



City of Madison

City of Madison
Madison, WI 53703
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Master

File Number: 46249

File ID: 46249

File Type: Ordinance

Status: Passed

Version: 3

Reference:

Controlling Body: COMMON
COUNCIL
EXECUTIVE
COMMITTEE

File Created Date : 02/22/2017

File Name: Recreate the Department of Transportation

Final Action: 09/19/2017

Title: 3rd SUBSTITUTE Recreating Section 3.14, creating Sections 33.55 and 33.56 of the Madison General Ordinances to recreate the Department of Transportation and to create the Transportation Policy and Planning Board and the Transportation Commission.

Notes: 5937transptn.3rd.SUB
MAYOR APPROVAL DATE 9/21/2017

CC Agenda Date: 09/19/2017

Sponsors: Denise DeMarb, Shiva Bidar-Sielaff, Sheri Carter, Mark Clear, Rebecca Kemble, Steve King, Matthew J. Phair, Marsha A. Rummel, Michael E. Verveer and Ledell Zellers

Effective Date: 01/01/2018

Attachments: Final Drafter's Analysis.9.14.17, Current Section 3.14, Version 3 - 2nd Substitute, Version 2 - Substitute, Version 1, Link Ad Hoc Committee Materials-48107, Ken Golden email.3.8.17, CSOS Draft Minutes.3.9.17, LRTPC Draft Minutes.3.23.17, Ann Kovich email.4.12.17, CSOS feedback re TORC-Memo 04.20.17.pdf, Staff memo updated 5.10.17, Registration statement.5.10.17, Memo to TORC 6-6-17.pdf, Written Comments.pdf, Approved 6.12.17 Agenda.pdf, TORC Draft Minutes 2.20.17.pdf, TORC statement 06 19 17.ABC.pdf, TORC Draft Minutes 6.12.17.pdf, A.Kovich email 6.19.17.pdf, RESJ TORC 7.14.19 Mtg.pdf, Substitute

Enactment Number: ORD-17-00099

Author: John Strange

Hearing Date:

Entered by: dalthaus@cityofmadison.com

Published Date: 09/27/2017

Approval History

Version	Date	Approver	Action
1	02/22/2017	Michael May	Approved as to Form
1	02/22/2017	Elizabeth York	Approve
2	03/01/2017	Michael May	Approved as to Form
2	03/02/2017	Laura Larsen	Approve
2	07/18/2017	Michael May	Approved as to Form
2	07/26/2017	Laura Larsen	Approve
3	09/06/2017	Michael May	Approved as to Form
3	09/13/2017	Laura Larsen	Approve

History of Legislative File

Ver- sion:	Acting Body:	Date:	Action:	Sent To:	Due Date:	Return Date:	Result:
1	Attorney's Office/Approval Group	02/22/2017	Referred for Introduction				
	Action Text:		This Ordinance was Referred for Introduction				
	Notes:		Common Council Organizational Committee, Transit and Parking Commission, Pedestrian/Bicycle/Motor Vehicle Commission				
1	COMMON COUNCIL	02/28/2017	Refer	COMMON COUNCIL ORGANIZATIONAL COMMITTEE (ended 4/2017)			Pass
	Action Text:		A motion was made by Verveer, seconded by Rummel, to Refer to the COMMON COUNCIL ORGANIZATIONAL COMMITTEE. The motion passed by voice vote/other.				
	Notes:		Additional referrals to Transit and Parking Commission, Pedestrian/Bicycle/Motor Vehicle Commission				
1	COMMON COUNCIL ORGANIZATIONAL COMMITTEE (ended 4/2017)	02/28/2017	Referred	TRANSIT AND PARKING COMMISSION		05/10/2017	
	Action Text:		This Ordinance was Referred to the TRANSIT AND PARKING COMMISSION				
	Notes:						
1	COMMON COUNCIL ORGANIZATIONAL COMMITTEE (ended 4/2017)	02/28/2017	Referred	PEDESTRIAN/BICYCLE/MOTOR VEHICLE COMMISSION		04/25/2017	
	Action Text:		This Ordinance was Referred to the PEDESTRIAN/BICYCLE/MOTOR VEHICLE COMMISSION				
	Notes:						
2	TRANSIT AND PARKING COMMISSION	03/08/2017	Refer	TRANSIT AND PARKING COMMISSION		05/10/2017	Pass

Action Text: Alders Kemble and Zellers answered questions about the proposal. Kemble said ACA John Strange's 2/28/17 memo (attached) laid out TORC's process well. Staff mentioned that a more recent "Expanded Drafter's Analysis" memo dated 3/3/17 (attached) had been emailed and provided to members, which contained additional info about the technical resolutions (Leg. File 46376 and 46377) connected to the proposed changes. Kemble noted that the Committee had wrapped up and adjourned sine die. Following that, ACA Strange circulated what had been decided at that meeting for editing comments by TORC members.

A motion was made by Bigelow, seconded by Golden, to Refer the item to the April TRANSIT AND PARKING COMMISSION meeting for further discussion, when ACA Strange would be available. They also requested that the proposal and ACA Strange's memo be sent to the TPC sub/committees to gather their comments (either through their meetings or through contact by email).

Re: other groups that had been contacted, Kamp noted that Strange had brought the proposal to CSOS. Zellers thought that Strange had also contacted ADATS; and both she and Kemble had provided monthly updates to the PBMVC and TPC.

Kovich wondered what in the current ordinances wasn't included in the proposed ordinances; and if something was left out, why it was left out.

Bigelow was shocked that TORC had not talked to the sub/committees that would be disbanded by ordinance changes; esp. since at some point, the City had seen fit to create them to represent certain constituencies and deal with their special issues. Even if some of these groups had been contacted/involved during the process, he still thought that they should be presented with the final result. Kemble said that this was where they were in the process now.

Noting that the effective date was 1/1/18, Golden thought they had enough time to respond to Bigelow's concern. If CCOC was the Lead, they should be prepared to gather comment on the proposal. He himself had comments (emailed to members) that he wanted to discuss at the next meeting.

Bigelow wondered if TPC could take the lead to gather input from TPC sub/committees and other transportation-related committees, to submit to CCOC. Zellers felt that the issues were very important, and that they could do this as well as other things to address member concerns.

Re: CCOC and new committee appointments, Kemble noted that TORC was started a year ago by Alder DeMarb, then President of the Council. Kemble said that she and Zellers were members of the current CCOC, and TORC members appointed to the new CCOC would provide continuity. Also, the Mayor had assured them that he would make appointments to the current committees in April, and would ask appointees of their interest in any new committees.

Kovich had other questions/comments that she would put in writing for the next meeting, and suggested that other members do likewise.

After further discussion, the proposal was referred directly to the two TPC Subcommittees, CSOS and ADATS. PBMVC and LRTPC could be invited to send their comments to TPC if they chose. As far as a timeline, these groups could submit their comments until the end of April (after the next ADATS meeting). The TPC could then package all the comments at the May meeting to send to CCOC. A vote was taken, and the motion passed by voice vote/other.

