m. and no Sunday service; trips are booked through smartphone app only; there is no guaranteed wait time; and same-day only reservations.

Pinellas County, Florida, provides on-demand curb-to-curb service for rides between home and work for late night workers; is an as-needed basis (no access to car and within 150% of federal poverty line); operates all days of the week from 9:00 p.m. to 6:00 a.m.; customers pay \$20 per month for up to 25 rides; and average wait time from ride request to pick-up is five to seven minutes.

Next steps include workshop summary; alternatives analysis in six to eight weeks; City Council Workshop No. 2; workshop summary; mailing out Request for Proposal (RFP); and implementation plan.

Councilmembers thanked HNTB and Staff for the update and said they look forward to implementation of a pilot program.

Items submitted for the record

1. Microtransit Pilot Study Norman, Ok. City Council Workshop dated October 18, 2022
2. PowerPoint presentation entitled, "Norman Microtransit Pilot Study Council Workshop," dated October 18, 2022
3. Survey Summary Sheet

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2. DISCUSSION REGARDING CITY COUNCIL MEETING PROCESSES AND DECORUM.

Ms. Kathryn Walker, City Attorney, said over the years and in recent days, Staff has received a number of questions regarding the process for conducting Council and Committee meetings as well as questions about decorum during meetings. The purpose of an agenda item is to provide Council with information regarding policies and ordinances that have been formally adopted, policies of practice, and other related information. She said summaries of relevant Charter, Code, and Resolution provisions have been provided to Council in attached documents.

Item 2, continued:

Ms. Walker said the City Council Chambers is a place of public business and appropriate attire, appropriate behavior and attention to business is expected with specific rules of conduct set forth in a resolution. She said the Code of Conduct includes keeping each other informed, sharing information, verifying information; focusing on the issue, not making it personal; treating people with respect, not embarrassing or attacking; be concise, focusing, and be brief; listen and understand before judging; avoiding stereotyping or characterizing; coming prepared ready to work; being attentive; giving others your interest; it is okay to disagree; vote and decide, then move forward; silencing all cell phones and pagers; and taking games and conversations outside the Chambers. Ms. Walker said the presiding officer is charged with preserving decorum at all meetings.

City Code provisions address Council decorum and states, "Members of the Council shall...[c]onduct themselves so as to bring credit upon the City, setting an example of good, ethical conduct for all citizens of the community."

Ms. Walker said Staff often receives questions about parliamentary procedure and the City follows Robert's Rules of Order, specifically the tenth addition. The presiding officer chairs the meeting and answers all questions concerning application and interpretation of Robert's Rules. She said Ms. Brenda Hall, City Clerk, is a certified Parliamentarian so she is helpful on this provision. Robert's Rules require Councilmembers wishing to speak to be recognized prior to speaking and all questions should be directed through the Chair and not directed at one another.

As a matter of practice, Council agendas have contained an item for Council to make announcements and for many years, this was identified on the meeting agendas as "Council Comments," but concerns were raised that the term "comments" was misleading, as it was really intended for announcements and not points of discussion that were more appropriate for an agendaed Council discussion. Council announcements should be used for announcements about events in the City, ward meetings, etc., and not as a platform to discuss things that are appropriate for full Council discussion or to attack another Councilmember in violation of the House Rules.

The consent docket has been used for many years in cities across the State and Nation for routine business where unanimous consent of Council is anticipated. On each agenda, it is described as follows: "These items are placed on the agenda so that City Council, by unanimous consent, can designate those routine agenda items that they wish to be approved or acknowledged by one motion. If an item proposed does not meet with approval of all Councilmembers, that item will be heard in regular order. Staff recommends that Items _____ through Item _____ be placed on the consent docket."

If a Councilmember does not wish to approve an agenda item proposed for the consent docket, it should be pulled from the consent docket and heard in order after the consent docket has been disposed of. If the vote on the consent docket is not unanimous, it is not considered a consent docket. It is advisable to notify the City Manager or the City Clerk of a Councilmember's intent to pull something off consent in advance so Staff can be prepared with relevant information.

