Date: January 17, 2019

MEMORANDUM

TO: Common Council Executive Committee

FROM: Michael P. May
           City Attorney

RE: Update on work of TFOGS

1. Two subcommittees, a subcommittee on the Common Council, and a subcommittee on Boards, Commissions, and Committees, have done most of the recent work related to TFOGS. In preparation for a meeting of the full Task Force held on January 16, the subcommittees prepared updates. Those updates are attached.

2. The future meeting dates of the full TFOGS and tentative topics are:

   February 6, 2019 -- 6:00 p.m., Madison Municipal Building, Room 151
           Update on Subcommittee Work
   March 12, 2019 -- 6:00 p.m., Madison Municipal Building, Room 153
           Begin formulating recommendations
   March 27, 2019 -- 6:30 p.m., Madison Municipal Building, Room 151
           Continue formulating recommendations.
   April 9, 2019 -- 6:00 p.m., Madison Municipal Building, Room 153
           Public Engagement
   April 24, 2019 -- 6:30 p.m., Madison Municipal Building, Room 151
           Public Engagement
   May 15, 2019 -- 6:00 p.m., Madison Municipal Building, Room 153
           Public Engagement; Approve Recommendations
   May 30, 2019 -- 6:00 p.m., Madison Municipal Building, Room 153
           Public Engagement; Approve Recommendations
   June 11, 2019 – 6:00 p.m., Madison Municipal Building, Room 153
           Complete Report
   June 26, 2019 – 6:30 p.m., Madison Municipal Building, Room 151
           Complete Report

The locations of these meetings may change.

3. Future meetings of the Common Council subcommittee to complete its report to the TFOGS are from 2-4 pm on January 25, February 1 and 8, and March 1, if needed.

4. Future meeting of the BCC subcommittee is January 29, 1-3 pm.

5. At the TFOGS meeting on January 16, 2019, the Task Force expressed concern about trying to schedule another meeting with the CCEC. In setting up the TFOGS schedule, Tuesdays were often times when quorum was difficult to meet. We were asked to discuss the issue with the CCEC.

6. If the current schedule holds, the report should be approved by the end of June and available for presentation to the Council and the Mayor shortly thereafter.

CC: John Strange
       Nick Zavos
       Eileen Harrington
       John Rothschild

Common Council Subcommittee Update to the Task Force on Government Structure

January 16, 2019

The Purpose of this document is to update the full Task Force on Government Structure ("TFOGS") on the work of the Subcommittee on the Common Council and the Subcommittee on Boards, Commissions, and Committees.

Each Subcommittee should answer the following questions with a brief narrative or series of bullet points that will update the TFOGS on the work of the subcommittee and generate discussion at the next full TFOGS meeting.

1. **How many times has the Subcommittee met since the last TFOGS meeting?**

   Five (5): 11/2/18; 11/16/2018; 11/30/18; 12/7/18; 12/14/18

2. **Briefly describe the process used by the Subcommittee to identify and examine issues relevant to the Subcommittee's topic area.**

   The Subcommittee created a work plan covering four topic/issue areas (see below) and generally discussed one topic area per meeting.

3. **List the key issues identified by the subcommittee as being most important Subcommittee's examination of its topic area.**

   The subcommittee used the issues identified in the Resolution creating the Task Force to inform the topics and issues it would discuss:

   Topic Area 1

   1. Full vs. Part time alders or hybrid
   2. Alder Terms (2 v 4 years)
   3. Number of Alders/Districts
   4. Staggered Terms

   Topic Area 2

   5. At-large vs. Geographic Districts or hybrid or numbered districts.
   6. Term limits.
   7. Redistricting considerations including diversity representation.

   Topic Area 3

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.

Topic Area 4

12. Appointment of Council Members to BCCs.
13. Appointment of residents to BCCs.
14. Council Members as Chairs of BCCs.
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.