2	COMMON COUNCIL	03/21/2017	Add Referral(s)		Pass
	Action Text:	A motion was made by Verveer, seconded by Rummel, to Add Referral(s). The motion passed by voice vote/other.			
	Notes:	Additional referrals to Long Range Transportation Planning Committee, Sustainable Madison Committee			
2	COMMON COUNCIL ORGANIZATIONAL COMMITTEE (ended 4/2017)	03/21/2017	Referred	LONG RANGE TRANSPORTATIO N PLANNING COMMITTEE	03/23/2017

Action Text: This Ordinance was Referred to the LONG RANGE TRANSPORTATION PLANNING COMMITTEE

Notes:

2	COMMON COUNCIL ORGANIZATIONAL COMMITTEE (ended 4/2017)	03/21/2017	Referred	SUSTAINABLE MADISON COMMITTEE	04/17/2017
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Action Text: This Ordinance was Referred to the SUSTAINABLE MADISON COMMITTEE

Notes:

2	LONG RANGE TRANSPORTATION PLANNING COMMITTEE	03/23/2017	Return to Lead with the Following Recommendation(s)	COMMON COUNCIL ORGANIZATIONAL COMMITTEE (ended 4/2017)
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Action Text: This Ordinance was Return to Lead with the Following Recommendation(s) to the COMMON COUNCIL ORGANIZATIONAL COMMITTEE

The LRTPC considered a number of changes. Ald. Steve King/Ald. Tim Gruber submitted a motion to recommend adoption of Resolution ID 46249, 46376 and 46377. Chairman Ken Golden entertained motions to amend that.

Mark Shahan/Margaret Bergamini submitted a motion to add language regarding the membership of the TPPB, to encourage joint membership with the Board of Public Works and the Madison Area TPB/MPO. That motion passed unanimously.

Susan DeVos/Ald. Steve King submitted a motion to remove the non-City resident from the TPPB. That motion failed on a voice vote.

Ken Golden/Margaret Bergamini then submitted a motion to merge the TPPB with the proposed new Transportation Commission. That motion failed on a voice vote.

Grant Foster/Ald. Steve King submitted a motion to clarify the duties between the Transportation Commission and the Board of Public Works, with regard to transportation elements of road construction projects (particularly the geometric design of roadway facilities. That motion passed unanimously (Ken Golden abstained).

The LRTPC then voted 9-1 to recommend adoption of Resolution ID 46249, 46376 and 46377, on the motion originally submitted by Ald. Steve King/Ald. Tim Gruber (Ken Golden voted no).

2	PEDESTRIAN/BICYCLE/MOTOR VEHICLE COMMISSION	03/28/2017	Refer	PEDESTRIAN/BICYCLE/MOTOR VEHICLE COMMISSION	04/25/2017
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Action Text: *Note* Items E.1. - E.3. were discussed as one item, under E.1. A motion was made by Foster, seconded by Bennett to defer Items E.1.-E.3 until the next meeting. The motion passed by voice vote/other.

Notes:

2	TRANSIT AND PARKING COMMISSION	04/12/2017	Refer	TRANSIT AND PARKING COMMISSION	05/10/2017	Pass
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Action Text: A motion was made by Bergamini, seconded by Kovich, to Refer the three items, F.2 through F.4., related to transportation ordinance changes to the May meeting of the Commission. Kovich suggested that members identify what information they wanted for the next meeting. Bergamini noted that CSOS was having a special meeting the following day to discuss the proposals; PBMVC had referred the items at their April 25th meeting; and ADATS was scheduled to meet in mid-April. TPC should have info from these groups by May.

ACA John Strange joined the table. Members asked questions.

- Ahrens: Q-Under duties of the Transportation Commission were listed "street project review" and "development review". What did this mean; maybe it should be defined? A-Strange: Though not listed among its duties in current MGO 3.14, street re/construction plans were brought to PBMVC now for their review; as was review of proposed developments. BPW made sure the projects were completed. In this review role, PBMVC provided comments only, not approval. There had been no discussion at TORC beyond what committees now did; but additional definitions and language could be recommended. Such recommendations would be given to the sponsors.
- Golden: Q1) Asked that a proposed organizational chart for the new Dept. of Transportation, and a current org chart for the transportation section in Planning (David Trowbridge and MPO), be provided. Q2) What issues would require a public hearing; and how would such hearings be conducted, by whom, with the two different bodies involved. Q3) What duties were moved from committee responsibility to administrative responsibility, esp. in the ped/bike area; was there some peel-off of these? A-Strange: The spreadsheet used by TORC would be provided that listed duties were performed by committees and by agencies now, and how they would be assigned in the future. Q4) The proposal failed to mention paratransit and who would be overseeing this. What responsibilities would be included and who would have responsibility for what? Q5) More info was needed about the how the Board and the Commission would oversee Parking. It looked like the Board set rates, and the Commission did everything else. What was "everything else"?

Bergamini called the question. The motion passed by voice vote/other.

2	SUSTAINABLE MADISON COMMITTEE	04/17/2017	Return to Lead with the Recommendation for Approval	COMMON COUNCIL EXECUTIVE COMMITTEE	09/05/2017
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Action Text: Ald. Ahrens moved to adopt and discuss all three items at once. Seconded by Heinemann. Changes hope to consolidate 9 committees into 2. Ald. Ahrens offered an amendment for consideration by Committee with regard to removing position details of each Commission/Committee member as he felt this was inconsistent with other committee descriptions. Vargo and Green felt Committee should leave the wording as is. Committee voted to leave wording as is and to offer full support to the changes.

This Ordinance was Return to Lead with the Recommendation for Approval to the COMMON COUNCIL EXECUTIVE COMMITTEE

2	PEDESTRIAN/BICYCLE/MOTOR VEHICLE COMMISSION	04/25/2017	Return to Lead with the Following Recommendation(s)	COMMON COUNCIL EXECUTIVE COMMITTEE	09/05/2017	Pass
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Action Text: Kemble asked why the commission was acting on a substitute, and not on the work that came out of Transportation Ordinance Review Ad-Hoc Committee (TORC.) Strange said it was a technical substitute, and the content is exactly what came out of TORC.

Foster asked for an overview of the expected timeline. Asst. City Attorney, John Strange said the proposed change would go back to Transit and Parking Commission on May 12th, and that the ordinance would take effect January 1st, 2018 assuming it is passed by the Common Council before that time.

Bennett asked what the problems were that lead to this reform and what were the biggest benefits of this solution. Anne Benishek-Clark – representing Racial Equity and Social Justice Initiative and TORC staff, registered to speak and be available for questions. Benishek-Clark spoke about the restructuring and streamlining of the commission/committee systems, and the benefits of having fewer committees/commissions in order to remove barriers and make our city system more accessible and approachable to more people.

