

# Transportation Commission Handbook

Orientation, Training, and Special Rules

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Note: The Transportation Commission Handbook and the Special Rules in Section VIII were approved and adopted by the Transportation Commission at its meeting on July 22, 2020.

## **I. Introduction.**

The City of Madison established the Transportation Commission on June 29, 2018. The organization, purpose, composition, and powers of the Commission are contained in Sec. 33.56, Madison General Ordinances.

The purpose of this Handbook is to provide Commission members and the public with a concise explanation of the role of the Commission and duties of the Commissioners.

The Handbook will also explain the basic rules of procedure that apply to all City of Madison Boards, Commissions, and Committees, including those contained in Sec. 33.01 Madison General Ordinances, Wisconsin's Open Meetings and Public Records laws, and Robert's Rules of Order. Finally, the Handbook will specifically list any Special Rules or procedures specifically adopted by the Transportation Commission.

As noted in the Special Rules in Section VIII(B) of this Handbook, new Commission members are required to complete orientation training within six (6) months of being confirmed by the Common Council as a member of the Commission. In order to complete the orientation and training, the new members should become familiar with all the topics listed in Section V of this Handbook.

Links to all ordinances, videos, training and resource materials referenced in this Handbook can be found on the Transportation Commission website.

## **II. Purpose, Role, and Authority of the Transportation Commission.**

The purpose of the Transportation Commission is to decide specific transportation implementation issues related to transit, parking, pedestrians, bicycles, and motor vehicles as listed in Sec. 33.56(5)(a)-(c).

The Commission is required to make decisions in a manner that is consistent with the transportation policies and plans adopted by the Common Council. Commission decisions may be appealed to the

Common Council, which may reverse or modify Commission decision upon a favorable 2/3 vote if it finds that the Commission decision was inconsistent with the transportation policies adopted by the Common Council.

Thus, the Commission's authority is limited to deciding issues listed in Sec. 33.56(5)(a)-(c) in a manner that is consistent with the City's transportation policies. The Commission does not, itself, address or create transportation policies. That role is reserved for the Transportation Policy and Planning Board and the Common Council.

### **III. Role of the Commissioners.**

- Attend scheduled Commission meetings.
  - Regularly scheduled meetings are held twice monthly.
  - Notify the Recording Secretary as soon as possible if you are unable to attend, so any quorum issues can be anticipated.
  - Excessive absences must be reported by the Chair to the appropriate City officials.
- In order to have efficient and effective meetings, members should be familiar with and follow all standard Rules of Procedure as stated in Section VIII of this Handbook.
- Review all material prior to attending each meeting, in order to conduct meaningful discussions and make informed decisions when voting on action items.
- Decisions should be made by Commissioners using a balanced and inclusive system-wide perspective on transportation issues in the City.
- Commissioners should work to eliminate any disparities that people of color or people of low income may experience with regard to transportation issues in the City.
- Utilize City staff and the Transportation Commission website as resources to help address questions regarding current transportation and procedural topics.
- Stay current on transportation topics and issues in the City and the Region, in order to make informed decisions as a Commissioner. Participate in appropriate presentations, workshops, focus groups, etc.
- Serve on related subcommittees as requested.

- From time to time Commissioners may be asked to serve on panels to hear appeals on transportation related decisions.
- Complete all required Transportation Commission orientation and training, with tours of the various Transportation Divisions recommended.
- Review all relevant City Ordinances, including Madison General Ordinances listed below. Summaries of these ordinances and important highlights are included in training and support materials posted on the Transportation Commission website.
  - 3.14 – Department of Transportation
  - 3.30 – Qualifications – City Officers, Member of Commissions, and Employees
  - 3.35 – Code of Ethics
  - 3.70 – Public Records
  - 3.71 – Open Meetings of Municipal Bodies
  - 33.01 – Boards, Commissions, and Committees Procedures
  - 33.55 – Transportation Policy and Planning Board
  - 33.56 – Transportation Commission
- Complete and file your Statement of Interest Form as required by the City on a timely basis. Noncompliance can negatively impact your ability to participate as a member of the Commission.

