

INTRODUCED: July 8, 2013

AN ORDINANCE No. 2013- 144 - 158

To amend and reordain City Code §§ 110-119 and 110-122, concerning the designation of and changes to routes for the motorbus system and intraurban buses, for the purpose of removing the requirement for Council approval of the designation or changing of such routes.

Patron – Mr. Baliles, Ms. Mosby and Mrs. Graziano

Approved as to form and legality  
by the City Attorney

JUL 22 2013

PUBLIC HEARING:

AT 6 P.M.

THE CITY OF RICHMOND HEREBY ORDAINS:

§ 1. That sections 110-119 and 110-122 of the Code of the City of Richmond (2004) be and are hereby amended and reordained as follows:

**Sec. 110-119. Designation of routes generally.**

Except as otherwise provided, the operation of any motorbus system of passenger transportation under this article shall be along such routes as are or shall be designated by the ~~[city council]~~ operator of the motorbus system of passenger transportation and subject to this article.

AYES: 9 NOES: 0 ABSTAIN: \_\_\_\_\_

ADOPTED: SEP 09 2013 REJECTED: \_\_\_\_\_ STRICKEN: \_\_\_\_\_

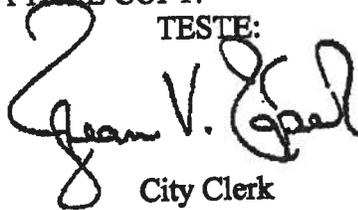
**Sec. 110-122. Changes in routes.**

The right to continue to operate on intraurban bus routes provided shall be upon the condition that ~~[, whenever public convenience shall, in the opinion of the city council, reasonably require any change in such]~~ the operator of the motorbus system of passenger transportation shall annually review any needed changes of routes or any extension thereof, and the routes shall be made and established with all reasonable dispatch and diligence [upon being required or permitted to do so by the city council].

§ 2. This ordinance shall be in force and effect upon adoption.

A TRUE COPY:

TESTE:

  
City Clerk



# Richmond City Council

The Voice of the People

Richmond, Virginia

## Office of the Council Chief of Staff

### Ordinance/Resolution Request

**TO** Allen Jackson, Richmond City Attorney  
Richmond Office of the City Attorney

**THROUGH** Lou Ali *la*  
Council Chief of Staff

**FROM** Marianne Pitts, Council Policy Analyst *M.P.*

**COPY** Jonathan Baliles, 1<sup>st</sup> District Councilman  
Michelle Mosby, 9<sup>th</sup> District Councilwoman  
Kathy Graziano, 4<sup>th</sup> District Councilwoman  
Vincent Jones, Deputy Council Chief of Staff *V. Jones*  
Eli Wong, 1<sup>st</sup> District Liaison  
John Westbrook, 9<sup>th</sup> District Liaison  
Timothy Grimes, 4<sup>th</sup> District Liaison

**RECEIVED**  
JUN 28 2013

OFFICE OF CITY ATTORNEY

**DATE** June 27, 2013

**PAGE/s** 1 of 3

**TITLE** Remove Requirement for Council Approval for the Designation or Changing of Any Bus Route

This is a request for the drafting of an **Ordinance**  **Resolution**

**REQUESTING COUNCILMEMBER/PATRON**

Jonathan Baliles  
Michelle Mosby  
Kathy Graziano

**SUGGESTED STANDING COMMITTEE**

Land Use, Housing, and Transportation

**ORDINANCE/RESOLUTION SUMMARY**

An ordinance is requested to amend §§ 110-119 and 110-122 which designate and change the routes of any motorbus system of passenger transportation in the City, respectively, to remove the requirement of City Council approval for the designation or changing of any bus routes. The responsibility of the designation or changing of any bus routes should be delegated to the operator of the motorbus system of passenger transportation.

Section 110-119 should be amended to say: "Except as otherwise provided, the operation of any motorbus system of passenger transportation under this article shall be along such routes as are or shall be designated by the operator of the motorbus system of passenger transportation and subject to this article."

Section 110-122 should be amended to say: "The right to continue to operate on intraurban bus routes provided shall be upon the condition that, the transit system will annually review any needed changes of routes or any extension thereof, the routes shall be made and established with all reasonable dispatch and diligence upon being required or permitted to do so by the transit system operator."

