

CITY OF MADISON
CITY ATTORNEY'S OFFICE
Room 401, CCB
266-4511

MEMORANDUM

TO: TFOGS Implementation Workgroup

FROM: John Strange, Assistant City Attorney

DATE: July 23, 2020

RE: Timeline for adopting charter ordinance with a referendum and related redistricting information.

The Task Force on Government Structure (“TFOGS”) Final Report identified six (6) recommendations related to the structure of Madison’s Common Council:

Madison should transition to a full-time Common Council
<i>Madison should reduce the size of the Common Council to ten (10) members elected concurrently with the Mayor.</i>
Madison should increase Common Council member pay to 80% of the area median income for a single parent with two children (approximately \$67,000).
Madison should maintain geographic aldermanic representation.
<i>Madison should increase aldermanic terms to four (4) years.</i>
Madison should impose term limits of twelve (12) consecutive years.

Implementing each of these recommendations would require future formal actions by the Common Council, including changes to city ordinances, budget appropriations, and a city-wide referendum. Per the Workgroup’s request, the purpose of this Memorandum is to focus on the recommendations above that would definitely require a city-wide referendum, and to outline that process.

M.G.O. § 3.01, Organization under the Mayor Plan, states:

“The government of the City of Madison is organized and constituted under Wis. Stat. ch. 62 providing for the City Mayor and Aldermanic plan *with a Common Council composed of twenty (20) alderpersons, one (1) from each*

aldermanic district. The Mayor and *alderpersons are to be elected for a term of two (2) years*; provided, however, that beginning with the 1991 Spring Election, the Mayor shall be elected for a term of four (4) years.”

(emphasis added).

The Editor’s note to the ordinance explains that this section was reinstated as a charter ordinance and amended to provide for a four-year mayoral term pursuant to adoption by the electorate at the 1987 Spring Election. Importantly, Wis. Stat. § 66.0101(8) states that “[a] Charter ordinance enacted or approved by a vote of the electors controls over any prior or subsequent act of the legislative body of the city or village.” Thus, if Madison wishes to change the number of alderperson and/or increase the length of their terms, it would need to submit a charter ordinance amending M.G.O. § 3.01 to the electorate for approval, like it did in 1987.

There are two ways that the Common Council can submit a charter ordinance for a referendum. First, it could pass the charter ordinance by two-thirds majority vote of the Common Council and then, after adoption, submit it to a referendum. Alternatively, it could decide, by majority vote (e.g., in a resolution), to submit the charter ordinance to a referendum without taking formal action on it. In either case, the charter ordinance would not become effective unless and until approved by a majority of the electors voting. See Wis. Stat. § 66.0101(7)(states that “a charter ordinance may be submitted to a referendum by the legislative body, under s. 9.20(4) to (6)...and becomes effective when *approved by a majority of the electors* voting in the referendum.” (emphasis added).

As noted above, the timeline for the referendum process initiated by the legislative body is governed by Wis. Stat. § 9.20(4) to (6), but (7) and (8) are also instructive:

“(4) ...[i]f there are 70 days or less before the election, the ordinance or resolution shall be voted on at the next election thereafter.

The council or board by a three-fourths vote of the members-elect may order a special election for the purpose of voting on the ordinance or resolution at any time prior to the next election, but not more than one special election for direct legislation may be ordered in any 6-month period.

(5) The clerk shall cause notice of the ordinance or resolution that is being submitted to a vote to be given as provided in s. 10.06 (3) (f).

(6) The ordinance or resolution need not be printed in its entirety on the ballot, but a concise statement of its nature shall be printed together with a question permitting the elector to indicate approval or disapproval of its adoption.

(7) If a majority vote in favor of adoption, the proposed ordinance or resolution shall take effect upon publication under sub.

(5). Publication shall be made within 10 days after the election.

(8) City ordinances or resolutions adopted under this section shall not be subject to the veto power of the mayor...”

