

From: Furman, Keith <district19@cityofmadison.com>

Sent: Sunday, October 10, 2021 9:03 PM

To: Schoone, Matalin <MSchoone@cityofmadison.com>

Subject: Amending Section 33.13(4) of the Madison General Ordinances to revise the jurisdiction of the Common Council Executive Committee.

(BCC: All Alders; Matalin: Can you please add this to the legistar item)

[City of Madison - File #: 66949 \(legistar.com\)](#)

On Tuesday, October 19, the Common Council will consider legislation to change the definition of CCEC. This legislation is sponsored by Alder Heck, Alder Bennet, Alder Figueroa Cole and myself.

I wanted to give some background on this legislation, its intent and reiterate an open invitation to anyone interested in having a further discussion.

Background

Our committee and referral system is broken. We have far too many committees and we refer legislation to too many places. The biggest effect this has on our legislative process is that it adds more difficulty for residents. If residents advocate for or against an item, having referrals to multiple committees increases their efforts by adding more meetings for them to have to attend. This is often a barrier for people without privilege. I appreciate and support the recently introduced legislation on referrals by Alder Foster, but also recognize that multiple solutions are needed to address this problem. I look forward to the Task Force on Government Structure Implementation Workgroup's upcoming work and their efforts in coming up with actionable proposals focused on re-structuring our committee system.

Before Assistant Attorney John Strange left the City this summer, I set up a meeting with him and Attorney Haas to talk about referrals and discuss an increase in CCEC meetings' length. We discussed multiple ideas, including tasking the Attorney's Office interns with researching how other cities managed referrals. Just about every restriction or rule we discussed when it came to referrals were very easily and very likely to be overruled by council due to a long standing tradition of Alders generally giving deference to colleagues. Ultimately, it came back to the fact we just have too many committees.

Intent

The definition (and name) of CCEC has been changed multiple times over the years. I have great admiration for the committee and have attended just about every meeting since I was appointed Alder in August 2018. Based on my participation in TFOGS and now the implementation workgroup, I believe there is an important role for CCEC to deal with the multiple issues related to our government structure and function. I noted to President Abbas in April shortly after his election that I'm eager to see CCEC takeover for the TFOGS Implementation Workgroup after actionable proposals based on the TFOGS report recommendations are completed.

Based on the [current] ordinance, the CCEC, like just about every one of our committees, is a recommendation body. They are not a decision making body. Like every other committee we have, it has a definition of its duties. I had one Alder tell me that the CCEC is the equivalent of a Board of Directors that makes decisions for the council. That is not and as far as I can tell has never been the case. The current ordinance doesn't give CCEC that power nor does our Council structure. To be clear, the suggested ordinance changes don't fundamentally change CCEC. The intent is to make it easier for residents by removing effort duplication and repetition when participating in legislation discussions. All members of CCEC (in the past, currently and in the future) still have full discussion and decision-making power with their roles as Alders on the Common Council.

The major change in the ordinance:

Receive referrals of ordinances, resolutions and reports from the Common Council that are not referred to other committees, hold public hearings thereon, and make reports and recommendations on matters so referred. Notwithstanding this subsection, Ordinances or resolutions relating to the structure and function of the Common Council and of other City committees should routinely be referred to the Committee.

Too many referrals going to CCEC isn't something unique to this current term, but I did want to provide some detail on all the legislation CCEC has taken up that was also referred to other committees since 5/18/2021. To be fully transparent, I don't disagree with any of the decisions below and neither did the full council! Also, I believe it's important to note the Council President doesn't control referrals [to CCEC], and this is a change that will last far longer than the current's president's tenure:

Item	Title	Date at CCEC	Vote at CCEC	Other Committees	Final Vote at Council
63920	SUBSTITUTE - Amending the 2021 Adopted Capital Budget for the Community Development Division's Men's Homeless Shelter capital project to accept and appropriate \$3 million from Dane County and <u>Authorizing the City's execution of a Purchase and Sale Agreement between the City of Madison and BIP Enterprises, LLC, or their successors and assigns, for the purchase of the property located at 2002 Zeier Road in the City of Madison for homeless shelter purposes. (17th AD)</u>	No Recommendation		CCHIC (3/1/2021) - PASS; COMMUNITY DEVELOPMENT BLOCK GRANT COMMITTEE: FAILS by vote of 3-3, Finance: PASS	Failed (14-5)
63932	Accepting the Final Report and Model Policy from the Body-Worn Camera Feasibility Review Committee.	6/15/2021	Pass: 6 to 0	PSRC (3/10/2021): Pass, EOC (6/15/2021): Pass	Pass
65527	Establishing Purpose Built Fulltime Men's Shelter Search Criteria	8/30/2021	Place on File: 4-3	CCHIC (8/30/2021): Place on File	Place on File (19-1)
65917	Establishing Housing People: Alternative Emergency Sheltering	8/3/2021	Place on File: 5:1:1	CCHIC (7/12/2021): Place on File	Place on File

What would CCEC be left to do if the proposed changes take place? A TON!

https://library.municode.com/wi/madison/codes/code_of_ordinances?nodeId=COORMAWIVOIVCH32--45_CH33BOCOCO_33.13COCOEXCOOFCHST

Review and Recommendation of City Policy. The Common Council Executive Committee shall have the authority to:

1. Receive referrals of ordinances, resolutions and reports from the Common Council that are not referred to other committees, hold public hearings thereon, and make reports and recommendations on matters so referred. Notwithstanding this subsection, ordinances or resolutions relating to the structure and function of the Common Council and of other City committees should routinely be referred to the Committee.
2. Determine by motion of the Committee to discuss topics that may form the basis of future legislation to be introduced to the Council.
3. Determine by motion of the Committee to discuss topics of broad concern to the City that may not be considered in any other committee or that cross the authorities of several committees.

In addition, they are also tasked with reviewing of [state] legislation, serving as the Administrative Review Board and the Common Council also may assign other duties to the Common Council Executive Committee. (Full details in the CCEC ordinance linked above).

I'm hopeful if the committee had more time, more legislation could be generated from the discussions/briefings currently taking place there and also there could be more regular discussions about meeting formats, access to meetings (including people with disabilities), how constituent services take place (i.e. 311, ORENS, etc) and many other important topics not being addressed elsewhere.

I believe based on the reaction of some to this change, it doesn't make sense to wait and bundle it with other changes. I'm looking forward to constructive discussion at our next meeting.

Personal attacks

I appreciate the CCEC having a review of Robert Rules. I sincerely hope that we can address this change by focusing on the issue and not on assumptions based on the personal discomfort change brings. Multiple Alders took the opportunity to attack me personally, but have not yet bothered to reach out to me and discuss this proposal.

I have never rejected a request for discussion about any of my proposals or actions.

It's my goal to continue to have discussions on this policy. I'm open to anyone wishing to have a call to answer questions and discuss any suggestions for improvement.

Thank you,
-Keith F.

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