

Common Council Subcommittee Report to the Task Force on Government Structure

March 12, 2019

I. Introduction

The Resolution (**RES-17-00714; Legistar File 47707**) creating the Task Force on Government Structure (“TFOGS”) specifically charged the TFOGS with considering the following issues with regard to the structure of the Madison Common Council (“CC”):

- The powers and duties of the Common Council;
- The powers of Council members to chair meetings of the Common Council, Finance Committee, and other boards, commissions, and committees (“BCCs”);
- The attributes of councils with full-time members, part-time members, and those considered to be volunteer councils performing duties for a nominal salary or honorarium;
- The number of Council members and the impact on effective representation of residents in general and people of color and those living with lower incomes in particular, functional of the body, and city government services;
- District vs. at large elections for Council members;
- Remuneration of Council members include a process for a change in pay;
- The size and cost of Council staff;
- Best practices for ensuring municipal decision makers are representative of, connected to and accountable to all members of the community; and
- Other methods for creating multiple avenues for resident participation in government without privileging decision-making based on the time and ability to attend meetings.

The Task Force created the Common Council Subcommittee (“Subcommittee”) to help to assist in the consideration of these issues. The Subcommittee consisted of John Rothschild (chair), Justice Castañeda, Eric Upchurch, Alder David Ahrens, Ronald Trachtenberg, and Maggie Northrop (alternate). The Subcommittee met ten (10) times between November and the writing of this Report. Materials considered by the Subcommittee can be found in **Legistar file 50732**, including agendas, detailed minutes of each meeting, and copies of documents discussed by the Subcommittee.¹ Additionally, Madison resident and former alder Brenda Konkel attended,

¹ <https://madison.legistar.com/LegislationDetail.aspx?ID=3712917&GUID=19073190-C3B4-42D1-BAB2-BA9442FDF39D&Options=ID|&Search=53673>

participated in, and recorded most of the Subcommittee's meetings. The recordings can be viewed on Ms. Konkel's website.²

This Report will describe the process used by the Subcommittee to consider the issues listed above, identify the key issues and themes that arose out of the Subcommittee's discussions, and highlight the positive and negative aspects of alternatives considered by the Subcommittee.

It is not the intent of this Report to recommend that the TFOGS take a specific course of action, but rather, to identify the key considerations of changing any one component of the Common Council structure. The Report also identifies some tangible actions the City could take to improve resident engagement and Common Council decision-making even if no structural changes are made to the Common Council.

II. The Subcommittee created a detailed work plan to discuss each issue listed in the Resolution.

The Subcommittee used the issues identified in the Resolution to inform the topics and issues it would discuss:

1. Full vs. part time alders or hybrid;
2. Alder terms (2 v 4 years);
3. Number of alders/districts;
4. Staggered terms;
5. At-large vs. geographic districts or hybrid or numbered districts;
6. Term limits;
7. Redistricting considerations including diversity representation;
8. Compensation levels;
9. Compensation and term of Council President and Vice President;
10. Support staffing levels and training for Council members;
11. Alders serving on BCCs;
12. Appointment of alders to BCCs;
13. Appointment of residents to BCCs;
14. Alders as chairs of BCCs; and
15. Structural and procedural issues relating to equity and meaningful engagement of residents in council decision-making, including time, place and length of Council meetings, budget development, barriers to resident participation and accountability.³

² <https://www.youtube.com/user/BrendaKonkel/videos>. These recordings were not done by the City and are not part of the Official Record of the proceedings. However, they could be useful to anyone wishing to learn more about the Subcommittee and its work.

³ In discussing these issues below, they are rearranged to group them by subject area.

The Subcommittee worked through this plan twice. In doing so, it observed that while the Resolution posed these issues separately, they are very much intertwined. For example, the Subcommittee noted that switching to a Common Council comprised of full-time alders (Topic Area 1) would require a reduction in the number of districts/alders (Topic Area 3) and, very likely, the provision of additional staff for alders (Topic 10).

Despite this interrelatedness, the Subcommittee believes that any overall recommendations the full Task Force makes should take into account the pros and cons of making changes to each specific issue or topic area so that the Task Force can be aware of the overall impact of any decision. Thus, for each issue, the Subcommittee compiled a list of pros and cons to making changes in each topic area.

