

**FINAL REPORT OF THE
TASK FORCE ON THE STRUCTURE OF
CITY GOVERNMENT**



November 20, 2019

MEMBERS OF THE TASK FORCE ON THE STRUCTURE OF CITY GOVERNMENT

Eileen Harrington, Chair

John Rothschild, Vice Chair

Justice Castañeda

Aldersperson Keith Furman

Roger Goodwin

Aldersperson Rebecca Kemble

Maggie Northrop

Aldersperson Paul Skidmore

Ron Trachtenberg

Eric Upchurch

[One Vacancy]

Former Members of the Task Force

Aldersperson Syed Abbas

Aldersperson David Ahrens

Aldersperson Sheri Carter

Aldersperson Sara Eskrich

Cathy Patton

Jerry Vang

TABLE OF CONTENTS

A.	Executive Summary.....	4
B.	Methodology.....	10
C.	Recommendations Related to the Common Council.....	19
D.	Recommendations Related to Boards, Commissions and Committees.....	25
E.	Recommendations Related to the Mayor's Office.....	31
F.	Recommendations on Resident Engagement and Participation.....	34
G.	Conclusion.....	36

Appendices

Appendix A - Resolution Establishing the Task Force

Appendix B - List of Subcommittees

Appendix C - Interim Report of the Task Force

Appendix D - Summary List of Task Force Final Recommendations

Appendix E - List of Topics in On-Line Documents

Appendix F - Links to Government Officials, Staff, and Resident Survey Results

A. EXECUTIVE SUMMARY

The Common Council created the 11-member Task Force on the Structure of City Government (“TFOGS” or “Task Force”) to consider issues related the powers and duties of the City’s Common Council (“Council”), Mayor’s Office, and Boards, Commissions, and Committees (“BCCs”). The Council directed the TFOGS to examine these issues through a specific lens: whether the City’s current government structure ensures that municipal decision-makers are representative of and accountable to all of the City’s residents, not just to those who have the time, resources, and knowledge to actively participate in the City’s current government structure. Of preeminent concern to the Council at the time it created the TFOGS was whether the City’s current government structure adequately represents people of color and those living with lower incomes.

The Task Force and its subcommittees met ninety (90) times over an almost two-year period. During that time, the Task Force gathered and studied information to understand the issues; created and conducted unique outreach programs to gather input from current and former government officials, current city staff, and city residents; and engaged in extensive and lively debate on nuances of local government rarely examined in great detail. Having done this work, the Task Force believes that the City’s current government structure is an impediment to full participation and representation and, therefore, that the City’s structure is fundamentally unfair to a large portion of the City’s population, including, most notably, the City’s residents of color and low income.

1. Common Council

Regarding the Council, the City’s current 20-member part-time Council members represent roughly 12,500 residents each. In addition, Council members must serve on the City’s nearly 100 BCCs. For their service, Council members are paid approximately \$13,570 per year.

A part-time “volunteer” Common Council is a public service model of government that many value as a critical part of Madison’s historical fabric and progressive history. It would be easy to rely on this history – and the sense of pride and nostalgia that accompanies it – to maintain the status quo. However, former and current Council members have stated that as Madison has grown so too has the complexity of the challenges it faces; and that adequately representing constituents facing these challenges require a full-time Council. Moreover, in looking closely at how this part-time system works, the Task Force found that some alders already work full-time on City business, either because they are retired, do not need additional income, or have a second job with flexibility that permits them to devote a large amount of time to serving as alder. These “full-time” alders tend to spend more time working with their constituents and serving on the City’s BCCs. Not all alders can afford to do this. Thus, in its current structure, the City’s aldermanic districts have disparate levels of representation based, at least in part, on how much time their alder is able to devote to City work.

As a result of this and other considerations, the Task Force recommends that the City move to a full-time Council. The Task Force also recommends four-year aldermanic terms and paying Council members eighty percent (80%) of the Adjusted Median Income for Dane County for a single parent with two children. The Task Force believes that a fairly compensated full-time Council would allow all residents to have full-time representation. This new structure could have the additional benefit of inviting people into leadership who may not have otherwise been able to serve because of financial, time commitment or personal reasons, including people of color and low income. Additionally, the Task Force believes that a full-time Council would be better equipped to implement other important recommendations contained in this report, including overhauling the City's Boards, Commissions, and Committee ("BCC") structure, providing ongoing oversight and accountability of the BCC system, and pursuing specific initiatives aimed at improving resident engagement, such as establishing an Office of Resident Engagement and Neighborhood Support to support BCCs, and pursuing a robust technology plan. However, the Task Force was not unanimous in recommending that the City transition to a full-time Common Council. Those who opposed a full-time Council noted the importance of maintaining, among other things, a public service form of Council free from some of the perceived pitfalls that befall a professional full-time legislature.

In addition to recommending a full-time Council with four-year terms and increased pay, the Task Force also recommends that the size of the Council be reduced from twenty (20) to ten (10) members. However, as with the decision to transition to a full-time Council, the decision to reduce the size of the Council was also not unanimous. Some believed that reducing the size of the Council would be a financial necessity of transitioning to a full-time Council. Others argued that such a rationale conflates the two issues, which should be considered individually because each structural characteristic impacts issues of representation in different ways. While a full-time Council may allow all residents to have a full-time alder, they argued, a smaller Council (and, thus, larger districts) may prevent alders from connecting with each constituent. Ultimately, as detailed below, the only successful motion regarding the size of the Council was for a ten (10) member Council. Other motions, including motions to retain or increase the current size, all failed.

Thus, taken together, the Task Force recommends that the City transition to a smaller full-time Council. The majority of the Task Force observed that Madison is a national outlier in terms of the population of alderperson's districts, and that cities like Minneapolis do not necessarily suffer from a professional politics plague because they have full-time Councils.¹ In fact, the majority of the Task Force did not share the view that having professional politicians was necessarily a negative, as is often implied from the use of that phrase. Rather, they viewed transitioning to a full-time Council as a way to fully harness the talents and skills of the people who choose to run for elected office. Finally, the Task Force noted that the City's current part-time structure has existed in Madison for decades on the premise that it provides genuine representation to its

¹ Minneapolis' thirteen (13) full-time Council members are paid approximately \$98,000.00 per year.

residents. However, while the Task Force agrees that the current structure provides genuine representation for some residents, it does not believe it does so for all residents -- particularly not for people of color and those living with low incomes.

2. Boards, Commissions, and Committees

Regarding the structure of the City's Boards, Commissions, and Committees ("BCCs"), the City currently has nearly 100 BCCs. These BCCs require approximately 700 total members made up of residents and Council members. In addition, BCCs are supported by City staff, who schedule meetings, create agendas, provide public notice, maintain minutes, and supply substantive information BCCs need to make decisions.

The Task Force recognizes that the original intent of the current BCC structure was to support a part-time Council, serve as a robust forum for public discussion, and maximize public participation. The Task Force also appreciates the dedication of the alders and residents who serve on the City's BCCs and the City staff that supports them. However, the Task Force believes that the current BCC structure has become one that lacks diversity, clarity of purpose, and accountability. The BCCs also tend to vary widely with regard to levels of authority and resources available to support BCC work. Further, the current BCC system has become so large and confusing that navigating it favors those with the time, resources, and knowledge to do so. Therefore, the Task Force believes that the BCC structure itself serves as another impediment to full resident participation and representation.

One characteristic the Task Force noted is the BCC system's lack of diversity. As detailed in the BCC Subcommittee Report, 38% of BCC members (268/699) come from Aldermanic Districts 4, 6, 11, 13, and 19 while only 12.5% (88/699) of members come from Aldermanic Districts 1, 7, 8, 9, and 16. Also, the number of BCCs served by each alder tends to vary depending on the alder. Of the twenty (20) alders, six (6) alders serve on as many as 9 to 14 BCCs while five (5) alders serve on as few as 2 to 4 BCCs. In addition to a lack of geographic diversity, the BCCs also suffer from a lack of racial diversity, with only 21% of BCC members being people of color. Finally, while the Task Force does not have data related to the socioeconomic status of the BCC members, it suspects residents living with low income are also greatly underrepresented on the City's BCCs.

Another glaring characteristic of the current BCC system is its sheer size and complexity as compared to cities of similar size and nature.² First, there is no organizational chart of the BCCs and, therefore, it was even difficult to ascertain exactly how many BCCs exist in the City because not all BCCs in the City's Legislative Information Center ("Legistar"). The Task Force found the nearly 100 BCCs that are listed

² City staff conducted a survey of cities similar to Madison. Most cities of similar size (~250,000) generally have between 25 and 50 BCCs. Other state capital cities with flagship universities have between 12 and 33 BCCs, except Salt Lake City, which has 77. Other Big Ten Cities have between 11 and 50 BCCs.

in Legistar lack clarity of purpose and are subject to policies and rules of procedure that further increases the complexity of the BCC system. For example, BCC topic areas often overlap, either making them redundant or unnecessary. BCC do not always keep within their jurisdiction, in part, because they do not fully understand where their jurisdiction ends. Furthermore, BCC meetings themselves often take place once or twice a month, in the evenings, in downtown locations. These meetings require an enormous amount of alder, resident, and staff time and resources, the extent of which the City cannot reliably track. The practices and procedures governing these BCC meetings (e.g., time and location of meetings, intricacy of Robert's Rules of Procedure, time limits for speaking, etc.) make an already daunting structure even more difficult for residents to access.

A final characteristic of the current BCC system noted by the Task Force is that the BCCs vary widely with regard to the impact of their recommendations on City decision making. Some BCC recommendations tend to be adopted more often by the Council than others, resulting in a kind of de-facto authority that is not necessarily rooted in the ordinance or resolution that created the BCC. Furthermore, BCCs tend to vary widely in terms of staff and resource commitment. In other words, some BCCs command a significant amount of time and resources, while others struggle to be adequately staffed.

