

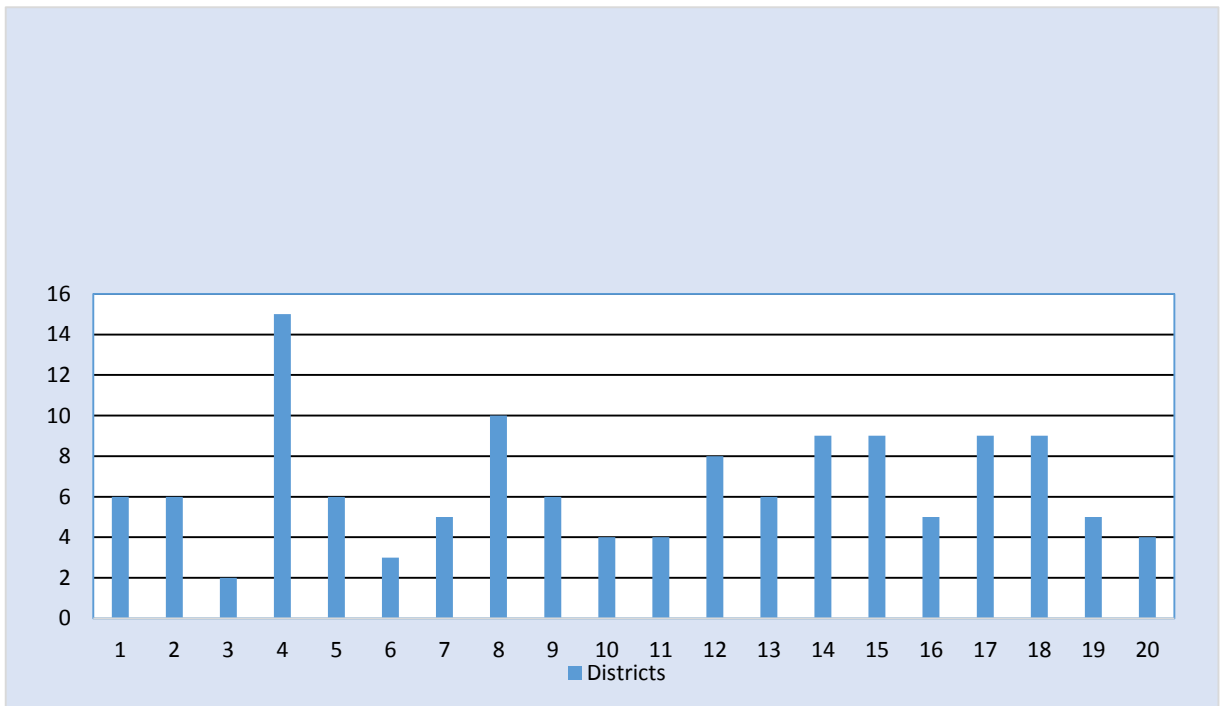
**CITY OF MADISON
OFFICE OF THE CITY ATTORNEY
Room 401, CCB
266-4511**

MEMORANDUM

TO: Task Force on the Structure of City Government (“TFOGS”)
FROM: Michael P. May, City Attorney
John W. Strange, Assistant City Attorney
RE: Summaries of Data Requested by TFOGS
DATE: September 27, 2018

At and subsequent to the last TFOGS meeting the Task Force asked staff to prepare certain summaries of the data previously provided by our office. This memo provides those summaries as requested.

1. By aldermanic district, show the number of BCCs on which the current district alder serves.



Information attached to this memo contain more detailed data, including a list of all the committees served by each district alder.

2. Create a summary table showing the number of aldermanic positions on BCCs with varying levels of authority.

NOTE: On the spreadsheet listing level of authority for each BCC, we broke down levels of authority as “Final Review No CC Review”, “Final Review CC Review” and “Advisory Only.” These designations indicate the highest level of authority held by each BCC. These BCCs may also exercise lower levels of authority. For example, with the exception of the Police and Fire Commission, most if not all BCCs can and often do provide recommendations to the Common Council, even if they hold some form of final authority.

