ADMINISTRATIVE REGULATION 2025-03
Mayor Blessing Mobolade

DATE: June ~~May~~ 10, 2025

TOPIC: **Transit Safety Committee**

LEGAL AUTHORITY: City Charter § 3-10(b), 4-10 and 4-40(k)
City Code § 1.2.307 and 1.2.314

1.0 Purpose and Scope: This Administrative Regulation establishes the Transit Safety Committee and adopts the Committee's bylaws.

2.0 Procedures

2.1. In General: Pursuant to City Charter § 3-10(b), the Mayor shall perform all executive and administrative functions of the City, including designation of administrative guidelines. Appointment of administrative committees is an executive and administrative function of the City government in accord with City Code § 1.2.307.

2.2. Establishment of the Transit Safety Committee: The establishment of the Transit Safety Committee is made pursuant to City Code § 1.2.307, in compliance with the Infrastructure Investment and Jobs Act, 49 U.S.C. 5329 and 49 C.F.R. Parts 625, 630, 670 and 673, adopted by the United States Congress.

2.3. 49 CFR 673.19(c) sets forth the Transit Safety Committee's purpose as the following: (1) to review and approve the City's Public Transportation Agency Safety Plan and any updates as required by 49 CFR 673.11(a)(1)(i); (2) Set annual safety performance targets for the safety risk reduction program as required by 49 CFR 673.11(a)(7)(iii); and (3) Support operation of the City's transit division's safety management system by:

(i) Identifying and recommending safety risk mitigations necessary to reduce the likelihood and severity of potential consequences identified through the transit agency's safety risk assessment, including safety risk mitigations associated with any instance where the transit agency did not meet an annual safety performance target in the safety risk reduction program;

(ii) Identifying safety risk mitigations that may be ineffective, inappropriate, or were not implemented as intended, including safety risk mitigations associated with any instance where the transit agency did not meet an annual safety performance target in the safety risk reduction program; and

(iii) Identifying safety deficiencies for purposes of continuous improvement as required at §673.27(d), including any instance where the transit agency

did not meet an annual safety performance target in the safety risk reduction program.

2.4. The Transit Safety Committee and Bylaws and Procedures are set forth in Exhibit A, attached hereto and incorporated herein.

3.0 Miscellaneous

3.1. This Administrative Regulation shall be effective as of ~~May~~ June 10, **2025** and shall remain in effect until amended or rescinded.

3.2. This Administrative Regulation shall be filed with the City Attorney and made available for public inspection on the City's website.

Blessing A. Mobolade, Mayor

APPROVED AS TO FORM:

Office of the City Attorney

ADMINISTRATIVE REGULATION 25-03

EXHIBIT A

TRANSIT SAFETY COMMITTEE BYLAWS

(Adopted by the Transit Safety Committee on 05/08/2025)

TRANSIT SAFETY COMMITTEE

BYLAWS AND PROCEDURES

ARTICLE I - PURPOSE AND MISSION

1. The Bipartisan Infrastructure Law requires recipients of 5307 funds that serve urbanized areas with populations of 200,000 or more to establish a safety committee composed of equal representatives of frontline employees and management. This committee shall conduct the following activities to oversee the transit agency's safety performance: (1) review and approve the City's Public Transportation Agency Safety Plan (PTASP) and any updates as required by 49 CFR 673.11(a)(1)(i); (2) Set annual safety performance targets for the safety risk reduction program as required by 49 CFR 673.11(a)(7)(iii); and (3) Support operation of the City's transit division's Safety Management System (SMS) by:

   a. identifying, recommending, and analyzing the effectiveness of risk-based mitigations or strategies necessary to reduce consequences identified in the agency's safety risk assessment;

   b. identifying safety risk mitigations or strategies that may be ineffective, inappropriate, or were not implemented as intended; and

   c. identifying safety deficiencies for purposes of continuous improvement.

Recommendations of the safety committee shall be presented to the Accountable Executive, as defined in the PTASP.

ARTICLE II - MEMBERSHIP/GOVERNANCE STRUCTURE

1. Voting Membership, Terms and Appointments

The Transit Safety Committee ("Committee") membership is composed of five (5) management representatives including Mountain Metropolitan Transit (MMT) administration staff and contract management staff ("Management Representatives"), and five (5) frontline workers representing all operational modes ("Frontline Workers"). Management Representatives shall be appointed by MMT and Frontline Workers shall be appointed by the labor organization that represents the plurality of the transit agency's frontline transit workers. All members of the Committee serve at-will.