**IV. Role of the Chair and Vice Chair of the Transportation Commission.**

- Role of the Chair includes all the same items as shown above in Section III of this Handbook (Role of the Commissioners). In addition, the Chair needs to have an in-depth knowledge of all the relevant City Ordinances and Rules of Procedure. When there are questions, the Chair consults with City staff, including staff in the City Attorney’s Office.
- Preside over the Commission meetings in an efficient and effective manner which ensures a fair opportunity for all members of the Commission and the public to actively participate.

- During Commission meetings, track the number of voting members in attendance (including the Chair), in order to determine the number of votes needed to pass a motion (see Section VIII(A) of this Handbook). In addition, the Chair needs to be prepared to vote, if the Chair's vote would affect the outcome of a matter before the Commission.
- Set and approve all agendas for the Commission meetings.
  - Participate with City staff in all agenda setting meetings (typically twice monthly).
  - Ensure that all items are included on the agenda which require immediate attention.
  - Work with City staff to identify agenda items which qualify for the Consent Agenda.
  - Strive to limit agenda items to those which require action by the Commission or feedback from the Commission members.
  - Early in the agenda, include an opportunity for public appearances regarding topics not on the agenda.
  - Normal sequence for each item should be presentation, public comment on the item, motions, discussion, debate, etc.
  - Limit the length of the agendas, so that meetings do not extend beyond an effective time frame.
  - Connect regularly with City staff regarding current and future agenda items, as well as other Transportation Commission and Transportation Policy and Planning Board matters as required.
  - Track all items that should be included on future agendas (as received from the public, as mentioned at meetings, as brought forward by City staff, etc.).
- Receive and respond to communications from the public regarding topics on current and future Commission agendas.
- Make appointments to subcommittees as appropriate and required.
- As required, make appointments to panels for the purpose of hearing appeals on transportation related decisions.
- Work with City staff to track attendance at the Commission meetings; and report excessive absences to the appropriate City officials.
- Review draft minutes of the Commission meetings prior to distribution.
- Coordinate joint meetings and other related matters with the Chair of the Transportation Policy and Planning Board.

- Work with City staff to develop and update the Transportation Commission Work Plan.
- Attend City training for Chairs of City Boards, Committees and Commissions.
- Role of the Vice Chair includes all the same items as shown above in Section III of this Handbook (Role of the Commissioners). In addition, the Vice Chair should stay updated and current on the Role of the Chair, in order to be prepared to step in for the Chair as needed.

**V. Orientation and Training for Transportation Commissioners.**

Orientation and training will be available online for viewing by members of the Commission. Future new members of the Commission can watch the webinars at a convenient time in order to complete their training within the six-month requirement (see Special Rules in Section VIII(B) of this Handbook). Training sessions can be accessed on the Transportation Commission website for viewing by any interested parties.

Topics to be included in the New Member Orientation and Training include:

- Welcome and Introduction of Key City Staff Members
- Roles and Responsibilities of Commission Members
- Racial Equity and Social Justice Initiative
- City of Madison’s Committee and Legislative Processes and Procedures
- Code of Ethics
- Robert’s Rules of Order
- Open Meetings Requirements and Regulations
- Public Records Requirements and Regulations
- Legistar Tips on Content and Navigation
- City of Madison Transportation Ordinances
- City of Madison Department of Transportation
- Madison in Motion
- Bus Rapid Transit
- Vision Zero
- Virtual Meeting Training (as appropriate)

Additional information on training and support for City of Madison Board, Commission and Committee members can be found on the Transportation Commission website.