Kemble agreed with Benishek-Clark's comments, adding that after looking into the ordinance, reality was not accurately reflected. Kemble stated a need for a centralized group of staff or staff person, whose sole responsibility would be to hold the vision for every aspect of transportation planning in this community.

Foster noted the need for conversation around the respective roles and duties with the Board of Public Works explicitly addressed in the ordinance.

DeVos requested separating Parking and Traffic Engineering; having a Director of Transportation as well as the different divisions; having a Technical Advisory Committee, made up of the heads of each division. Kemble mentioned that the division heads are already self coordinating with each other operationally, although it is not an official advisory committee.

Foster emphasized the importance and value of considering filling a Director of Transportation role, stating TORC exposed a need for both a Director and Manager positions, but felt it better to prioritize the hiring of the Director of Transportation, who could then participate in the recruitment of a Manager; at minimum, Foster stated the ordinance should keep the Manager Position language in order to keep the option open for the future.

Lehner voiced concern about the Racial Equity and Social Justice tool not being used to get comments from marginalized communities and people of color. Benishek-Clark stated her pride that this is the first ordinance to have Racial Equity language, and she hopes it will be used in new and/or revised ordinances. Kemble said they would be open to having more public engagement around a proposed final draft, stating the original work TORC had to do was not the appropriate place to have broad public engagement. Kemble remarked that both Asst City Attorney Strange and Common Council President Rummel were in attendance at this meeting, and listening to all the comments, stating that she agreed, when a draft is available, it should be looked at by a broad group of people whose lives are affected by lack of transportation, or people who are transit dependant. Lehner reiterated her point was to ensure the tool be used to engage our communities of color and our marginalized communities in terms of transit, race and socio-economic background.

Lewandowski asked for someone to speak to the goals and expected results of this process, as well as the cost benefits of the overall ordinance if it goes into effect the way it's been proposed. Kemble stated that numerically there will be less public involvement, but the public involvement that is there is going to be much more impactful in terms of city policy decisions around operations. Kemble also stated to hire one, potentially two new positions, will cost more. But the value our community will gain in terms of building our city and transportation infrastructure in a much more targeted and aligned way with what our values are as a City will be worth it in the long run. Strange added that the ordinance specifically provides the new board with the power to adopt policies and plans for the City, something no other board currently can do.

Foster requested language in the ordinance regarding bicyclists be changed from "frequent user of

bicycles" to "transportation bicyclists" as well as stating the verbiage be changed the same in regards to "transportation pedestrians."

Crandall asked if there were advantages/disadvantages to having more than 9 members. Strange stated the proposed ordinance started out having 7 members with no alternates; but then evolved to 9 voting members with 2 alternate positions that could be filled by people who are either residents or members of the Common Council, making it technically 11 members. Crandall asked if there were pressing issues, nothing in the ordinance would prevent the new commission/board from creating sub-committees, work groups or ad hoc committees, as needed. Strange confirmed that yes, the opportunity to do that remains.

Please note Skidmore left at 6:41pm. A new roll call is shown to reflect this:

8 - Present - Mark W. Rewey; Mark D. Bennett; Grant A. Foster; Eric C. Lewandowski; Susan M. DeVos; Rebecca Kemble; Sarah (Sally) A. Lehner; Aaron S.P. Crandall

2 - Excused - Ledell Zellers; Paul E. Skidmore

A motion was made by DeVos, seconded by Foster, to approve the concept with conditions and recommendations voiced by the commission. The motion passed by voice vote/other.

*PLEASE NOTE - THE MEETING PROGRESSED TO ITEM G.1. AT THE CONCLUSION OF THE COMMISSIONS DISCUSSION ON ITEMS G.2. - G.4.

2	TRANSIT AND PARKING COMMISSION	05/10/2017	Return to Lead with the Following Recommendation(s)	COMMON COUNCIL EXECUTIVE COMMITTEE	09/05/2017	Pass
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Action Text: Registrant Ann Schroeder, representing the City's Racial Equity and Social Justice Initiative, spoke in support of the racial equity elements of the proposal, and addressed some of the concerns raised by TPC members.

- Regarding specific language [Examples: TPP Board Sec. 33.55, the word "equitable" in subsec.(2) under Purpose; and the entire phrase related to "eliminating disparities that people of color and low income people experience" in subsec.(6)(c) Power and Duties], it was important to name race rather than being generic about it. (Please see RESJI staff memo prepared for TORC, attached.)
- Otherwise, when things were done to be beneficial to marginalized communities, they could sometimes not helping people of color and end up helping white people, making racial disparities worse.
- Other parts of the proposal talked about people having "knowledge of equity issues and the needs of marginalized communities", specifying people of color and people of low income who use transportation.
- It was important to have this overarching language. But because the proposal gave certain slots to certain users (such as pedestrian, transit user, parker, etc.), RESJI staff wanted to have at least one person who was specifically looking out for racial equity issues and people of color. If the draft were changed so that specific slots were not identified, then we would still want to retain the language that people be overall knowledgeable about the different transportation modes and equity issues related to them.
- The consolidation of the commissions, boards and committees was important, because very few people had a lot of time to give to a whole host of boards and commissions. For marginalized people and people of color to involved in a meaningful way, it would be beneficial to shrink down the number of meetings they had to attend and the length of the meetings, in order to allow more people to be involved.
- Regarding sentence 2 in Section 33.56, subsec.(3)(a)-Commission Composition, it was intended that preferences for "remaining members" include an additional user from among people of color and people of low income. The wording there could probably be made clearer.

District 1 Alder Barbara Harrington-McKinney appreciated that representatives of the work group specifically looked at equity as the guiding principles of this going through the equity lens. But if she had not been present to hear Schroeder's explanation or was not part of the deliberations that made the language solid, and if she was a new alder, there was nothing to say what process was used. She wondered if there were any information about who was giving the input. She always wanted to know who was at the table, who was paying particular attention to the language, and that the equity lens was incorporated and part of the analysis. Nothing was attached to show this analysis.

Schroeder said the resolution establishing TORC, specified that members of the Racial Equity and Social Justice Initiative (RESJI) Core Team attend every meeting. ACA John Strange added that ordinance language did not ordinarily call out who was on the Committee that worked on the ordinance. But as the Drafter of this, he provided the Drafter's Analysis attached to the ordinance, which talked specifically about the RESJI staff, the comments that were made and the language that was included because of that. This was a part of the legislative record and history, though not a part of text of the ordinance.

Kovich felt that it was important to be inclusive of everybody, and said that her comment related to the fact that she found the language limiting because there were other groups who might be considered as well. She thought it important to think of these groups, and everyone else as well. She loved words and felt it was important to think carefully about words when they were that important.

ACA Strange provided some background, and discussed the proposal and process used to develop it.