So, in this case, the proposed charter ordinance would be placed on the ballot at the next election (spring or general) that is at least 70 days away, or sooner at a special election if so called by a three-fourths vote of the Common Council. Thus, predicting a specific timeline depends, in part, on when the City decides to place the issue on the ballot. For example, in order to place the proposed ordinance on the ballot in the upcoming general election (Nov. 3, 2020) the City would have to submit the proposed ordinance to the clerk by August 25, 2020. To place it on the ballot in the Spring election (April 6, 2021) the City would have to submit the proposed ordinance to the clerk by January 26, 2021. Or, the City could call a special election by three-fourths vote of the Common Council, keeping in mind that the Clerk has to give at least 70 day-notice of a special election. See Wis. Stat. § 8.37. Once on the ballot, the charter ordinance does not become effective unless and until approved by a majority of those voting in the election. Once approved in a referendum, the ordinance is not subject to mayoral veto.¹

We also wanted to highlight the separate but related issue of redistricting after the 2020 Census. The City is required by state law to redraw its wards and aldermanic districts after each decennial census. The 2021 local redistricting timeline requires municipalities to adjust ward boundaries by August 2021 and aldermanic district boundaries by October 2021. We will need to keep this in mind as the Council considers changing its size. Any charter ordinance changing the size of the Council could include a delayed effective date to allow for a variety of logistical issues, including redistricting. Other cities, like St. Louis, that have changed the size of their council in connection with a decennial census have set effective dates to take into account these issues. As in the past, the Planning Division will lead the City's redistricting efforts. So, I have included memorandums from the previous redistricting efforts that put a little finer point on what that process looks like.

¹ For a general discussion on the referendum process, including a description of the difference between advisory and binding referenda, see:

https://docs.legis.wisconsin.gov/misc/lrb/wisconsin_elections_project/ballot_initiative_referendum_1_1.pdf

<https://elections.wi.gov/sites/elections.wi.gov/files/2019-11/Guide%20to%20Understanding%20Referenda%20%28Rev.%202019-11%29.pdf>



Department of Planning & Community & Economic Development
Planning Division

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TO: Mayor Dave Cieslewicz
FROM: Bradley J. Murphy, Planning Division Director
DATE: October 26, 2010
SUBJECT: 2011 Redistricting

The City will undertake redistricting over the course of the next year. The Planning Division has coordinated the redistricting process in the past and we anticipate coordinating this process again in 2011.

Planning Division staff has put together a general timetable for the redistricting process based on State Statute (see page 2). This information was prepared by Brian Grady. Brian will be the project manager for the process. Bill Lanier, Planning Division GIS Specialist, will provide technical assistance with the project such as mapping and data analysis.

Redistricting involves coordination with Dane County. Dane County staff has indicated that Tim Saterfield in the County Board Office will likely be coordinating Dane County's redistricting process.

Ad Hoc Committee on Reapportionment and Redistricting

At this time, we request that you and your staff start the process of forming the Redistricting Committee. We will prepare a resolution authorizing the creation of the Committee and forward it to you for your review. We would like to have the Committee formed by the end of 2010 so that they will be ready for an initial meeting in February 2011.

For your reference, in 2001, the Redistricting Committee (officially the Ad Hoc Committee on Reapportionment and Redistricting) consisted of seven members. The Committee included four alders and three at-large residents. The Committee met about once or twice per month between February and August. The Committee meetings took place during the lunch hour or the early evening depending on the amount of time needed for the meeting. For more information on the 2001 Committee, see the attached resolution creating the Committee, the Committee roster and their final report to the Common Council.

Please contact me if you have any questions about this process.

cc: Janet Piraino, Mayor's Chief of Staff

Preliminary Redistricting Timetable

The redistricting process requires cooperation between the County and the municipalities and involves a three-step process. Each step should be completed within 60 days.

