

LEGISTAR #38469 – VERSION 1 BODY

DRAFTER'S ANALYSIS: This amendment begins by cleaning up language in Subsection (4)(a) in order to clarify that the Transit and Parking Commission (TPC) is not a public utility. More significantly, this amendment adds a tenth member to the TPC. This member will be an elected official from a Regional Transit Partner Community. The amendment also provides that one of the alternate members will be an elected official from a Regional Transit Partner Community.

Regional Transit Partner Communities are those local communities, such as Middleton and Verona, with which the City contracts to provide Metro Transit service. This amendment will allow the City's regional transit partners to have a voice on the TPC on matters pertaining to transit. The Regional Transit Partner member will only be able to vote on matters pertaining to transit.

This amendment also sets out a clear process by which the Mayor will appoint regional transit members.

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

1. Subdivision (a) entitled "Created" 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) Created. There is hereby created a Transit and Parking Commission charged with the duties and responsibilities contained herein. The Transit and Parking Commission shall make recommendations to the Common Council regarding policies on all transit and parking matters ~~and shall be the official body which shall constitute a public utility within the meaning of Section 66.0621, Section 66.0805, and a transit commission with the meaning of Section 66.1021, Wisconsin Statutes, and shall function as a parking utility for the operation of the parking utility system for the City of Madison, a transit utility for the operation of the transit system for the City of Madison, and a utility capable of issuing revenue bonds with Common Council approval.~~ The City elects, pursuant to Wis. Stats. §§ 66.0805(6) and 62.11(5), to provide for the operation of the Parking Utility system and the Transit Division by a commission other than the utility commission provided for in Wis. Stats. § 66.0805(1)-(3), or the transit commission provided for in Wis. Stats. § 66.102. To the extent authorized herein, or in other ordinances or resolutions of the city, the Parking Utility system, the Transit Division or the Transit and Parking Commission may exercise the powers and duties, in the name of the City, set out in Wis. Stats. §§ 66.0621, 66.0803(2), and 66.0829. The Transit and Parking Commission shall be the public utility designated in any various bond revenue ordinances of the City of Madison. Acting as a Transit and Parking Commission, the commission shall be under a strict duty to comply with all revenue bond ordinances covenants of the city both of for the Parking Utility and of the Transit Utility Division. Such commission The Parking Utility system and the Transit Division shall be enterprise funds within the City and the City shall not commingle the funds or use the assets of one utility either the Parking Utility or the Transit Division to further the interest of another utility the other."

2. Subdivision (b) entitled "Composition" 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 ~~nineteen~~ (910) voting members to serve without compensation consisting of three (3) members of the Common Council, six (6) citizens of the City of Madison, one (1) elected official from a Regional Transit Partner community, and two (2) alternates, who may be either Common Council members or citizens but at least one (1) of whom shall be a citizen of the City of Madison and one of whom shall be an elected official from a Regional Transit Partner community. 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. Regional Transit Partner members shall vote only on transit-related matters, and shall serve as ex-officio non-voting members when the

Commission is not considering matters directly related to transit. All appointees (other than alderpersons) shall serve until their successors are appointed, confirmed and qualified.”

3. Subdivision (d) entitled “Appointment and Terms of Citizen 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:

“(d) Appointment and Terms of Citizen Members and Regional Transit Partner Members.

(1) Citizen members of the Transit and Parking Commission shall be appointed by the Mayor subject to confirmation by the Common Council. The Mayor shall appoint one (1) citizen member for a term of three (3) years ending April 30, 2000, two (2) citizen members for terms of two (2) years ending April 30, 1999, and one (1) citizen member for a term of one (1) year ending April 30, 1998. Thereafter, t Terms for citizen members shall be for a period of three (3) years commencing on the first (1st) day of May. 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 citizen member’s term or as soon thereafter as the Mayor makes the appointment.

(2) The Regional Transit Partner member and alternate member shall be appointed by the Mayor subject to confirmation by the Common Council. The Regional Transit Partner members shall serve a one (1) year term commencing on the 1st day of March. The Contracted Services Oversight Committee (CSOS) shall send nominations for the Regional Transit Partner members to the Mayor by January 1st of each year. Upon receipt of those nominations, the Mayor may either make appointments or choose not to make Regional Transit member appointments for that calendar year.”

4. 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:

“(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 be either Common Council members or citizen members shall include one citizen of the City of Madison and one Regional Transit Partner member. 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.”