- TPC was the last of several committees to consider the proposal.
- For a number of years, the City Attorney's Office had noticed some parts of the current ordinance that either weren't consistent with how we were doing things, or that weren't consistent with State law; and felt that it would be good to clean some of this up.
- About 1-1/2 years ago, the TPC asked that a regional rep be added to the TPC, and they went through a process of drafting several ordinance iterations that ended up at the Executive Committee, where it was recommended that they shelve what they had, and take a step back to look at the entire

Section 3.14 to look at all the transportation commissions and committees.

- The Ad Hoc Transportation Ordinance Review Committee (TORC) was created, and met eleven times starting in early 2016. TORC looked at the entire ordinance, and asked what they would want to change, to position the City, its transportation committees and Dept. of Transportation, to pivot towards a future that better represented where it wanted to go from a transportation perspective.
- Currently the ordinance contained seven commissions/sub/committees, with 59 voting members. The proposal called for a two body structure, the Transportation Policy and Planning Board (TPPB) and the Transportation Commission (TC), each with nine voting members and two alternates.
- One of the first questions TORC asked was where did people go, where was there a single transportation policy and planning body in the City. TORC felt there wasn't one. TPC, PBMVC, LRTPC all talked about policy at times; but there was no single place. TORC felt it would be advantageous to have a specific place.
- TORC also looked at consolidating committees to a smaller number, to form bodies where all the elements of transportation system were considered at one time. So it proposed the TPPB, which would consider transportation policy and planning issues for all elements of the transportation system; and the TC, which would consider transportation issues enumerated in the ordinance related to specific project implementation and questions.
- TORC also looked at the Department of Transportation (DOT), Section 3.14, where it listed a Director of Transportation, even though the City had not had a Director for many years, and discussed how they would envision this going forward.
- The new DOT would include the current divisions, Traffic Engineering, Parking and Transit; but also added another, the Transportation Policy and Planning Division, and added a Manager, to help fill the gap of making sure that transportation policy and planning was being done on the large level, with staff and a board to get some things done with respect to that.
- The proposal didn't call for a Director, but had a provision that the City could hire one at any time (including immediately if that was what the Mayor and Council preferred).
- At the end of the Committee process, the proposal was introduced. It has now traveled through all the secondary referrals, where Strange had taken notes about recommendations and suggestions, that he would take to TORC, which would likely be reconvened to consider a Substitute Ordinance that would then go to the Council for consideration. All the comments collected along the way would be considered by TORC.

Strange and members discussed the proposal further.

- (Strange) On-street parking was not mentioned in the proposal because they were done by ordinance. In the proposal, the TPPB had specific authority to review any transportation ordinances. The City had always placed on-street parking in Chapter 12. Ultimately it was the Council who set those rates, but any transportation ordinance, inc. on-street parking would go through the TPPB.
- (Bigelow) Because the proposal contained so much about transit and off-street parking rates, it would probably make sense to bring up on-street parking because it was a big part of what we had in downtown Madison.
- Regarding what was in the old ordinance compared to what was in the new one, Strange referred people to the color-coded spreadsheet produced for TORC, showing issues and who handled them; i.e., TPPB, TC, Combo, or Management.
- (Kovich) It was hard to separate what was under the Board vs. under the Commission. Many decisions were listed under the Board. When making decisions about items connected to responsibilities of the Commission, they needed to think about both. She found it hard when we had one body looking at an item, and another body would be looking at the same thing or related things. Some items overlapped. Here, one body looked at service standards, and the other looked at fees. In her experience with the TPC, these issues needed to be considered together. She would be more supportive if the Board were more focused on long-range planning, and the Commission handled everything else. So when budgeting and setting rates, they would think about service and operational issues as well.
- (Strange) Her feedback would be taken back to TORC, with respect to what was policy and what was implementation.
- (Kovich) In some places, the ordinances were very, very specific about responsibilities. But TPC considered many different things that weren't addressed in the ordinances. Recently, the TPC had accepted grants that were coming in, but this wasn't addressed anywhere in the proposal. Which one of the groups would that go to? She worried that some things were left out, because of the

proposal was so specific about dividing things up in a way that was difficult to understand.

- (Strange) TORC created the TPPB and gave it authority to consider all policy and planning issues related to all elements of the transportation system. So any policy issue would be considered by the Board. That presented two options: One, to try to list every single possible item that could come before the Board, or the Board was given general grant of power. The decision was to give them a general grant of power; because the current ordinance had a very specific list. But the current Commissions did things that weren't shown there, and vice versa, things were shown there that the Commissions didn't currently do.
- (Strange) For the TC, the idea was to create a body that was focused on implementation-focused issues, day-to-day issues. There, more specific items were provided, and each category had a catch-all to allow staff to bring any other item to the TC.
- (Strange) In terms of how TORC created the list for the TC, a list was created of what was contained in the current ordinance, put it on a spreadsheet, and worked with staff to see how those issues were handled now, to see what should be carried over into the new ordinances.
- (Strange) All the different issues/duties for TPC and PBMVC in the current Sec. 3.14, were shown on the spreadsheet. Staff provided input on how frequently those issues arose, and where those issues were handled now. For example, an "M" indicated something that was handled by management; they didn't come to the current bodies for specific action points. Then they decided how they wanted to carry items forward. Those shown as crossed out, such as "transit performance targets" identified as an "M", didn't need to be assigned to the TPPB or TC. So that item disappeared. If something got carried over to the new ordinance, TORC identified that item as either a policy issue assigned to the TPPB, or as an implementation issue assigned to the TC.
- (Kovich) Regarding her comment about including everybody, she found limiting the way that the qualities of the various members would determine who could be chosen. Regarding multi-modal transportation, people needed to be knowledgeable about the various means of transportation. It was important to look for people who were experienced as they could be. We shouldn't look for somebody who only knew about bikes; we should look for somebody who knew about bikes and other things. The overarching language about members having a multi-element perspective was good, but then said to look for somebody with a certain kind of knowledge. It would be better to say they needed to have at least that knowledge, but that they should be experienced as they can be with everything.
- (Kovich) She was a pedestrian, she biked, she drove a car, she parked. But that likely wasn't why she was asked to be on the TPC. It was probably because of her background in business and finance, and her experience serving on a lot of City boards/committees/commissions. Was this general information that we should always consider when choosing committee members? She found the designations limiting.
- (Kovich) It was limiting and restrictive for the regional representative to be an elected official (only).
- (Kovich) Weren't horse-drawn vehicles still potentially an issue? It seemed some things were left out. These were really important changes that they were making. She wanted to make sure that we didn't miss anything.
- (Kemble) TORC would be reconvening to consider all the comments and emails that had been presented. She herself had raised the issue of fares and who should set them. This would probably be moved down to the Commission level, because of a federal regulation that said that routes and fares couldn't be considered separately. Then that would likely affect where the regional rep/elected person would sit, because the whole point was for that person to be on the body that made those kind of decisions.
- (Kemble) As far as the regional rep being an elected official, that was purely a strategic decision around the potential of creating an RTA. The majority party at the State Capitol who might vote for an RTA, have said the only way it would pass, would be if the RTA was composed of elected officials from the region. Re: a comment from CSOS about a reference to governmental entities, the proposal said "representatives of entities that contract with the City of Madison".
- (Kemble) It was important for people to submit all their detailed comments because this was not the end of the process; it was the beginning of the final phase. She clarified that the proposal would not come back to the TPC. TORC would deal with all the comments collected so far. Everyone was welcome to attend the TORC meetings to have their say, which had been the case all along.
- (Ahrens/Strange) Re: the concept of street project review and development review, these were identified as things commissions currently did. For example, development review projects that came out of the Planning Division maybe for conditional use review or rezoning sometimes went to

commissions for recommendations related to such things as traffic issues. These included projects like Judge Doyle Square, which would impact traffic.