When considering these issues, the Subcommittee urges the Task Force to also address underlying philosophical issues that relate to the purpose and function of city government. For example, when considering whether to have full-time alders or increase alder pay, the Task Force should consider more basic questions, such as whether membership on the Common Council should be viewed as a “government job” or a “volunteer public service.”

III. The Subcommittee identified the positive and negative aspects of the various issues raised by the Resolution and, in a few instances, reached consensus regarding which alternative may be best for the City.

a. Full-time vs. part-time alders.

The choice between full-time or part-time alders is a critical decision that probably should be the first decision made. Some very significant issues are effectively decided by the choice made here.

The Subcommittee noted that moving to a Common Council with full-time alders could have the following positive effects:

- Having alders who are able to dedicate all of their professional time to the work of the city instead of balancing multiple jobs and responsibilities;
- Making the position of alder more attractive to candidates who may otherwise be unable to participate on a part-time council with part-time pay;
- Having alders who would likely have larger districts, making Madison’s residents per council member closer to other cities, thus possibly changing the level of influence a small group of residents can have on a single alder (could also be viewed as a negative); and
- Having alders who may be better positioned to consider the best interest of the entire city and not necessarily just their individual districts.

The Subcommittee also noted possible negative effects of moving to a full-time council, including:

- Professionalizing the position of alder, resulting in bigger campaigns, more money, and more influence from moneyed interests;
- Creating alders who may be less connected to their constituents and more removed from local or district issues;
- Discouraging individuals from running for alder for fear of leaving a current job and then losing re-election two years later; and
- Risk losing the varied backgrounds and job experiences often found on a larger part-time Common Council.

In addition, the Subcommittee noted it was unsure whether moving to a full-time Council would have a tangible impact on representation or participation by communities of color and low income.

Ultimately, the Subcommittee did not reach consensus on whether the TFOGS should recommend moving to full-time alders. However, as noted above, any decision made by TFOGS on this issue would likely drive the decisions on other issues listed below. Accordingly, the Subcommittee recommends that TFOGS strongly consider deciding this issue first.

b. 2-year vs. 4-year terms for alders.

The Subcommittee noted that the current 2-year term requires more frequent campaigns and, thus, more direct alder-constituent contact. However, the more frequent campaigns also end up requiring new alders to run for reelection just as they are becoming familiar with the position and, potentially, has the effect of driving up overall campaign costs (for both the alder and the city) by requiring more frequent elections.

The Subcommittee noted that 4-year terms may also have some negative effects, including professionalizing campaigns, discouraging candidates who may not know whether they will be living in a district for longer than two years, and creating the possibility that vacancies would result in aldermanic seats being filled for longer periods of time by political appointees rather than by elected officials.

The Subcommittee reached consensus that moving to 4-year terms was likely in the best interest of the City and that some of the negatives associated with a 4-year term could be addressed by new rules such as, for example, requiring special elections (or, elections at the next general election) for vacant seats. The Subcommittee noted that this change would be especially critical if the TFOGS recommends moving to full-time alders, as discussed above.

c. Term limits for alders.

The Subcommittee noted that term limits may result in fresh candidates and new ideas. Moving to term limits may also result in more competitive elections and, perhaps, less influence from outside groups. At the same time, the Subcommittee noted that imposing term limits would deprive the Council of experienced leaders, infringe on the democratic process, increase the

influence outside professionals or staff may have on short-time alders, and impact the ability of alders to follow through on long term projects or funding.

The Subcommittee also noted that the part-time council tends to term limit itself, with most alders likely to spend 6-8 years or less on the Common Council. Thus, while term limits may be a good idea if the City moves to a full-time Council by discouraging “career” politicians, it likely is not necessary for the current part-time structure. Accordingly, the Subcommittee reached consensus that it is not in the best interest of the City to impose term limits unless, perhaps, the City moves to full-time alders.

d. Length of Council president and vice-president terms.