Pre-Redistricting	<ol style="list-style-type: none"> 1. County Board forms Redistricting Committee and City of Madison forms Redistricting Committee 2. Redistricting Committees start redistricting process discussions 	<p>January 2011</p> <p>February</p>
Step One	<ol style="list-style-type: none"> 4. County receives 2010 Census population data (60-day clock starts) 5. County Redistricting Committee prepares alternative supervisory district plans 6. Alternative plans presented to County Board 7. After public hearing, County submits tentative supervisory district plan to municipalities 	<p>April</p> <p>April – May</p> <p>May</p> <p>June (no later than July 1)</p>
Step Two	<ol style="list-style-type: none"> 8. Municipalities (cities and any towns or villages split by supervisory districts) adjust/create ward boundaries 9. Municipalities submit ward plans to County 	<p>June-July (no later than August 1)</p>
Step Three	<ol style="list-style-type: none"> 10. County adopts final supervisory district plan and cities adopt aldermanic districts 	<p>By October 1</p>
Post- Redistricting	<ol style="list-style-type: none"> 11. New County supervisor and City aldermanic districts are used for election process 	<p>December 2011</p>

AGENDA # _____

CITY OF MADISON, WISCONSIN

**A SUBSTITUTE
RESOLUTION** _____

To establish an Ad Hoc Committee to
Review Common Council Size and City of
Madison Ward and District Boundaries

PRESENTED October 31, 2000 (By Title Only)
REFERRED CCOC

REREFERRED _____

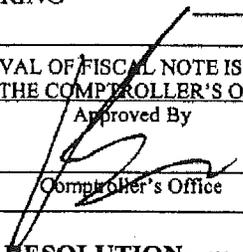
REPORTED BACK December 5, 2000

Drafted by: Lisa Veldran, Administrative
Assistant

ADOPTED _____ POF _____
RULES SUSPENDED _____
PUBLIC HEARING _____

Date: October 24, 2000

Fiscal Note: Although significant Planning
and Development staff
resources will be allocated to
support the Committee, funding
has been included in the P&D
Operating Budget. No
additional appropriation is
required.

APPROVAL OF FISCAL NOTE IS NEEDED
BY THE COMPTROLLER'S OFFICE
Approved By

Comptroller's Office

SUBSTITUTE RESOLUTION NUMBER 57862 -
ID NUMBER 28443

SPONSORS: Mayor Susan Bauman, Ald. Dorothy Borchardt and Ald. Gary Poulson

WHEREAS, every ten years the U.S. Census reveals changes in population within the City of Madison; and,

WHEREAS, these changes require that Madison's District boundaries be evaluated and perhaps changed so as to equalize the number of residents living within each Aldermanic District; and,

WHEREAS, the need to alter District boundaries provides the City of Madison with a chance to evaluate the composition and size of the Madison Common Council; and,

WHEREAS, in the recent past the District boundaries for the Madison Common Council and the Dane County Board have been co-terminus;

THEREFORE BE IT RESOLVED, that a special Ad Hoc Committee be created which will be charged with the following tasks:

1. To determine if Common Council and Dane County Board Districts should continue to be co-terminus within the City Of Madison.

2. To review and make recommendations with respect to the size of the Madison Common Council and the pay of its members.
3. To review and make recommendations with respect to District and Ward boundaries of the Madison Common Council which reflect the recommended number of seats.

BE IT FURTHER RESOLVED, that the Ad Hoc Committee should be comprised of:

- Four (4) Alderpersons – who represent different geographic areas of the City and
- Three (3) City of Madison residents – who represent different geographic areas of the City;

who shall be appointed by the Mayor and the Common Council President, subject to Common Council approval; and,

BE IT FURTHER RESOLVED, that the Department of Planning & Development shall provide staff to the Committee; and,

BE IT FURTHER RESOLVED, that the Ad Hoc Committee shall review and update the written criteria established in 1991, which specifically laid out the factors to be utilized in the decision-making process,

BE IT FINALLY RESOLVED, that the Ad Hoc Committee report back to the Common Council after each decision point and provide a final report no later than July 3, 2001.