- (Strange) Street project review occurred when streets were re/constructed. BPW typically was the Lead, but they also came through PBMVC to solicit their recommendations when the spec's were at 30%. PBMVC's role was advisory with regard to plans and specs, as would be the role of the Transportation Commission. The creation of a project, funding, bidding, etc. was done by BPW and Engineering and ultimately by the Council. The proposal wouldn't change any of this, except to ask the TC (vs. PBMVC) to make recommendations.
- (Strange) The TPPB might create a policy related to the usage of streets; for example to say that in street re/construction, more concrete would be dedicated to the usage of transit and bikes. Then when the spec's came to the TC, they would make sure the plans were consistent with the policy.
- (Strange) Budgets for the various transportation divisions, inc. the new Trans. Policy and Planning Division, would be reviewed by the TPPB.
- (Ahrens) Like Kovich, he had concerns about the broad language for the Board to make policies. Maybe that needed more meat. Right now, it was subject to interpretation. On the other hand, the Commission had very specific activities. It was clear what it was supposed to do.
- (Strange) Among its duties, the Board would be empowered to work with various agencies to create the Transportation element of the Comprehensive Plan. That would have to be adopted by the Council. But the Board would have the authority on its own to adopt transportation policies for the various transportation elements without going to the Council for further adoption. But the ordinance did have an appeal procedure. The point of the change was to give the Board some real authority to create policies that could go right into implementation phase. And to have the staff and Commission to help that implementation along.
- (Kemble) Re: the Jeffy Trail question, the meat of the proposal was the new Policy and Planning (P & P) staff. Right now, we weren't sure where the decisions were coming from. Under the proposal, the P&P staff would have the authority to make decisions about what made sense transportation-wise, given the multitude of plans in the City (the Comp Plan, the Sustainability Plan, etc.) It would be up to the P&P staff to sort through all this with whatever the Board had for policy, to avoid fractured decision-making processes around use of right-of-way or land use for transportation.
- (Golden) He urged TORC to look for items that could be taken away from all the commissions, and simply be done by staff, as a way of efficiency. For example, TPC did taxi licensing. Could that be delegated to staff, who could apply whatever policy we had to issue the license. They could use an appeal process if needed. Another example was bus shelters. A policy for shelters could be established, and staff could apply it. The same approach could be used for crossing guards, Neighborhood Traffic Management, stop sign assignment, which would only need to be taken to the Commission if a staff decision was appealed.
- (Golden) A major omission was no mention of the responsibilities currently done by the ADA Paratransit Subcommittee. These needed to be examined and placed on the spreadsheet. Members of this Subcommittee wondered where they fit in. Some of what ADATS did was really important and needed to be reflected.
- (Strange) An item on the spreadsheet identified as "transit for people with disabilities" was assigned to the Transportation Commission, and reflected in the proposal.
- (Golden) He still wondered about such issues as the Leave Attended Policy, and whether that would be handled by the Board. Generally, he would ask that TORC look at whether certain things be done at all, and if they should be done, where should they be done. And if it was assigned somewhere, did it make sense in terms of other things assigned elsewhere?

Poulson asked Kamp for his comments, in particular related to bus shelters.

- Although at first he questioned whether transit performance standards should be crossed off and assigned strictly to management, since they now were part of Metro's performance reports to the TPC, he was fine with that.
- Having worked in various places, he knew there was more than one way to do things. But he also knew there was a human element at play in this.
- Re: the idea that Management should make the decision on bus shelters (based on policy/criteria), he would say the same thing should be done for bus stops. No matter how well these things were delineated in the ordinance, he would use some discretion as to when to bring discussion about them to the Commission. He was willing to say that there might be more than one way to do it, and he wasn't sure what the right way was.

● He appreciated how Strange had to take the ideas from all the other agency heads and put together a quite meaningful way to look at this in trying to make a decision. Golden said that he trusted that staff knew when things were bubbling up, and they should bring the issue to the Commission.

Bergamini commented that the Commission didn't currently shape the budget. The budget was a Mayor-driven system. When staff put together their budget proposals, they went to the Mayor's Office, not the TPC. It was reviewed with the Commission, and staff did a great job trying to keep a budget in line with the priorities articulated at the TPC. She wondered if the proposal would change the current practice.

Strange said TORC's intent for the Board to give recommendations on the budget, was not to change the current process. But in general, the idea was to create a Board that had more gravitas, in terms of having more alders on it. Who knew how that would play out. The Board could end up having more influence on how those things that went through. Bergamini wondered what the relationship would become between the TPPB and the Finance Committee. Strange noted that, per Golden's comment at LRTPC with respect to budget, it might be a good idea to have a joint meeting of the Board and the Commission, because of related issues between policy and implementation. This might create more momentum for their recommendations. There might be other instances when the Board and Commission might want to come together as well.

Poulson said they had no motion on the floor. They had three related items, one that created the new system, and two that repealed existing ordinances in two parts, one part that was charter ordinance driven. The proposal would be going back to TORC regardless. Since this was going to TORC, Bergamini wondered if they needed to make a motion.

Golden said that based on his experience, overlapping membership among committees was a failure. He didn't have an answer. When cross-communication was needed, how should we get it done? In his opinion, when coordination was needed, it should be written in. Coordination was needed between TPPB and the Finance Committee on budget-related items, and between TPPB and the Plan Commission because of statutory responsibilities that went to Plan Commissions (because another committee couldn't be created to do their work). When the Transportation Planner was created, there was never any question that it would go anywhere but Planning. If you were going to change things, do it with your eyes wide open.

A motion was made by Golden, seconded by Kovich, to Return to Lead with the Following Recommendation(s) to the COMMON COUNCIL EXECUTIVE COMMITTEE: To forward member comments with the ordinance, and make no recommendation regarding passage, since their comments were substantive. The motion passed by voice vote/other.

Notes: Golden/Kovich made a motion to forward member comments with the ordinance, and make no recommendation with regard to passage, since their comments were substantive. The motion passed by voice vote/other.