**VI. Relationship of the Transportation Commission to the City of Madison Department of Transportation.**

Sec. 3.14, Madison General Ordinances, creates the City's Department of Transportation ("DOT"). The DOT consists of three divisions: Traffic Engineering, Transit, and Parking. The DOT and its respective divisions are responsible for managing, operating, controlling, and maintaining all elements of the city's transportation system, including bicycles; bus, truck and rail freight, and motor vehicle traffic; parking; pedestrians; street, curb, and right-of-way use; and transit.

The Director of Transportation oversees the DOT and each division. The Director is responsible for ensuring that the duties of the Department, listed in Sec. 3.14(2), are fulfilled. The Director is also responsible for appointing an executive secretary (the Transit Manager, City Traffic Engineer, or Parking Manager) to the Commission and ensuring the Commission has the staff resources it needs to complete its work.

**VII. Relationship of the Transportation Commission to the City of Madison Transportation Policy and Planning Board.**

Sec. 33.55, Madison General Ordinances, creates the Transportation Policy and Planning Board ("TPPB") for the purpose of creating and recommending transportation policies to the Common Council. The Role of the Commission is to decide the specific transportation issues in a manner that is consistent with the policies created by the TPPB and adopted by the Common Council. Thus, while the TPPB is the policy making transportation body, the Commission generally serves the role of the implementation body, making specific decisions based on guidance provided by the TPPB. There are instances where the Commission may make decisions with policy implications. In these instances, it may be appropriate for the TC to request policy guidance from the TPPB. In addition, the Commission may make recommendations on policy issues as referred by the Common Council.



Roles and responsibilities of the Commission and the TPPB are closely aligned. Joint meeting of these two bodies will be held at least annually and more frequently as appropriate or required. Items can be referred to the Commission by the TPPB; and items can be referred to the TPPB by the Commission. Reports of TPPB activities are provided to the Commission on a monthly basis by the “crossover” members of both bodies. DOT staff will track TPPB activities related to recommendations for approval of new transportation policies and modifications of existing transportation polices. As these policy changes are approved by the Common Council, informational presentations will be made available to keep the members of the Commission appropriately informed.

#### **VIII. Rules and Procedures.**

Rules pertaining to the operation of the Commission are found in Sec. 33.01 of the Madison General Ordinances, Wisconsin Open Meetings Law, Wisconsin Public Records law, Robert’s Rules of Order, Administrative Procedure Memoranda applicable to Commission procedures, and any special rules adopted by the Commission.

Please review the online trainings available on the City Attorney’s website related to Wisconsin Open Meetings, Public Records, and Robert’s Rules of Order. Links to these training materials are available on the Transportation Commission website.

You may also be asked to attend additional trainings on these topics. The purpose of Section A. is to briefly describe a handful of rules and procedures pertaining to Commission meetings that you will encounter most frequently. Section B. lists the special rules that have been adopted by the Transportation Commission.

## **A. Frequently Encountered Rules and Procedures (FERPs).**

**Notice.** Wisconsin's Open Meetings laws and Madison General Ordinances require that each Commission meeting be properly noticed. Meeting notices must include the time, date, place, and subject matter to be discussed or acted upon during the meeting. The Commission must post its meeting notices at least 24 hours prior to the commencement of such meeting. In very limited circumstances, less than 24 hours-notice may be given, but in no case may less than two (2) hours-notice be provided.

**Agenda.** Madison meets its Open Meetings law requirements by posting the Agenda for all upcoming meetings. Each Agenda contains the time, date, place, and subject matter to be discussed or acted upon during the meeting. The subject matter is described with enough specificity to allow the public to understand what matter is before the Commission. Unless otherwise noted, there is a presumption that any matter on the Agenda can be acted upon, in some capacity, by the Commission. The Commission may not discuss matters not listed on the Agenda.

At each meeting, the Commission may use the consent agenda process to vote on a "bundle" of routine or noncontroversial items. This saves meeting time and ensures that Commission meetings focus on items needing discussion. Through the "bundling" process, an entire set of predetermined agenda items is voted on in one action, versus taking the time to discuss and vote each individual item.