Thus, the Task Force believes the City's current BCC structure better represents some districts than others, unfairly favors people with the time, resources, and knowledge to influence government decisions, and facilitates a system where some BCCs act with considerably more power and resources than others. Accordingly, the Task Force recommends that the Council create an organizational chart of all BCCs, an Office of Resident Engagement and Neighborhood Services and an Administrative Support Team to support the BCC structure, and organize the BCCs around lead committees. The Task Force necessarily believes this will require the Council to eliminate or combine current BCCs that redundant or no longer necessary and to implement new procedures, policies, and resources to make it easier for residents to provide input to them.

3. Mayor's Office

Regarding the Mayor's Office, the Task Force believes that the City should maintain its current Mayor-Council form of government instead of switching to a City Manager form of Government as allowed under state law. Moreover, the Task Force does not believe the City should seek first-class city status or take other actions that would legally change the powers of Mayor. However, the Task Force recommends that the City look closely at the current span of administrative control to ensure that the Mayor's Office is able to adequately supervise day-to-day operations of the City as required by state law and city ordinance. The Task Force also recommends that the City stop creating new positions or agencies that report directly to the Mayor, reduce direct reports to the Mayor by consolidating existing departments or agencies, look for opportunities to establish or re-establish natural groupings of agencies, and require annual performance evaluations of each department and department head. The Mayor should also maintain an organizational chart of the government's administrative structure, including what

departments report to which deputy mayors, and make the organizational chart accessible to all Madison residents. And, finally, the process by which the Mayor appoints members to the BCCs should include a more robust review by the Common Council Executive Committee (“CCEC”) and, if the City moves to a full-time Council, the power to appoint alders to BCCs should shift to the CCEC, subject to confirmation by the full Council.

4. Resident Participation and Engagement

On July 30, 2018, the Task Force held a meeting at the Pinney Library. The Task Force invited Abha Thakkar from the Northside Navigators and Annette Miller from EQT By Design to discuss public outreach strategies. Also at that meeting, Member Justice Castañeda gave a presentation on how historical discrimination in housing, current housing patterns, and extreme housing instability in Madison presents a major barrier to participation in government by people of color and low income.

As captured in the minutes from that meeting, Abha Thakkar acknowledged Castañeda’s point, stating that there is a fundamental difference between outreach and turnout and that many factors, like housing challenges, prevent people of color, low income, or those living in marginalized communities from participating in government. She broke it down very simply: “being poor and being poor and black are exhausting and that just trying to survive the day leaves little resource leftover to attend city meetings.” Thus, the presenters thus emphasized the importance of addressing residents’ basic needs and finding ways for residents to engage with the government other than through the traditional city meeting format.

The Task Force recognizes that it is not within its purview to recommend that the City do a better job of ensuring that these basic needs are met. However, as described above, the Task Force believes that the current structure of the Council and BCCs and the policies and procedures that apply to the BCC structure create impediments to participation for all residents and, in particular, residents of color and low income. Thus, in addition to the recommendations being made with regard to the Council and BCCs, this Final Report also offers additional common-sense recommendations to facilitate participation once these structural barriers are removed. For example, one of the major challenges facing the Council and BCCs is the City’s inability to facilitate resident engagement and participation through technology. The Task Force believes that the City needs to invest in and prioritize those technological advancements that would address this problem, including the ability to 1) hold Common Council and other official City meetings from a variety of locations in the City, 2) facilitate remote resident and member participation, and 3) facilitate other forms of resident engagement through the use of technology. The Task Force acknowledged the City’s current limitation but noted that other local governments have been doing many of these things for quite some time and questioned why the City has not invested the resources to do it as well.

5. Opportunity for Change

The recommendations highlighted in this Executive Summary are just a few of many recommendations detailed below and summarized in Appendix D. The Task Force recognized and struggled with the fact that the issues it was asked to address are often inextricably intertwined, such that a decision on one issue necessarily results in a particular decision on another. This was tough work. Thus, the recommendations below represent the Task Force's best attempt to set forth a series of recommendations that it believes are most likely to remove the impediments to participation and representation that exist in Madison today and likely have for decades.

As you will see, the Task Force did not unanimously agree on all of the following recommendations, often passionately debating the pros and cons of these consequential decisions. In particular, while at one meeting the Task Force approved its official recommendation to reduce the size of the Council to ten (10) members, a subsequent motion for reconsideration of this recommendation narrowly failed and revealed significant, not majority, support for retaining the present size of twenty (20) or possibly more members.

Whether the Council decides to proceed with these recommendations or not, the Task Force believes that the City must address - in some real and tangible way - the challenges and unfairness the Task Force found imbedded in many aspects of the City's current structure. Madison is a great city for many, but not all. The Task Force therefore submits this Final Report with the hope that it will assist the Council make the City great for all of its residents.

In submitting these recommendations, the Task Force is indebted to the many government officials, staff, and city residents who took time to share their perspective and experience. In particular, the Task Force wishes to thank the group of seven (7) community liaisons with whom it worked. These liaisons served as a direct connection between the Task Force and some of Madison's most challenged neighborhoods. The Liaisons' perspective and participation was invaluable to the Task Force's efforts to fulfill the preeminent purpose for which the Council created this Task Force.

B. METHODOLOGY

The Purpose of the Methodology Section is to provide an overview of how the Task Force completed its work and references to the information it studied and discussed as part of its deliberations.

Step 1 - The Resolution

The Common Council created the Task Force by Resolution (RES-1700714, Legistar File 47707). The Resolution provided that the Mayor appoint five (5) Task Force members, the President of the Council appoint five (5) Task Force members, and that the Chair be jointly appointed by the Mayor and the President of the Council. The Resolution further provided that the Task Force be staffed by the Office of the City Attorney with the assistance of other city staff. See Appendix A.

The preamble of the Resolution notes some of the reasons for creating the Task Force:

- The increase in size and diversity of Madison's population over the past three decades brought new challenges and opportunities for the city;
- The City of Madison places a high value on democratic civic engagement;
- The City of Madison is committed to Racial Justice and Social Equity;
- The City of Madison has not reviewed its government structure since the 1980s when the population was lower and less diverse; and
- The 2020 Census and annexation of the Town of Madison in 2022 is further impetus for reviewing the city's government structure.

The Resolution then listed the issues the Task Force is to address under the headings "General," "Common Council," "Mayor," and "Committees, Commissions, and Boards," including:

- Best practices for ensuring municipal decision makers are representative of, connected to, and accountable to all members of the community;
- The powers and duties of the Council;
- The attributes of councils with full-time members and part-time members;
- The number of Council members and its effect on representation;
- Payment of Council members;
- Whether Council members should be elected from geographic districts or at-large;
- The size of Council staff;
- The powers and duties of the Mayor's office;
- The power of the Mayor to appoint residents and Council members to city committees; and
- The frequency and time of both Council and committee meetings.

In considering these issues, the Resolution directed the Task Force to:

- Hold public hearings, obtain written reports, conduct research as necessary to prepare a report for the Mayor and Council;
- Create an innovative and public input process to learn about residents' perceptions of and experiences with governance in Madison; and
- Seek input from Members of the Effective Government Guidance Team, Current and former Commission, Commission and Board members and Chairs, Neighborhood Associations, Current and former Alders, and Current and Former Mayors.

Finally, the Resolution states that the Final Report should describe the impact on people of color and those living with lower incomes on any potential changes to the government's structure.

Step 2 - Information Gathering

The Task Force began meeting on February 22, 2018 and spent its first several months gathering information to understand the issues before it. This included receiving information from staff and other members of the Task Force. A list of the information the Task Force received and considered is included in Appendix E.

Information reviewed by the Task Force included details on the difference between the Mayor-Council, City Manager, and Commission forms of government.³ The Task Force also studied the characteristics of a first-class city and the steps necessary to become a first-class city.⁴ Meanwhile, the Task Force spent several meetings reviewing the government structures of cities throughout the country that are similar in size to Madison.⁵ Specifically, the Task Force reviewed the structure of forty-six (46) cities across the country with populations ranging from 200,000-700,000 residents. The Task force also reviewed the government structures of "Big Ten" university cities. Finally, the Task Force reviewed the structure of other state capital cities that contain universities in states that voted Republican in 2016. For each group of cities, the Task Force considered each city's population; whether the City operated under a Mayor-Council, City Manager, or some other form of government; the size of the legislative council; and the number of Boards, Commissions, and Committees.

