

## DRAFT TWO BODY STRUCTURE AS OF 2-8-17

### Section 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, freight, and automobile traffic;
  - (c) parking;
  - (d) pedestrians;
  - (e) street, curb and right-of-way use;
  - (f) transit; and
  - (g) and any additional transportation elements as identified by the Common Council by resolution.
  
- (2) Duties. The Department of Transportation shall:
  - (a) Operate the city's transportation system in a manner that is safe, efficient, affordable, and equitable for all of its users;
  - (b) Operate the city's transportation system in a way 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) Provide the necessary administrative and staff support services to the Transportation Policy and Planning Board and the Transportation Commission;
  - (e) Coordinate the implementation of the transportation policies and plans developed and adopted by the Transportation Policy and Planning Board and the Common Council;
  - (f) Provide annual operational reports to the Transportation Policy and Planning Board and Transportation Commission regarding the operation, management, control, and maintenance of each element of the City's transportation system;
  - (g) 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;

- (h) Expand communication and engagement between the Department of Transportation and the public regarding transportation projects and policies;
  - (i) Work with the City Engineer and Director of Public Works in the planning of highway programs or projects;
  - (j) Work with the Director of Planning, Community, and Economic Development to ensure that the transportation system supports and compliments the city's land use decisions;
  - (k) 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;
  - (l) 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; and
  - (m) 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.
- (3) Management. The Department of Transportation shall be managed collectively by the City Transit Manager, City Traffic Engineer and Parking Manager, and City Transportation Policy and Planning Manager, who, in addition to managing their respective divisions, shall work together to fulfill each duty of the Department listed in sub. (2) above. At any time, the City may hire a Director of Transportation to ensure that the duties in sub. (2) above are fulfilled, in which case the City Transit Manager, City Traffic Engineer & Parking Manager, and City Transportation Policy and Planning Manager shall continue to manage and supervise their respective divisions, but shall report to the Director of Transportation for day-to-day administrative purposes instead of the Mayor.
- (4) Composition. The Department Of Transportation shall consist of the Traffic Engineering Division, the Parking Division, the Transit Division, and the Policy and Planning Division.
- (a) Traffic Engineering Division.

- (i) 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), (e), and (f) above.
  - (ii) Management. The Traffic Engineering Division shall be managed by the City Traffic Engineer & Parking Manager, who shall also:
    - 1. Serve as the City Highway Safety Coordinator;
    - 2. Work with the City Transit Manager and the Transportation Policy and Planning Manager to ensure the duties outlined in sub. (2) above are fulfilled;
    - 3. Perform any other duties assigned by the Common Council or the Mayor; and
    - 4. Report directly to the Mayor for day-to-day administrative purposes.
- (b) Parking Division.
- (i) 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.
  - (ii) Management. The Parking Division shall be managed and supervised by the City Traffic Engineer & Parking Manager.
- (c) Transit Division.
- (i) 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)(g) above.
  - (ii) Management. The Transit Division shall be managed by the City Transit Manager, who shall also:
    - 1. Work with the City Traffic Engineer & Parking Manager and the Transportation Policy and Planning Manager to ensure the duties outlined in sub. (2) above are fulfilled;
    - 2. Perform any other duties assigned by the Common Council or the Mayor; and
    - 3. Report directly to the Mayor for day-to-day administrative purposes.

(d) Transportation Policy and Planning Division.

- (i) Duties. The Transportation Policy and Planning Division shall be responsible for coordinating, managing, and assisting with the development of the city's transportation policies and plans.
- (ii) Management. The Transportation Policy and Planning Division shall be managed by the Transportation Policy and Planning Manager, who shall also:
1. Work with the City Traffic Engineer & Parking Manager and City Transit Manager to ensure the duties outlined in sub. (2) above are fulfilled;
  2. Serve as executive secretary of the Transportation Policy and Planning Board;
  3. Work collaboratively with the Director of Planning, Community, and Economic Development or designee on the management, coordination, and development of transportation policies and plans, including the transportation element of the city's comprehensive plan, so that the city's transportation plans compliment the city's land use plans.
  4. Perform any other duties assigned by the Common Council or the Mayor; and
  5. Report directly to the Mayor for day-to-day administrative purposes.

## **Section 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 therefore 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 resolution.
  
- (3) Board Composition. The Transportation Policy and Planning Board shall be comprised of seven (7) 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), three (3) residents of the City of Madison, and one (1) alternate who may be either a Common Council member or resident.
  - (a) 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 be staggered and coincide with their terms on the Common Council. 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.
  
  - (b) 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 serve two (2) year terms. 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.

