

# CITY OF MADISON, WISCONSIN

AN ORDINANCE \_\_\_\_\_

PRESENTED \_\_\_\_\_  
REFERRED \_\_\_\_\_

Amending numerous sections and subsections of the Madison General Ordinances to transfer the authority to appoint alderpersons to City Boards, Commissions and Committees from the Mayor to the President of the Common Council, except as limited by other law.

# DRAFT

Drafted by: Michael May

Date: April 11, 2016

SPONSORS: Alders Ahrens & Clear

**DRAFTER'S ANALYSIS:** This ordinance transfers the authority for appointing alderpersons to City committees from the Mayor to the President of the Common Council. It retains the Mayor's authority to appoint citizen members. Both the Council President's and the Mayor's appointments (except in cases of a "designee" appointment) remain subject to the approval of the Common Council.

In several cases, the ordinances provided that some appointments might or might not be alderpersons or citizens. Because the appointing authority for these appointments would be split, this ordinance specifies those appointments as either citizens or alderpersons.

Sec. 33.01(5), MGO, is the general ordinance that governs appointments. If an ordinance does not specify the method of appointment, it is not changed and will be governed by the change to Sec. 33.01(5), MGO.

In several instances, state law or other limitations prevent the proposed change. Specifically,

1. The Board of Health for Madison and Dane County is governed by an Intergovernmental Agreement between the City and the County. The Agreement sets the authority for appointments, and it will need to be amended before any change could be made to Sec. 7.01, MGO.
2. Pursuant to Wis. Stat. § 43.54(1), the Mayor is to make appointments to the Library Board. Therefore, no changes are made to Sec. 8.12(1), MGO.
3. Pursuant to Wis. Stat. § 62.23(1)(d), the Mayor is to make appointments to the Plan Commission. Therefore, no changes are made to Sec. 16.01, MGO.
4. Pursuant to Wis. Stat. § 62.14(1), any change to the appointment process for the Board of Public Works requires a two-thirds (2/3) vote of the Council. Therefore, no changes are proposed to Sec. 33.07, MGO.
5. Due to its inactive status, no changes were made to the ordinance on the Madison Cultural Arts District, Sec. 33.20, MGO.
6. Pursuant to Wis. Stat. § 66.015(1m)(c)3., which establishes the rules for appointment to the Room Tax Commission, no change is made to the appointment process for the Commission under Sec. 33.29, MGO.

This ordinance shall be effective September 1, 2016.

**Approved as to form:**

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The Common Council of the City of Madison do hereby ordain as follows:

1. Subdivision (b) entitled "Composition," Subdivision (c) entitled "Appointment and Terms of Common Council Members," and Subdivision (e) entitled "Appointment and Terms of Alternate Members" of Subsection (4) entitled "Transit and Parking Commission" of Section 3.14 entitled "Department of Transportation" of the Madison General Ordinances is amended to read as follows:

- "(b) Composition. The Transit and Parking Commission shall consist of nine (9) voting members to serve without compensation consisting of three (3) members of the Common Council, six (6) citizens and two (2) alternates who ~~may shall be either Common Council members or citizens but at least one (1) of whom shall be a citizen.~~ One member shall be an individual with special transportation needs requiring accessible fixed route transit or paratransit. Overlapping membership on the Transit and Parking Commission and the Pedestrian/Bicycle/Motor Vehicle Commission of two (2) members shall be encouraged but shall not be required. The Commission shall elect one (1) of its members as Chair and one (1) as Vice-Chair to serve in the absence of the Chair. The members of the Common Council shall serve ex officio. Two (2) members of the Transit and Parking Commission shall be appointed by the Chair of that Commission to serve on the Long-Range Transportation Planning Committee. All appointees (other than alderpersons) shall serve until their successors are appointed, confirmed and qualified.
- (c) Appointment and Terms of Common Council Members. Common Council members of the Transit and Parking Commission shall be appointed by the ~~Mayor~~ President of the Common Council subject to confirmation by the Common Council. Terms for Common Council members shall coincide with their terms on the Common Council. Appointments for such terms shall be made at the organizational meeting of the Common Council on the third Tuesday in April preceding the end of each Common Council member's term or as soon thereafter as the Mayor makes the appointment. In appointing Common Council members to the Transit and Parking Commission, the Mayor shall consider the need for representation of the various geographic areas of the City.
- (e) Appointment and Terms of Alternate Members. In addition to members of the Transit and Parking Commission described in subdivisions (c) and (d) above, the Mayor shall, on an annual basis, appoint a first alternate and a second alternate member of said Commission subject to approval of the Common Council. The alternates ~~may shall be either Common Council members or citizen members.~~ The first alternate member may act with full power and authority when any other member of the Commission is absent or refuses to act. The second alternate member may so act only when the first alternate is absent or refuses to act or when more than one member of the Commission is absent or refuses to act. In addition, alternates may participate in Transit and Parking Commission discussion and serve on subcommittees or as the TPC representative on other City committees at any time."