The current 1-year term of the Council president and vice-president results in frequent turnover of the positions. As a result, the Subcommittee noted that by the time the Council president becomes comfortable in the role of Council President their term is almost over. Increasing the term to two (2) years would alleviate this potential problem. However, increasing the term to 2 years (the length of a current Common Council term) would mean that some members only serve under one President. Moreover, it would reduce by half the number of members who are allowed to cycle through the position and become familiar with the role.

During the time period that the Subcommittee met, an ordinance was introduced and referred to the TFOGS that would increase the Council President’s term to two years. The TFOGS noted that the Subcommittee had not reached consensus on the issue and the full TFOGS had not yet addressed it and, therefore, chose to recommend to place the ordinance on file without prejudice.

On Tuesday, March 5, 2019, the Common Council voted to place the proposed ordinance on file without prejudice.

e. Total number of alders/districts.

The Subcommittee noted that reducing the number of alders and districts was intertwined with the issue of whether to have full- or part-time alders. For example, if the TFOGS recommends moving to full-time alders, then it would likely, for financial reasons, need to reduce the number of alders and districts. Thus, many of the positive and negative effects noted for moving to full-time alders would apply to a potential reduction of alders and districts as well:

Positive Effects of Full-Time Council (and larger districts):

- Having alders who are able to dedicate all of their professional time to the work of the city instead of possibility balancing two jobs and any other responsibilities they may have;
- Making the position of alder more attractive to candidates who may have otherwise been unable to participate on a part-time council with part-time pay;

- Having alders who would likely have larger districts, making Madison's residents per council member closer to other cities, thus possibly changing the level of influence a small group of residents can have on a single alder (could also be viewed as a negative); and
- Having alders who may be better positioned to consider the best interest of the entire city and not necessarily just their individual districts.

Negative Effects of Full-Time Council (and larger districts):

- Professionalizing the position of alder, resulting in bigger campaigns, more money, and more influence from moneyed interests;
- Creating alders who may be less connected to their constituents and more removed from local or district issues;
- Discouraging individuals from running for alder for fear of leaving a current job and then losing re-election two years later; and
- Risk losing the varied backgrounds and job experiences often found on a larger part-time Common Council.

The Subcommittee revisited this discussion in a later meeting. After much discussion, the consensus of the Subcommittee was that reducing the size of the council would not necessarily result in better representation. In fact, they noted that larger districts could reduce the likelihood of electing a person of color by eliminating districts (like District 14) that were drawn to give people of color a greater chance of being elected.

The Subcommittee also explored the philosophical underpinnings of the job of alder and indicated support for the resident-alder "volunteer" focused on service rather than professional politics. This could be impacted by moving to a smaller council with larger districts.

Finally, the Subcommittee discussed the possibility of increasing the size of the Council or keeping the size of the Council the same (20 alders) but having 10 larger districts (with two alders per district). Neither possible change gained much momentum.

Ultimately, the Subcommittee did not reach consensus that changing the size of the Council was the best way to address issues like representation. Furthermore, they noted that 70% of the Government Official survey and nearly all former Mayors opposed reducing the size of the Council. Subcommittee members noted, however, that such a response isn't necessarily a reason to maintain the status quo, which has historically worked well for some, but not all, Madison residents.

f. At-large vs. geographic districts.

The Subcommittee noted that having geography in and of itself as a basis for district delineation can be an inherent problem that promotes parochialism and strengthens the impact a neighborhood association or other local interest group can have on a particular alder. Thus,

the Subcommittee noted that moving from geographic to at-large districts could have the positive effect of requiring alders to consider issues in relation to what is good for the entire city, not just their district or the individuals who are able to participate in the discussion. The Subcommittee noted that, though unknown for sure, moving to at-large districts may increase representation with more people of color being elected.

These potential positive effects of at-large districts could, the Subcommittee noted, come at the cost of forgoing some of the positive effects of geographic districts, including 1) promoting a greater awareness of district specific issues, 2) giving residents a direct connection to their geographic alder and making resident engagement easier, 3) making it easier for alders to directly interface with particular neighborhood groups or associations. Moreover, the Subcommittee noted that while moving to at-large districts could increase representation, it could also have the opposite effect, citing Janesville as an example of a city with at-large districts with all members hailing from the wealthy side of town.