In addition to receiving information about purely structural considerations, the Task Force also received information about the City of Madison's Board, Commission and Committee structure. Included in this information was comprehensive information regarding the number of BCC and BCC members,⁶ the aldermanic districts in which BCC members live, and the total number of BCCs on which each alder serves.⁷

³ <https://madison.legistar.com/View.ashx?M=F&ID=6652712&GUID=FE669ED9-AE3A-4FA2-BFD6-EA1AB34E03E5>

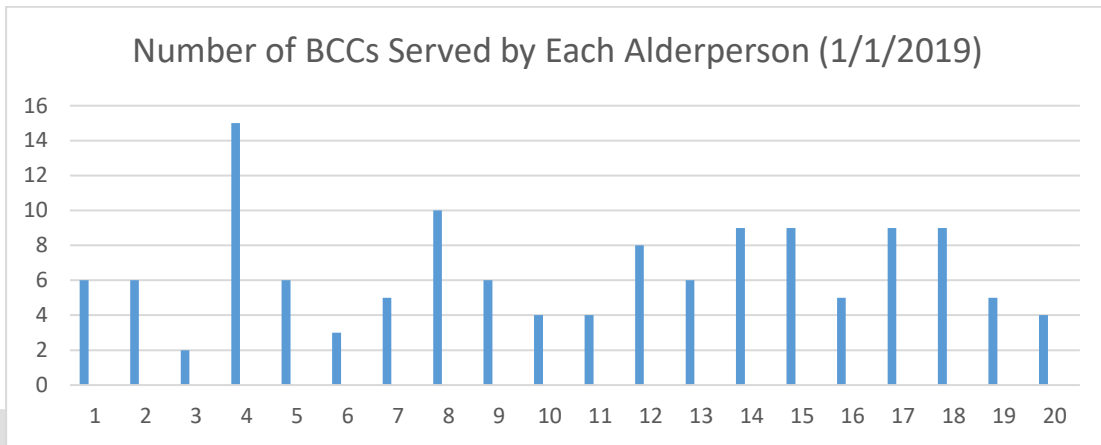
⁴ <https://madison.legistar.com/View.ashx?M=F&ID=6652754&GUID=3342A681-196B-40A8-ACA1-28C3A9B6C032>

⁵ <https://madison.legistar.com/View.ashx?M=F&ID=6652755&GUID=F4F1A018-35A9-49A1-8919-7D62DD6A00E8>

⁶ <https://madison.legistar.com/View.ashx?M=F&ID=6652678&GUID=4943E8A0-37E3-4CFC-9172-1FD5924586ED>

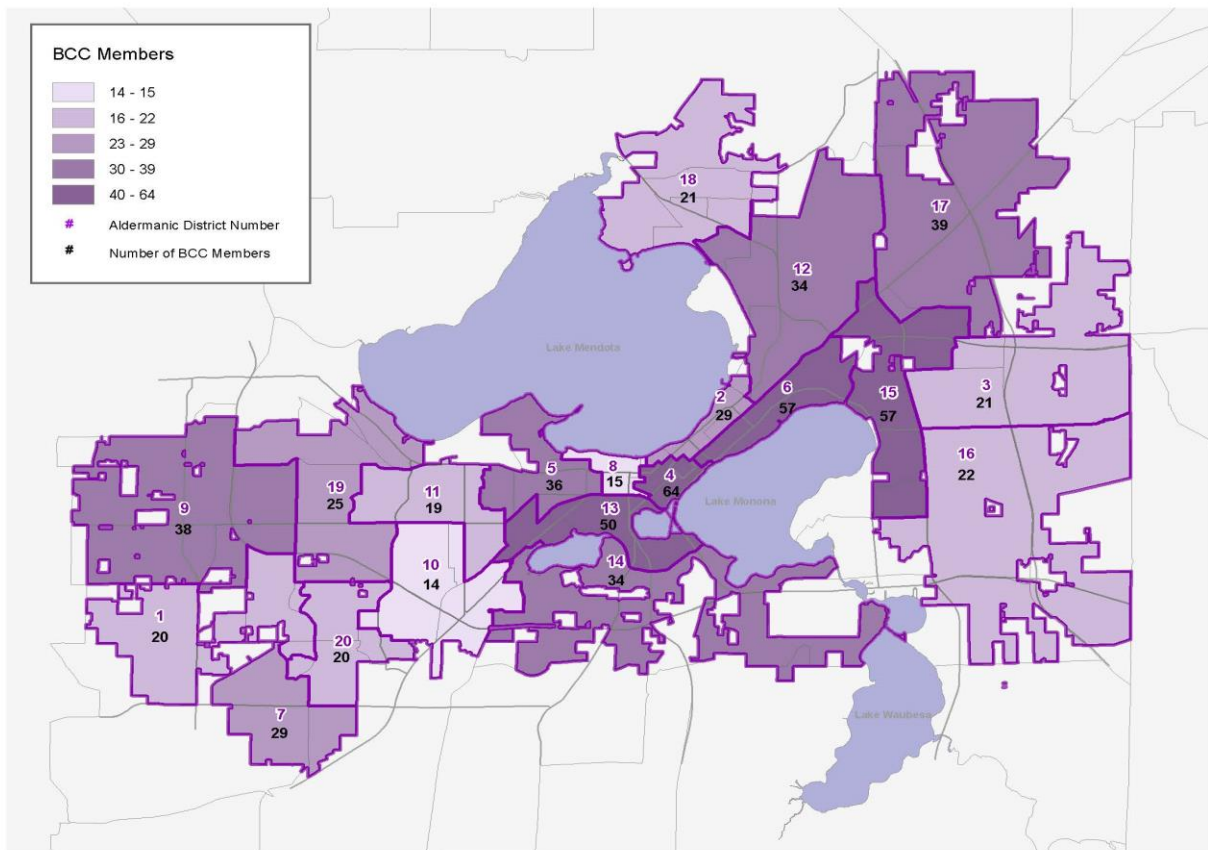
⁷ <https://madison.legistar.com/View.ashx?M=F&ID=6652681&GUID=2E68881C-3429-4179-A433-31C3243F299D>

For example, the following graph shoes the number of BCCs served by each alderperson:

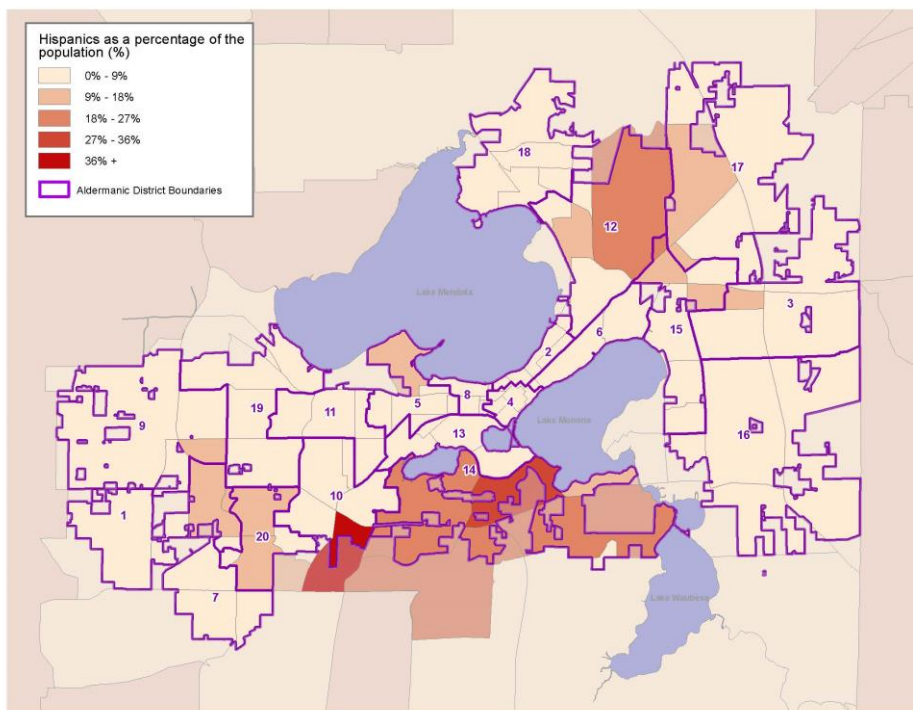
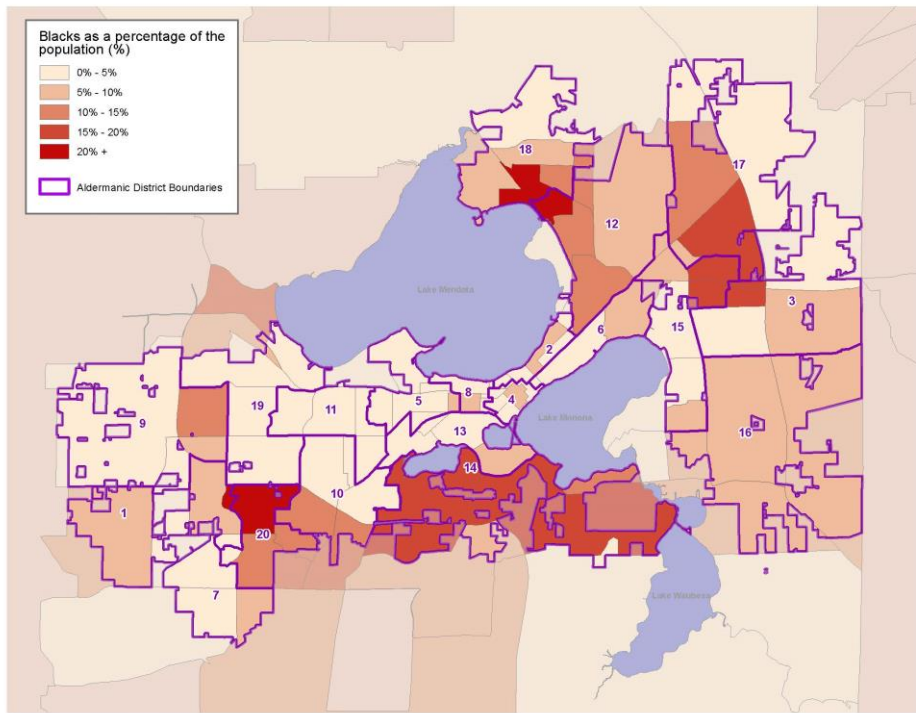