Typical consent agenda items include, but are not limited to, noncontroversial projects and informational reports requiring no action. Prior to each meeting, the Chair and City staff will identify items on the upcoming Agenda they believe could be included on the consent agenda. Staff will then share this list of items with all Commission members. Any Commission member may request that an item listed on the proposed consent agenda be removed and individually discussed.

**Attendance.** The Chair of the Transportation Commission must report to the Mayor and Common Council Office when a Member is absent from

three (3) consecutive meetings or five (5) meetings out of twelve (12). The Mayor is then responsible for ensuring attendance at future meetings or, in the Mayor's discretion, requesting the Member's resignation. You may, if necessary, attend Commission meetings by telephone provided that you make arrangements to do so in advance so that the Agenda can note your telephone attendance. Some Commission meetings may be held virtually where all Commission members, staff and members of the public attend over ZOOM or some other web-based platform. You will receive advanced notice of these meetings and instructions from the Chair and City Information Technology on how to attend and participate in a meeting.

**Quorum.** A quorum of members is required to hold a public meeting. A quorum is a majority of members of unit or sub-unit of government as fixed by law, with vacant positions counted in determining quorum. The Transportation Commission has nine (9) voting Members. Thus, quorum for the Transportation Commission is five (5). Under Sec. 33.01(8)(a) if "quorum is not secured within fifteen (15) minutes of the officially scheduled meeting time, the Board, [Commission] must adjourn without taking any action, except that it may set a date and time for its next meeting."

Quorum can also be an issue outside of a noticed meeting. Wisconsin Open Meetings law applies in at least two situations where a quorum may not be present. A "negative quorum" exists if a gathering of less than a quorum can determine the parent body's course of action, such as when enough Members are present to block the passage of an action. A "walking quorum" exists when a series of gatherings or contacts (phone calls, conference calls, emails, chat rooms) occur among Members.

As a general rule, Commissioners should not discuss Commission business outside of a properly noticed meeting. Also, you may from time-to-time receive emails with the heading "ONE-WAY EMAIL. DO NOT REPLY ALL." This is likely an email that has been sent to all Commission Members for purposes of providing information. The header is a reminder if you reply all you will risk creating a quorum and, thus, an illegal meeting.

**Disclosures and Recusals.** At the beginning of each meeting, the Chair will ask Members if there are any disclosures or recusals with regard to items on the agenda for that meeting. The City of Madison Ethics Code requires that if a Member or a Member’s immediate family member has a financial or personal interest in any matter coming before the Transportation Commission that Member must either disclose that information to the Commission or recuse him or herself from discussing or voting on that item. Members who choose to recuse themselves do not first have to disclose the information. If Members have questions about whether a disclosure or recusal is appropriate, they should seek guidance from the Chair and Office of the City Attorney prior to the meeting.

**Voting.** Sometimes, a statute or ordinance requiring a vote will dictate how many votes are needed for a motion to pass. In the absence of such a statute or ordinance, a motion is passed upon an affirmative vote of not less than a majority vote of the Members in attendance (including the Chair). So, if five (5) of the nine (9) Commission Members are present for the meeting, a motion requires three (3) votes in the affirmative to pass.

**Voting Members of the Transportation Commission in Attendance (including the Chair) – and Votes Needed to Pass a Motion**

- 5 Members – 3 Votes needed to pass a motion
- 6 Members – 4 Votes needed to pass a motion
- 7 Members – 4 Votes needed to pass a motion
- 8 Members – 5 Votes needed to pass a motion
- 9 Members – 5 Votes needed to pass a motion

There are exceptions to this rule when Members abstain from voting, but those exceptions are rare.

Chair of the Transportation Commission shall not vote unless the Chair’s vote would affect the outcome of a matter before the Commission. If the Chair’s vote would affect the outcome of a matter, the Chair may choose to vote but is not required to do so.