The Subcommittee also discussed the possibility of moving to a hybrid system of both at-large and geographic districts. This would make it possible to combine some of the positive aspects of both. However, the Subcommittee noted that many cities using a hybrid system have a City-Manager form of government where the mayor is the only at-large member of the Common Council. The Subcommittee noted that were there more than one at-large member, this could result in an unequal power dynamic where the at-large members have (or at least claim) more influence than geographic members. It may also create a slate of potential contenders to the mayor because at-large alders are elected city-wide.

When the Subcommittee revisited this issue, some members grew more comfortable with the idea of moving to at-large districts, citing the long history of Madison having an under-representative Common Council (compared to the history of the Madison School Board), thus questioning whether there could be any real downside to trying an alternative form. Ultimately, the Subcommittee did not reach consensus whether the City should change the numbers of alders/districts.

g. Compensation levels for alders.

One of the core issues facing the Common Council is the amount of time required for service, which raises, among other issues, whether alders are being properly compensated for their time. The time alders spend on city business depends on the alder, with some working 10-20 hours per week and others upwards of 30-50 hours per week. Their time is spent attending BCC and Common Council meetings and completing the general work of an alder (addressing constituent concerns, pursuing policy objectives, and communicating with City staff). Thus, the Subcommittee considered whether increasing the compensation level for alders would 1) properly compensate alders for time spent on city business, 2) attract more candidates to run for alder, or 3) make it more feasible for low-income individuals to serve on the Common Council.

The Subcommittee agreed that they generally view the position of alder as being one of service, not profession -- thus affirming the traditional Madison view of the Council -- suggesting that pay should not be the primary feature of the position. Also, Subcommittee members questioned whether, as a matter of principle, alders should be paid more than the living wage set by the City unless and until the City raises the living wage. Other members noted, however, noted that the current salary (roughly \$13,000 per year) may discourage certain residents, including those of low income, from running for alder because of the significant time commitment and lack of compensation or other resources (childcare, parking, etc.) to make the job more feasible. Thus, the Subcommittee noted a quandary: pay alders too little and you risk discouraging participation and making the job of alder more difficult given the significant time requirements; pay alders too much and you risk professionalizing the position and using money for alder compensation that could be used for resident services. Brenda Konkel pointed out that, in addition, some low-income residents may actually be dissuaded from becoming an alder if the salary was too high that it risk other benefits, although, under state law, elected officials may decline all or part of their salary.

The Subcommittee did not reach consensus on whether the salary should be raised, but suggested the TFOGS should obtain rough estimates of what certain increases may cost. Further, and as detailed below, the Subcommittee noted that the TFOGS could recommend initiatives other than a bump in salary (such as providing child care, providing more staff assistance and reducing the level of required service to BCCs) that may help alleviate some of the stresses of being alder. These alternative initiatives may reduce the hours required of alders, effectively giving them an increase in pay.

h. Support staff for alders.

The Subcommittee noted that adding staff support for Common Council members, either through direct staffing in the Common Council office or through support provided by an Office of Resident Engagement and Neighborhood Services (ORENS), would reduce time pressure on alders and effectively be an increase in compensation.

i. Alders service to BCCs.

The Subcommittee deferred this issue to the BCC Subcommittee but noted that BCC services is one of the major draws on alder time, and, as noted above, reduction of time spent on BCCs related to alder compensation.

j. Staggered alder terms.

The Subcommittee reached consensus that the TFOGS should recommend against moving to staggered terms. It saw no real advantages to moving to staggered terms, even if the City were to increase Common the Common Council to 4-year terms, make it full-time, or change the characterize of district representation (i.e., at-large versus geographic). One specific negative

aspect of moving to staggered terms would be to potentially end up with low turnout for elections staggered opposite the mayoral election.

k. Redistricting considerations and diversity representation after the 2020 Census.

The Subcommittee does not believe the TFOGS is in a position to make any recommendation on this issue. It noted the limitations of the federal census in identifying all residents, the complex nature of Madison's historical housing patterns, and how these two combine to make "districting" a difficult marker for representation. The Subcommittee suggests that an expert be consulted after the 2020 census to consider this issue in a way that takes into account these two challenges.

l. Power to appoint alders to BCCs.