2. Subparagraph c. entitled "Appointment and Terms" of Subdivision (k) entitled "Subcommittees of the Transit and Parking Commission" of Subsection (4) entitled "Transit and Parking Commission" of Section 3.14 entitled "Department of Transportation" of the Madison General Ordinances is amended to read as follows:

- "c. Appointment and Terms. All citizen subcommittee members other than alderpersons shall be appointed by the Mayor subject to approval by the Common Council and shall have a term of two (2) years from the date of appointment, with the exception of ~~the member of the Common Council,~~ the citizen member(s) of the Transit and Parking Commission, the member of the Disability Rights Commission and other liaison bodies whose terms shall be limited to the duration of their membership on the liaison body. The President of the Common Council shall appoint the member of the Council, subject to approval by the Council."

3. Subparagraph a. entitled "Parking Council for People with Disabilities" of Paragraph 2. entitled "Parking Council for People with Disabilities" of Subdivision (k) entitled "Subcommittees of the Transit and Parking Commission" of Subsection (4) entitled "Transit and Parking Commission" of Section 3.14 entitled "Department of Transportation" of the Madison General Ordinances is amended to read as follows:

- "a. Parking Council for People with Disabilities. The Parking Council for People with Disabilities shall consist of seven (7) members and two (2) alternates, all of whom shall be residents of the City and

shall not be Common Council members, four (4) of whom may be members of the Disability Rights Commission, three (3) of whom may be members of the Transit and Parking Commission, and of whom at least four (4) regular members and one (1) alternate member shall be people to whom or on whose behalf the Department of Transportation of the State of Wisconsin has issued a special registration plate under Wis. Stat. §§ 341.14(1) to (1r), or a special identification card under Wis. Stat. § 343.51. The members designated as alternates shall only have voting powers when temporarily filling the office of a vacant or absent council member. Members of this council shall be appointed by the Mayor, subject to approval by the Common Council.”

4. Subdivision (c) entitled “Appointment and Terms of Common Council Members” and Subdivision (e) entitled “Appointment and Term of Alternate Members” of Subsection (6) entitled “Pedestrian/Bicycle/Motor Vehicle Commission” of Section 3.14 entitled “Department of Transportation” of the Madison General Ordinances is amended to read as follows:

- “(c) Appointment and Terms of Common Council Members. Common Council members of the Pedestrian/Bicycle/Motor Vehicle Commission shall be appointed by the ~~Mayor~~ President of the Common Council subject to confirmation by the Common Council. Terms for Common Council members shall coincide with their terms on the Common Council. Appointments for such terms shall be made at the organizational meeting of the Common Council on the third Tuesday in April preceding the end of each Common Council member’s term or as soon thereafter as the ~~Mayor~~ President of the Common Council makes the appointment. In appointing Common Council members to the Pedestrian/Bicycle/Motor Vehicle Commission, the ~~Mayor~~ President of the Common Council shall consider the need for representation of the various geographic areas of the city.
- (e) Appointment and Term of Alternate Members. In addition to members of the Pedestrian/Bicycle/Motor Vehicle Commission described in subdivisions (c) and (d) above, the Mayor shall, on an annual basis, appoint a first alternate and a second alternate member of said Commission subject to the approval of the Common Council. The alternates ~~may~~shall be ~~either Common Council members or~~ citizen members. The first alternate member may act with full power and authority when any other member of the Commission is absent or refuses to act. The second alternate member may so act only when the first alternate is absent or refuses to act or when more than one member of the Commission is absent or refuses to act. In addition, alternates may participate in Pedestrian/Bicycle/Motor Vehicle Commission discussion and serve on subcommittees or as the PBMVC representative on other City committees at any time.”

5. Subdivision (c) entitled “Appointment and Terms of Members” of Subsection (7) entitled “Long-Range Transportation Planning Committee” of Section 3.14 entitled “Department of Transportation” of the Madison General Ordinances is amended to read as follows:

- “(c) Appointment and Terms of Members. Each board or commission with membership on the Long-Range Transportation Planning Committee shall recommend its representative(s) to the Committee except that the representatives of the Transit and Parking Commission and the Pedestrian/Bicycle/Motor Vehicle Commission shall include the chair of each or the chair’s designee. Appointments to the Long-Range Transportation Committee shall be for the same duration as the appointee’s term on the parent Commission. From the list of potential Committee members recommended by the parent bodies, the Mayor shall appoint the citizen Committee members, and ~~ensure that the Common Council President shall appoint the three (3) are also~~ members of the Common Council. The members appointed to the Committee by the Mayor and Council President shall be approved by the Common Council. The Common Council members’ terms of service on the Committee shall coincide with their terms on the Common Council. The member of the Dane County Board of Supervisors shall be appointed by the Dane County Executive. That member’s term of service on the Committee shall coincide with her/his term on the Dane County Board of Supervisors. The Mayor shall appoint the citizen member who is a member of another City sub-unit and whose term shall coincide with the term on the other sub-unit. The Mayor may also designate an alternate. The Mayoral Designee Alternate may participate in Committee business as though s/he were a full member, but may vote only in the absence of at least one Committee member. The term of the alternate shall coincide with the two- (2) year terms of the Common Council members.”