DISTRICTS

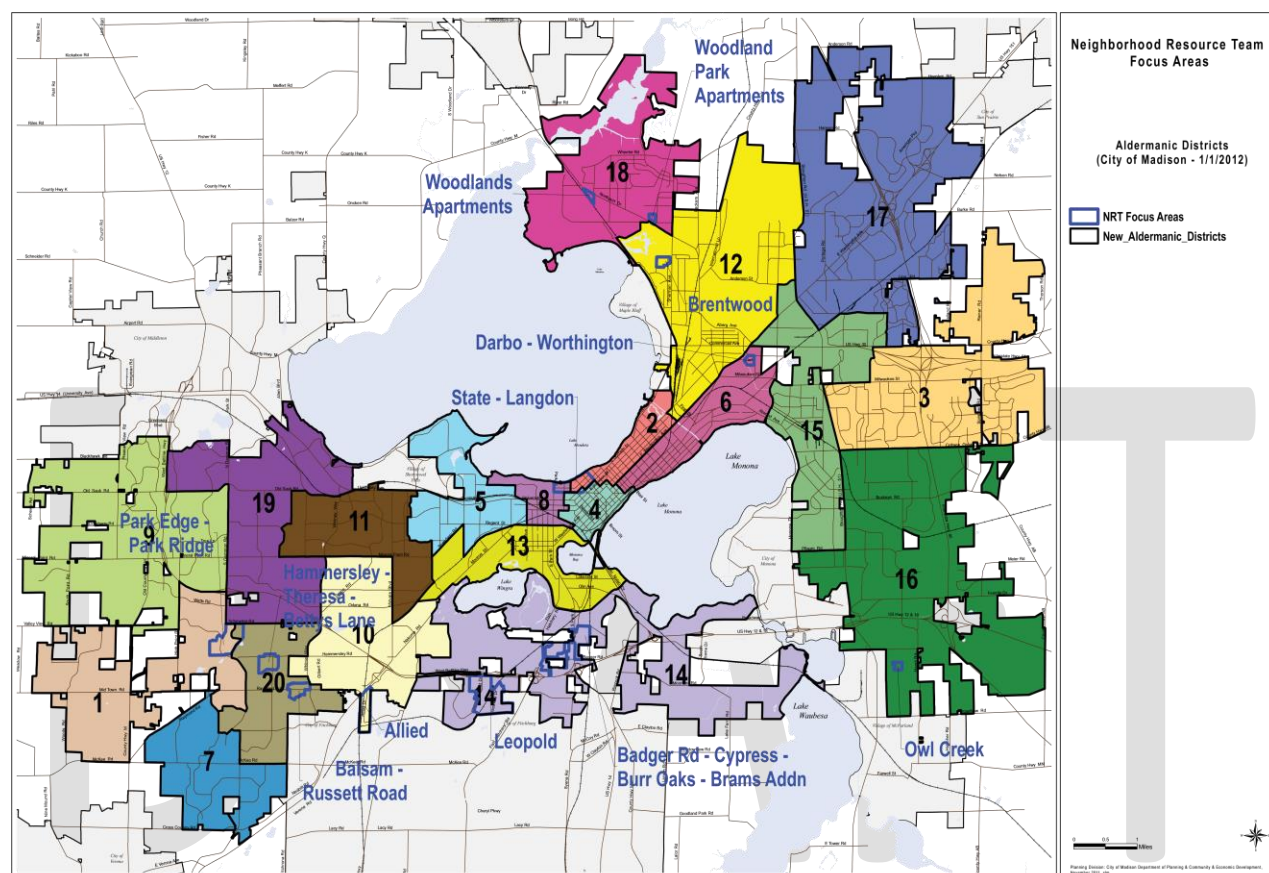
Similarly, the Task Force reviewed in which aldermanic districts BCC members live, as shown by this map.



The Task Force also considered information regarding where people of color live in the City, such as in these maps based on 2016 American Community Survey (ACS) data for race and ethnicity by tract for Blacks and Hispanics.



The Task Force then compared this population data to areas in which the City's Neighborhood Resource Teams (NRTs) focus.⁸



In addition to these above mentioned materials, the Task Force also received other valuable information, including information on the structure, function, and budget of the Mayor's office⁹ and a report and presentation from the City's Effective Government Team, including additional information relative to the size of Madison's Council as compared to cities when considering the number of residents represented by each alder.¹⁰ Readers are encouraged to review the list of topic areas listed in Appendix E.

Step 3 - Subcommittee Work

After gathering information, the Task Force created five subcommittees to take on certain Task Force jobs and dig into the issues the Task Force was asked to examine.

1. Executive Subcommittee

⁸ The mission of the Neighborhood Resource Teams is to promote racial equity and improve the quality of life for Madison residents by understanding and elevating the needs, issues, and priorities of people living in areas with NRTs. Learn about about NRTs at: <https://www.cityofmadison.com/mayor/programs/neighborhood-resource-teams>

⁹ <https://madison.legistar.com/View.ashx?M=F&ID=7019113&GUID=C591C3DD-C5FD-486B-A34F-D386158423F1>

¹⁰ <https://madison.legistar.com/View.ashx?M=F&ID=6734626&GUID=EFE88BD1-E617-4F0E-8737-700A33070635>

The purpose of the Executive Subcommittee was to plan and arrange the work of the Task Force and take on certain tasks as needed. The Executive Subcommittee met ten (10) times. Agendas, minutes, and materials from Executive Subcommittee meetings can be found in Legistar.¹¹

2. Government Officials Subcommittee

The purpose of the Government Officials Subcommittee was to create a method for obtaining feedback and perspective from former and current Government Officials. It did so by creating and distributing a survey to government officials and inviting government officials to meetings. The Government Officials Subcommittee met five (5) times. Agendas, minutes, and materials from Government Officials Subcommittee meetings can be found in Legistar.¹² The Government Officials Survey and Survey results are also in Legistar.¹³ Finally, City Channel covered one meeting with the then current and former mayors and Mayor Bauman spoke to the Executive Subcommittee in a subsequent meeting.¹⁴

3. Communications Subcommittee

The purpose of the Communications Subcommittee was to create, organize, and implement the Task Force's public outreach and to supplement its public information efforts. This included creating content for the Task Force website, creating public information strategies, and creating and coordinating the distribution of the Task Force's resident survey. Finally, the Communications Subcommittee planned the Task Force's two resident Open Houses. The Communications Subcommittee met sixteen (16) times. Agendas, minutes, and materials from the subcommittee meetings can be found in Legistar.¹⁵

4. Common Council Subcommittee

The purpose of the Common Council Subcommittee was to examine the issues contained in the Resolution pertaining to the Council. The Subcommittee met ten (10) times. Agendas, minutes, and materials from the subcommittee meetings can be found in Legistar.¹⁶ In addition, the Common Council Subcommittee issued a Report to the Task Force, which was included as part of the Interim Report to the Mayor and Council.

5. Boards, Commissions, and Committees Subcommittee

¹¹ <https://madison.legistar.com/LegislationDetail.aspx?ID=3692730&GUID=19BDA21A-BC21-4ECC-9895-5C154B0A9186&Options=ID|&Search=53381>

¹² <https://madison.legistar.com/LegislationDetail.aspx?ID=3692687&GUID=21206565-157D-40F0-9C4B-7EC43ADD74C7&Options=ID|&Search=53380>

¹³ <https://madison.legistar.com/View.ashx?M=F&ID=7875926&GUID=A5B4ED81-271C-48CC-9ACB-B3375580DFDC>

¹⁴ <https://madison.legistar.com/View.ashx?M=F&ID=6703152&GUID=A49BC5C7-26E9-438F-913A-9342DF4CCC1F>

¹⁵ <https://madison.legistar.com/LegislationDetail.aspx?ID=3692759&GUID=BD3D6AF5-6839-4F2D-85CA-2FAD146AA784&Options=ID|&Search=53382>

¹⁶ <https://madison.legistar.com/LegislationDetail.aspx?ID=3712917&GUID=19073190-C3B4-42D1-BAB2-BA9442FDF39D&Options=ID|&Search=53673>

The purpose of the Boards, Commissions, and Committees Subcommittee was to examine the issues contained in the Resolution pertaining to the City's BCCs. The Subcommittee met sixteen (16) times. Agendas, minutes, and materials from the subcommittee meetings can be found in Legistar.¹⁷ In addition, the BCC Subcommittee issued a Report to the Task Force, which was also included as part of the Interim Report to the Mayor and Common Council.

Step 4 - Interim Report to the Mayor and Common Council

On May 17, 2019, the Task Force submitted an Interim Report to the Mayor and Common Council, which contained both subcommittee reports and recommendations pertaining to three issues raised by the resolution. The Interim Report can be found at Appendix C.

Step 5 – Outreach and Input

The Task Force reached out to former government officials, city staff, and the general public.

1. Government Officials

First, the Task Force reached out to former government officials, including then current and former mayors, Council members, and former chairs of the City's Boards, Commissions, and Committees. It did so by creating and distributing a survey and inviting former government officials to testify before the Government Officials Subcommittee. Legistar file 50732 contains survey results¹⁸ and the government officials' testimony is captured in the Government Officials Subcommittee minutes.¹⁹ Finally, the testimony of former mayors was captured by City Channel.²⁰

2. City Staff

Next, the Task Force sought input from City staff regarding staff's perspective on the Council and BCC system. In particular, the BCC Subcommittee wanted to ask staff about their experience staffing the BCCs and their professional interactions with Council members. To gain this perspective, the BCC Subcommittee created and distributed a survey and invited city staff to a meeting to discuss the issues. Legistar file 50732 contains survey results²¹ and a transcription of the meeting with City Staff.²²

¹⁷ <https://madison.legistar.com/LegislationDetail.aspx?ID=3712890&GUID=E0CF56D3-53AF-4C5B-B261-C88E7E0CE1AF&Options=ID|&Search=53672>

¹⁸ <https://madison.legistar.com/View.ashx?M=F&ID=7875926&GUID=A5B4ED81-271C-48CC-9ACB-B3375580DFDC>

¹⁹ <https://madison.legistar.com/LegislationDetail.aspx?ID=3692687&GUID=21206565-157D-40F0-9C4B-7EC43ADD74C7&Options=ID|&Search=53380>