- (c) 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. Appointments shall be staggered and last for a period of three (3) years. In appointing resident members to the Transportation Policy and Planning Board, the Mayor shall consider the need for representation of people who are frequent users of specific elements of the city's transportation system, and, in particular, the mayor shall consider people of color and people of low income who are frequent users of specific elements of the city's transportation system.
- (d) Appointment and Term of Alternate Member. The Alternate Member shall be either a Common Council Member or Resident whose appointment and term shall be the same as described in sub. (a) or (c) above.
- (4) Board Procedures. The Board shall follow the procedures contained in MGO Sec. 33.01, except that notwithstanding MGO Sec. 33.01(7)(b) a Common Council member may serve as chairperson, co-chairperson, or vice-chairperson of the Board.
- (5) Executive Secretary. The Transportation Policy and Planning Manager shall serve as 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. In the event the City hires a Director of

Transportation pursuant to MGO Sec. 3.14(5), the Director of Transportation shall be the executive secretary of the Board.

- (6) Powers and Duties. The Transportation Policy and Planning Board shall:
- (a) Develop and recommend for adoption by the Common Council the transportation element of the City's comprehensive plan;
  - (b) Consider, develop, and adopt 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 the 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) Set transit fares and off-street parking rates;
  - (e) Make recommendations to the Common Council regarding proposed ordinances related to all elements of the City's transportation system;
  - (f) Make recommendations to the Common Council regarding the proposed budgets of each division of the Department of Transportation;
  - (g) Provide annual reports to the Common Council listing any transportation issues, policies, or plans that have been adopted by the Board in the previous year.
  - (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; and
  - (i) Starting in January 2019, the Board shall conduct consider whether the city should hire a Director of Transportation pursuant to MGO Sec. 3.14(5) and shall forward its recommendation to the Mayor and Common Council.
- (7) Appeal. The mayor or any alderperson may appeal to the Common Council the decision of the Transportation Policy and Planning Board to adopt a transportation policy or plan, or set a transit fare or off-street parking rate. The appellant(s) shall file a petition of appeal with the City Clerk within ten (10) days of the Transportation Policy and Planning

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

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## Section 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 address specific transportation issues related to the items listed in sub (4) below in a manner that is consistent with the transportation policies and plans adopted by the Transportation Policy and Planning Board or the Common Council.
- (3) Commission Composition.
  - (a) Members. The Transportation Commission shall be comprised of seven (7) voting members to serve without compensation consisting of two (2) members of the Common Council, five (5) residents of the City of Madison, and one (1) alternate.
  - (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 preceding the end of each Common Council member's term or as soon thereafter as the Mayor makes the appointment. In appointing Common Council members to the Transportation Commission, 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 Commission must also be a member of the Transportation Policy and Planning Board.
  - (c) Appointment and Terms of Resident Members. 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 shall be appointed by the Mayor subject to confirmation by the Common Council. Appointments shall be staggered and last for a period of three (3) years. In appointing resident members to the Transportation Commission, the Mayor shall consider the need for representation of people who are frequent users of specific elements of the city's transportation system, and, in particular, the mayor shall consider people of color and people of low income who are frequent users of specific elements of the city's transportation system.

- (4) Executive Secretary. The Mayor shall appoint either the City Transit Manager or the City Traffic Engineer & Parking Manager to serve as executive secretary of the Transportation Commission. Each appointment shall last for two years at which point the Mayor should consider alternating the appointment to the other division head. In the event the City hires a Director of Transportation pursuant to MGO Sec. 3.14(5), the Director of Transportation or designee shall be the executive secretary of the Board.
- (5) Powers and Duties. The Transportation Commission shall decide issues related to the following items:
- (a) Transit.
- (i) transit service standards (low);
  - (ii) transit route additions, extensions or contractions (medium);
  - (iii) transit changes in schedules and hours of service (medium);
  - (iv) rules necessary to ensure safety for bus passengers (low);
  - (v) regional transit contracts (services and pass programs) (high);
  - (vi) bus routes and stops (high);
  - (vii) 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 (medium);
  - (viii) transit for people with disabilities (medium); and
  - (ix) other items referred by the Common Council, Transportation Policy and Planning Board, Traffic Engineer & Parking Manager, or Transit Manager.
- (b) Parking.
- (i) rules necessary to ensure safe and proper operation of parking facilities (rare);
  - (ii) Revenue collection technology and systems (rare); and
  - (iii) Other items referred by the Common Council, Transportation Policy and Planning Board, Traffic Engineer & Parking Manager, or Transit Manager.
- (c) Pedestrian, Bicycle, and Motor Vehicle.
- (i) pedestrian and bicycle safety, enforcement, and facility maintenance programs (medium);
  - (ii) school crossings (medium);

- (iii) safety programs and projects (medium);
  - (iv) traffic signals (medium);
  - (v) Crossing guard assignments (low);
  - (vi) Traffic Calming (medium);
  - (vii) Street Project Review (high);
  - (viii) Development Review (rare); and
  - (ix) Other items referred by the Common Council, Transportation Policy and Planning Board, Traffic Engineer & Parking Manager, or Transit Manager.
- (d) The Transportation Commission shall make decisions regarding the issues listed above in a manner that is consistent with the transportation policies and plans adopted by the Transportation Policy and Planning Board and the Common Council.
- (6) Appeal. The mayor or any alderperson 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.