

ORDINANCE TO REPEAL AND REENACT CHAPTER 28, ARTICLE III, DIVISION 3 OF THE GREENSBORO CODE OF ORDINANCES WITH RESPECT TO THE GREENSBORO TRANSIT AUTHORITY

Section 1. Chapter 28, Article III, Division 3 is repealed in its entirety and reenacted as follows:

~~DIVISION 3. GREENSBORO TRANSIT AUTHORITY~~

~~Sec. 28-165. Creation and purpose.~~

~~Pursuant to Article 25, Chapter 160A of the General Statutes of North Carolina, there is hereby created a transit authority to be known as the Greensboro Transit Authority. The purpose of the authority shall be to provide for a safe, adequate and convenient public transportation system for the City of Greensboro and its immediate environs through the operation by a management company, of capital equipment, buses and other transportation facilities. In order to provide the goal of promoting a desirable and efficient transit system, the transit authority shall exercise those powers and duties as are hereinafter conferred.~~

~~(Ord. No. 90-113, § 1, 8-20-90)~~

~~Sec. 28-166. Membership.~~

~~The Greensboro Transit Authority shall be composed of nine (9) members appointed by the city council. Members shall serve for a term of three (3) years and shall continue to serve until their successors are appointed and qualified. In order to allow for overlapping of terms in the initial appointment, three (3) members shall serve for a term of one (1) year; three (3) members shall serve for a term of two (2) years; and three (3) members shall serve for a term of three (3) years.~~

~~(Ord. No. 90-113, § 1, 8-20-90)~~

~~Sec. 28-167. Territorial jurisdiction.~~

~~The jurisdiction of the authority shall extend to all local public passenger transportation with fixed routes operating within the city and within ten (10) miles outside of the corporate limits of the city as now or hereafter established.~~

~~(Ord. No. 90-113, § 1, 8-20-90)~~

~~Sec. 28-168. Powers and duties.~~

~~The duties of the Greensboro Transit Authority shall be as follows:~~

- ~~(1) To sue and be sued as a recognizable public entity and, in order to execute contracts, to provide for a seal.~~
- ~~(2) To utilize the officers, and employees of the city as approved by the city manager for such purposes and upon such terms as may be mutually determined. This shall include personnel to provide administrative support, contract and project management, preparation of annual budgetary requests, and the management of all financial accounts and activities utilizing the city's financial system.~~
- ~~(3) To have city staff prepare an annual operating and capital budget in accordance with procedures established by the city manager and submit the same with the general budget request of the city for recommendation by the city manager to the council.~~

- ~~(4) Subject to annual budgetary appropriations by the city council:
 - ~~a. To retain private consultants for rendering professional or technical services and advice;~~
 - ~~b. To acquire, on behalf of the city, such facilities and equipment as may be necessary or convenient for the operations of the transit system;~~
 - ~~c. To enter into contracts, agreements, deeds, leases, conveyances or other instruments including agreements with other public entities;~~
 - ~~d. To enter into contracts with public transportation companies with respect to the operation of public passenger transportation;~~
 - ~~e. To lease, on behalf of the city, property, facilities and equipment necessary or convenient for the operation of the public transportation services and to rent, lease or assign the right to do so to any person, public or private.~~~~
- ~~(5) To prepare plans, surveys and studies of public transportation of facilities within the city and to prepare and make recommendations in regard thereto.~~
- ~~(6) To establish, maintain, amend and update as necessary, proposed routes and schedules for the operation of buses within the territorial jurisdiction of the authority subject to modification or change by the city council only where such amended routes or schedules require additional local public funding outside of the approved budget.~~
- ~~(7) To fix passenger rates and amend such rates as may be necessary and expedient from time to time subject to modification, change or repeal by the city council.~~
- ~~(8) To adopt and carry out the service plan approved by the city council and to develop a long range capital improvement program.~~
- ~~(9) When so delegated by the city council, to seek and obtain grants from the United States, the State, any public body or any private source whatsoever on behalf of the city as grantee.~~
- ~~(10) To enter into and perform contracts with other units of local government when specifically authorized by the city council.~~
- ~~(11) To promulgate such rules and policies governing the public transit system as necessary or convenient to carry out its purpose pursuant to the powers granted herein.~~
- ~~(12) To comply with terms and conditions of Section 13-C, Requirements of the U.S. Department of Labor, which is applicable to federally funded Greensboro transit projects and, through contractual arrangements, to require compliance thereof by any contractor who manages and/or operates the Greensboro Transit System.~~

~~(Ord. No. 90-113, § 1, 8-20-90)~~

~~Sec. 28-169. Officers.~~

~~The city council shall select a chairman from among the members of the authority who shall serve for such time [as] may be fixed by the city council. The authority shall elect a vice-chairman and a secretary, each of whom shall serve for such time as may be fixed by the authority.~~