6. Subdivision (a) of Subsection (4) and the introductory paragraph of Subsection (4) entitled "Appointment, Confirmation and Term of Commissioners; Vacancies" of Section 3.17 entitled "Community Development Authority" of the Madison General Ordinances are amended to read as follows:

- "(4) Appointment, Confirmation and Term of Commissioners; Vacancies. Except as proscribed below, the Commissioners of the CDA shall be appointed by the Mayor and confirmed by the Common Council, as follows:
- (a) Two (2) of the Commissioners shall be members of the Common Council and shall serve ex officio during their term of office and shall be appointed by the President of the Common Council and confirmed by the Council."

7. Subdivision (c) of Subsection (10) entitled "Ethics Board" of Section 3.35 entitled "Code of Ethics" of the Madison General Ordinances is amended to read as follows:

- "(c) The members of the Ethics Board other than the Common Council President or designee shall be appointed by the Mayor, subject to confirmation by the Common Council. The term of any aldermanic member appointed to the Board shall expire with the expiration of her or his term as alderperson. Terms of office of other members of the Ethics Board shall be 3 years except that when the initial appointments are made, 2 of the members shall be appointed for 1 year, 2 others for 2 years, and the remaining 3 for 3 years.
- The members of the Ethics Board as of the adoption of this ordinance are reappointed and reconfirmed to serve their terms or remaining parts of their terms for which each was most recently appointed."

8. Subsection (4) entitled "Selection of Alderpersons Members of Board" of Section 4.02 entitled "Budget System" of the Madison General Ordinances is amended to read as follows:

- "(4) Selection of Alderpersons Members of Board. The Board of Estimates shall consist of ~~six~~ seven (7) Alders, ~~five six (56)~~ of whom shall be appointed by the ~~Mayor~~ President of the Common Council, subject to confirmation by the Common Council. Once confirmed these members shall hold office for a term of two (2) years or until their successors are confirmed. The ~~sixth~~ seventh member shall be the Common Council President serving ex officio but with power to vote."

9. Subdivision (b) entitled "Composition and Appointment of Members" of Subsection (9) entitled "Committee on Sweatfree Purchases" of Section 4.25 entitled "Procurement of Items of Apparel" of the Madison General Ordinances is amended to read as follows:

- "(b) Composition and Appointment of Members. The Ad Hoc Task Force on Sweatfree Purchases shall consist of five (5) voting members and one (1) alternate member. Membership shall include one (1) alderperson who serves concurrently as an appointed member of the Board of Estimates. The remaining four (4) members and one alternate shall be residents of the City of Madison of legal voting age. At least one (1) of the remaining four members shall be a student representative on the University of Wisconsin-Madison's Labor Licensing Committee. Citizen Appointments shall be made by the Mayor, and the Common Council members shall be appointed by the President of the Common Council all being subject to the approval of the Common Council."

10. Paragraph 1. of Subdivision (d) and the introductory paragraph of Subdivision (d) of Subsection (3) entitled "Surplus Property Disposal Method Determination" of Section 8.075 entitled "Disposal of Surplus City Real Property" of the Madison General Ordinances are amended to read as follows:

- "(d) If subs. (a), (b) and (c) do not apply, the ECDD and DPECD Directors, after consultation with the Alderperson of the aldermanic district within which the surplus property is located, shall determine if it is in the best interests of the City to dispose of the property either by direct sale or through a public bid process. If it is determined that it is in the best interests of the City to dispose of the property by direct sale, the terms and conditions of the sale shall be submitted to the Common Council for approval. If it is determined to be in the best interests of the City to dispose of the property through a public bid process, the Mayor shall create a Criteria and Selection Committee ("Committee") and appoint the members (except as provided otherwise below) who shall perform the duties herein described.

1. Committee Membership. The Committee shall consist of at least five (5) persons, including:
  - a. The Alderperson of the aldermanic district in which the property is located;
  - b. Two (2) additional Alderpersons, appointed by the President of the Common Council and confirmed by the Council;
  - c. A representative of the Mayor (either staff or citizen); and
  - d. A resident of the neighborhood.

The number of Committee members may be increased but shall not exceed seven (7) members. The Real Estate Manager shall be responsible for staff support to the Committee, communications with potential bidders, and the technical details of the public bid proposal process.”

11. Subsection (2) entitled “Composition and Appointment of Members” of Section 8.41 entitled “Downtown Coordinating Committee” of the Madison General Ordinances is amended to read as follows:

“(2) Composition and Appointment of Members. The Downtown Coordinating Committee shall consist of nine (9) voting members and two (2) alternate members. Membership shall include two (2) alderpersons. The remaining seven (7) members and two alternates shall be citizens eligible to vote and residing within the City of Madison. At least one (1) of the citizen members shall be a permanent resident of the Downtown area, and one shall be a representative of the downtown business community. Appointments other than alderpersons shall be made by the Mayor, and the alderpersons shall be appointed by the President of the Common Council, all subject to the approval of the Common Council.”