2	TRANSPORTATION ORDINANCE REVIEW AD HOC COMMITTEE	06/19/2017		
2	TRANSPORTATION ORDINANCE REVIEW AD HOC COMMITTEE	07/14/2017		
3	COMMON COUNCIL EXECUTIVE COMMITTEE	09/05/2017	RECOMMEND TO COUNCIL TO ADOPT - REPORT OF OFFICER	Pass

Action Text: Ald. Denise Demarb moved, seconded by Ald. Matt Phair to recommend to Council to adopt Legislative File Nos. 46249, 46376, 46377.

Ald. Rebecca Kemble moved, seconded by Ald. Denise DeMarb to amend the language in Legislative File No. 46249, 33.55(6)(b) to read:

(b) Consider, develop and <delete "adopt"> <add "recommend for adoption to the Common Council">, transportation policies and plans for all elements of the City's transportation system that are consistent with the purpose set forth in sub. (2) above.

Ald. Shiva Bidar-Sielaff moved, seconded by Ald. Rebecca Kemble to delete a section in Legislative File No. 46249: Delete 33.55(7) Appeal.

The motion made by Ald. Denise DeMarb, seconded by Ald. Matt Phair, as AMENDED to RECOMMEND TO COUNCIL TO ADOPT - REPORT OF OFFICER. The motion passed by voice vote/other.

Additional co-sponsors to all three (3) transportation ordinances: Ald. Rummel, Ald. Bidar-Sielaff, Ald. Carter, Ald. Phair and Ald. Verveer

3 COMMON COUNCIL 09/19/2017 Adopt

Pass

Action Text: A motion was made by DeMarb, seconded by Baldeh, to Adopt. The motion passed by voice vote/other.

There were two registrations in support and one in opposition.

Text of Legislative File 46249

Fiscal Note

The proposed ordinance change will recreate the Department of Transportation. Under the new organizational structure, the Department of Transportation will include the following Divisions: Metro Transit, Parking Utility, and Traffic Engineering. The ordinance change will require the creation of a Director of Transportation which is currently not funded in the City's operating budget. The projected annual costs of a Director position (including benefits) is \$200,000 annually. Funding for this position, as well as other costs associated with creating the new department, are subject to budget appropriation.

Title

3rd SUBSTITUTE Recreating Section 3.14, creating Sections 33.55 and 33.56 of the Madison General Ordinances to recreate the Department of Transportation and to create the Transportation Policy and Planning Board and the Transportation Commission.

Body

DRAFTER'S ANALYSIS: This ordinance recreates Sec. 3.14, MGO, establishing a Department of Transportation in the City of Madison. This ordinance also establishes for the City a Transportation Policy and Planning Board and a Transportation Commission. This ordinance will become effective on January 1, 2018.

Once this ordinance becomes effective, the following commissions, committees, and subcommittees currently contained in Madison General Ordinance Sec. 3.14 will cease to exist: Transit and Parking Commission, Pedestrian Bicycle Motor Vehicle Commission, ADA Transit Subcommittee to the Transit and Parking Commission, Parking Council for People with Disabilities, Contracted Services Oversight Subcommittee, Long-Range Transportation Planning Committee, and Joint Transportation Subcommittee. This ordinance assigns the duties that these commissions, committees, and subcommittees currently perform to either the Transportation Policy and Planning Board or the Transportation Commission.

For a more detailed drafter's analysis pertaining to this ordinance, please see the attached drafter's memorandum from the Office of the City Attorney.

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

1. Section 3.14 entitled "Department of Transportation" of the Madison General Ordinances is hereby recreated to read as follows:

"3.14 DEPARTMENT OF TRANSPORTATION.

- (1) Purpose. There is hereby created a Department of Transportation for the purpose of managing, operating, controlling, and maintaining the city's transportation system, which consists of the following elements:
 - (a) Bicycles;
 - (b) Bus, truck and rail freight, and motor vehicle traffic;
 - (c) Parking;
 - (d) Pedestrians;
 - (e) Street, curb and right-of-way use;
 - (f) Transit; and
 - (g) Any additional transportation elements as identified by the Common Council by ordinance or resolution.
- (2) Director of Transportation. The Department of Transportation shall be managed and directed by a Director of Transportation, who shall:
 - (a) Ensure that the city's transportation system operates in a manner that is safe, efficient, affordable, and equitable for all of its users;
 - (b) Ensure that the city's transportation system operates in a manner that is sustainable and responsive to the environmental needs of the city and region;
 - (c) Ensure that each element of the city's transportation system operates as an integrated part of the overall transportation system;
 - (d) Work to eliminate any disparities that people of color and people of low income experience with respect to the city's transportation policies, programs, services, and destinations;
 - (e) Provide annual operational reports to the Transportation Policy and Planning Board and Transportation Commission regarding the operation, management, control, progress towards equity, and maintenance of each element of the City's transportation system;
 - (f) Serve as chief administrative officer and executive secretary of the Transportation Policy and Planning Board;
 - (g) Provide the necessary administrative and staff support services to the Transportation Policy and Planning Board and the Transportation Commission;
 - (h) Work collaboratively with the Transportation Policy and Planning Board and the Director of Planning, Community, and Economic Development on the development of transportation policies and plans, including the transportation element of the city's comprehensive plan;
 - (i) Coordinate the implementation of the transportation policies and plans adopted by the Transportation Policy and Planning Board and the Common Council;
 - (j) Develop and maintain communication with City residents to ensure that the public is aware of the City's transportation policies and plans and progress towards implementation;
 - (k) Work with the City Engineer and Director of Public Works in the planning of highway programs or projects;

- (l) Work with the Director of Planning, Community, and Economic Development to ensure that the transportation system supports and complements the city's land use decisions;
 - (m) Work with the Madison Area Transportation Planning Board (MATPB) to ensure that the city's transportation policies and plans are consistent with the regional transportation plan and work to implement city and regional plans so that the city's transportation system continues to effectively and efficiently move people and goods through the Madison region;
 - (n) Work with surrounding local governments to ensure that the City's transportation system allows for the safe and efficient movement of people and goods through the greater Madison region;
 - (o) Work with Federal, State and County governments to coordinate transportation projects or programs and pursue financial aids, grants, and other assistance that would benefit such projects or programs; and
 - (p) Conduct studies as necessary to evaluate present and future transportation needs and make recommendations to the Transportation Policy and Planning Board regarding policies, plans, or projects necessary to ensure the city's transportation system is and will remain able to safely, effectively and efficiently move people and goods throughout Madison and the surrounding region;
 - (q) Supervise the Traffic Engineering, Parking, and Transit Divisions of the Department of Transportation; and
 - (r) Perform other duties as assigned by the Common Council and the Mayor and report to the Mayor for day-to-day administrative purposes.
- (3) Divisions. The Department of Transportation shall consist of the Traffic Engineering Division, the Parking Division, and the Transit Division.
- (a) Traffic Engineering Division.
 - 1. Duties. The Traffic Engineering Division shall be responsible for managing, operating, controlling, and maintaining the city's traffic system, consisting of the transportation elements listed in sub. (1) (a), (b), (d), and (e), above.
 - 2. Management. The Traffic Engineering Division shall be managed by the City Traffic Engineer & Parking Manager, who shall also:
 - a. Serve as the City Highway Safety Coordinator;
 - b. Serve as the executive secretary of the Transportation Commission as provided in Sec. 33.56(4); and
 - c. Under the direction of the Director of Transportation, work with the City Transit Manager to ensure the duties outlined in sub. (2) above are fulfilled.
 - (b) Transit Division.
 - 1. Duties. The Transit Division shall be responsible for managing, operating, controlling and maintaining the City's transit system, which consists of the transportation element listed in sub. (1)(f) above.
 - 2. Management. The Transit Division shall be managed by the City Transit Manager, who shall also:
 - a. Serve as the executive secretary of the Transportation Commission as provided in Sec. 33.56(4);
 - b. Serve as executive secretary of the Regional Transit Subcommittee as provided in Sec. 33.55(6)(h); and
 - c. Under the direction of the Director of Transportation, work with