Item 2, continued:

Ms. Walker said Legislative items are not historically considered a “routine agenda item” subject to placement on the consent docket.

Legislation is typically an ordinance, but not always, and specific language is included in Section I of Article XI of the Charter and is titled “Ordinances, how adopted.” This Article of the Charter has been amended and renumbered over the years; however, this specific language dates back to the original City of Norman Charter effective in 1919. Many cities began with similar model charters and have modified them over the years. It is important to understand the distinction between legislative action and administrative or ministerial actions to understand the impact of this language. Legislative adoptions have not been included on the consent docket as a matter of practice.

Ms. Walker said in regards to questions about whether or not the consent docket should be read aloud at each meeting, Article XI, Section 1 of the Charter states “...[E]very motion, resolution or ordinance shall be reduced to writing and read before the final vote is taken thereon.” She said motions are always stated orally on the record and all ordinances receive a second and final reading off the consent docket so the remaining question is whether this language requires a conclusion that resolutions placed on the consent docket must be read orally into the record to be validly adopted. She said legally, the consent docket items do not have to be orally read prior to a vote.

Ms. Hall said the City’s website is fully ADA compliant and Staff has been very careful that anything put on the website can be orated using visual and/or audio technology. She said many cities around the State do not read the consent docket at the Council meeting.

Ms. Walker said conferences, study sessions, and committee meetings, although less formal than regular meetings, should still follow the parliamentary procedure. She said conference sessions are held prior to regular Council meetings and at any other times deemed necessary by the Mayor or City Manager. Conferences should be devoted to matters where the interchange of information preliminary to public discussion is deemed essential. These sessions are informal and no formal votes shall be taken on any matter, these sessions should be open to the public, and the Mayor serves as the presiding officer.

Study sessions have historically been set on the 1st, 3rd, and 5th Tuesday of each month. There is no Charter or Code requirement that requires study sessions to be held. These meetings have been treated similarly to Council conferences in that they are for situations where the interchange of information preliminary to public discussion is needed. They are informal sessions, no votes are taken, and the Mayor serves as the presiding officer.

Council Committees are determined by the Mayor and are not provided for in the Code or Charter. Historically, the elected mayor has selected the Chairs of the Committee and the Committees have functioned as a way of obtaining Council input and consensus prior to placing an item on Council’s agenda for action. The Chair typically serves to facilitate the delivery of the information with the goal of providing Staff with direction that represents the consensus of the Committee for moving forward on a particular item.

Item 2, continued:

Ms. Walker said Councilmembers are board members of the Municipal Corporation and trustees of its public trusts. Councilmembers have the fiduciary duty to the City that takes precedent over politics and relationships between each other. The fiduciary duty includes the duty of care, which requires Councilmembers/Trustees be fully and adequately informed and act with care when making decisions and acting for the City or one of its public trusts. It also includes the duty of loyalty, which requires Councilmembers to act and make decisions in the best interest of the City or its public trusts and not in their own personal interests.

Preparation for meetings is important and communication with Staff in advance of the meeting is critical. Staff's desire is to work with all Councilmembers regardless of whether Staff agrees with their politics or actions. Staff should not be used as a pawn to score political points. Letting Staff know if Council has questions ahead of the meeting ensures that Councilmembers get the answers they want at the meeting and avoids the "gotcha game." Staff is available to help Councilmembers do their job to the best of their ability, but Staff cannot do that if Council is not working cooperatively with one another.

Some members of Council expressed concerns about not reading the Consent Docket out loud during the Council meeting and said although it might not be illegal, it is immoral.

Concern was also expressed about recent behavior in a committee meeting and Mayor Heikkila asked Councilmembers to contact him if it happens again.

Councilmember Foreman requested a copy of her Oath and Ms. Hall said she would forward individual copies of Oaths to Council.

Items submitted for the record

1. Memorandum dated October 17, 2022, from Kathryn Walker, City Attorney, to Honorable Mayor and Councilmembers

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ADJOURNMENT

The meeting was adjourned at 7:09 p.m.

ATTEST:


Deputy City Clerk




Mayor