PROGRAM-ID
MYRPT18
COMMITTEE #503400

MAYOR'S OFFICE
BOARD/COMMISSION/COMMITTEE MEMBER
ROSTER REPORT

DATE 04/09/01
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REAPPORTIONMENT AND REDISTRICTING AD HOC COMMITTEE

MEMBERS: 7 QUORUM: 4 AUTHORITY: Subst Res 57862, ID 28443
NON-VOTING MEMBERS: 0 (*)
MEETS:
CHAIR APPT. BY:

STAFF: Bill Roberts AGENCY: Planning & Development
TELEPHONE: 266-5974 LOCATION: 215 MLKJ Blvd, LL100
E-Mail: broberts@ci.madison.wi.us

POSITIONS:

		INCUMBENT	EXP. DATE
1	COMMON COUNCIL MEMBER TERM: Ad Hoc	Warren E. Onken 9 Coach House Dr 53714-2718 HM: (608)244-7480 WK: (608)266-4071 DATE FIRST APPOINTED: 02/06/2001	11/11/1111
	DIST/WARD: 3 8	SEX: M RACE: 2 SENIOR: no DISAB: no	
2	COMMON COUNCIL MEMBER TERM: Ad Hoc	Dorothy Borchardt 1717 Elka Ln 53704-3337 HM: (608)249-7202 WK: (608)266-4071 DATE FIRST APPOINTED: 02/06/2001	11/11/1111
	DIST/WARD: 12 15	SEX: F RACE: 2 SENIOR: no DISAB: no	
3	COMMON COUNCIL MEMBER TERM: Ad Hoc	Matt E. Sloan 1209 Gilson St 53715-2119 HM: (608)250-6664 WK: (608)266-4071 DATE FIRST APPOINTED: 02/06/2001	11/11/1111
	DIST/WARD: 13 35	SEX: M RACE: 2 SENIOR: no DISAB: no	
4	COMMON COUNCIL MEMBER TERM: Ad Hoc	Gary L. Poulson 637 Charles Ln 53711-1320 HM: (608)233-1469 WK: (608)266-4071 DATE FIRST APPOINTED: 02/06/2001	11/11/1111
	DIST/WARD: 20 50	SEX: M RACE: 2 SENIOR: no DISAB: no	

PROGRAM-ID
MYRPT18
COMMITTEE #503400

MAYOR'S OFFICE
BOARD/COMMISSION/COMMITTEE MEMBER
ROSTER REPORT

DATE 04/09/01
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REAPPORTIONMENT AND REDISTRICTING AD HOC COMMITTEE

		INCUMBENT	EXP. DATE
5	CITY RESIDENT TERM: Ad Hoc	Allen A. Arntsen 2817 Milwaukee St 53704-5159 HM:(608)242-8631 WK:(608)258-4293 DATE FIRST APPOINTED: 02/06/2001	11/11/1111
	DIST/WARD: 15 6	SEX: M RACE: 2 SENIOR: no DISAB: no	
6	CITY RESIDENT TERM: Ad Hoc	Gregory J. Crews 542 Clifden Dr 53711-1561 HM:(608)233-5290 WK:N/A DATE FIRST APPOINTED: 02/06/2001	11/11/1111
	DIST/WARD: 11 47	SEX: M RACE: 2 SENIOR: no DISAB: yes	
7	CITY RESIDENT TERM: Ad Hoc	Charlie Daniel 247 Harbour Town Dr 53719-4900 HM:N/A WK:(608)255-0539 DATE FIRST APPOINTED: 04/03/2001	11/11/1111
	DIST/WARD: 9 59	SEX: F RACE: 1 SENIOR: yes DISAB: no	

AGENDA # _____

City of Madison, Wisconsin

REPORT OF: **AD HOC REDISTRICTING
& REAPPORTIONMENT
COMMITTEE** – Ordinance, I.D.
30070, Regarding Ward Boundaries
and Aldermanic Districts

AUTHOR: Bill Roberts
Planning Unit Staff

DATED: August 10, 2001.

PRESENTED: September 4, 2001
REFERRED: _____
REPORTED BACK: _____
ADOPTED: _____
RULES SUSPENDED: _____
RE-REFERRED: _____
PLACED ON FILE: _____
ID NUMBER: _____

This is the third and final report of the City of Madison Ad Hoc Redistricting and Reapportionment Committee to the Common Council. The first report, presented on April 17, 2001, recommended that the number of Aldermanic Districts should remain the same at 20 seats. The Common Council accepted this recommendation and further directed the Committee to proceed with an Aldermanic Redistricting Plan based on 20 Aldermanic Districts.