2. Terms

Each member of the Committee shall serve a one-year term and may be eligible for unlimited reappointment.

3. Vacancies

Mid-term vacancies shall be filled by the appointing entity.

4. Code of Ethics

The Committee is subject to the City's Code of Ethics.

5. Attendance

Attendance by Committee members at scheduled meetings is vital for the Committee to perform its functions. Members are expected to attend meetings and stay in attendance during each meeting. If a member has three (3) consecutive unexcused absences to scheduled meetings of the Committee, the member shall be removed from the Committee.

6. Procedure for Excusal

A member who is unable to attend a scheduled meeting shall contact the Co-Chair responsible for their cohort (e.g., Management Representatives Co-Chair or Frontline Workers Co-Chair) no later than (72) hours prior to the meeting and request to be excused from the meeting. The member shall state the reason for the absence and the responsible Co-Chair shall determine if the absence is justified. If justified, the absence shall be deemed as excused. Failure to comply with this Rule, except in cases of emergency, shall result in an unexcused absence.

7. Alternates

There shall be designated six (6) alternate Committee members, consisting of three (3) Management Representatives and three (3) Frontline Workers ("Alternate Committee Members"). Alternate Committee Members may attend meetings but may not participate in discussions or voting unless they are standing in for a voting member. If a voting member is unable to attend the meeting, the Co-Chair for the respective cohort may designate an alternate to stand in for that meeting. The respective Co-Chair shall notify the MMT Administrative Representative of the alternate stand-in at least (48) hours prior to the meeting and indicate such information on the meeting agenda and minutes. If timely notification of the alternate is not received, the alternate will not be permitted to stand in for the voting member.

8. MMT Administrative Representative

MMT administration staff shall serve as the secretary of the Committee and shall be the MMT Administrative Representative responsible for the following:

(i) Providing the Committee with copies of the agenda and meeting materials via email no less than (72) hours prior to the meeting.

(ii) Keep minutes: the minutes of meetings shall be summary minutes, however, each motion made shall be recorded verbatim, and the minutes shall show the vote of each member, except where votes are unanimous.

(iii) Keeping the Bylaws and Procedures, minutes of all meetings of the Committee, a current membership list containing the names, addresses and

telephone numbers of all members, and all other official documents of the Committee.

9. Quorum

A simple majority of the Committee, including no less than three (3) Management Representatives and three (3) Frontline Workers, shall constitute a quorum for the transaction of business. Whenever a quorum is not present at a regular or special meeting, no meeting shall be held.

10. Co-Chairs

There shall be two (2) Co-Chairs, one (1) selected by the majority of the voting Frontline Workers and one (1) selected by the majority of the Management Representatives at the annual meeting, to occur in *February* of each year. The Co-Chairs will alternate chairing the committee meetings. If a Co-Chair cannot be present for a meeting, the other Co-Chair shall run the meeting.

The Co-Chair shall preside over their designated meetings of the Committee and is the principal spokesperson of the Committee during that meeting.

11. Voting

The Committee may only act by motion. All voting members of the Committee, including the Co-Chairs shall be entitled to one (1) vote on all matters brought before the Committee at a meeting. No proxy vote shall be allowed. All issues shall be settled by a majority vote. Votes shall be either yes or no. Abstention is not permitted unless a conflict of interest exists, as defined in the City's Code of Ethics.

12. Dispute Resolution

If the Committee encounters a deadlock vote on an item of business, the tied vote shall be resolved by the following dispute resolution procedure:

a. In-Committee Dispute Resolution:

(1) Following a tied vote, the matter shall return to the Committee during the current meeting or at the next meeting and discussion may resume for no longer than (30) minutes. At the conclusion of (30) minutes, the presiding Co-Chair shall facilitate a second vote on the matter.

b. Designation of the Cohort Representatives:

(1) If a deadlock vote results from the in-committee procedure, then the MMT Administrative Representative shall record the tied vote, and the matter shall proceed to the next stage of the dispute resolution procedure.

(2) Each voting group shall designate a Cohort Representative to represent their interests during the dispute resolution process.