4. **When discussing the key issues listed above, did any themes or patterns of thought emerge among subcommittee members? If so, what were they?**

- Many of the issues listed above (and therefore in the Resolution creating the Task Force) are so interrelated that recommending a change in one area/issue will require recommending changes in others. 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 1) and, very likely, the provision of additional staff for alders (Topic 3).
- Despite the interrelatedness of the issues, 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 and balance the overall pros and cons. For example, one subcommittee member mentioned that if the Task Force recommends, say, moving to at-large districts as a way of addressing the negative impacts of parochialism (viewed as a con of having geographic districts), then it should take into account the degree to which such a change will impact alders being able to individually connect with members of a geographical district (viewed as a pro of having geographic districts). Thus, for each issue, the subcommittee compiled a list of pros and cons to making changes in each topic area so that the subcommittee and Task Force could return to these if and when they develop ultimate recommendations on a particular topic or issue. These pros and cons are listed specifically in the meeting minutes.
- In considering specific alternatives, the subcommittee and Task Force should also address underlying philosophical issues that relate to the purpose and function of city government. For example, in consider whether to have full-time alders or increase alder pay, the subcommittee and Task Force should consider more basic

2

questions, such as whether we view membership on the Common Council a "government job" or a "volunteer public service."

- Though the subcommittee has yet to formulate a range of possible alternative structures that may address the issues raised by the resolution, it did generally agree on some possible things that could help create more equitable and meaningful engagement of residents in council-decision making, including:
  - o Provide day care.
  - o Validate parking.
  - o Allow videos to be submitted for testimony.
  - o Allow live public participation at Council meetings by electronic means such as the internet or from remote centers of the city.
  - o 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.
  - o 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 people from leaving the meeting when their item is not taken up until late at night.
  - o Vary meeting locations.
  - o Reconsider rule requiring 24 hour notice for BCC members to appear by telephone if state open meetings rules are ever changed.
  - o Make written comments available to the public and Council members at the time of the meeting.
  - o Review and incorporate some of the suggestions from the Austin (TX) 2016 Engagement Study.
  - o Avoid late-night meetings. Reduce overall length of meetings.
  - o Adhere to and/or change current rules regarding the length of alder statements at Common Council meetings.
  - o Improve accessibility of Legistar.
  - o Create way for people to provide input in Legistar.
  - o Provide classes for the public to learn how to use Legistar.
  - o 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.
  - o Continue working towards having 311 number for city services.
  - o 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.
  - o 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 my staff, and then the results
reported back to the person requesting the service.

o Consider ways to have video testimony/participation at Common Council
meetings.

o Review agenda setting procedures.

o Consider the option of bifurcating public testimony and legislative sessions.

o 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.

o Consider the possibility of creating an office of community
representation/engagement.

5. **As the discussion of these key issues evolved, did the Subcommittee identify potential improvements to the city's current government structure that might address the issues identified? If so, please describe any alternatives discussed by the Subcommittee and any pros and cons to implementing such an alternative.**

See 4. above.

6. **Are there any issues that the subcommittee has found particularly difficult? If so, what are they?**

Whether the number of alders on the Council should be changed and whether alders should be full or part-time.

Whether districting should be geographic or at-large.

Whether this Subcommittee or the Subcommittee on BCCs or the entire TFOGS_should be the body to primarily discuss and address the appointment of members to BCCs.

Whether this Subcommittee or the Subcommittee on BCCs or the entire TFOGS should be the body to primarily discuss issues related to the Mayor's office.

7. **The full TFOGS would like a formal report from the Subcommittee in March. Does the Subcommittee have any questions in particular it would like the full TFOGS to address or discuss before March?**

See 6. above.

Boards, Commissions, and Committees Subcommittee Update to the Task Force on Government Structure

January 16, 2019

The Purpose of this document is to update the full Task Force on Government Structure ("TFOGS") on the work of the Subcommittee on the Common Council and the Subcommittee on Boards, Commissions, and Committees.

Each Subcommittee should answer the following questions with a brief narrative or series of bullet points that will update the TFOGS on the work of the subcommittee and generate discussion at the next full TFOGS meeting.

1. **How many times has the Subcommittee met since the last TFOGS meeting?**

   Four (4): 10/24/18; 11/19/18; 12/3/18; 12/12/18

2. **Briefly describe the process used by the Subcommittee to identify and examine issues relevant to the Subcommittee's topic area.**

   The Subcommittee developed a work plan that required it to: 1) discuss the current structure of the City's BCCs, 2) identify the strengths and potential of the current structure, 3) identify the challenges of and potential alternatives to the current structure; and 4) issues related to appointment to and service on BCCs.