## BACKGROUND

### **City Code:**

The following sections of the City Code relate to City Council's responsibility in designating and changing GRTC routes within the City boundaries:

Sec. 110-119. - Designation of routes generally.

Except as otherwise provided, the operation of any motorbus system of passenger transportation under this article shall be along such routes as are or shall be designated by the city council and subject to this article.

Sec. 110-122. - Changes in routes.

The right to continue to operate on intraurban bus routes provided shall be upon the condition that, whenever public convenience shall, in the opinion of the city council, reasonably require any change in such routes or any extension thereof, the routes shall be made and established with all reasonable dispatch and diligence upon being required or permitted to do so by the city council.

It should be noted that this chapter of the code refers to the operation in the city of motorbus passenger transportation for hire and excludes vehicles under the exclusive jurisdiction of the state corporation commission and sightseeing vehicles.

### **GRTC and Transit Study Task Force Recommendation**

The proposed legislation is a recommendation that was included in the GRTC and Transit Study Task Force's Final Report. The Task Force was charged with providing recommendations of any legislation, plans, policies, and programs that promote efficient mass transit in the City. The Task Force recommended that City Council should no longer make the final decision regarding the establishing or the altering of bus routes. The proposed legislation removes City Council from the decision making process for routes of any motorbus system of passenger transportation, the Task Force recommendation focused on the current transit operator in the City, GRTC. The Task Force recommended the responsibility for setting and altering routes be transferred to the GRTC Board of Trustees who is the governing body of GRTC and is responsible for acquiring, operating, leasing, or otherwise providing for the operation of a public transportation system. The Board is comprised of 3 appointees from the City of Richmond and 3 appointees from Chesterfield County. The Task Force believed GRTC is capable of making appropriate decisions regarding the routes as GRTC has proven to be good stewards overall of their budget. GRTC periodically conducts studies in which they review their system, routes, and ridership. The Task Force reviewed such studies including GRTC's Comprehensive Operations Analysis (2008) and GRTC's Transit Development Plan FY12-FY17 (2011) and believed GRTC should be responsible for setting routes because of their expertise as illustrated in these studies.

The Task Force members had some concerns about limiting the opportunity for public input by removing the involvement of City Council in the route setting process, but the Task Force felt confident citizens would have the opportunity to provide input during the public hearing before the GRTC Board of Trustees.

### **GRTC's Current Public Comment Procedures**

The proposed legislation does not include any public comment solicitation requirements by any motorbus transit system that is making route changes within the City Code. Currently, GRTC has an established public comment procedure for fare and service changes as required by the US Department of Transportation Federal Transit Administration (FTA). The FTA requires public comment only when GRTC is proposing to raise fares or carrying out a major transportation service reduction. It does not require a solicitation of public comment with fare decreases, service expansion, or short-term changes. GRTC defines a "major service reduction" as either (1) a reduction of 25% of the transit miles of a route or (2) a reduction of 25% of service hours of a route. GRTC provides a 14 day notice prior to any public meeting to solicit public comment. The venues for public comment are either a public hearing before the governing body or a public meeting at another location. The

public solicitation process begins with GRTC working with the applicable local jurisdiction to outline the intent, reasoning, and impact of the proposed change. Next, GRTC staff conducts a service and fare equity analysis per FTA guidelines to determine if the request is non-discriminatory. Staff then initiates the formal public solicitation process with a public hearing or a public meeting. The public comments are sent to the applicable jurisdiction or GRTC Board of Directors for review prior to making the decision on the fare increase or service reduction.

The proposed legislation would eliminate the public hearing before Richmond City Council for any proposed changes to routes. Council staff has spoken with GRTC staff who have stated that it is their intent to continue the process of working with the community and the City's staff and elected officials in a community planning effort to look at any major changes to the routes. This work would include public meetings to gain insight on the community's desires. The proposed legislation would allow GRTC to make minor changes to routes necessary for efficient operations without having a public hearing to request such changes.

#### **FISCAL IMPACT STATEMENT**

Fiscal Impact Yes  No

Budget Amendment Required Yes  No

Estimated Cost or Revenue Impact: N/A

Fiscal Summary:

The proposed legislation would allow GRTC to operate more efficiently by being able to make the best business decisions in regards to route locations. By operating more efficiently, the City could potentially reduce its General Fund contribution to the transit company.

**Attachment/s** Yes  No