



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

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

Thursday, December 6, 2007

8:30 a.m.

Room 414, City-County Building
210 Martin Luther King, Jr. Blvd.

1. CALL TO ORDER/ROLL CALL

The meeting was called to order at 8:42 a.m. A quorum was noted, and the meeting was properly noticed.

2. ROLL CALL

Present: 3 – Rhodes-Conway (chair), Konkel, Clausius
Absent: 1 – Schumacher
Others: 2 – City Attorney Michael May, Debbie Fields (staff to the subcommittee)

3. PUBLIC COMMENT

None.

4. DISCUSSION ITEMS

a. Begin review of Madison General Ordinances Chapter 33.

Rhodes-Conway asked if anyone had an objection to her chairing the subcommittee. There was none.

Fields handed out a list of all standing City committees, commissions and boards (c/c/b); ad hoc committees, subcommittees and task forces; and non-city committees with mayoral or Common Council appointments.

The members discussed what they think the subcommittee's scope should be. Konkel said she sees several issues, including how a committee is created, where the record should be kept (i.e., resolution or ordinance), and how committees operate. She suggested striving for consistency among committees' operating rules so citizens know what to expect when they attend a meeting. Rhodes-Conway agreed, adding that set-up instructions should also be reviewed. For example, terms, seats, who appoints, and how the officers are elected/appointed. She also observed that there are many duplicative items in MGO Ch. 33, items which could be pulled out and made consistent.

Konkel pointed out that the subcommittee's work could potentially affect the approximately 900 people who sit on City c/c/b, depending on how significant the proposed changes are. She suggested that the subcommittee may, at some point, want to hold a public hearing to inform people that it is thinking about changing committee rules. May said some committees operate differently than other committees and feel very strongly about being able to set up their own rules.

May asked if this subcommittee were going to look at reducing the number of committees. Konkel responded that reducing the number of committees had been

discussed by a previous body, the Common Council Organizational Committee (CCOC) Subcommittee on Committees. Fields handed out copies of that subcommittee's December 2001 final report.

Present: 4 – Rhodes-Conway (chair), Konkel, Clausius, Schumacher (8:48 a.m.)
Others: 2 – City Attorney Michael May, Debbie Fields

Schumacher asked about the authority to appoint committee members. May replied that the normal way is for the Mayor to appoint and the Council to approve, but that it's not the only way. Sometimes the Mayor just appoints, and sometimes the Council sets up a committee and specifies who will be on it. He added that these occasions are rare.

Konkel mentioned work groups as another issue the subcommittee should look at.

Rhodes-Conway recapped the issues the members had identified thus far as being within the scope of the subcommittee:

- The creation of *c/c/b* and work groups.
- How *c/c/b* and work groups are created.
- The different types of bodies and the differences between them.
- Who can create *c/c/b* and work groups.
- Who can appoint to *c/c/b* and work groups.
- The operation of *c/c/b* and work groups, including initial set-up rules.
- The regular operating rules of *c/c/b*.
- How officers are appointed.
- Training that members and officers receive.
- Public access to *c/c/b*.
- Consolidating or eliminating any of the existing *c/c/b*.
- Developing an action plan for the subcommittee's recommendations, which might include a public hearing and/or referral to various bodies.

She asked if the members had anything to add to the list. There were no additional suggestions.

Rhodes-Conway said she thinks the first step is to become familiar with what is on the books now. She said the first section, up to 33.02, is about baseline rules and is where the subcommittee might want to do much of its work in terms of standardizing.

May asked if it would make sense to move some of the other *c/c/b* into Ch. 33. He said that when he redid Ch. 3, whenever there was a reference to a *c/c/b*, he would move it to Ch. 33, to get them all together in one place. He pointed out, however, that some of the *c/c/b* are embedded in other ordinances. Konkel asked if they could be listed in Ch. 33 with a reference as to their other locations in the MGOs.

Rhodes-Conway said there appear to be a set of "special" committees, which have powers that dictate a need for their own sets of operating rules (e.g., Plan Commission and the Water Board). She said there also appears to be another set of *c/c/b* to which the subcommittee could feel comfortable applying a certain baseline set of rules. May asked if it was the subcommittee's intent to explicitly state in 33.01(1) that "Except as otherwise provided, all committees, commissions and boards are to follow the rules set out herein." Rhodes-Conway answered yes and asked May if were preferable to have it in 33.01(1) or 33.01(2). May suggested making it 33.01(2).

Rhodes-Conway asked if the members agreed that they've identified a desire to cross-reference the location of every body, either in the index or somewhere in Sec. 33.01. There was no objection.

Schumacher brought up the topic of meeting management. He said there is meeting management according to Robert's Rules and meeting management according to other facilitation techniques. To him, Robert's Rules makes sense, but it does have some limitations in terms of how things get done. He gave an example of a subcommittee he'd served on where it would have been helpful to have periods of less structured discussion. He thought it would be useful to build enough flexibility into the ordinance so that committees, work groups, etc. can have alternatives when necessary. May said he believes Robert's Rules is flexible enough that if a body wants to go into a brainstorming session, it can do so, as long as there are no motions or actions. Konkel stated that when the Plan Commission was working on the Comprehensive Plan, it frequently went into a Committee of the Whole in order to have a more free-ranging discussion with whoever was in the room.