Total number of Aldermanic Positions on BCCs that are advisory only	73
Total number of Aldermanic positions on BCCs that have some final authority that is reviewable by Council	15
Total number of Aldermanic positions on BCCs that have some final authority that is <i>not</i> reviewable by Council.	17

3. List of all BCCs that have some form of final authority that is subject to review by Council.

Community Development Authority
 Landmarks Commission
 Plan Commission
 Board of Public Works
 Transportation Commission
 Urban Design Commission
 Vending Oversight Committee
 Water Utility Board
 Weed Commissioners

4. List of all BCCs that have some form of final authority that is not subject to review by the Common Council.

Administrative Review Board
Affirmative Action Commission
Board of Building Code, Fire Code, Conveyance Code and Licensing Appeals
Common Council Executive Committee (when acting as the ARB (above))
Equal Opportunities Commission
Board of Public Health
Personnel Board

Board of Review

Street Use Staff Commission

Zoning Board of Appeals

Madison Arts Commission

Police and Fire Commission

Madison Public Library Board

Madison Cultural Arts District Board (dormant)

Madison's Central Business Development Board

Board of Park Commissioners

Room Tax Commission

Several of these Boards or Commissions have duties and powers that are specifically set by state statute and by those laws are not reviewable by the Council: Police and Fire Commission, Board of Parks Commissioners, Library Board, and Room Tax Commission. Certain decisions made by the above italicized bodies are not reviewable by the Common Council when that body is acting in a quasi-judicial capacity. In such cases, the Common Council or state statute has prescribed that a particular decision is subject to direct review in Circuit Court by Certiorari instead of by the Common Council. Decisions made by the non-italicized BCCs generally relate to certain operational powers given to the BCC by the Common Council by ordinance or state statute.

5. List of BCCs that are composed of some members appointed by entities other than the City of Madison.

City-County Homeless Issues Committee

City-County Liaison Committee

Education Committee

Board of Public Health

Martin Luther King Jr. Humanitarian Award

Joint Campus Area Committee

Madison Food Policy Council

Monona Terrace Community and Convention Board

Madison Cultural Arts District Board

Commission on Sensitive Crimes

TIF Review Board

Allied Area Task Force

Ho-Chunk Nation / City of Madison Joint Planning Committee

This information is found in the "appointed by" column of the spreadsheet on individual BCC members. You can also see whether members appointed by other entities have voting rights by looking in the "voting" column immediately preceding the "appointed by" column.

6. List of BCCs where some members are appointed by the President of the Council.

Common Council Executive Committee (6 appointments)

Ethics Board (1 appointment, unless Council President serves)

Task Force on Structure of City Government (5 appointments)

A couple of final notes on the data:

First, we would reiterate that the source of the data in the spreadsheet is from the software currently used by the City. In obtaining this data, we have been cautioned that it may not be accurate due to issues involving reporting, input, and limitations in the software. For example, if you take the individual spreadsheet, the total number of BCC members (752) does not equal to the sum of the BCC members who reported their race (710). We do not know if this is a problem in data collection or software. In any event, it bears noting. It is our understanding that the mayor's 2019 capital budget contains funds for new software and this may address some of the data tracking issues.

Second, the BCCs on the attached spreadsheet are those that are available through the Committee Report software and Legistar. We can tell by looking that there are some subcommittees that do not appear on this list. We contacted the mayor's office, Common Council Office, and the Clerk's Office and were unable to obtain an alternate or otherwise exhaustive list. A related issue is that some bodies are difficult if not impossible to find; we know there is some body looking at surveillance policies, but it does not show up in Legistar. We also know that there are at least two subcommittees of the MPO, but these also do not show up in Legistar.

Finally, in the spreadsheet showing BCC authority, we removed a few of the BCCs that we did not consider to truly be city committees, such as the Overture Board and the Bayview Foundation Board. So, you may find some BCCs on the spreadsheet detailing individual member characteristics that you will not find on the spreadsheet detailing BCC authority.