The second report was presented to the Common Council on June 19, 2001. This report recommended approval of a tentative Aldermanic District plan which was accepted by the Common Council. This plan served as a guide for further redistricting activities, including delineation of wards within the City once Dane County adopted a County-wide tentative supervisory plan.

On July 2, 2001, the Clerk of the City of Madison received a written statement from the Dane County Clerk regarding the adoption of a tentative supervisory plan for Dane County by the Dane County Board. Within 60 days after the receipt of the written statement, the City of Madison must adopt a ward plan to accommodate the adopted tentative supervisory plan.

TENTATIVE SUPERVISORY PLAN FOR DANE COUNTY

On June 28, 2001, the Dane County Board adopted a tentative supervisory plan which was subsequently approved by the Dane County Executive. Unlike the previous 1991 supervisory plan, the newly adopted tentative supervisory plan no longer provides for coterminous aldermanic and supervisory districts within the City of Madison. Wisconsin Statutes requires that the City of Madison must "...make a good faith effort to accommodate the tentative plan submitted by the County..." in preparing its ward plan.

WARD PLAN FOR THE CITY OF MADISON

Wisconsin Statutes requires that each ward within the City of Madison must have no less than 1,000 persons nor more than 4,000 persons. However, the City may create wards with less than 1,000 persons to accommodate the tentative supervisory plan for Dane County. Wisconsin Statutes also requires that all territory within a ward shall be contiguous except for an island territory, and each ward "...shall as, far as practicable, be kept compact, and observe the community of interest of existing neighborhood and other settlements."

A ward plan was prepared based on the tentative supervisory plan adopted by the Dane County Board and the aldermanic district plan previously adopted by the City Reapportionment Committee. The ward plan proposed some minor boundary changes to the tentative supervisory plan and the aldermanic district plan

because the combination of both plans required the creation of some wards with no population or with only very few persons. A public hearing on the ward plan, together with the aldermanic district plan, was held on July 25, 2001. Following the public hearing (for which there were no public appearances), the City Reapportionment Committee reviewed and made some revisions to the ward plan. On August 1, 2001, the Committee further reviewed the ward plan and after making additional revisions adopted the final ward plan and aldermanic district plan for recommendation to the Mayor and Common Council.

The new ward plan proposes 99 wards as compared to the 68 wards in the 1991 ward plan, and the wards vary in population size from 135, the smallest, to 3,815, the largest (see Map 1 and Table 1). The increase in the number of wards is due primarily to the need to create more smaller wards with few population to accommodate the tentative supervisory plan (see Map 2 and Table 2). Of the 99 wards, 13 will have less than 1,000 persons. Although having only 135 and 454 persons respectively, both Wards 5 and 18 on the far east side are now undergoing residential development and have a large population growth potential. All of the wards are contiguous except for Ward 1, which has two parcels constituting an island territory completely surrounded by the Village of McFarland. Most of the wards are generally compact and also recognizes boundaries of residential neighborhoods and neighborhood associations. The new wards are consecutively numbered within aldermanic districts, and the ward numbering system begins in the east portion of the City and progresses through the Isthmus area to the west portion.

POLLING PLACES FOR WARDS

The City's intent is to have all polling places within public buildings and in buildings other than churches or parochial schools, and also all polling places are to be accessible to handicapped individuals. However, because of the inability to find buildings which comply with both criteria, the polling places will include 7 churches and one parochial school.

Although 99 new wards are being created in the ward plan, 72 separate polling places are contemplated (see Table 3). Of the 72 separate polling places, 3 will each serve three wards, 21 will each serve two wards, and the remaining 48 will each serve only one ward. All of the smaller wards with only few persons will be served at polling places with at least another ward.

ALDERMANIC DISTRICT PLAN FOR CITY OF MADISON

Wisconsin Statutes require that aldermanic districts be created by combining contiguous whole wards. The new aldermanic district plan proposes 20 aldermanic districts, and each district is comprised of at least 4 contiguous wards (see Map 3). In the case of the 12th and 17th districts, each district is comprised of 7 contiguous wards, and the smaller wards with few persons within each district have been created to accommodate the tentative supervisory plan for Dane County.

