

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

Date: October 20, 2016

MEMORANDUM

TO: Transportation Ordinance Review Committee

FROM: John W. Strange, Assistant City Attorney

RE: Draft Transportation Board/Commission Structure

At its September meeting, the Transportation Ordinance Review Committee (TORC) requested that I draft ordinances that would effectuate a two-body Board/Commission structure consisting of a Transportation Policy and Planning Board (TPPB) and Transportation Commission (TC). TORC also asked that I draft an ordinance that would create a staff counterpart to the TPPB and TC. Thus, attached to this memo are three documents.

1. Section 3.14, Department of Transportation, created to include the Traffic Engineering, Parking, and Transit Divisions, and set out the duties of each division and the department as a whole. Under this structure, the City Traffic Engineer & Parking Manager and City Transit Manager work collectively to ensure the duties of their respective divisions and the department are fulfilled. The ordinance reserves the right of the city to hire a director of transportation at some future date and prescribes how the duties of the director and division head would be divided if that happened. The Department thus serves as the staff counterpart to the TPPB and TC.
2. Section 33.55, Transportation Policy and Planning Board, created to focus on multi-modal transportation policy and planning. This draft is similar to the one reviewed by the Committee in September except that it reduces the number of alders on the Board per the discussions of the Committee and tweaks some of the language in the statement of purpose to begin to mirror the language found in draft 3.14 and draft 33.56 (see below). Finally, this draft attempts to include the racial equity language discussed at the last meeting (see Sec. 33.55(2)(c)).
3. Section 33.56, Transportation Commission, created to focus on multi modal transportation policy and plan implementation and do take up prescribed day-to-day issues facing the divisions within the Department of Transportation. As requested by TORC, staff spent considerable time reviewing the specific items currently listed in Sec. 3.14 under the Transit and Parking Commission and Pedestrian, Bicycle, and Motor Vehicle Commission to determine whether each item listed in the current ordinance is actually handled by the current commissions. Those items have been transferred over to the draft ordinance and notated for discussion purposes as follows:

TC=Transportation Commission;

M = Management;

TPPB=Transportation Policy and Planning Board;

mix=Mix of M and TC; and

new=item suggested for inclusion by staff in the new ordinance.

Those items noted with an M, for example, are items that have historically been handled by Management. Those items noted TC have historically been taken before the TPC or PBMVC. Those items marked TPPB are policy related items that, under this structure, would be addressed by the TPPB.

At the meeting, I suggest that TORC closely review each item to discuss whether items marked with an M should be removed from the list in exchange for a catchall item that would allow the referral of items as needed by the TPPB or division heads. This would more closely approximate how things currently work and reduce the apparent workload of a single commission. Additionally, at the meeting staff will be prepared to discuss how frequently these items come up. For example, transit service standards, found in Sec. 33.56(4)(a)(i) come up about once every five years. This discussion will allow TORC to include only those items that must come before the commission and get a sense of how busy the commission will be addressing these items based on how frequently they actually arise. This will allow TORC to make an informed decision about whether to have a two- or three-body structure.

I will be prepared to discuss each ordinance more fully at the meeting and to explain what the next steps would be if they continue to be headed in the direction desired by TORC.