(3) The Cohort Representatives shall submit to the MMT Administrative Representative any written and/or audiovisual documentation in support of their cohort's position within five (5) business days from the date of the second tied vote.

c. Initial Dispute Resolution:

(1) The Initial Dispute Resolution Team (IDRT) shall be one executive leadership individual who is not a member of the Committee representing the Management Representatives cohort and one executive leadership individual who is not a member of the Committee representing the Frontline Workers cohort. Each cohort shall be responsible for selecting their executive leadership individual by majority vote.

(2) In the event that either cohort refuses or fails to select an executive leadership individual to serve on the IDRT such that the meeting cannot occur within the time prescribed in paragraph (4) below, or that either cohort otherwise abstains from compliance with these procedures, then that shall constitute that cohort's forfeiture of the initial dispute resolution process, and the matter shall proceed directly to final dispute resolution.

(3) The MMT Administrative Representative shall transmit to the IDRT the agenda and minutes from the relevant Committee meeting(s), along with the materials submitted by each Cohort Representative.

(4) The IDRT shall meet as soon as possible following the tied vote, either in-person or virtually. Such meeting shall be organized and attended by the MMT Administrative Representative.

(5) IDRT Meeting:

(i) The MMT Administrative Representative shall record minutes and may not speak specifically to the business matter at hand.

(ii) Each Cohort Representative shall be allotted ten minutes to present their cohort's perspective on the matter to the IDRT.

(iii) The IDRT shall discuss the matter to attempt to resolve the tie. If the representatives arrive at a tie-breaking decision, the MMT Administrative Representative shall record and communicate such to the Committee as soon as practicable following the meeting. This communication shall include the IDRT's justification for its decision.

(iv) If the IDRT cannot resolve the matter, it will be referred for final dispute resolution.

d. Final Dispute Resolution:

(1) A municipal court judge shall serve as the hearing officer for the final dispute resolution.

(2) The MMT Administrative Representative shall prepare the record for the hearing officer which will include the IDRT minutes, and the materials prepared for the IDRT.

(3) The hearing officer shall conduct the hearing. The Co-Chairs of the Committee, or their singular designee(s), shall attend the hearing and present their cohort's perspective on the matter.

(4) Within fourteen (14) days of the hearing, the hearing officer will issue a decision on the matter, which shall be final and not appealable.

e. At the next regular meeting of the Committee, the Committee shall conduct its business on the matter according to the final resolution provided by the hearing officer.

ARTICLE III - PROCEDURE

The Parliamentary Law and Practice for Non-Profit Organizations (Rosenthal, 2015, Parliamentary Services Publishing) shall govern the conduct of business at all meetings of the Committee except when in conflict with these Bylaws.

ARTICLE IV - MEETINGS

1. Meetings of the Committee shall occur on the second Thursday of the month at the Transit Administration Building, located at 1015 Transit Drive. Meetings are open to the public.

   The order of business at all Meetings shall be:

   a. **Call to Order**. The Co-Chair leading the meeting shall call the Committee to order.

   b. **Approval of Agenda**.

   c. **Approval of Minutes**. The minutes of any preceding meeting shall be submitted for approval and shall be approved by a majority vote of those present, pending any corrections by voting members of the Committee.

   d. **Urgent Business.** Items needing discussion but not decision.

   e. **Old Business.** Items previously postponed or referred to a future meeting shall appear in this section.

f. **Reports.**

g. **New Business.**

h. **Next Meeting Schedule and Business.**

i. **Adjournment.** Upon completion of the agenda, the Co-Chair presiding over the meeting shall declare the meeting to be adjourned.

ARTICLE V - COMPENSATION OF COMMITTEE MEMBERS

Committee members and formally voting alternate members will be compensated for their time spent in committee activities by their respective employers as hours worked. However, non-voting alternate members (who are not required to attend the meeting) and guests who attend the meetings will not be eligible for any form of payment for their participation.

ARTICLE VI - AMENDMENT AND APPROVAL OF BYLAWS AND PROCEDURES

Amendment of these Bylaws and Procedures may occur at any scheduled meeting of the Committee. The proposed amendment(s) must be provided in writing to the MMT Administrative Representative and included in the agenda for the meeting. An affirmative vote by a majority of the Committee is required for any proposed amendment. Following such an affirmative vote, the revised Bylaws and Procedures must be reviewed and approved by the Mayor of the City of Colorado Springs to take effect.