This power now resides with the Mayor, except for the Common Council Executive Committee (CCEC). Madison's decision to grant to the executive the authority to appoint alders as members of all committees, including legislative committees, is very unusual. For example, neither in Congress nor in the Wisconsin Legislature does the executive appoint members of the legislature to the legislative committees.

The doctrine of separation of powers suggests changing this process. A good argument can be made that the appointments of alders to committees ought to be made by the Council President, perhaps with input from the CCEC. The current system concentrates authority and power in the Mayor. Moving this power to the Council President would be more congruent with the separation of powers between the executive and legislative branches.

The Subcommittee noted that Madison (and perhaps other municipalities) differs from the state and federal models in that some of Madison's BCCs serve both administrative and legislative roles. As such, the Subcommittee suggested that this argument may have less force for those BCCs that are more administrative or operational in nature, compared to BCCs that are legislative or policy making.

m. Power to appoint residents to BCCs.

Many of the arguments about separation of powers for alder appointments could also be made for resident appointments, since the residents also serve on many legislative committees. However, the Subcommittee noted some key differences that may argue against transferring the power to appoint residents to the Council President. For example, the Mayor remains the only office elected citywide and, as such, the Mayor deserves the right to appoint those who are likely to understand Mayoral policy initiatives. Additionally, appointment of residents is not as invasive of separation of powers as appointment of members of the legislative body because it does not involve the executive branch exercising power over the legislative branch. Finally, there is a very practical problem with the Council President having the time, even assuming some expanded staff assistance, to make and maintain some 700 BCC appointments.

The Subcommittee discussed an alternative where the Mayor would retain the appointive authority, but the City would codify a consultative process with the Council President on appointments. The Council participation might provide a broader perspective of potential appointees, with a wider range of potential appointees. A similar idea is discussed in Section VI. c. of the BCC Subcommittee Report.

The Subcommittee suggested that if the City moves to full-time alders, the above analysis could change.

n. Alders serving as chairs of BCCs.

The Subcommittee deferred this issue to the BCC Subcommittee.

o. Structural and procedural issues relating to equity and meaningful engagement of residents in council decision-making.

The Subcommittee noted several structural and procedural aspects of the current Common Council structure that discourage or inhibit resident engagement. Currently, Common Council meetings are held at 6:30 p.m. every other Tuesday. Members of the public are allowed to speak at Common Council meetings for five (5) minutes at public hearings and three (3) minutes for other agenda items. Meetings are run according to Robert's Rules, which assist the Common Council to run an orderly meeting. Finally, the Common Council utilizes the consent agenda to quickly move through non-controversial items.

Despite these known characteristics, the Subcommittee noted many challenges to the current structure of Common Council meetings, including:

- Meetings continue into the night and sometimes into the early morning because there is no time limit for debate. Also, meetings often begin with lengthy proclamations that delay the more substantive work of the Common Council. Finally, Madison is, relatively speaking, unique in that it allows extensive public input at each meeting. Meetings may become lengthy because there is no limit to the number of public attendees who may testify. The Subcommittee noted that late meetings can be a major barrier to residents who work early the next day, take public transportation that stops operating after a certain hour, or have other evening commitments. Furthermore, late meetings tax older members and residents as well as anyone who tends not to function well late at night or on little sleep. Yet, many very important decisions are made late at night or early in the morning, such as the budget.
- It is good to allow public comment, but this may be less impactful than it should be because the current structure requires physical presence at a downtown location, a limited amount of time to speak, and the uncertainty of knowing when a specific item will be called to the floor. Thus, public engagement in this form tends to be anecdotal rather than empirical and objective, and policy decisions can be manifestation of input received by those few who are able to attend and express their personal opinions.

- It is good to have a known time and place for meetings, but this may serve as a permanent barrier to entry to those who cannot travel downtown or work at night. Moreover, a lack of parking downtown and lack of childcare may further inhibit participation by privileging those who can afford to pay for childcare and parking so that they can attend a Council meeting.
- Robert's Rules provide some structure, but other rules are often enforced unevenly or not at all. For example, there is a rule regarding how long alders can talk on any one item, but it is not enforced.
- Robert's Rules themselves can be problematic because few know and understand them and they may be intimidating or confusing to anyone who is not familiar with them.
- The physical set up of the Council chambers is, in and of itself, not conducive to public engagement because the public is pushed off to the side.