12. Subdivision (d) of Subsection (2) entitled “Composition” of Section 9.12 entitled “Vending Oversight Committee” of the Madison General Ordinances is amended to read as follows:

“(d) Appointments of all members and non-voting technical advisors other than alderpersons shall be made by the Mayor, and the alderpersons shall be appointed by the Common Council President, all subject to approval of the Common Council.”

13. Subsection (2) entitled “Water Utility Board” of Section 13.01 entitled “Water Utility Board” of the Madison General Ordinances is amended to read as follows:

“(2) Water Utility Board. There is hereby created a Water Utility Board of eight (8) members, whose duty shall be the management and operation of the Water Utility. There shall be seven (7) voting members and one (1) non-voting ex-officio member. ~~At least one (1) and not more than two (2)~~ of the voting members shall be members of the Common Council, who shall serve during their two-year terms. The members who are not alderpersons shall be appointed by the Mayor and the alderpersons shall be appointed by the President of the Common Council, all of whom shall be confirmed by the Common Council, and members who are not members of the Common Council shall serve staggered terms of five (5) years, respectively provided that the Mayor may appoint one of the members whose term ends in 2010 to a three (3) year term in order to achieve staggered terms. In case of vacancy, the Common Council may at any regular or special meeting confirm a member for the unexpired term. The Director of Public Health Madison and Dane County under Sec. 7.02, MGO, or his or her designee shall serve as an ex-officio, non-voting member of the Board in order to provide advice and information to the Board on health issues related to the Water Utility. The Director of Public Health Madison and Dane County shall not vote, may not make motions, and shall not be counted as a member in determining quorum or majorities. Upon passage of this ordinance, the existing commissioners of the Board of Water Commissioners shall immediately succeed to positions as members of the Water Utility Board and fill out their terms as if appointed to the remaining length of their terms.”

14. Subdivision (a) of Subsection (2) entitled “Membership and Administration” of Section 28.205 entitled “Zoning Board of Appeals” of the Madison General Ordinances is amended to read as follows:

“(a) The Zoning Board of Appeals has five (5) members who are not alderpersons appointed by the Mayor subject to confirmation by the Common Council.”

15. Subsection (1) entitled "Membership" of Section 29.18 entitled "Board of Building Code, Fire Code, Conveyance Code and Licensing Appeals" of the Madison General Ordinances is amended to read as follows:

"(1) Membership. The Board shall consist of nine (9) members appointed by the Mayor, none of whom may be alderpersons, subject to confirmation by the Common Council. Each member shall be appointed for a term of three years and shall serve until a successor is appointed and confirmed. At least one (1) member shall be licensed as an attorney, one (1) as an architect, one (1) as a real estate broker, and one (1) as a professional engineer, who shall have structural or architectural engineering experience. One (1) member shall be a builder, one (1) member shall have fire prevention experience, and the remaining members may be persons with other interests and experience."

16. Subdivision (a) of Subsection (2) entitled "Composition" of Section 32.03 entitled "Landlord and Tenant Issue Committee" of the Madison General Ordinances is amended to read as follows:

"(a) The Landlord and Tenant Issues Committee shall consist of seven (7) members plus one (1) citizen alternate member. Members who are not alderpersons shall be appointed by the Mayor and subject to approval by the Common Council. At least one, but not more than two (2) members shall be alderpersons and shall be appointed by the President of the Common Council, subject to approval of the Council. The other members shall be citizen members. Members shall serve without compensation. The members shall elect annually from among their citizen members a chairperson and vice-chairperson; however, the initial chairperson shall be selected by the Mayor. In making appointments, the Mayor may consider for appointment a member of the Housing Strategy Committee."

17. Subsection (5) entitled "Appointments" of Section 33.01 entitled "Boards, Commissions, and Committees Procedures" of the Madison General Ordinances is amended to read as follows:

"(5) Appointments. Except as otherwise provided by ordinance, all appointments shall be made as follows:

- (a) Appointments other than alderpersons to Standing Sub-units (except subcommittees) and non-City committees shall be made by the mayor and confirmed by the Common Council.
- (b) Appointments to subcommittees shall be made by the parent Sub-unit or as authorized under Sec. 33.01(4)(d), MGO.
- (c) Appointments to Ad Hoc Sub-units shall be subject to the rules set forth in the resolution or order establishing the Sub-unit. If not otherwise provided, appointments other than alderpersons shall be made by the Mayor and confirmed by the Common Council.
- (d) Appointments of alderpersons shall be made by the President of the Common Council, subject to approval by the Council.
- ~~(de)~~ Vacancies. Vacancies shall be filled in the same manner as other appointments.
- (ef) Action on Appointment. The Common Council may confirm ~~a Mayor~~ an appointment, refer the appointment to another meeting, refer the appointment to the Mayor's office or the President of the Common Council (depending on who made the appointment), or reject an appointment by placing it on file. If an appointment is rejected, the same person may not be nominated for the same position for a period of six (6) months.
- (fg) Alternates. If the Sub-unit is authorized to have Alternate members, the Alternates shall be given numerical appointments (First Alternate, Second Alternate, etc.). When a member or members of the Sub-unit are absent, the Alternates shall act as full members of the Sub-unit in their numerical order, that is, the First Alternate shall first act as a full member; the Second Alternate shall be the next to so act, etc."