²⁰ <https://media.cityofmadison.com/Mediasite/Showcase/madison-city-channel/Presentation/af66d575d0f4487f917bbb6b44e9d47d1d>

²¹ <https://madison.legistar.com/View.ashx?M=F&ID=7875928&GUID=1467E7A9-31BF-4B50-A529-A075BAC94F31>

²² <https://madison.legistar.com/View.ashx?M=F&ID=7550904&GUID=5DE564E6-8DA6-408A-9F1A-82B9867AB56A>

3. The Public

Finally, the Communications Subcommittee led an effort to create a unique resident engagement and outreach program. Led by Member Eric Upchurch, the Communications Subcommittee identified aldermanic districts 1, 7, 9, 14, 17, and 20 as districts that tend to serve transit dependent populations with children aged 0-4 and have been traditionally underrepresented in city government. Next, the subcommittee sought leaders from those districts and neighborhoods to serve as liaisons between the neighborhoods and the city for purposes of receiving input. Ultimately, the Task Force teamed with seven (7) community liaisons:

John Brown
Evelyn Hammond
Alice Howard
Wanda Smith

Pat Butler
Terri Hatchett
Sheray Wallace

The Liaisons attended several subcommittee and Task Force meetings, entered into a Memorandum of Understanding with the City detailing payment and expectations,²³ developed the questions for the resident survey, and distributed the survey to residents in their neighborhoods. In total, the liaisons collected over one-thousand two-hundred (1,200) surveys from residents in their neighborhoods. The survey was also distributed to the whole city through Facebook advertisements, alder e-mails, and other means. The Legistar file 50732 contains the survey and survey results.²⁴

In addition to creating and distributing a resident survey, the Communications Subcommittee also organized two resident Open Houses. The first open house took place on August 28, 2019 at The Atrium on South Park Street. The second open house took place on September 24, 2019 at Warner Park Community Center. At both open houses, the Task Force provided food and childcare to all participations. In addition, the Task Force provided transportation to and from the first open house. Approximately fifty (50) residents attended each open house. Participants rotated through stations regarding the Council, BCCs, the resident survey, and participation and engagement issues. At each station, participants were able to review information and leave comments and suggestions on sticky notes. In addition, the participants could engage in conversation with Task Force members who were present near each station. Summaries of the post-it not comments can be found in the Legistar file.²⁵

To promote its public outreach efforts, the Task Force created a video²⁶ featuring Member Eric Upchurch and Community Liaison Wanda Smith introducing the resident

²³ <https://madison.legistar.com/View.ashx?M=F&ID=7876407&GUID=E1B1D1E7-1570-4977-B2D3-96FF30F8E24C>

²⁴ <https://madison.legistar.com/View.ashx?M=F&ID=7875927&GUID=A7522EB5-98A0-454B-96D9-908F9AB2D8D0>

²⁵ <https://madison.legistar.com/LegislationDetail.aspx?ID=3355669&GUID=2F84E907-F381-4CAF-B277-C87566A1FAFC&Options=ID&Search=50732>

²⁶ <https://www.cityofmadison.com/task-force-on-government-structure>

survey, posted open house flyers in English, Spanish, and Hmong in the community,²⁷ used alder and city public information officers to advertise the survey and open houses, and contracted with social media platforms to advertise and promote the resident survey and open houses.

The Communications Subcommittee met and debriefed after this extensive public outreach program and reflected on how the outreach could be improved. The Legistar file contains a report of their perspective.²⁸

Step 6 - Discussion, Debate, and Final Recommendations.

After gathering information, allowing the subcommittees to dig into the issues, and engaging in outreach, the Task Force spent its remaining meetings discussing, debating, and making recommendations to be included in the Final Report. The remainder of the Final Report will detail and give context to those recommendations. Minutes from those discussions can be found in Legistar File 50732. Additionally, the Task Force encourages readers to read the Subcommittee Reports that were made part of the Task Force's Interim Report to the Mayor and Council for further context of the considerations pertinent to each issue.

²⁷ <https://madison.legistar.com/LegislationDetail.aspx?ID=3692759&GUID=BD3D6AF5-6839-4F2D-85CA-2FAD146AA784&Options=ID&Search=53382>

²⁸ <https://madison.legistar.com/LegislationDetail.aspx?ID=3692759&GUID=BD3D6AF5-6839-4F2D-85CA-2FAD146AA784&Options=ID&Search=53382>

C. RECOMMENDATIONS RELATED TO THE COMMON COUNCIL

1. Madison should transition to a full-time Common Council.

The Task Force recommends that the City move to a full-time Common Council. Throughout the two years the Task Force considered this issue, the Council Subcommittee and the Task Force noted and debated the pros and cons of moving to a full-time Council.

The Task Force noted the possible positive effects of transitioning to a full-time Council, including having alders who are able to dedicate all of their professional time to the work of the city instead of balancing multiple jobs and responsibilities; making the position of alder more attractive to candidates who may otherwise be unable to participate on a part-time council with part-time pay; having alders who would likely have larger districts, making Madison's residents per council member closer to other cities, thus possibly changing the level of influence a small group of residents can have on a single alder; and having alders who may be better positioned to consider the best interest of the entire City and not necessarily just their individual districts or small groups therein.

The Task Force also noted that moving to a full-time Council could have some negative effects, like professionalizing the position of alder, resulting in more expensive campaigns, and more influence from special interests; creating alders who may be less connected to their constituents and more removed from local or district issues; discouraging individuals from running for alder for fear of leaving a current job and then losing re-election at the next election; and possibly losing the varied backgrounds and job experiences often found on a part-time Council.

As the Task Force moved closer to making a recommendation on this issue, the negative effect most revisited by the Task Force was the risk of professionalizing the Council in a way that would bring big-money influence to local politics. Members of the Task Force and others from the Community noted their perception that moving from a part-time to full-time Legislature ruined state government and that they feared the same thing would happen to Madison's government if it transitioned to a full-time Council.

The Task Force took two separate votes on this issue. On October 2, 2019, a motion to move to a full-time Council passed 4-2.²⁹ When the issue was reconsidered on October 16, 2019, a motion to move to a full-time Council passed again, this time 6-2.³⁰

On each vote, Task Force Members Trachtenberg and Goodwin voted no, stating their concern that moving to a full-time Council would professionalize Madison politics, invite big money to influence local issues, and jeopardize the varied experience of a large part-time Council. The majority of the Task Force, however, felt that these possible

²⁹ <https://madison.legistar.com/View.ashx?M=F&ID=7823192&GUID=E0D942EA-5A46-460C-9D30-A860E572EB16>

³⁰ <https://madison.legistar.com/View.ashx?M=F&ID=7827163&GUID=966728E9-792C-440D-9101-1E879395D294>

negative effects were outweighed by the potential benefits of ensuring that all residents had equal representation.

Proponents for a full-time Council noted that some alders already work full-time because they do not work second jobs. Thus, residents who live in those districts have full-time representation. Meanwhile, other alders cannot afford to do this. This creates a structure in which some residents have full-time alder and others do not. The Task Force believes that this basic framework for providing representation is fundamentally unfair. Moving to a full-time Council would ensure that all residents have an alder who can devote all of their time to City work.

Proponents for a full-time Council also noted that adequately carrying out the duties of alder require a large amount of time. In addition to responding to constituent concerns and requests and working on policy and legislation, alders are also required to serve on BCCs. The number of BCCs on which each alder serves varies between four (4) and fourteen (14). In either case, serving on BCCs requires substantial alder time and energy. Thus, the Task Force believes that the City should recognize alders for that commitment, pay them accordingly, and give them the time and resources necessarily to fully harness their talents and represent their districts.

Proponents also noted that moving to a full-time Council would better position the Council to consistently and effectively pursue policy initiatives, including initiatives related to improving resident engagement and participation in the City. For example, one of the recommendations the Task Force makes below is for the City to conduct a critical review and overhaul of the City's BCC system. The Task Force believes following through on this recommendation is critical to ensuring equal participation and representation in city decision making. The Task Force also believes that the Council, aided by City Staff, is the appropriate body to conduct and direct this critical overhaul. Moreover, with the BCC system restructured, a full-time Council would be equipped with the time and resources necessary to provide ongoing accountability of the BCC system.

Proponents for a full-time Council disagreed that a fear of professionalizing politics should stand in the way of this recommendation. They disagreed that having professional politicians was necessarily a negative, as the phrase implies. The Task Force pointed out that other city governments around the country have smaller full-time Councils and that do not necessarily suffer from these same perceived problems of professionalization and big money influence. Rather than demonizing professional politicians, the Task Force believes that the City could look at a full-time Council as a way to fully harness the skills and talents of those who choose to run for elected office. A full-time Council may also encourage some members of the community to run for Council who previously would never have been able to do so because of financial or personal (e.g., family) reasons, including specifically people of color and low-income. Having those voices on the Council would greatly benefit the City.

Finally, proponents for moving to a full-time Council noted the simple fact that Madison has had a large part-time Council for most of its existence. Yet, Madison has acknowledged its struggle to adequately represent and serve people of color and low income. Two examples of steps the City has taken to address this struggle have been establishing the Racial Justice and Social Equity initiative and creating this Task Force. While moving to a full-time Council will not, alone, resolve this challenge, neither will doubling down on the current structure.

2. Madison should reduce the size of the Common Council to ten (10) members elected concurrently with the Mayor.

The Task Force recommends that if the City elects to transition to a full-time Council, the City should also transition to a ten (10) member Council with members being elected concurrently with the Mayor (i.e., four-year terms).

