



Department of Transportation

Thomas Lynch, PE, PTOE, PTP, AICP, Director of Transportation

Madison Municipal Building
215 Martin Luther King Jr Blvd
Suite 109
P.O. Box 2986
Madison, Wisconsin 53701-2986
Phone: (608) 266-4761
Fax: (608) 267-1158

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Subject: Transportation Commission Ordinance Change Substitute (Legistar 77406)

This Transportation Ordinance Change seeks to correct an error in the current ordinance regarding the initial staggering of terms. Until this error is corrected, the Mayor cannot make appointments to the Transportation Commission and the new Commission structure cannot take effect. It also seeks to make Commission membership slightly less prescriptive while acknowledging the intent of the ordinance and the concerns expressed by members of the Transportation Commission at their May 10, 2023 meeting.

The Drafter's analysis states the following:

As in the current ordinance language, this substitute retains the current requirement that the Commission membership must include one member who must be knowledgeable of issues facing people with disabilities; one member whose primary mode of transportation in the City is the bicycle; one member whose primary transportation in the City is walking and one member whose primary mode of transportation in the city is transit. The substitute proposal adjusts the current ordinance language to strongly recommend to the highest extent practicable that the Mayor also appoint members of other City bodies directly related to transportation policy and implementation, including a member of the Plan Commission, member of the Board of Public Works; and a member who is also a member of the Greater Madison MPO Policy Board to the Commission.

This means that 8 of 11 members must either concurrently serve on another body, represent a specific mode of transportation or be knowledgeable of certain issues, unless some members fulfill more than one of these categories.

Reasons why the Substitute Change is Being Proposed

- 1. Difficulty in Forming Initial Commission** – The current ordinance requires cross over dual membership in three other committees, in addition to requiring different expertise in transportation mode, equity issues, and disability issues. While it is theoretically possible to meet all of these prescriptive membership requirements, in practice it is very difficult. Satisfying each requirement with the available pool of candidates, even with recruiting, sometimes cannot be accomplished. For example, the slate of appointments the Mayor had proposed satisfies all of the membership requirements, except that we would not have dual membership on one of the other city committees. Under the current ordinance, that slate would not be allowed.
- 2. Difficulty in Replacing Individual Commission Members** – With the current ordinance, many commission member must satisfy multiple requirements. When one member leaves/resigns, we must find a candidate with the same required characteristics – which is difficult. This challenge recently occurred with the TPPB, which required a dual membership with Plan Commission. None of the existing Plan Commission members, nor this person's replacement, was able/willing to serve on the TPPB, so the seat remained vacant for 18 months.
- 3. Scheduling Difficulties** – Several of the required dual committee memberships have conflicting schedules. The current ordinance requires membership on the Board of Public Works and the Greater

Madison MPO – all of which meet on Wednesdays. While conflicts between the Transportation Commission and the Board of Public Works could be resolved by staggering Wednesday meetings, it is not possible to also stagger the Greater Madison MPO Wednesday. One member will miss one meeting a month – and will need to choose between TC, BPW or MPO. Alternate meeting days such as Mondays, Tuesdays and Thursdays present similar challenges. Other Alder commission members also have other BCC and council appointments that meet on those days.

Some (but not all) of the above challenges could be ameliorated if we had very large pools of candidates, and the time associated with each BCC was modest. Yet we do not have large pools that fill the specific requirements, and TC membership requires a significant commitment of time.

We believe the proposed substitute resolution maintains the intent of the Ordinance, addresses many of the concerns expressed by the Transportation Commission, and makes it feasible to appoint the newly created Transportation Commission.

Sincerely,

A handwritten signature in dark ink, appearing to read 'Tom Lynch', written in a cursive style.

Thomas W. Lynch PE PTOE PTP AICP
Director of Transportation, City of Madison