18. Subsection (2) entitled "Appointment; Terms" of Section 33.05 entitled "Board of Park Commissioners" of the Madison General Ordinances is amended to read as follows:

"(2) Appointment; Terms. Said Board shall consist of seven (7) members, ~~two (2) alders and five (5) citizen members~~ appointed by the Mayor and two (2) alderpersons appointed by the President of the Common Council, all to be confirmed by the Common Council. The alderperson members shall be appointed in April for the term of two (2) years, beginning on the first day of May. The full term of each

citizen member shall be for five (5) years beginning on the first day of May next succeeding her/his appointment and until her/his successor is appointed and qualified; but when the Board is first constituted, the respective appointments shall be for terms of five (5), four (4), three (3), two (2), and one (1) years, respectively. At the organization meeting of the Common Council on the third Tuesday in April preceding the end of any of the citizen members' terms, the Mayor shall appoint her/his successor for a full term and shall submit the appointment to the Common Council for confirmation."

19. Subparagraph a. entitled "City Members" of Paragraph 1. of Subdivision (b) entitled "Membership; Terms" of Subsection (3) entitled "City-County Homeless Issues Committee" of Section 33.09 entitled "City-County Commissions and Committees" of the Madison General Ordinances is amended to read as follows:

"a. City Members. Two (2) members shall be City of Madison Alders, one (1) member shall be a Madison Police Department officer, one (1) member shall be a representative of a downtown business or community organization, one (1) member shall be a current or former homeless person who has used homeless services, and one (1) member shall be from the Homeless Services Consortium or other persons experienced in homeless services or advocacy. All City members, other than Alders shall be appointed by the Mayor, and Alders shall be appointed by the President of the Common Council, all to be confirmed by the Common Council. Alders shall have a term coextensive with their terms on the Common Council. Other members shall serve staggered three-(3) year terms ending on June 30."

20. Subdivision (a) of Subsection (2) entitled "Membership" of Subsection 33.10 entitled "Committee on Employee Relations" of the Madison General Ordinances is amended to read as follows:

"(a) The Committee shall be composed of nine (9) members. Three (3) members shall be members holding management positions with the City of Madison. Three (3) members shall be citizen members nominated by the employees. Two members (2) shall be alderpersons currently serving on the Board of Estimates, who will be appointed by the President of the Common Council, subject to confirmation by the Council. One member (1) shall be the Human Resources Director who will only vote to break a tie vote among the other members. All members, with the exception of the Human Resources Director and the alderpersons, shall be appointed by the Mayor subject to the approval of the Common Council on the third Tuesday of April for a term commencing on that date. The terms of the alderpersons expire with the expiration of their term as an alderperson. The remaining six (6) members shall serve staggered terms of three (3) years, with the terms of two (2) members expiring annually."

21. Subsection (2) of Section 33.11 entitled "Committee on the Environment" of the Madison General Ordinances is amended to read as follows:

"(2) The Committee shall be composed of nine (9) members ~~to be appointed by the Mayor subject to the approval of the Common Council on the third Tuesday of April for a term commencing on that date.~~ One (1) member shall be an alderperson appointed by the President of the Common Council, subject to approval of the Council, whose term shall expire with the expiration of his/her term as alderperson. Five (5) members shall be citizen members whose terms shall be three (3) years who shall be appointed by the Mayor subject to the approval of the Common Council on the third Tuesday of April for a term commencing on that date.

The Board of Public Works, the Board of Health for Madison and Dane County and the Water Utility Board will each designate one member of their respective bodies for appointment by the Mayor to this Committee.

The City Engineer shall act as executive secretary to the Committee who shall prepare the agenda and minutes of the meetings and perform such other duties as the Committee shall direct.

Appointments to the Committee shall be made with consideration given to the expertise and/or interest necessary for proper performance of the duties assigned to the Committee members, and with strong consideration given to membership or participation in recognized environmental groups and agencies. All vacancies shall be filled by appointment of the Mayor subject to approval of the Common Council for a term filling out the remainder of the vacated member's term."