The Subcommittee also noted many challenges surrounding other aspects of the Common Council decision-making process, including primarily that Legistar is very difficult to use and, therefore, information regarding upcoming Council decisions is difficult to obtain.

IV. The Subcommittee identified a range of possible solutions to address any negative aspects of the current structure of the Common Council.

The Subcommittee generally agreed on a range of possible actions the City could take could improve resident engagement even if not changes are made to government structure:

- Provide day care for people attending meetings.
- Validate parking for people attending meetings.
- Do proclamations at another time, possibly at 5:30 p.m. before the legislative business begins at 6:30 p.m.
- Allow videos to be submitted for testimony.
- Allow live public participation at Council meetings by electronic means such as the internet or from remote centers of the city.
- Allow public comments on agenda items to be considered in advance of a meeting by allowing individuals to register in favor or opposed through a system that notifies residents of decisions to be made and asks for input.
- Separate Public testimony from legislative debate and action by allowing individuals to provide input at the beginning of Council meetings regardless of when the item on which they wish to speak is taken up by the Council. This may prevent residents from leaving the meeting when their item is not taken up until late at night.
- Vary meeting locations.
- Make written comments available to the public and Council members at the time of the meeting.
- Avoid late-night meetings. Reduce overall length of meetings.

- Adhere to and/or change current rules regarding the length of alder statements at Common Council meetings.
- Improve accessibility of Legistar.
- Create way for people to provide input in Legistar or some other appropriate platform.
- Provide classes for the public to learn how to use Legistar.
- On city website, allow option for having a chat with a city employee who can direct a resident in the right direction should they have an issue or question about government services.
- Continue working towards having 311 number for city services.
- Maintain subscription lists for Common Council and BCC items so that residents can be made aware of issues coming before a body through an email blast or text message.
- Review customer relation software options that may create better processes for residents to navigate city services, such as through ticketing system where issues are ticketed, followed up on by staff, and then the results reported back to the person requesting the service.
- Consider the option of bifurcating public testimony and legislative sessions.
- Add more than just the name of meetings to the city calendar so that more information can be obtained with 1 click, instead of requiring multiple clicks to get relevant and substantive information about a meeting.
- Consider the possibility of creating an Office of Resident Engagement and Neighborhood Support (ORENS).
- Consider incorporating specific recommendations from the Austin (TX) 2016 Engagement Study, which focuses on five major themes: 1) Make information clear, relevant and easily accessible; 2) Make it easier for people to give input in ways that are convenient, accessible and appropriate for them; 3) Explain how input will be used and show how that input had an impact on the decision made; 4) Ensure that everyone who cares about an issue or is impacted has an opportunity to engage; and 5) Ensure that City staff has the support, training, tools and resources to do engagement well. For a complete list of specific recommendations consider reviewing Austin's engagement report.⁴

⁴ <https://madison.legistar.com/View.ashx?M=F&ID=6955161&GUID=A177A6EB-EE87-4A04-9F61-627040D223BF>

V. The Subcommittee further explored the current state of City Technology and what changes are necessary to increase resident engagement through technology.

As noted above, one of the major challenges facing the Common Council, regardless of the structure it ultimately takes, is the inability to facilitate resident engagement and participation through technology. The Subcommittee received a presentation from City IT Director Sarah Edgerton and IT Media Leadworker Boyce Johnson to discuss the City's existing and future capabilities.

A memorandum prepared by City IT is attached to this Report summarizing their presentation. The Subcommittee came away from the presentation believing that the City needed to invest in and prioritize those technological advancements that would address this problem, including the ability to 1) broadcast or stream Common Council meetings from a variety of locations in the City, 2) facilitate remote resident and member engagement, and 3) facilitate other forms of resident engagement through the use of technology.

The Subcommittee acknowledged the City's current limitations, but noted that other City's have been doing some of these things for quite some time and questioned why the City has not invested the resources to do it as well. The Subcommittee thus requested that City IT to prepare an estimate of the cost of the technological advancements discussed that would allow the City greater ability to hold meetings in remote locations and allow residents to participate from remote locations. The Subcommittee will provide this Report to the TFOGS as soon as it is received.