The following seven criteria were considered by the City Reapportionment Committee in creating the 20 aldermanic districts for the City of Madison:

1. Contain an equal number of inhabitants;
2. Be comprised of contiguous whole wards;
3. Be compact;
4. Enhance minority participation;
5. Contain within them communities of interests, such as neighborhood associations;
6. Use major arterial and other physical barriers as boundaries; and
7. Increase the number of districts exposed to future growth on the periphery of the City of Madison.

The first five criteria are statutory requirements pursuant to Wisconsin Statutes and therefore must be complied with in any redistricting plan. The following includes a discussion of each of the seven criteria as they relate to the new aldermanic district plan.

Equal Number of Inhabitants

Based on 20 aldermanic districts, the average population size for an aldermanic district is 10,403. In order to insure that the aldermanic district plan would provide for population equality, the maximum population deviation from the average district size was held to about 3 percent. The largest deviation from the average district size in the aldermanic district plan is -2.71 for District 9 and +3.10 percent for District 5 (see Table 4). The total deviation is 5.81 percent. In the case of districts along the City's periphery where future residential growth and population increases are anticipated, the population was purposely kept lower than the average district size.

Contiguous Wards

The 20 aldermanic districts have been created by combining at least four contiguous whole wards. Of the 20 aldermanic districts, 7 has four wards, 9 has five wards, 2 has six wards, and 2 has seven wards.

Compactness

It was difficult to achieve this criterion for some districts because of the geography and shape of the City of Madison. For example, the outer boundaries of District 14 are very irregular and coincide with the boundaries of the Towns of Madison, Dunn and Blooming Grove, and the City of Fitchburg. Also, in the case of the Isthmus area, both Districts 2 and 6 are long and narrow because both districts are bounded by the shoreline of either Lake Mendota or Lake Monona and the desire to keep existing neighborhoods intact by using East Washington Avenue, a major highway, as a boundary line between both districts. However, there are several districts which are reasonably compact, such as Districts 3, 16, 17 and 18 in the east portion of the City, Districts 4 and 8 in the central portion, and Districts 7, 9 and 19 in the west portion.

Enhancing Minority Participation

Minorities constitute 18.0 percent of the City of Madison's total population, and large number of minorities will continue to reside in Districts 14, 5, and 13. The highest percentage of minorities will be in District 14 with 39.8, followed by District 5 with 29.9, and District 13 with 23.8. Minorities in District 14 reside primarily in three separate areas, the Burr Oaks Subdivision and Lincoln Elementary school are (Ward 57), the Broadway-Simpson Street area in the Waunona Neighborhood (Ward 54), and the Rimrock Road - Moorland Road area (Wards 55 and 56). Most of the minorities in district 5 reside in Eagle Heights Apartments, a University of Wisconsin graduate student housing project with a large Asian population (Ward 63). Minorities in District 13 reside primarily in South Madison within the Brams Addition and Capitol View Heights neighborhoods (Ward 53).

Section 5.15 of the Wisconsin Statutes provides for the establishment of wards "...to permit creation of supervisory or aldermanic districts of substantially equal population or to enhance to participation of members of a racial or language minority groups in the political process and their ability to elect representatives of their choice." District 14 in the new aldermanic district plan is identical to the present District 14, and new District 13 is almost similar to the present District 13. Minority groups residing in both districts will continue to be able to participate in the political process and elect representatives of their choice.

Communities of Interest (including Neighborhood Associations)

Neighborhood associations were considered in the development of the new aldermanic district plan. Thus, many neighborhoods are kept intact in most districts. However, some neighborhoods were divided because of the desire to maintain smaller deviations from the average district size in order to insure population equality.

Major Arterials and Other Physical Barriers

Many major highways, such as Commercial Avenue or Wisconsin State Highway 30, Stoughton Road, East Washington Avenue, Packers Avenue, Cottage Grove Road on the east side and the West Beltline Highway, Mineral Point Road, Whitney Way, Midvale Boulevard and Gammon Road on the west side, serve as boundaries of aldermanic districts. These major highways also serve as neighborhood boundaries. Both Starkweather Creek and Wingra Creek serve as either aldermanic district boundaries or ward boundaries.