Rhodes-Conway observed that the way Ch. 33 is currently written, it goes from "Intent and Purpose" right into the chairperson restriction and attendance, quorum and voting regulations without addressing how committees, commissions, boards and work groups are created, and she suggested the subcommittee discuss that. Schumacher agreed, saying that for a person who wants to understand the process, it makes sense to include committee creation at the beginning of the chapter.

The members discussed work groups: What they are and how they're formed. Konkel stated that work groups are bodies formed to work on a specific issue, and they're often comprised of citizens. She mentioned the work group that worked on the job description for the Community and Economic Development Director. She said the group was selected by the Mayor; it appeared in memos; it was formally referred to in documents about the creation of the department and of the position; it met; and it appeared on the Mayor's calendar once or twice. She wasn't sure if the work group's meetings were publicly noticed. May said that from Konkel's description, it sounded like a governmental body.

Konkel also mentioned work groups created by the Council President. She said it has happened that CCOC wants to form a subcommittee to work on an issue, but the Council President wants to appoint alders who are not on CCOC. So, the President calls it a work group instead, and it doesn't go through the full Council for approval. Konkel viewed this as an erosion of the rules. Rhodes-Conway said she thinks there needs to be some flexibility to do that under certain circumstances. Konkel said she's not opposed to the Council President creating a work group, but she wants the Council to set up the rules under which that can happen.

Rhodes-Conway asked May if there are definitions of what a committee is versus a board or a commission. May said common law definitions exist, but the definitions do not appear in the MGOs. He said, generally speaking, boards and commissions have more authority to deal with third parties, using the Police and Fire Commission, Plan Commission and Water Board as examples.

The members discussed how bodies should be created. May said that currently bodies can be created by ordinance, resolution, executive order and order of the Council President. Committees also have the authority to create subcommittees.

The members discussed the types of bodies currently at work in the City of Madison: Committees, commissions, boards, task forces, subcommittees, authorities and work groups. Rhodes-Conway reiterated that she sees the subcommittee working toward definitions for those bodies and then talking about how each body is created. Konkel added another distinction: Standing bodies versus ad hocs. Rhodes-Conway said it seems to her that authorities, boards and commissions, by their nature, are standing. She suggested that the definition for each type of body should include whether it is, by

nature, standing, or whether it can be ad hoc. For example, task forces and work groups should be ad hoc; committees and subcommittees could be either standing or ad hoc; and board and commissions should be standing. She added that standing bodies should be created by ordinance. Clausius said he thinks that a good idea. Schumacher questioned whether all standing bodies should be in the MGOs, saying that resolutions are still a powerful mechanism for creation. Rhodes-Conway explained that it's much easier to look up a c/c/b and find out its rules if it's codified in the MGOs. May said that he thinks if it's a standing body, it ought to be in the MGOs.

Rhodes-Conway asked if there were any objection to saying that standing bodies should all be created by ordinance. There was none. Schumacher suggested looking at the current standing bodies and determining whether they should, in fact, be standing.

The members also discussed how:

- Non-standing bodies could be created. Rhodes-Conway said suggested that anything ad hoc could be created by resolution, executive order or order of the Council President.
- Subcommittees could be created. They decided subcommittees need their own category and their own separate discussion.
- Bodies could be dissolved when their purpose or work is concluded.

Rhodes-Conway reviewed:

- Goals the subcommittee had identified:
 - Referencing the index in Sec. 33.01.
 - Updating the index.
 - Wanting to see some language in Sec. 33.01 about how the rules apply to all bodies unless otherwise specified.
 - Wanting a definition for each type of body.
- The subcommittee's working proposals:
 - How standing, ad hoc and subcommittees are created.
 - How ad hocs become standing.
 - How bodies are disbanded.

b. Future agenda items.

Rhodes-Conway asked Fields to create a work plan based on the subcommittee's discussion. She said she would draft an agenda after reviewing the work plan.

May suggested the following items for the next agenda:

- Scope of work of the subcommittee.
- Proposed changes to MGO Sec. 33.01.
- Committee structure and formation.

c. Future meeting dates.

The next meeting of the Common Council Organizational Committee Subcommittee on Committee Creation and Committee Rules will be held on Wednesday, December 19, 2007, at 4:00 p.m. in Room 414 (Common Council Office large conference room) of the City-County Building, 210 Martin Luther King, Jr. Boulevard.

Rhodes-Conway asked Fields to survey the members via email regarding their availability for two potential meetings in January 2008.

5. ADJOURNMENT

A motion was made by Schumacher, seconded by Konkel, to adjourn. The motion passed by acclamation, and the meeting was adjourned at 9:56 a.m.