~~(Ord. No. 90-113, § 1, 8-20-90)~~

~~Sec. 28-170. Audit and financial services.~~

~~The city shall provide auditing services, internal and external; all financial and other records pertaining to actions by the authorities shall be made available to the city manager or his designee for audit and examination.~~

~~(Ord. No. 90-113, § 1, 8-20-90)~~

~~Sec. 28-171. - Effect on existing franchise.~~

~~Existing franchises granted by the city shall continue in full force and effect until legally terminated; further, all ordinances and resolutions of the city regulating bus operations and taxicabs shall continue in full force and effect until otherwise amended or repealed.~~

~~(Ord. No. 90-113, § 1, 8-20-90)~~

~~Sec. 28-172. - Termination.~~

~~The city council reserves the right to terminate the existence of the authority at any time. In accordance with Chapter 160A, Section 585 of the General Statutes of North Carolina, in the event of such termination, all property and assets, both real and personal, of the authority shall automatically become the property of the city and the city shall succeed to all rights, obligations and liabilities of the authority.~~

~~(Ord. No. 90-113, § 1, 8-20-90)~~

~~Sec. 28-173. - Place of meetings.~~

~~All meetings shall be held in the municipal office building or such other place as established by the authority. All such meetings shall be open to the public.~~

~~(Ord. No. 90-113, § 1, 8-20-90)~~

DIVISION 3. - GREENSBORO TRANSIT ADVISORY COMMISSION

Sec. 28-165. - Creation and purpose.

There is hereby created a commission to be known as the Greensboro Transit Advisory Commission, (hereinafter, "GTAC" or "Commission"). The purpose of the Commission shall be to advise the City of Greensboro Department of Transportation and City Council on policies and procedures which will advance a safe, efficient, reliable and efficient public transportation system for the City of Greensboro and its immediate environs.

(Ord. No. 90-113, § 1, 8-20-90)

Sec. 28-166. - Membership.

The Greensboro Transit Advisory Commission shall be composed of nine (9) members appointed by the City Council. Members shall serve for a term of four (4) years and shall continue to serve until their successors are appointed and qualified.

(Ord. No. 90-113, § 1, 8-20-90)

Sec. 28-167. - Territorial jurisdiction.

The jurisdiction of the Commission shall extend to all local public passenger transportation with fixed routes operating within the city and within ten (10) miles outside of the corporate limits of the city as now or hereafter established.

(Ord. No. 90-113, § 1, 8-20-90)

Sec. 28-168. - Duties.

The duties of the Greensboro Transit Advisory Commission shall be as follows:

- (1) Advise the Greensboro Department of Transportation (GDOT) and City Council with regard to transit system policies and safety matters including routes, ridership policies, transit fares, accessibility modes, customer amenities and operating policies.
- (2) Receive input from the citizenry and the ridership of the system involving public transit issues and make appropriate recommendations to GDOT and the City Council.
- (3) Recommend to GDOT and the City Council rules and procedures governing public transit programs, equipment and facilities, regulatory guidelines, service improvements, hours of operation, and security.
- (4) Recommend strategies to promote public utilization of the transit system.
- (5) In conjunction with GDOT, develop short and long range service plans and associated capital improvement plans.
- (6) It is the intent that all matters affecting the governance and operation of the public transit system, including the annual budget thereof, shall be considered by the Commission and recommendations thereon made to the City Council through the City Manager. Nothing contained herein shall prohibit the City Council from acting without the Commission's recommendation.

(Ord. No. 90-113, § 1, 8-20-90)

Sec. 28-169. - Officers.

The city council shall select a chairman from among the members of the authority who shall serve for such time as may be fixed by the city council. The commission shall elect a vice-chairman and a secretary, each of whom shall serve for such time as may be fixed by the commission. Roberts Rules of Order, most recent edition, shall be followed to the extent possible in the conduct of meetings.

(Ord. No. 90-113, § 1, 8-20-90)

Sec. 28-170. – Reserved for future use.

Sec. 28-171. - Effect on existing franchise.

Existing franchises granted by the city shall continue in full force and effect until legally terminated; further, all ordinances and resolutions of the city regulating bus operations and taxicabs shall continue in full force and effect until otherwise amended or repealed.

(Ord. No. 90-113, § 1, 8-20-90)

Sec. 28-172. - Termination.

The city council reserves the right to terminate the existence of the Commission at any time.

(Ord. No. 90-113, § 1, 8-20-90)

Sec. 28-173. - Meetings.

The Commission shall hold meetings on a monthly or more often basis as required at times and place to be established by it. All meetings shall be open to the public; however, the commission members may meet in closed session under those circumstances permitted by G.S. ch. 143. The chairman, or in his absence the vice chairman, may call special meetings upon a forty-eight (48) hour notice. A majority of the regularly appointed commission members shall be required for the commission to take action.

Section 2. Severability. If any provision of this article is declared invalid or unconstitutional by any court of competent jurisdiction, the remaining provisions shall be severable and shall continue in full force and effect.

Section 3. This ordinance shall become effective upon adoption.