**Minutes.** Staff to the Transportation Commission will keep minutes of each Transportation Commission meeting. After the meeting, Members are expected to review the draft minutes for accuracy. At the next meeting of the Commission, Members will vote whether to approve the minutes as written or request that changes be made.

**Public Comment.** Sec. 33.01 of the Madison General Ordinances requires that the Commission establish a period for public comment at or near the beginning of each meeting. In addition, the public will have an opportunity for comment on any item included on the agenda for discussion or approval. Each registrant will be allowed at least three (3) minutes to speak; with registrants who require an interpreter allowed at least six (6) minutes to speak. Please see the Commission’s Special Rules in Section B. for the time allowed for public comment during Public Hearings.

**Public Record.** Wisconsin’s Public Records law requires Commission Members to retain public records. A public record is virtually everything containing information if it has been created or is being kept by government officials or bodies (including email and Facebook). There are limited exceptions to this rule. For example, drafts of documents are not public records if they are not circulated beyond the approving authority, personal documents maintained for your own personal use are not public records, and personal notes used to refresh your own recollection at a later date are not public records. When in doubt, you should presume that a document pertaining to Commission business is a public record that you are required to retain. You can then seek clarification from your Chair and/or the Office of the City Attorney.

**Robert’s Rules of Order.** Except where otherwise provided by City ordinance, Madison’s Boards, Commissions, and Committees (BCCs) follow Robert’s Rules of Order (“RRO”), which establishes basic parliamentary procedures for operating a meeting. Becoming familiar with RRO will help you understand and better participate in Commission meetings. This Section will briefly point out some of the common motions you will encounter during a meeting:

- **Motion to Adopt, Recommend, Approve, or Deny:** To take action on a matter before the body.
- **Motion to Amend:** To modify the main motion before the body.
- **Point of Information:** This is a motion that allows a member to seek more information before proceeding to a vote.
- **Point of Order or Procedure:** This is a motion that allows a member to raise a question about the procedure being used by the body.
- **Recess:** The motion asks that the body take a short break.
- **Reconsideration:** A motion for reconsideration asks that the body reconsider something it has already acted upon. It must be made either at the same meeting at which the matter was considered, or at the next succeeding meeting. Once made, the motion may be referred to a later meeting. In order to act on the motion for reconsideration, either the original matter or the motion on the matter must be on the official agenda of the meeting in order to comply with Open Meetings law. Reconsiderations for the Common Council and all BCCs are governed by RRO and by MGO Sec. 2.21.
- **Referral:** A successful motion to refer an item will refer that item to a future meeting. It is best, when possible, to specify the date, time, place for the meeting to which the matter is being referred.
- **Place on File:** A motion to place a matter on file means that the Commission takes no action on the item. A matter can be placed on file with or without prejudice and often has the effect of a denial.
- **Motion to Adjourn:** To end a meeting.
- **Suspension of the Rules:** A body may suspend the rules of procedure related to how it takes up a matter. This motion requires 2/3 majority vote to pass.

With some exceptions, most motions require a motion and a second. You make a motion by simply saying “I move that \_\_\_\_\_” or “Move adoption of \_\_\_\_\_” or “Move referral of \_\_\_\_\_” or “I move to amend \_\_\_\_\_.” Then, another member can second your motion or amended motion, which moves the motion or amended motion to the floor for debate and action. The Chair is responsible for ensuring motions are understood by all members, debated if appropriate, and acted upon.

These are just a handful of the most common motions you will encounter and make as a Commission member. Reviewing the online City training for Robert's Rules of Order will give you further examples of motions that may be made and the procedures the Chair will use for the Commission to debate them. For ease of reference the following chart also provides basic information on motions.