the City Traffic Engineer & Parking Manager to ensure the duties outlined in sub. (2) above are fulfilled.

(c) Parking Division.

1. Duties. The Parking Division shall be responsible for managing, operating, controlling, and maintaining the City's on- and off-street parking system, consisting of the transportation element listed in sub. (1)(c) above.
2. Management. The Parking Division shall be managed and supervised by the City Traffic Engineer & Parking Manager."

2. Section 33.55 entitled "Transportation Policy and Planning Board" of the Madison General Ordinances is created to read as follows:

"33.55 TRANSPORTATION POLICY AND PLANNING BOARD.

- (1) Organization. A Transportation Policy and Planning Board is hereby created for the City of Madison.
- (2) Purpose. The Common Council recognizes that for the City of Madison to be a safe and healthy place for all of its residents and visitors to live, work, do business, learn, and play, it must develop and maintain a transportation system that is safe, efficient, economical, equitable, and sustainable. The Common Council also recognizes the importance of ensuring that the city's transportation system compliments and is consistent with the city's land use system. Finally, the Common Council recognizes the critical role that the city's transportation system plays in the movement of people and goods throughout the greater Madison region, and that the successful future growth of the city and region depends, in part, on a transportation system that is responsive to the needs of current and future users. The purpose of the Transportation Policy and Planning Board is to consider and address transportation policy and planning issues pertaining to each element of the city's transportation system, including bicycles; bus, freight, and automobile traffic; parking; pedestrians; street, curb and right-of-way use; transit; and other transportation elements as may be identified by the Common Council by ordinance or resolution.
- (3) Board Composition.
 - (a) Members. The Transportation Policy and Planning Board shall have nine (9) voting members to serve without compensation consisting of three (3) members of the Common Council, one (1) Regional Representative (an elected official of a political subdivision that contracts with Metro Transit for transit services), four (4) residents of the City of Madison, one (1) member of the Plan Commission who may be either a Common Council member or resident, and two (2) alternate members who may be either a Common Council member or resident. When appointing members of the Common Council and residents to the Transportation Policy and Planning Board, the Mayor shall give strong consideration to appointing individuals who are also members of the Board of Public Works and Madison Area Transportation Policy Board.
 - (b) Appointment and Terms of Common Council Members. Common Council members of the Transportation Policy and Planning Board shall be appointed by the Mayor subject to confirmation by the Common Council. Terms for Common Council members shall coincide with their terms on the Common Council. Appointments for such terms shall be made at the organizational meeting of the Common Council on the third Tuesday in

April or as soon thereafter as the Mayor makes the appointment. In appointing Common Council members to the Transportation Policy and Planning Board, the Mayor shall consider the need for representation of the various geographic areas of the City. Furthermore, at least one Common Council member of the Transportation Policy and Planning Board must also be a member of the Transportation Commission.

- (c) Appointment and Term of Regional Representative. The Regional Representative shall be an elected official of a political subdivision that contracts with Metro Transit for transit services. Political subdivisions that contract with Metro Transit for transit services shall submit nominations for the Regional Representative to the Mayor in each year that an appointment is necessary. From the nominations submitted, the Mayor shall appoint the Regional Representative subject to confirmation by the Common Council. The Regional Representative shall have a two- (2) year term. If the Regional Representative resigns or is not re-elected to his or her elected office before his or her two-year term on the Transportation Policy and Planning Board ends, the Mayor shall appoint a new Regional Representative to complete the two-year term. The same Regional Representative may not serve two consecutive full two-year terms.
 - (d) Appointment and Terms of Resident Members. Resident members of the Transportation Policy and Planning Board shall be residents of the City of Madison at the time of appointment and throughout the member's term. Resident members shall be appointed by the Mayor subject to confirmation by the Common Council. Resident members shall have a three- (3) year term. In appointing resident members to the Transportation Policy and Planning Board, the Mayor shall consider the need to appoint individuals with a multi-element perspective who have knowledge of equity issues and the needs of marginalized communities. The Mayor shall also consider individuals with a multi-element perspective who are frequent users of specific elements of the city's transportation system, and, in particular, people of color and people of low income who are frequent users of specific elements of the city's transportation system. Furthermore, at least one resident member of the Transportation Policy and Planning Board must also be a member of the Transportation Commission.
 - (e) Appointment, Term and Role of Alternate Members. The alternate members shall be either a Common Council member or resident whose appointment and term shall be the same as described in sub. (b) or (d) above. The alternate member shall act with full power when any other member of the Transportation Policy and Planning Board is absent or is unable to act because of a conflict of interest. The second alternate member shall so act only when the first alternate member is unable or is absent. In addition, alternates may participate in Transportation Policy and Planning Board discussion and serve on subcommittees or as a representative of the Board on other City committees at any time.
- (4) Board Procedures. The Board shall follow the procedures contained in Sec. 33.01, MGO, except that notwithstanding Sec. 33.01(7)(b), MGO, a Common Council member may serve as chairperson, co-chairperson, or vice-chairperson of the Board.
 - (5) Executive Secretary. The Director of Transportation shall serve as chief

administrative officer and executive secretary of the Transportation Policy and Planning Board and, with the assistance of the Director of Planning, Community & Economic Development, the City Engineer, the City Transit Manager, and the City Traffic Engineer and Parking Manager, shall ensure that the Board has the resources necessary to address the transportation issues the Board considers.