3. **List the key issues identified by the subcommittee as being most important Subcommittee's examination of its topic area.**

   - High number of BCCs in current structure.
   - Lack of diversity of members serving on BCCs (Less than 25% of members are people of color; 38% of members (267/699) come from Districts 4, 6, 11, 13, and 19 while 12.5% of members (88/699) come from Districts 1, 7, 8, 9, and 16).
   - Whether time, place, rules, and procedures of meetings help or hinder resident participation.
   - Whether BCCs represent a true forum for resident participation and whether other forms of resident participation may be better forums.
   - Role of BCCs not always well defined.
   - Lack of training for chairs and members.
   - Quality of product produced by BCCs varies among BCCs.
   - Service on and to BCCs require lots of alder and staff time.

1

- Staffing: Uniformity and expectations, accountability, responsibilities, resource allocation, reporting requirements, etc.
- Lack of authority? Wasn't it more of the issue of variance
- Disparities in authority? Lack of clarity re: authority
- Large number of vacancies.
- Accountability.
- BCC relevance and redundancy.

4. **When discussing the key issues listed above, what themes or patterns of thought emerged among subcommittee members?**

A number of themes and patterns of thought have emerged among subcommittee members. Following are the four themes that have seen the most robust discussion:

1. The subcommittee has generally agreed that the current number of BCCs is too high. As a result, the subcommittee has discussed how the existing structure can be cumbersome, time consuming for all involved (including alders, members, staff, and residents), redundant, and at times unproductive.

2. The subcommittee has generally agreed that although nearly 100 BCCs with over 700 possible membership opportunities would appear to create a robust forum for resident participation, the opposite appears to be true in Madison. The lack of diversity on BCCs both in terms of people of color and variety of districts suggests the existing structure serves as a forum of participation for some residents, but certainly not all. As a result, the existing structure appears to serve as little more a veneer of resident participation.

3. The subcommittee has generally agreed that issues related to organization, purpose, staffing, training, and whether a BCC has a well-defined purpose and authority / influence vary greatly among BCCs and that this can result in some BCCs that are productive others that are not. Furthermore, it is not clear that there are clearly defined parameters regarding authority, or that the decision-making authorities of one BCC relative to another are equal or clearly defined.

4. The subcommittee generally agreed that the existing manner in which BCC meetings are run (time, place, rules, and procedures) may serve as a barrier to service or participation for a significant portion of the city's residents.

5. As the discussion of these key issues evolved, did the Subcommittee identify potential improvements to the city's current government structure that might address the issues identified? If so, please describe any alternatives discussed by the Subcommittee.

    The subcommittee has discussed a number of alternatives that may help address some of the challenges identified, including:

    *   Reorganize the BCC structure to increase accountability and require annual review of BCCs relevance and usefulness.
    *   Eliminate BCCs that have outlived their usefulness.
    *   Eliminate BCCs that perform work that would better be performed by staff.
    *   Eliminate or combine BCCs that work on the same or similar subject areas.
    *   Provide better clarity of purpose for BCCs either through ordinance amendments or otherwise.
    *   Provide better training for chairs, members, and staff on the role of each BCC and the rules and procedures for running an effective meeting and achieving a meaningful result.
    *   Change the time, place, rules, and procedures of BCC meetings to create a greater likelihood of achieving diversity in participation and representation.
    *   Explore alternative forums of resident participation that may or may not take the form of a traditional BCC.
    *   Office of community representation; responsible for staffing, training, minutes/reporting, liaison with citizens and general response.
    *   Greater use of ad-hoc committees, with clearly defined mission, authorities, oversight, staffing and reporting requirements
    *   Committees have more representation and greater clarity of authority

6. Are there any issues that the subcommittee has found particularly difficult? If so, what are they?

    Whether the mayor, council, or a combination of both should appoint BCC members.

7. The full TFOGS would like a formal report from the Subcommittee in March. Does the Subcommittee have any questions in particular it would like the full TFOGS to address or discuss before March?

    Many of the issues relative to BCCs intersect with work being performed by the Subcommittee on the Common Council. How would the Task Force like the Subcommittees to deal with those issues?