The Task Force debated the appropriate size of the Council throughout its work. In doing so, the Task Force noted the interconnectedness of this issue with that of whether to move to a full-time Council. For example, the Task Force noted that if the City decides to move to a full-time Council, then it may, for financial reasons, decide to reduce the size of the Council. Conversely, the Task Force noted that if the City was inclined to keep a larger Council, it may, for financial reasons, decide to keep the Council part-time. The Task Force therefore noted that the positive and negative effects of reducing the size of the Council are essentially the same as those discussed above for moving to a full-time Council. Additionally, as noted in the Council Subcommittee Report, the Task Force discussed at length the fundamental question of whether alders in Madison should be viewed as resident-alder “volunteers” focused on public service or full-time politicians. Finally, the Task Force noted that many former government officials did not necessarily support reducing the size of the Council.

Like the issue of whether to transition to a full-time Council, the Task Force officially considered this issue twice. On October 2, 2019, the Task Force voted unanimously to reduce the number of alders to ten (10). However, when the Task Force reconsidered the issue on October 16, 2019 with additional Task Force members present, it could not agree on a size other than ten (10). At that meeting, several motions were made to keep the number of alders at or around 20, all of which failed. A motion to retain the current size of the Council failed on a 5-5 vote. A motion that the Common Council have at least 20 members with the possibility of more failed 3-6. A motion that Common Council members represent 14,000 residents (with the total number of alders changing as a function of population change) failed 5-5. Finally, a motion to retain a 20 member Council if the City does not transition to a full-time Council failed 5-5. Throughout the meeting, Task Force members engaged in a lively debate about whether residents would be better represented with more or fewer alders.³¹

³¹ <https://madison.legistar.com/View.ashx?M=F&ID=7827163&GUID=966728E9-792C-440D-9101-1E879395D294>

Task Force members who favored a larger Council with smaller districts believed that it was still possible to personally reach each constituent. This, they believed, was critical to ensuring effective representation across the City. For these same reasons, smaller districts would still allow door-to-door campaigning, perhaps reducing the cost of future campaigns. These members believed that effective representation was tied more closely to the size of the Council, rather than whether Council members worked full- or part-time.

Task Force members who favored ten (10) alders noted the positive effects of having larger districts, including that larger districts would mean that those populations who tend to be more transient, moving from district to district, would be less likely to cross district lines when they move. These residents may then become more familiar with and invested in their districts and their alder. Larger districts may also allow these residents to run for Council when they may not otherwise have considered doing so since a relatively short move would have resulted in crossing district lines. In response to opponents who favored smaller districts so that alders could contact each resident, those in favor of fewer alders stated that there are many ways to contact residents and that just knocking on each door does not necessarily guarantee good representation. Ultimately, Task Force members reiterated that the City's current system of representation is not fair to those residents whose alders cannot work full-time and that, if reducing the total number of alders is necessary to achieve the goal of full and fair representation, then achieving that goal outweighs any negative effects that may come with having a smaller Council.

Thus, only the motion to reduce the size of the Council to ten (10) members passed.

3. Madison should increase Common Council member pay to 80% of the area median income for a single parent with two children (approximately \$67,000).

The Task Force recommends that, if the City elects to transition to a full-time Council, that the City raise the salary for Council members to 80% of the Area Median Income ("AMI") for a single parent with two children, which is approximately \$67,000.00. The basis for this recommendation is to properly compensate Council members for the work that they do and to encourage people to run for Council who may not otherwise been able to do so for financial reasons.

Proponents for this recommendation favored using the AMI for a single parent with two children to ensure that serving on the Council was financially feasible for a larger portion of the city's population. The Task Force recognizes that for some prospective candidates \$67,000 would represent a pay cut but that for most of Madison's residents the recommended amount would represent an increase in pay. One Task Force member voted against this recommendation.

4. Madison should maintain geographic aldermanic representation.

The Task Force unanimously recommends that the City maintain geographic aldermanic representation rather than move to at-large or a hybrid form of representation. The Task Force noted the importance of residents having a district specific representative and could not find that transitioning to at-large or a hybrid system would necessarily improve representation of residents or diversity on the Council.

5. Madison should increase aldermanic terms to four (4) years.

The Task Force unanimously recommends increasing aldermanic terms to four (4) years. The Task Force noted that transitioning to four-year aldermanic terms has some potential negative effects, including perhaps professionalizing campaigns, discouraging potential candidates who may not want to make such a long commitment, and creating the possibility that, if people resign because they move or are no longer committed, vacancies would result in aldermanic seats being filled for longer periods of time by political appointees rather than by elected officials. However, the Task Force believed that many of these possible negative effects could be addressed by new rules such as, for example, requiring special elections (or, elections at the next general election) for vacant seats.

Ultimately, the Task Force found that the positive effects of transitioning to four-year terms outweighed any potential negative effects. For example, in the current two-year term system, new alders must run again for reelection just when they are becoming familiar with their position and their Council colleagues. A four-year term will remove this negative effect by allowing Council members to settle in and pursue policy objectives without having to turn around and run for reelection. Transitioning to four-year terms may also reduce overall campaign costs (for both the alder and the city) by requiring less frequent elections. Finally, the Task Force noted that, due to reduced turnover, longer terms could allow residents become more familiar with their alder over the course of a four-year term and allow alders to pursue more robust and cohesive policy initiatives.

6. Madison should impose term limits of twelve (12) consecutive years.

The Task Force unanimously recommends that the City impose aldermanic term limits of twelve (12) consecutive years. The Task Force noted that this is particularly important if, though not strictly dependent on, a transition to a full-time Council. Term limits will result in fresh candidates and new ideas, discourage career politicians, and perhaps result in more competitive elections and less influence from outside groups.

7. Madison should increase Council leadership terms to two (2) years if the Council terms are increased to four (4) years.

The Task Force unanimously recommends that if aldermanic terms are increased to four (4) years, then Council leadership terms should be increased to two (2) years. The current one-year term of the Council President and Vice-President results in frequent turnover of the positions. As a result, the Subcommittee noted that by the time the Council

President becomes comfortable in the role of Council President their term is almost over. Increasing the term to two years would alleviate this problem. However, the Task Force notes specifically that it does not endorse this recommendation if aldermanic terms are not increased to four years.

8. That any structural changes to the Council take place at the election immediately following redistricting.

One of the driving reasons for creating the Task Force was the 2020 Census, resulting redistricting, and the 2022 attachment of the Town of Madison. Therefore, the Council unanimously recommends that the optimal time to make the structural change recommended by this report is at the election immediately following redistricting.

9. That any changes to the size of the Council or the terms of its members be made by charter ordinance subject to binding referendum of the electors.

Many of the recommendations contained in this Report can be implemented by ordinance, resolution, or administrative policy change. However, any changes to the size or terms of the Council must be made by binding referendum.

In 1987, the City reinstated Sec. 3.01 of the Madison General Ordinances as a Charter Ordinance, organizing the City under the Mayor-Council form of government. Among other things, the ordinance provides that the City be composed of twenty (20) alderpersons, one (1) from each district, elected for term of two (2) years.

Wis. Stat. § 66.0101(8) states that “a charter ordinance enacted or approved by a vote of the electors controls over any prior or subsequent act of the legislative body of the city.” Therefore, the Task Force notes that any structural changes recommended herein related to the size of the Council or terms of Council members must be accomplished by Charter Ordinance, adopted by the electorate in a binding referendum.

D. RECOMMENDATIONS RELATED TO THE BOARDS, COMMISSIONS, and COMMITTEES

The Task Force recognizes that the City's BCC structure was intended to serve as a robust forum for resident participation in a progressive city that highly values resident input and robust participatory democracy. In theory, the nearly 100 BCCs create numerous avenues for resident participation on issues and decisions facing the City. These BCCs may also serve to support a part-time council, with members who, because they are working part-time, rely on BCCs for advice and recommendation on complex issues facing the City.

The Task Force found that the current BCC system faces serious challenges with respect to core issues of diversity, accountability, effectiveness, representation, and resident participation. Moreover, with nearly 100 total BCCs, the current BCC structure is large, confusing, and difficult for residents to access. Thus, as detailed more fully in the BCC Subcommittee Report,³² the Task Force believes the current BCC structure, though well intended, serves as little more than a veneer of representation and participation.

The Task Force agreed with the findings of the BCC Subcommittee. In its Report, the BCC Subcommittee noted that the current BCC system:

- Lacks geographic and racial diversity;
- Results in a drain on resident, staff, and alder time;
- Lacks consistent accountability;
- Varies in levels of authority and influence;
- Include BCCs that lack a well-defined purpose, have outlived their purpose, or have purposes that overlap;
- Require logistical processes (meeting times, locations, rules, and infrastructure) that do not facilitate resident participation; and
- Are often inadequately staffed or have inadequate resources to complete their work.

In considering possible solutions to these challenges, the Subcommittee and Task Force focused on three critical areas – organization, training and support, and use of technology. It considered possible plans to organize the BCCs around “lead committees” by subject area. It considered the possibility of creating an Office of Resident Engagement and Neighborhood Support (“ORENS”) to provide support and training to BCC members and staff and to reach out to residents most impacted by BCC decision. And, finally, it considered ways to use technology to alleviate some of the key logistical impediments to participating in BCC decision making.

³² <https://madison.legistar.com/View.ashx?M=F&ID=7089649&GUID=26CA8AA3-0F0C-4FEF-BA6F-94626C32E668>

Based on its discussion and considerations, the Task Force recommends the following with regard to the City's BCC structure:

1. Create an organizational chart of all BCCs and organize BCCs around lead committees.

The Task Force recommends that the City create a comprehensive organizational chart of all BCCs and then organize BCCs around lead committees.

The BCC Subcommittee Report discussed and included sample organizational charts that organized the BCCs around lead committees according primarily to subject area. The Task Force stops short of endorsing a specific organizational chart, but recommends that something similar to the ones it reviewed be considered as a way to organize the BCCs in a way that, among other things, makes the BCC system more transparent and accountable.