## BASIC INFORMATION ON MOTIONS

### RANKING MOTIONS

*These motions are listed in order of rank.*

***When any one of these motions is pending those above are in order and those below are not in order.***

	<b><u>Privileged Motions:</u></b>	<b><u>Require Second?</u></b>	<b><u>Can Debate?</u></b>	<b><u>Can Be Amended?</u></b>	<b><u>Vote Required</u></b>
13.	Fix the Time to Which to Adjourn	Yes	No	Yes	Majority
12.	Adjourn	Yes	No	No	Majority
11.	Recess	Yes	No	Yes	Majority
10.	Raise a Question of Privilege	No	No	No	Chair
9.	Call for the Orders of the Day	No	No	No	Chair
	<b><u>Subsidiary Motions:</u></b>				
8.	Lay on the Table	Yes	No	No	Majority
7.	Previous Question	Yes	No	No	2/3
6.	Limit or Extend Limits of Debate	Yes	No	Yes	2/3
5.	Postpone to a Certain Time	Yes	Yes	Yes	Majority
4.	Commit or Refer	Yes	Yes	Yes	Majority
3.	Amend	Yes	Yes	Yes	Majority
2.	Place on File	Yes	Yes	No	Majority
1.	Main Motion	Yes	Yes	Yes	Majority



**NON-RANKING MOTIONS**

*Incidental Motions (procedural)*

<u>Incidental Motions</u>	<u>Require Second?</u>	<u>Can Debate?</u>	<u>Can Be Amended?</u>	<u>Vote Required</u>
Appeal	Yes	Yes*	No	Majority
Close Nominations	Yes	No	Yes	2/3
Consider by Paragraph (Seriatim)	Yes	No	Yes	Majority
Request for Roll Call Vote	No	No	No	No
Division of the Question	Yes	No	Yes	Majority
Objection to Consideration of Question	No	No	No	2/3
Point of Order	No	No	No	Chair
Reopen Nominations	Yes	No	Yes	Majority
Suspend the Rules	Yes	No	No	2/3
Requests & Parliamentary Inquiries	No	No	No	Chair

**Motions bringing a question  
before Commission again:**

Reconsider	Yes	Yes	No	Majority
Rescind	Yes	Yes	Yes	Majority
Amend Something Previously Adopted	Yes	Yes	Yes	Majority
Take from the Table	Yes	No	No	Majority

\*May be discussed but each member may only speak once

Source: Robert's Rules of Order, Newly Revised 11<sup>th</sup> Edition / Wisconsin Counties Association

**B. Special Rules Adopted by the Transportation Commission.** Sec. 33.01 of the Madison General Ordinances allows the Commission to adopt Special Rules of Procedure, as long as these Special Rules do not conflict with ordinances or resolutions of the Common Council.

- Annually in June the Commission will review and approve any changes in these Special Rules, so these Special Rules can be filed with the City Clerk by July 1<sup>st</sup>.
- The Transportation Commission shall create, maintain, and periodically update a Transportation Commission Handbook.
- New Commission members shall receive the Transportation Commission Handbook and complete new member orientation and training within six (6) months of being confirmed by the Common Council as a member of the Commission. In order to complete the orientation and training, the new members should become familiar with all the topics listed in Section V of this Handbook.
- The Commission shall create an annual work plan and schedule each June that includes, if possible, at least one joint meeting with the Transportation Policy and Planning Board. This work plan and schedule will be reviewed at least quarterly, in order to determine and approve any required updates.
- Annually, in July, the Commission shall select a Chair and a Vice Chair.
- The Chair may participate in the discussion of agenda items after all other Commission members wishing to participate have had an opportunity to do so. Nothing in this rule changes the other restrictions contained in Sec. 33.01(9)(c), limiting the ability of the Chair to vote or make motions on an agenda item.
- Members of the public providing comments at Public Hearings shall be permitted up to five (5) minutes to speak. Individuals who require an interpreter at Public Hearings may be allowed up to ten (10) minutes to speak. Although the Commission is not required to notify all potentially interested parties of such Public Hearings, staff will make every effort to give pre-notification to those who may be interested or impacted. In order to carefully consider any information received during a Public Hearing, the Commission will not take action on that subject matter until a future Commission meeting.