VI. Conclusion

The individual structure issues addressed by the Subcommittee are, in most cases, very intertwined. Thus, the Subcommittee pointed out the positive and negative aspects of each changes so that the TFOGS can analyze to potential impact of any recommendation it makes.

The Subcommittee strongly believes that, even if no structural changes are made, the TFOGS can make recommendations about specific actions that could greatly improve resident participation and engagement and, hopefully, result a more inclusive and representative Common Council decision-making process.

This Report was accepted and approved by the Common Council Subcommittee on March 8, 2019.

CITY OF MADISON
INTER-DEPARTMENTAL
CORRESPONDENCE

 DATE: February 1, 2019 

TO: Task Force on the Structure of City Government ("TFOGS")

FROM: Sarah Edgerton, IT Director
Boyce Johnson, Digital Media Manager

SUBJECT: **Information Technology Presentation to TFOGS Subcommittee on** existing and future capabilities to hold meetings or take public testimony from remote locations

Background

One of the most significant deterrents to public participation in local government, identified by TFOGS, is attending meetings downtown. Therefore, TFOGS would like to pursue the idea of offering remote locations for meetings.

The TFOGS Task Force asked Information Technology (IT) staff to prepare a memo to discuss what it would take to hold meetings or take public testimony from remote locations. They also asked IT to discuss what capabilities the City currently has to do these things now, and what it would take in terms of investment, such as, the costs of such a system, staffing, and/or what alternatives might exist to provide these services to our residents.

The Current State and Future State: Madison City Channel Coverage by the Media Team

The Media Team currently covers regular meetings of eight bodies for an average of just under 12 meetings a month. In addition to 137 such meetings covered in 2018, we covered 55 special meetings, including presentations before the Common Council, Department/Division Head Meetings, and meetings of bodies such as the Oscar Mayer Advisory Committee, Police Policy Review Committee, Work Group on Surveillance Policies, and Task Force on Government Structure. We also covered 56 non-meeting events including press conferences, award ceremonies, and panel discussions. Additionally, there were 77 studio productions, 85 field productions for video projects, and 56 Monona Terrace productions.

Future State: Testimony Via Video Recording

Allowing public testimony via video recording could mean one of two things: It could mean submitting some kind of pre-recorded video file to a body or it could mean using some kind of videoconferencing technology to present live testimony to a body from a remote location.

If it's the former, the video recording could either be accepted by the body as a communication or correspondence or it could be treated as testimony. In either case, there would have to be rules about what formats are acceptable and submissions would have to be received with ample time allowed to be reviewed by staff and transcoded into a format that would be accessible to members of the body. This would likely mean publishing them as streaming files that could be accessed via a link. If it's treated as correspondence, a link could be provided along with other letters, email messages, etc. received by the body. Presumably, open records laws would apply in the same way for any of these formats. If it's treated as testimony, the meeting would have to be held in a room with video playback equipment that would allow it to be seen and heard by members of the body and any staff or members of the public in attendance. If the meeting was covered for Madison City Channel, it would need to be in a room in which that content can be captured so that it can be seen and heard by the television and/or streaming audience. People who testify in person have to fill out a form to verify their identification and address and identify affiliations or lobbying activity. There would have to be an online process to gather that information and match it to submitted video testimony. Video correspondence or testimony has the same drawback as written correspondence in that it affords no opportunity for members of the body to ask questions. It's also potentially problematic in that not everybody has access to technology to record testimony, and there could be a large range in quality among submissions based on the kind of technology and expertise accessible to various users.

If it's the latter, videoconferencing methods identified for use by members of the body could also be employed by the public. In either case, equipment would need to be available in the room to ensure that members of the body could see and hear the person on the far end of the conference, and that the person on the far end of the conference could see and hear all members of the body and any presentation materials that are visible and audible in the room. Madison City Channel coverage would require the person on the far end of the conference to be seen and heard by the television and/or streaming audience, as well. There are currently no rooms that allow this functionality. One of the rooms in the remodeled Madison Municipal Building was designed for integrated videoconferencing and Madison City Channel coverage, but the videoconferencing features have not been added yet.