



City of Madison
Meeting Minutes - Approved
Common Council Organizational Committee
Subcommittee on Committee Creation and
Committee Rules

City of Madison
Madison, WI 53703
www.cityofmadison.com

Wednesday, July 9, 2008

4:00 p.m.

Room 417, City-County Building
210 Martin Luther King, Jr. Blvd.

1. CALL TO ORDER

The meeting was called to order at 4:00 p.m. A quorum was noted, and the meeting was properly noticed.

2. ROLL CALL

Present: 4 – Ald. Satya Rhodes-Conway (chair), Ald. Brenda Konkel, Ald. Joe Clausius, Ald. Michael Schumacher.

Absent: None.

Others: 3 – Mike May (City Attorney), George Twigg (Assistant to the Mayor), Debbie Fields (staff to the subcommittee).

3. PUBLIC COMMENT

No members of the public were present at the meeting.

4. FUTURE MEETING DATES

The members chose the following date for their next meeting:

- Thursday, August 7, 2008
4:00 p.m. – 5:30 p.m.
City-County Building, Room 417
210 Martin Luther King, Jr. Blvd.

5. DISCUSSION ITEMS

a. Staff committees.

Fields handed out the results of the survey on staff committees. Rhodes-Conway asked Fields to tell the members about the survey process. Fields said she'd emailed each City department/division and asked them to report any staff committees meeting the following criteria:

- Comprised solely of City staff
- Have been meeting for a long time
- Meet on a regular basis
- Have some interaction with the public

Departments/divisions with staff committees meeting the above criteria were also asked to summarize the committees' function/work.

Rhodes-Conway said the issue of staff committees was first raised during the discussion about the Minority Affairs Committee (MAC) and the Women's Issues Committee (WIC). The survey was intended to help the subcommittee in its discussion about whether or not there should be some language in the Madison General Ordinances (MGO) about staff committees other than WIC and MAC and what rules staff committees should be subject to. Rhodes-Conway reminded the members that WIC and MAC are subject to all the rules that "regular" committees are subject to, except term limits on members, attendance requirements and reports, filing of Statements of Interest, allowing Council members to stay in meetings, and referral of legislative items to the committees.

Regarding the Development Assistance Team (Planning), Konkel said she thinks it would be helpful for alders to be at those meetings, pointing out that even though the committee meets every Thursday morning, alders don't have any way to know what's being discussed. Konkel said there needs to be a way for alders to interact with staff committees.

Rhodes-Conway said categories for the two extremes have already been established: MAC and WIC (which are codified in the MGO) and staff committees (which don't meet the criteria set out in the survey and which don't need to follow the rules set out in Chapter 33). She wondered if there should be a mid-category, somewhere between the two extremes, and thought that would become clear as the members worked their way through the survey results:

- Women's Issues Committees (Civil Rights) – Already discussed by the subcommittee and now in the MGOs.
- Minority Affairs Committee (Civil Rights) – Already discussed by the subcommittee and now in the MGOs.
- Work Group on Election-Related Stress (Clerk) – No action needed.
- Privilege in Streets Committee (Economic & Community Development, Engineering) – May said he would research what this group does, and pointed out that it is already in the ordinances. Rhodes-Conway said that if it turns out to be similar to the Street Use Staff Team – accepting applications from the public, making decisions, using independent authority – then it should be subject to the requirements in Chapter 33.
- Street Use Staff Team (Engineering, Parks) – May said he thinks this body is even more of an extreme than MAC and WIC, because it has some independent authority, it's noticed, the public applies to it and it makes decisions. Because of the independent authority, the subcommittee recommends the name be changed from Team to either Board or Commission (as the sub-unit sees fit) and that the body be subject to all the requirements of Chapter 33.
- Emergency Planning Staff Team (Fire) – Twigg said Ed Ruckriegel, Fire Marshal, heads up this group. He described it as being for general emergency operations, adding that he doesn't think it has any interaction with the public. No action needed.
- Senior Management Team (Metro) – No action needed.
- Service Development Team (Metro) – No action needed.
- Customer Service, Safety and Security (Metro) – No action needed.
- Planning and Operations (Metro) – No action needed.
- Health and Safety (Metro) – No action needed.
- Metro IT Committee (Metro) – No action needed.
- Paratransit Operations (Metro) – Konkel wondered if this body deals with persons appealing denial of their paratransit services. Rhodes-Conway said it sounds like it's about customer service, but thought that should be verified.
- Rhythm & Booms Committee (Parks) – Rhodes-Conway said she would like to move this committee into the same category as MAC and WIC, with no requirement for statements of interest, quorum, etc. She said she's most interested in having the meetings publicly noticed and the agendas posted, because the public has shown up at some of the three to four meetings the committee has each year.
- Development Assistance Team (Planning) – Rhodes-Conway asked Konkel if the issue is about whether people know to show up at a meeting on a particular thing to hear the presentation. May asked if the team knows what developments they're going to take up at a given meeting. Schumacher said yes, they have allocated time slots, although sometimes they slide another one in. Konkel said this is the "virtual one-stop shop." Clausius said they let you know if they want you there for a specific item. Rhodes-Conway said it's not always the same group of people who are there – it depends what's being discussed. She said she thinks it's similar in some ways to the Rhythm & Booms Committee, in that the subcommittee might not want to codify

the membership, but that when there's a meeting, it has to be publicly noticed and there has to be an agenda posted. May asked if this, too, would be like MAC and WIC, and Rhodes-Conway said that's what she's thinking.