22. Subsection (2) entitled "Organization" of Section 33.12 entitled "Committee on Community Gardens" of the Madison General Ordinances is amended to read as follows:

"(2) Organization. The Committee shall be composed of ten members, none of whom shall be alderpersons, to be appointed by the Mayor subject to the approval of the Common Council on the third Tuesday of April for a term commencing on that date. One committee member must be an appointed member of the Community Development Block Grant Committee; another committee member must be an appointed member of the Parks Commission and a third committee member must be an appointed member of the Plan Commission. Such persons shall remain committee members so long as they are members in good standing of the commissions from which their appointment originates. Each of the foregoing commissions shall each nominate one of their members to the Mayor who may appoint the recommended persons to the Committee, subject to the approval of the Common Council. The terms of all such appointments shall be three years. Initial appointment terms shall be set as follows so as to create staggered terms thereafter: four members shall be appointed for three (3) years, three members for two (2) years, and three members for one year."

23. Subsection (2) entitled "Membership and Meetings" of Section 33.14 entitled "Committee on Aging" of the Madison General Ordinances is amended to read as follows:

"(2) Membership and Meetings. The Committee on Aging shall be composed of eleven (11) individuals to be appointed by the Mayor and two (2) members of the Common Council, to be appointed by the ~~Mayor~~ President of the Common Council, all subject to the approval of the Common Council. A majority of the members shall be over 55 years of age, and other members shall have expertise, experience, or education in aging social services or programs. One member of the Committee shall be a board member of the Madison Senior Center Foundation, Inc. All members will serve without compensation. Members shall be appointed for terms of three (3) years, except that the term of the aldermanic member shall expire upon the expiration of his or her term as alder. The Committee shall meet no fewer than nine (9) times per year."

24. Subdivision (a) entitled "Membership" of Subsection (2) of Section 33.15 entitled "Community Development Block Grant (CDBG) Committee" of the Madison General Ordinances is amended to read as follows:

"(2) (a) Membership. The Committee shall consist of nine (9) members and two (2) alternate members, ~~appointed by the Mayor, subject to the approval of the Common Council.~~ Two (2) members shall be alderpersons, appointed by the President of the Common Council and subject to approval of the Council. The other members shall be citizen members appointed by the Mayor, subject to the approval of the Council. At least three citizen members shall be persons of low or moderate income, as low or moderate income is defined by the CDBG regulations, and at least one citizen member shall be a member of a minority as defined in Sec. 39.02(9)(a)7. of these ordinances. ~~One position may be filled by either an alderperson or a citizen member.~~"

25. Subsection (2) entitled "Membership" of Section 33.16 entitled "Community Services Committee" of the Madison General Ordinances is amended to read as follows:

"(2) Membership. The Committee shall consist of eleven (11) members, except as provided below. ~~Nine (9)~~ Seven (7) members shall be appointed by the Mayor, subject to the confirmation by the Common Council. Members shall be appointed on the basis of their knowledge and interest in human services. ~~At least one, and no more than t~~ Two, such members shall be ~~an~~ Alderpersons, appointed by the President of the Common Council and subject to the approval of the Council. One (1) citizen member shall be selected by the Mayor from and with the advice of the Early Childhood Care and Education Committee. One (1) citizen member shall be selected by the Mayor from a panel of three (3) submitted by the Madison Federation of Labor. One (1) of the citizen members shall be a present or former client or recipient of a private nonprofit program. At least one (1) of the citizen members shall be a member of a minority as defined in Sec. 3.58(8)(a)7. of these ordinances. The Senior Citizens Advisory Committee shall elect one of its members to serve as a member and another to serve as an alternate member of the Community Services Committee subject to confirmation by the Common



Council. The alternate member may act with full power and authority when the other Senior Citizens Advisory Committee member is absent or refuses to act due to a conflict of interest. The remaining members shall be broadly representative of the community. The Supervisor of the Office of Community Services or his/her designee shall be an ex-officio member of the Committee without vote and shall serve as secretary.”

26. Subdivision (c) of Subsection (7) entitled “Early Childhood Care and Education Committee” of Section 33.16 entitled “Community Services Committee” of the Madison General Ordinances is amended to read as follows:

“(c) Members shall be appointed by the Mayor and confirmed by the Common Council to three (3) year terms with the exception of the Alderperson who shall be appointed by the President of the Common Council and confirmed by the Council, whose term shall expire with the expiration of their term as alderperson. All Committee members shall serve without compensation. All terms shall commence on the first (1st) day of October, with the exception of the Alderperson, whose term shall begin on the third Tuesday in April. Appointments shall be for three (3) years. Vacancy appointments shall complete the term of appointment filled. Members’ terms shall automatically be terminated when the member no longer meets the requirements set forth in Section 33.16(7)(b).”

27. Subsection (2) entitled “Composition” of Section 33.17 entitled “Economic Development Committee” of the Madison General Ordinances is amended to read as follows:

“(2) Composition. The Committee shall consist of eleven (11) members: the Mayor or the Mayor’s designee, three (3) Alderpersons, and seven (7) citizens with a wide range of direct experience in business and/or knowledge related to job creation, real estate or workforce development. The Mayor shall appoint the members of the Committee other than the alderpersons, who shall be appointed by the President of the Common Council, all subject to confirmation by the Common Council.