2. Eliminate or combine BCCs that are redundant or have outlived their purpose.

With an organizational chart in hand, the Task Force believes that the City will see that many of its BCCs could be eliminated or combined. For example, the Task Force recognized that some topic areas (e.g., housing, environment, parks and recreation) have numerous committees related to that topic. Examining the purpose and role of the BCCs in these groupings revealed that many BCCs are redundant or have, perhaps, outlived their purpose. The sample organizational charts reviewed by the BCC Subcommittee and the Task Force include some examples of BCCs that could, subject to a more thorough review, be combined or eliminated.

Reducing the total number of BCCs by eliminating or combining BCCs that are redundant or have outlived their purpose will decrease time required of residents, staff, and alders, make the BCC structure easier to support and access, and ensure greater clarity of purpose for each BCC.

In making this recommendation, the Task Force also notes that the City's nearly 100 BCCs is a major outlier when compared to other cities across the country, which are more likely to have between 20 and 40 total BCCs.

3. Reorganize BCCs to increase accountability.

The Task Force recommends that the City's reorganization of BCCs around lead committees be done in a way that ensures BCCs are accountable to their intended purpose and function. The Task Force believes the Council Executive Committee ("CEC") should take on this significant task and encourages the Council to consider the deliberations of the BCC Subcommittee and the basic framework of the organizations for accountability considered by the Task Force.³³

³³ <https://madison.legistar.com/View.ashx?M=F&ID=7089649&GUID=26CA8AA3-0F0C-4FEF-BA6F-94626C32E668>

4. Review BCC enabling ordinances and resolutions to ensure clarity of purpose and authority.

In reviewing the BCCs, the Task Force noted that many of the ordinances and resolutions creating individual BCCs are not clear as to the BCCs purpose or jurisdiction. This results in BCCs either not fulfilling their duties or exceeding their jurisdictions. The Task Force noted that staff and BCC members are not always clear on what their BCC is supposed to or able to do. Ensuring clarity that the ordinances and resolutions that created the BCC would be a first step to addressing this challenge.

5. Create an Office of Resident Engagement and Neighborhood Support (“ORENS”) to support BCC system staffing, training, and resident engagement.

The Task Force noted the critical need for the BCC system to improve resident engagement and participation. Accordingly, the Task Force recommends that the City create ORENS, a separate department within the City that would be responsible for, among other things, staffing, training, minutes/reporting for BCC meetings and for engaging residents on key issues coming before the City’s BCCs.

In considering such an office, the Task Force considered a more specific proposal that described the ORENS function.³⁴ In discussing this option, the Task Force recognized that creating such a department would be a significant undertaking and require a considerable financial commitment. Nevertheless, the Task Force believes the importance of dedicating city staff and resources to resident engagement and participation justifies including this important recommendation in its Final Report.

This recommendation is rooted in a recurring theme that the City needs to improve representation on and engagement with the Common Council and the City’s BCCs. The Task Force identified many barriers to representation and engagement, including:

- Times and places of city meetings;
- Requirements for in-person participation;
- Lack of childcare and adequate transportation;
- Inadequate training and support for BCC members;
- Uneven level of staff support and resources for BCCs;
- Lack of a clear BCC purpose;
- Lack of general civic education;
- Heavy workload of alders; and
- Historical housing patters and current landlord practices that result in high mobility of people earning low incomes, many of whom are people of color and single-parents.

³⁴ <https://madison.legistar.com/View.ashx?M=F&ID=7089649&GUID=26CA8AA3-0F0C-4FEF-BA6F-94626C32E668>

ORENS seeks to address these and other concerns in a department that would be jointly supervised by the Mayor and Common Council Executive Committee. This new structure of shared responsibility would be an innovation in city government that would, among other things, assist in the recruitment of a more diverse BCC structure, train BCC members and staff, provided administrative support to BCCs, organize and facilitate neighborhood meetings.

The Task Force recognizes that staff throughout the City perform some of these functions for individual departments. It would not be the Task Force's intent to remove these individuals from their departments, but to supplement, in a major and significant way, the work that they do.

6. Immediately create an Administrative Services Team to support the BCC system and improve resident engagement.

While the City works toward establishing ORENS, the Task Force recommends immediately creating an Administrative Services Team consisting of staff from the offices of the Council, Mayor, Human Resources, and City Clerk who are already involved with BCC support. This Administrative Services Team should be housed in the Council Office and be charged with working on the issues listed above for which ORENS would ultimately be responsible. The Team should also be charged with developing systems for BCCs to use for resident participation in decision making and ensuring that prompt and direct feedback is given to issues about which residents have expressed interest.

7. That the mayor continue appointing residents and alders to the BCCs, but that the process be changed to ensure a robust review of nominations by the Common Council Executive Committee.

Section VI.c. of the BCC Subcommittee Report discussed whether the Mayor should continue appointing members to the BCCs. Currently, nearly all appointments are made by the Mayor and confirmed by the Council without any referrals. The Task Force discussed the need to improve transparency and increase diversity of representation on the BCCs and suggested that requiring greater collaboration between the Mayor's office and Council could help achieve these goals.

Accordingly, the Task Force recommends that the Mayor nominate residents and alders for positions on the BCC. Upon introduction of the nominations at the Council, the nominations shall be referred to the Council Executive Committee ("CCEC"). The CCEC shall promptly consider the nominations and either recommend approval, referral back to the Mayor's Office, or referral to the Mayor's Office with suggestions of possible new or different nominations. In making its recommendations, the CCEC shall consider, among other things, the need to improve transparency and diversity of representation on the City's BCCs. The CCEC recommendations should then return to the full Council for action.

Implementing this process will require appropriate changes to the Madison General Ordinances, including setting an outside time limit for CCEC action.

8. That if the City transitions to a full-time Common Council, alder appointments to the BCCs should be made by the CCEC, subject to confirmation by the full Council.

The Task Force Recommends that if the City moves to a full-time Council then the above recommendation related to appointment to BCCs be amended to transition the power of appointing alders to BCCs from the Mayor to the Common Council Executive Committee, subject to confirmation by the entire Council.

9. Common Council members should not serve as chairs of BCCs with resident members.

The Task Force recommends that the City retain its general rule that Council members not serve as chair, co-chair, or vice-chair of a BCC with resident members. Although this rule has been modified by ordinance for some BCCs, the Task Force noted the BCC Subcommittee's observations that service on BCCs is one of the major duties that consumes alder time and the Subcommittee and Task Force see no reason to change that rule, potentially adding more responsibility to an alder's BCC responsibilities.

10. That the City review city process and procedures applicable to BCCs so that it is easier for residents to participate in BCCs.

As noted in Section F. below, the Task Force recommends that there are several actions the City can take to improve resident participation and engagement. Many of the recommendations made in Section F. relate to reviewing and changing City processes and procedures in a way that makes it easier for residents to participate in BCCs, including reviewing policies for the day, time, and location of BCC meetings. It was noted throughout the Task Force discussions how difficult it is for residents to make it downtown for a meeting. The timing of meetings can also be problematic because they often begin at or near when residents who work the day shift are getting off work and during when residents who work a night shift are at work. Meetings can sometimes last late into the night, making it difficult for residents with families or who are transit dependent to attend until the end of a meeting.

One tangible step the Task Force took during its meetings to address this challenge was to suspend Robert's Rules to stand informally and allow for public discussion and engagement of any agenda item. In fact, the Task Force and its subcommittees did this over seventy-five (75) times over the nearly two-year period. This allowed residents attending meetings to participate in the meeting in a normal free-flowing conversational way. The Task Force found this very helpful to understanding each resident's point of view and believes that residents who took advantage of this opportunity felt that the time and effort expended to attend the meeting was worth it based on the feedback they were allowed to give. The Task Force recognized allowing this free-flowing

discussion may not be appropriate for some meetings, but should be considered, when possible, as a way to make attending and participating in meetings more worthwhile for City residents.

11. That the City implement a technology plan to improve representation and engagement on the City's BCCs.

The Task Force believes a key component to increasing representation and resident engagement is to create a robust technology plan that will create new avenues for resident engagement. These include but would not be limited to: 1) remote participation of BCC members and the public in BCC meetings; 2) notification or alerts of issues coming before BCCs, including the ability to follow items based on interest, impact, category, and geography and promptly report any decisions which are made by BCCs on these issues; 3) platforms on which to submit feedback to certain items under consideration prior to the consideration of the items ("agenda commenting"); and 4) creation in one accessible place of a display of the current and upcoming vacancies on BCCs to facilitate the application process.

DRAFT

E. RECOMMENDATIONS RELATED TO THE MAYOR'S OFFICE

1. That Madison should retain the Mayor-Council form of Government.

The Task Force recommends that Madison retain the Mayor-Council form of government, rather than switching to a City Manager form of government as allowed by state law.

Switching from a Mayor-Council to City Manager form of government would shift the power of administering the City from the Mayor's office to the Council. In fact, under the City Manager plan the City is not required to have a mayor. Though some cities under the city manager plan also have a mayor, the mayor's role in such cities is largely symbolic.

From 1947-1950, Madison operated under the City Manager form of government. In November 1946, the Council passed a charter ordinance, which provided:

"That the government of the City of Madison be and hereby is reorganized under Chapter 64 of the Statutes providing for the City Manager plan, with a council composed of seven members to be nominated and elected from the city at large for a term of two years,"

For most of the three years the City operated under this plan, Leonard Howell served as the City Manager. In June of 1949, Councilman Garner introduced a resolution proposing that there be a city wide vote on a charter ordinance keeping the City Manager form of government but increasing the size of the council from 7 members to 9, with 4 members to be elected from districts and 5 to be elected at-large. By August of 1950, Leonard Howell retired and was replaced by George Forster, who held the titles of Acting City Manager, Acting Director of Public Works, Director of Finance and Auditor and Comptroller. On November 5, 1950, rather than adopting Councilman Garner's resolution to keep the City Manager plan and increase the size of the council by two, the City elected to return to the Mayor-Council form of government with twenty (20) alderpersons. The Charter ordinance published on January 12, 1951 provided:

"That the government of the City of Madison be and hereby is reorganized under Chapter 62. .. providing for the City Mayor and Aldermanic Plan, with a council composed of twenty Alderman, one from each ward."