While on the topic of Planning staff committees, Rhodes-Conway asked what ZTAST is. (No agency responding to the survey identified ZTAST as a staff committee within their department.) May said it's a group of City staff that get together once a month or so and deal with what they consider technical problems they've discovered in the Zoning Code and how it should be modified. Oftentimes, they come up with either common interpretations that staff will use or recommendations for amendments. Konkell said she became aware of ZTAST during the discussion about the large retail establishments ordinance. She said it was a problem because ZTAST was discussing the proposed ordinance and coming up with recommendations that showed up in the draft and that Plan Commission had never heard about. Rhodes-Conway asked Konkell if she thinks it should be like the Development Assistance Team – publicly noticed but not subject to the other requirements of Chapter 33. She said yes, adding that even at Plan Commission, ZTAST will only provide a list of the topics they've talked about after they've met, but won't give out the agenda in advance.

Schumacher said sometimes you have to allow staff time to analyze and discuss. Konkell said you can't have something getting "stuck" in ZTAST for months at a time, not coming to Plan Commission because ZTAST isn't done with it. Schumacher said there is still a higher-level body – Plan Commission – that makes the decisions. Konkell cited skinny streets and accessory building units as proposals that have gotten stuck in ZTAST. May said he sees bodies like ZTAST as being staff groups that are trying to get their work done. If they become subject to open meetings requirements, he predicted they just wouldn't meet anymore. Rhodes-Conway said she doesn't think the issue is whether or not it's a committee; it has to do with how long it takes them to have a discussion and allow an item to go onto an agenda. While she's very sympathetic to that as an issue, she said she doesn't think it's within the subcommittee's purview.

- Neighborhood-Community Team (Public Health) – No action needed.
- Chronic Disease (Public Health) - No action needed.
- Joining Forces for Families (Public Health) – Clausius said this group is under the auspices of Dane County. No action needed.
- Neighborhood Resource Team (Public Health) – Schumacher said these teams never know what's on the agenda, they literally go out and hear about issues – there's no topic, per se. Rhodes-Conway and Konkell said notice goes to alders, but the public is not notified. Clausius and Schumacher said there might be confidentiality issues that would be compromised by having the public present. May said if Neighborhood Resource Teams are going to be required to have agendas, they can have an agenda item called "Gathering Information from the Public," or "Public Comment on Neighborhood Concerns." He pointed out that these are also teams that have no power. Rhodes-Conway agreed, saying they simply share information and work together. May said the subcommittee might want to subject them only to notice and open meetings requirements since they have no decision-making power.
- Solid Waste/Water Quality Runoff Group – No action needed
- Technical Advisory Committee – Rhodes-Conway said she thinks this committee is formally constituted and has a formal membership. Twigg said there was no formal resolution or appointment, it was just announced, and experts were picked to serve on it. May asked if any members of the Water Board are on the committee. Twigg said there are not. May asked if all the committee does is make recommendations that the Water Board may or may not adopt. Schumacher said they also issue alerts and sometimes do some testing. Rhodes-Conway wondered if the public would be

interested in being at the committee's meetings. She liked the Public Health analogy of having a "stable of experts" on hand to answer questions and help think staff think about issues. She thought it could be set up as Health has done, as a subcommittee, but one that doesn't get any referrals. May said he could see this as a staff member – Joe Grande – who has been given authority to consult with other outside experts. Rhodes-Conway said she thinks it depends on whether they meet on a regular basis or whether Grande just calls them up and asks them questions. May said he would consult with Grande and find out a little bit more about the committee's makeup, what they do, whether they meet, and whether the public attends. Rhodes-Conway asked May to find out if there's a compelling interest against publicly noticing the meetings, e.g., discussion of sensitive issues. May said he would also find out if it's the kind of group that has to get together on very quick notice.

Rhodes-Conway summarized the three categories the subcommittee had identified:

- Bodies that have independent authority and are or ought to be official: Privilege in Streets, Street Use Staff Team and maybe Metro's Paratransit Operations (depending on if they make decisions about whether or not people get service).
- Bodies whose meetings should be publicly noticed and who should be subject to some but not all of the Chapter 33 requirements: Minority Affairs Committee and Women's Issues Committee.
- Bodies whose meetings should be publicly noticed but who should not be subject to any of the other Chapter 33 requirements: Rhythm & Booms, Elver Fireworks, Development Assistance Team, Technical Advisory Committee (possibly) and Neighborhood Resource Teams (possibly).

- b. Training of City staff, members and chairs of City sub-units, and alders.
The subcommittee did not have time to discuss this item.

6. FUTURE AGENDA ITEMS

Rhodes-Conway asked the members to look at the outstanding issues list and the work plan and to think about any other items the subcommittee has not done yet. For any unresolved issues they identify, she asked the members to also suggest a proposal.

Rhodes-Conway suggested the following items for their next agenda:

- Continue discussion of staff committees.
- Training of City staff, members and chairs of City sub-units, and alders.
- Review draft of final report.
- Next steps/implementation.

7. ADJOURNMENT

Konkel moved, seconded by Clausius, to adjourn. The motion passed unanimously, and the meeting was adjourned at 4:55 p.m.