Terms of appointment of the citizen members shall be staggered, for three (3) years, commencing May 1 and expiring April 30. The Alderpersons terms shall coincide with his or her term of office.

If the Mayor serves on the Committee, the Mayor shall act as chairperson. Otherwise, the chairperson will be elected by the Committee.”

28. Subsection (1) entitled “Composition and Terms” of Section 33.19 entitled “Landmarks Commission” of the Madison General Ordinances is amended to read as follows:

“(1) Composition and Terms. A Landmarks Commission is hereby created, consisting of seven (7) members. One (1) shall be a historian; at least one (1) shall be a licensed architect, one (1) shall be a licensed real estate professional; one (1) shall be an Alder; and three (3) shall be citizen members, at least one of whom has expertise in construction. Each member shall have, to the highest extent practicable, a known interest in historic preservation. Of the membership, at least two (2) shall meet the Professional Qualifications Standards established by the United States Secretary of the Interior for History, Archeology, Architectural History, Architecture, or Historic Architecture. The Mayor shall appoint the commissioners except for the Alder, who shall be appointed by the President of the Common Council, all subject to confirmation by the Common Council. The term for each member shall be three (3) years. The terms shall be staggered.”

29. Subsection (2) entitled “Membership” of Section 33.22 entitled “Public Safety Review Committee” of the Madison General Ordinances is amended to read as follows:

“(2) Membership. The Public Safety Review Committee shall consist of nine (9) members: the Mayor, or his/her designee, three (3) members of the Common Council, five (5) citizen members, and one alternate citizen member who may participate in Board business as though a full member, but may vote only in the absence of one of the citizen members. ~~The aldermanic members and~~ citizen members shall be appointed by the Mayor and the alderpersons shall be appointed by the President of the Common Council, all subject to confirmation by the Common Council. All elected members shall serve by virtue of their office (ex officio).”

30. Subsection (2) of Section 33.23 entitled "Solid Waste Advisory Committee" of the Madison General Ordinances is amended to read as follows:

"(2) The Solid Waste Advisory Committee shall consist of nine (9) voting members. The members other than the alderperson shall be appointed by the Mayor, and the alderperson shall be appointed by the President of the Common Council, all subject to the approval of the Common Council on the third Tuesday of April for a term of one year each commencing on that date, except that the terms of citizen members and of the alderperson shall be two years with each term ending on the third Tuesday of April of the second year of such term. Appointees shall include one (1) alderperson, one (1) member of the Board of Public Works, one (1) member of the Committee on the Environment, and six (6) citizen members.

Appointments shall be made with consideration given to expertise in solid waste management, environmental health, public relations, economics or business, hydrogeology, chemistry, environmental engineering and/or other areas related to solid waste issues.

The Street Superintendent (Streets and Sanitation Superintendent) shall serve the Solid Waste Advisory Committee as its nonvoting Executive Secretary. All matters to be considered by the Committee shall be submitted to the Executive Secretary who shall prepare the notice, agenda and minutes of all Committee meetings and perform such other duties as the Committee shall direct."

31. Subdivision (a) and the introductory paragraph of Subsection (3) entitled "Commission Composition and Terms" of Section 33.24 entitled "Urban Design Commission" of the Madison General Ordinances is amended to read as follows:

"(3) Commission Composition and Terms. An Urban Design Commission, advisory to the City Plan Commission, and vested with final decision-making authority as described elsewhere in this ordinance, in Chapter 31 (Sign Control Ordinance) and elsewhere in these ordinances, is hereby created, consisting of nine (9) voting members. Of the initial voting members appointed, three shall serve terms of two years each; three shall serve terms of one year each; and three shall serve terms of three years each; provided, however, that notwithstanding the provision of subdivision (j) below, the aldermanic member shall serve a two-year term and such term shall be concurrent with his/her term as a member of the Council. Thereafter, the term for each voting member shall be three years. The voting members other than the alderperson shall be appointed by the Mayor and approved by the Common Council as follows:

(a) One member shall be an alderperson, appointed by the President of the Common Council and approved by the Council."

32. Section 33.31 entitled "Sustainable Madison Committee" of the Madison General Ordinances is amended to read as follows:

**"33.31 SUSTAINABLE MADISON COMMITTEE.** The Sustainable Madison Committee takes a leadership role in the promotion of sustainability for the City of Madison, the Madison community, and the region. The committee consists of fifteen (15) members plus three alternates: at least one (1) Common Council member, one (1) Board of Public Works member (who may also be a Council member), and thirteen (13) various experts or community representatives with an interest in sustainability (no more than two (2) of whom may also be Council members). Members shall, collectively, represent the following areas of expertise: (1) Air, (2) water, (3) energy, (4) transportation and land use, (5) food, (6) the built environment, (7) finance, economics and workforce, and (8) culture (health, education, arts). The Mayor shall strive to appoint members drawn from the following portions of the community: Neighborhood groups, sustainability activists, business people, educational institutions and the development community. Cross appointments with the Commission on the Environment are permitted but not required. Members and alternates other than the alderperson are appointed by the Mayor, and the alderperson is appointed by the President of the Common Council, all to be approved by the Common Council. Members and alternates shall be appointed for a term of two years, with terms expiring June 30 with the exception of aldermanic members and the Board of Public Works member. The term of aldermanic members shall expire with the expiration of their terms as alders and the term of the Board of Public Works member shall expire with his or her term on Board of Public Works."