- (6) Powers and Duties. The Transportation Policy and Planning Board shall:
- (a) Work collaboratively with the Director of Planning, Community, and Economic Development to develop and recommend for adoption by the Common Council the transportation element of the City's comprehensive plan;
 - (b) Consider, develop, and recommend for adoption by the Common Council transportation policies and plans for all elements of the City's transportation system that are consistent with the purpose set forth in sub. (2) above;
 - (c) Work to eliminate any disparities that people of color experience and people of low income experience with respect to the City's transportation policies, programs, services and destinations;
 - (d) Make recommendations to the Common Council regarding proposed ordinances related to all elements of the City's transportation system;
 - (e) Make recommendations to the Common Council regarding the proposed budgets of each division of the Department of Transportation;
 - (f) Provide annual reports to the Common Council listing any transportation policies or plans that have been adopted by the Board in the previous year;
 - (g) Recommend that the Common Council establish a Regional Transit Subcommittee made up of contracting partners with the City of Madison for the provision of transit service. The purpose of this subcommittee is to provide the Board with a regional perspective on transit policy, service, and related issues. The composition of the subcommittee and other organizing details shall be stated in the ordinance authorizing the creation of the subcommittee. The City Transit Manager shall be responsible for staffing this subcommittee and ensuring that it meets jointly with the Board at least one time per year; and
 - (h) Recommend that the Common Council establish a Disabled Parking Council of at least seven (7) members, on an ad hoc basis, pursuant to Wis. Stat. § 346.50(3m), if any proposed ordinance imposes a 3-hour or less limitation on parking of a motor vehicle used by a physically disabled person."

3. Section 33.56 entitled "Transportation Commission" of the Madison General Ordinances is created to read as follows:

"33.56 TRANSPORTATION COMMISSION.

- (1) Organization. A Transportation Commission is hereby created for the City of Madison.
- (2) Purpose. The purpose of the Transportation Commission is to decide the transportation issues listed in sub. (5) below in a manner that is consistent with the transportation policies and plans adopted by the Common Council.
- (3) Commission Composition.
 - (a) Members. The Transportation Commission shall have nine (9) voting members to serve without compensation consisting of two (2) members of the Common Council, seven (7) residents of the City of Madison, and

two (2) alternate residents of the City of Madison. Each member of the Commission must be capable of and committed to holding a multi-element, system-wide perspective on transportation issues. Moreover, one (1) Common Council or resident member must be knowledgeable of equity issues and the needs of marginalized communities; one (1) Common Council or resident member must be knowledgeable of issues facing people with disabilities; one (1) Common Council or resident member must be knowledgeable of issues facing users of the city's on- and off-street parking system; one (1) Common Council or resident member whose primary mode of transportation in the City is the bicycle; one (1) Common Council or resident member whose primary transportation in the City is walking; and one (1) Common Council or resident member whose primary mode of transportation in the city is transit. For any remaining resident appointments, preference should be given to appointing people of color and people of low income; one (1) additional member whose primary mode of transportation in the city is the bicycle; and one (1) additional member whose primary mode of transportation in the city is transit. Finally, at least one Common Council member and one resident member must also be a member of the Transportation Policy and Planning Board.

- (b) Appointment and Terms of Common Council Members. Common Council members of the Transportation Commission shall be appointed by the Mayor subject to confirmation by the Common Council. Terms for Common Council members shall coincide with their terms on the Common Council. Appointments for such terms shall be made at the organizational meeting of the Common Council on the third Tuesday in April or as soon thereafter as the Mayor makes the appointment.
- (c) Appointment and Terms of Resident Members and Alternate Resident Members. Resident Members and Alternate Resident Members of the Transportation Commission shall be residents of the City of Madison at the time of appointment and throughout the Member's term. Resident Members and Alternate Resident Members shall be appointed by the Mayor subject to confirmation by the Common Council, and shall have a term of three (3) years.
- (d) Role of Alternate Members. The first alternate member shall act with full power when any other member of the Transportation Commission is absent or is unable to act because of a conflict of interest. The second alternate member shall so act only when the first alternate refuses or is absent or when more than one member of the commission is so unable or is absent. In addition, alternates may participate in Transportation Commission discussion and serve on subcommittees or as commission representative on other City boards, commissions, or committees at any time.
- (4) Executive Secretary. The Director of Transportation shall designate either the City Transit Manager or the City Traffic Engineer & Parking Manager to serve as executive secretary of the Transportation Commission. Each designation shall last for two years at which point the Director of Transportation shall consider alternating the appointment to the other division manager.
- (5) Powers and Duties. The Transportation Commission shall decide the transportation issues listed below in a manner that is consistent with the transportation policies and plans adopted by the Common Council:

(a) Transit.

1. Transit service standards;
2. Transit fares;
3. Transit route additions, extensions or contractions;
4. Transit changes in schedules and hours of service;
5. Rules necessary to ensure safety for bus passengers;
6. Regional transit contracts (services and pass programs);
7. Bus routes and stops;
8. Charter service, taxis, limousines, courtesy cars, hotel buses, jitney services hire-and-drive service, ride-sharing, car-sharing, transportation network companies, subscription bus service, park and ride facilities, and any other issues pertaining to the operation of the City's transit and services;
9. Transit for people with disabilities; and
10. Other items referred by the Common Council, Transportation Policy and Planning Board, or Director of Transportation.

(b) Parking.

1. Off-street parking rates;
2. Provide recommendations to the Common Council regarding on-street parking rates.
3. Rules necessary to ensure safe and proper operation of parking facilities;
4. Revenue collection technology and systems; and
5. Other items referred by the Common Council, Transportation Policy and Planning Board, or Director of Transportation.

(c) Pedestrian, Bicycle, and Motor Vehicle.

1. Pedestrian and bicycle safety, enforcement, and facility maintenance programs;
2. School crossings;
3. Safety programs and projects;
4. Traffic signals;
5. Crossing guard assignments;
6. Traffic calming;
7. Provide recommendations to the Board of Public Works regarding right-of-way use and geometric design on arterial and collector street projects;
8. Development Review; and
9. Other items referred by the Common Council, Transportation Policy and Planning Board, or Director of Transportation.

- (6) Appeal. The Mayor, any alderperson, or any member of the Transportation Commission may appeal to the Common Council any final decision of the Transportation Commission related to one of the items listed in sub. (5) above. For purposes of this ordinance, final decisions do not include recommendations made to the Transportation Policy and Planning Board or Common Council. For any appeal, the appellant(s) shall file a petition of appeal with the City Clerk within ten (10) days of the Transportation Commission's final decision. The petition shall state the decision being appealed, the reasons for appeal, and the relief being requested. Once the petition is filed, the City Clerk shall set the appeal for a public hearing on the next Council agenda that is at least seven (7) days after receipt of the appeal. After a public hearing, the Common Council may, by favorable two-thirds (2/3) vote of its members, reverse or modify the decision of

the Transportation Commission with or without conditions, or refer the matter back to the Transportation Commission with or without instructions, if it finds that the decision is inconsistent with the transportation element of the Comprehensive Plan, is inconsistent with any transportation policy or plan adopted by the Transportation Policy and Planning Board, or is contrary to the public health, safety or welfare.”

4. This ordinance will become effective on January 1, 2018.