Council Proceeding Notes did not provide a rationale for why these changes took place between 1946 and 1951. The City Attorney prepared a memorandum for alternative forms of government that contains a more throughout explanation of these forms.

After reviewing this information, the Task Force decided that it was in the best interest of the City to remain in the Mayor-Council form of government. The Task Force believed there was nothing to be gained from changing to a different form of government, especially in light of Madison's previous experience with the City Manager form of government.

2. That Madison should not pursue First-Class City Status.

To become a first class city, Madison would need to change its ordinances to comply with state laws regarding the governance of first class cities.³⁵ By estimate of the City Attorney's Office, over 300 different laws apply or may apply to first class cities. Thus, amending city ordinances to comply with the mandatory laws and determining whether to adopt the optional laws would take significant time and effort. Furthermore, as the city went through all those changes, almost any item could become an insurmountable matter, killing the entire process. Finally, since no city has ever gone from second class status to first class status, the transition process is unknown.

As the City contemplated changes in its ordinances to comply with state laws, it would see that many of these state laws were enacted with only Milwaukee in mind and, therefore, do not fit Madison. So, in addition to amending its ordinances to match state law, Madison may also need to approach the Legislature about changing certain state laws in order to accommodate Madison's transition to a first class city.

Beyond, logistics, the Task Force reviewed a handful of the approximately 300 state laws applicable to first-class cities:

1. As a general matter, first class cities are not included in the Wisconsin Retirement System (WRS). Currently, all Madison employees are in the WRS.
2. Unlike all other cities, a first class city retains all the parts of its special charter existing before 1923, and does not fully fall under the general charter law of chapter 62. It is unknown if or how this would apply to a city transitioning from second class to first class.
3. The rules for governing police departments and the powers of the Police and Fire Commission (PFC) are very different in a first class city. In a 1st class city, the PFC sets policy for the department. Police and Fire chiefs are appointed for a 10-year term; in other cities, the chiefs serve unless removed for cause. In a first class city, an officer suspended or sought to be discharged by the chief is not paid before review of that discipline by the PFC. The officer, if reinstated, gets back pay. In Madison and other cities, the officer is paid until the PFC acts.
4. In Madison, high-level employee-managers are appointed to 5-year terms. In a first class city, those officials serve at the pleasure of the Mayor.
5. There are very different budget procedures for first-class cities, and the Mayor has a line-item veto.
6. There is an entire chapter devoted to the school system in a first class city, chapter

³⁵ Madison's population is already sufficient for it to become a first class city. Thus, the biggest obstacle to becoming a first class city would be for Madison to change its ordinances to comply with state laws applicable to first class cities.

119, Stats. The rules for operation are very different. The school district is coterminous with the city's boundaries, meaning that in most annexations, students move to the city school system. While the district has its own board and authority, it is closely entwined with the first class city. For example, the city attorney provides all legal services to the school district.

The Task Force noted that certain aspects of being a first-class city could be advantageous to the City, but that, on the whole, transitioning to a first-class city would be a tremendous undertaking that may prove futile. Instead, the Task Force believes more immediate change and improvement would come from implementing other recommendations contained in this Report. The Task Force recommends that instead of pursuing first-class city status, the City could review those aspects of being a first-class city that would be most advantageous to Madison and possibly approach the Legislature about giving those powers to second-class cities.

3. That Madison should not restrict or expand the Mayor's current veto power.

Wis. Stat. § 62.09(8) provides that "the Mayor shall have the veto power as to all acts of the Council, except such as to which it is expressly or by necessary implication otherwise provided." It takes a 2/3 vote of all members of the Council to override a mayoral veto.

The Task Force noted that, as a practical matter, the City's hands are tied by state law with regard to altering the form of the Mayor's veto power. The Task Force also noted that even if that were not the case they had not heard from former government officials or others of a need to change the Mayor's veto power. Given this, the Task Force does not recommend changing the Mayor's veto power.

If the City believes changing the Mayor's veto power would be advantageous to the City, such as giving the Mayor line-item budget veto power as provided to mayors of first-class cities, Madison could approach the Legislature about giving mayors of second-class cities that same power.

4. That the City review the Mayor's administrative span of power and take steps to ensure that the Mayor and Deputy Mayors can adequately supervise all direct reports.

The Task Force created a Mayor's Office workgroup to review and discuss the Mayor's current administrative span of control, including the Mayor's authority to hire, fire, and supervise department heads. The Task Force noted that Madison has been fortunate to have mayors who have generally done a good job discharging their duty to oversee the day-to-day administration of the City. The Task Force also noted that it makes sense each mayor will have a differently strategy or approach to overseeing the administration of the City, including how they use deputy mayors.

However, the Task Force believes the City could benefit from examining the Mayor's span of control and take steps to ensure that any future growth of the administrative structure does not make it more difficult for the Mayor's Office to oversee the day-to-day administration of the City. Thus, the Task Force recommends that the City stop creating new departments or agencies that report directly to the Mayor. Next, the Mayor's Office create and maintain an organizational chart of the city's administrative structure and that this chart be easily accessible by the public. And, finally, the Mayor's Office conduct annual performance evaluations of department heads and others reporting directly to the Mayor's Office.

F. RECOMMENDATIONS ON RESIDENT PARTICIPATION AND ENGAGEMENT

The Task Force noted throughout its discussion that there are many things the City could do in addition to changing its basic government structure to improve resident engagement and participation. The Task Force noted that in 2016 the City of Austin, Texas did an engagement study that focused on five major themes: 1) Make information clear, relevant and easily accessible; 2) Make it easier for people to give input in ways that are convenient, accessible and appropriate for them; 3) Explain how input will be used and show how that input had an impact on the decision made; 4) Ensure that everyone who cares about an issue or is impacted has an opportunity to engage; and 5) Ensure that City staff has the support, training, tools and resources to do engagement well. After discussing resident engagement and participation over the two-year period and conducting public outreach of its own, the Task Force agrees with these five themes identified in the Austin study and, based on these themes, created a list of possible initiatives that could improve resident engagement and participation.

- Provide childcare at meetings;
- Validate parking for people attending meetings;
- Make Council proclamations before the legislative business begins at 6:30 p.m.;
- Allow video testimony or live electronic participation such as through the internet, from remote centers of the City, or other electronic means;
- Allow public comments to be made and considered prior to a meeting, such as through a system that notifies residents of decisions to be made, asks for their input, and then relays that input to decisionmakers;
- Separate public testimony from legislative debate and action by allowing individuals to provide input at the beginning of Council meetings regardless of when the item on which they wish to speak is considered;
- Vary meeting locations throughout the City;
- Make written comments available to the public and Council members at the time of the meeting;
- Avoid late-night meetings and reduce overall length of meetings;
- Adhere to and/or change current rules regarding the length of alder statements at Council meetings;

- Improve accessibility and functionality of Legistar;
- Create a way for people to provide input in Legistar or some other appropriate platform;
- Provide classes for the public to learn how to use Legistar;
- On the city website, allow option for having a chat with a city employee who can direct a resident in the right direction should they have an issue or question about government services;
- Continue working towards having 311 number for city services;
- Maintain subscription lists for Council and BCC items so that residents can be made aware of issues coming before a body through an email blast or text message and report back promptly when a decision has been made;
- Review customer relation software options that may create better processes for residents to navigate city services, such as through ticketing system where issues are ticketed, followed up on by staff, and then the results reported back to the person requesting the service; and
- Add more than just the name of meetings to the city calendar so that more information can be obtained with one (1) click, instead of requiring multiple clicks to get relevant and substantive information about a meeting.

In considering these possible ideas, the Task Force heard a presentation from City Information Technology regarding the cost of providing some of the technological services that could help improve resident engagement and support.³⁶ The Task Force recommends that the City create a technology plan, like the one suggested by the BCC Subcommittee in Section VI.d. of its Report.

The Task Force employed some of these recommendations in its own work. It held Task Force meetings at various locations throughout the City, including at the Urban League, Warner Park Community Center, Pinney Library, and others. It provided childcare, transportation, and dinner at its Open Houses. And it used social media to promote its activities and events. Moreover, at its meetings, the Task Force suspended Robert's Rules of Order over seventy-five (75) times and invited residents to the table to speak. While the Task Force recognizes that keeping order is an integral part of running an efficient and productive meeting, there are times when BCCs and the Council could allow individuals time to speak.

³⁶ <https://madison.legistar.com/View.ashx?M=F&ID=7020419&GUID=F547BD73-2DCC-409E-8C13-A8C0FD43AF1E>

G. CONCLUSION

Reviewing the structure and processes of Madison's government, and judging these against Madison's civic goals of inclusion, participation, and representation, is important and difficult work. Having done this work, the Task Force submits these recommendations to address significant structural inequities in Madison's government that result in unequal representation and prevent many residents, including especially people of color and low income, from participating in city decision making.

The Task Force understands that its recommendations will not produce a perfect government – no set of recommendations ever will. But preserving the status quo is not an option if the City is truly intent on pursuing racial justice and social equity. Thus, whether or not the Mayor and Common Council pursues these specific recommendations, they must find meaningful, measurable ways to address the structural inequities in Madison's government so that Madison can truly and actually be a robust participatory democracy for all of its residents.