Exposing More Districts to Future Growth on City's Periphery

The new aldermanic district plan is designed in some cases to insure that future growth along the City's periphery will occur not only in one district, but could be distributed among two or more districts. For example, large scale residential construction which will continue in the southwest portion of the city of Madison will occur in both Districts 1 and 7 (primarily Wards 91, 92, 93, and 99), and both districts will share in the anticipated large population increases. New residential construction east of Interstate Highway 90 and Interstate Highway 90 and 94 will continue to occur in both Districts 3 and 17 (primarily Wards 5 and 18). While future residential growth in the Cherokee Park Subdivision will continue to occur in District 18 and in Ward 25, future residential growth between North Sherman Avenue and Packers Avenue north of Lakeview Elementary school will also occur in District 12 as more lands are annexed to the City of Madison and developed with residences.

RECOMMENDATION

An ordinance has been prepared based on both the new ward plan and the aldermanic district plan adopted by the City Reapportionment Committee. Ordinance, I.D. No. 30070, will accomplish the following:

1. Create 99 new wards within the City of Madison, and also establish a polling place for each ward. (The new wards will also serve to create new supervisory districts within Dane county and new assembly districts for the State of Wisconsin).
2. Create 20 new aldermanic districts within the City of Madison by combining contiguous whole wards, and the new districts will become effective beginning with the 2003 Spring Election.
3. Maintain the present aldermanic districts and wards until the 2003 spring election.

It is the conclusion of the City Reapportionment Committee that a good faith effort was made to accommodate the tentative supervisory plan in creating the new ward plan for the City of Madison. Also, it is the conclusion of the Committee that the new ward plan and new aldermanic district plan comply with statutory requirements and other criteria considered in redistricting. Therefore, the Committee recommends the adoption of Ordinance, I.D. No. 30070.

Respectfully submitted,

Bill Roberts
Planner IV

**CITY OF MADISON
OFFICE OF THE CITY ATTORNEY
Room 401, CCB
266-4511**

Date: May 11, 2009

MEMORANDUM

TO: Mayor Dave Cieslewicz
Mark Olinger, Director of DPCED
Maribeth Witzel-Behl, City Clerk

FROM: Michael P. May, City Attorney

RE: Timing For Census and City Redistricting

I was asked recently to check the statutes on the timing for the City of Madison to undertake its redistricting after next year's census.

1. According to the US Census Bureau website, census questionnaires will be distributed in March, 2010 and are to be returned by April 1, 2010. The Bureau must certify the census to the President by December 31, 2010. I assume that there will be some delay in when census data is available to localities. But we can assume that the data will be available sometime in late winter or early spring, 2011.
2. Under sec. 59.10(3)(b)1., Wis. Stats., Dane County is to prepare a tentative supervisory district plan within 60 days of receipt of the census data, but no later than July 1, 2011. The County forwards this plan to City.
3. Under sec. 5.15(1)(b), Wis. Stats., within 60 days of receipt of the tentative plan from the County, the City must redraw its wards. The City is to attempt to follow the County's tentative plan, but it is not required. All property and only property in the City as of August 1, 2011, is to be contained in the plan. The City must follow the conventions of sec. 4.003, Wis. Stats., in drawing wards. It also must try to follow existing wards if possible. The County and the State then use the City's wards in drawing new district lines for their elected positions.
4. The August 1 deadline for inclusion of land suggests that the City will likely be looking at a time period of July - August, 2011 to draw its wards. This may be problematic, since there normally is only one Council meeting in August and many people are on holiday. I did not see any ability to seek an extension of these deadlines from the State.
5. Note the population requirements of sec. 5.15(2)(b), Wis. Stats. Each ward is to have at least 1,000 and not more than 4,000 inhabitants.

May 11, 2009

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6. Under 5.15(1)c , Wis. Stats., the new wards are to be applied to the local elections beginning on January 1 of the 2d year commencing after the year of the census. This will be elections held after January 1, 2012. So for the City's purposes, the existing wards will be used for the 2011 elections. The new wards will be used for the 2013 elections.

CC: Alder Tim Bruer
Alder Mark Clear
Janet Piraino