33. Subdivision (a) entitled "Composition" of Subsection (3) entitled "Affirmative Action Commission" of the Madison General Ordinances is amended to read as follows:

"(a) Composition. The Mayor, ~~subject to confirmation by the Common Council,~~ shall appoint ~~an ten (10) of the members to the Affirmative Action Commission, none of whom shall be alderpersons, and the President of the Common Council shall appoint one (1) alderperson to the Commission, all subject to approval of the Common Council consisting of eleven (11) members, one of whom shall be an alderperson.~~ One member shall be designated chairperson by the members of the Commission. Members shall be appointed from the entire City, and at no time shall the total of women, persons with disabilities, and ethnic minority members constitute less than a majority. All of the members shall be committed to the extension of equal employment opportunities and shall be representative of the affected and/or under-represented groups of the Madison community. They shall receive no compensation for their services. The Director of the Department of Civil Rights may appoint the Affirmative Action Division Manager to serve as an ex officio nonvoting member of this Commission. The Commission shall make its own rules and regulations for the carrying out of its duties.

34. The introductory paragraph of Subsection (10) entitled "Equal Opportunities Commission and Equal Opportunities Division" of Section 39.03 entitled "Equal Opportunities Ordinance" of the Madison General Ordinances is amended to read as follows:

"(10) Equal Opportunities Commission and Equal Opportunities Division. The Mayor, ~~subject to confirmation by the Common Council,~~ shall appoint ~~an eleven (11) members to the Equal Opportunities Commission, consisting of thirteen (13) members, one of whom shall be designated President by the members of the Commission. At least one, and no more than two, such members shall be an Alderperson, who none of whom shall be alderpersons, and the President of the Common Council shall appoint two (2) alderpersons, all subject to approval of the Common Council. The alderperson shall be a member only as long as she/he shall continue to hold office as Alderperson.~~ Members shall be appointed from among the residents of the entire City, shall be representative of the rich diversity of our community and include as many protected class memberships as is possible and shall be persons committed to the principle of equal opportunities. They shall receive no compensation for their services. There shall also be an Equal Opportunities Division established within the Department of Civil Rights, headed by an Equal Opportunity Division Head as that position is established and set forth in Sec. 39.01(2), MGO."

35. Subsection (2) entitled "Membership" of Section 39.04 entitled "Disability Rights Commission" of the Madison General Ordinances is amended to read as follows:

"(2) Membership. The Commission shall consist of thirteen (13) members. Twelve (12) citizen members ~~and one alderperson~~ shall be appointed by the Mayor ~~and one (1) alderperson shall be appointed by the President of the Common Council,~~ all subject to confirmation by the Common Council. Citizen members shall be residents of the City of Madison and shall be knowledgeable and sensitive to the service needs, rights, and responsibilities of citizens with disabilities. First priority for membership shall be given to people with disabilities, family members, and advocates."

36. This ordinance shall be effective September 1, 2016.

EDITOR'S NOTE:

The following is a listing of the sections amended in this ordinance:

Sec. 3.14(4)(b), (c) & (e)	Sec. 9.12(2)(d)
Sec. 3.14(4)(k)1.c.	Sec. 13.01(2)
Sec. 3.14(4)(k)2.	Sec. 28.205(2)(a)
Sec. 3.14(6)(c) & (e)	Sec. 29.18(1)
Sec. 3.14(7)(c)	Sec. 32.03(2)(a)
Sec. 3.17(4) intro paragraph & (a)	Sec. 33.01(5)
Sec. 3.35(10)(c)	Sec. 33.05(2)
Sec. 4.02(4)	Sec. 33.07(2)
Sec. 4.25(9)(b)	Sec. 33.09(3)(b)1.a.
Sec. 8.075(3)(d), 1.	Sec. 33.10(2)(a)
Sec. 8.41(2)	Sec. 33.11(2)

Sec. 33.12(2)  
Sec. 33.14(2)  
Sec. 33.15(2)(a)  
Sec. 33.16(2)  
Sec. 33.16(7)(c)  
Sec. 33.17(2)  
Sec. 33.19(1)

Sec. 33.22(2)  
Sec. 33.23(2)  
Sec. 33.24(3)(a)  
Sec. 33.31  
Sec. 39.02(3)(a)  
Sec. 39.03(10)  
Sec. 39.04(2)