



Legislation Text

File #: 75901, Version: 2

Fiscal Note

No City appropriation required.

Title

SUBSTITUTE: Repealing Section 33.55 and 33.56 and recreating Section 33.56 of the Madison General Ordinances to create a Transportation Commission, and amending Sections 3.14 and 16.01 to remove references to the Transportation Policy and Planning Board.

Body

DRAFTER’S ANALYSIS: This proposal abolishes the current Transportation and Policy and Planning Board and the Transportation Commission and transfers their duties to a new Transportation Commission. The new Transportation Commission will consist of 11 members, including 6 residents of the City and two alternate members.

The substitute makes changes to 33.56 as recommended by a joint meeting of the Transportation and Policy and Planning Board and the Transportation Commission. Changes include an increase in the number of City of Madison residents appointed from six members to seven, additional qualifications for members of the Committee, and staggering terms during the initial appointment period.

The Common Council of the City of Madison do hereby ordain as follows:

1. Section 33.55 entitled “Transportation Policy and Planning Board” of the Madison General Ordinances is repealed.
2. Section 33.56 entitled “Transportation Commission” of the Madison General Ordinances is repealed and recreated as follows:

33.56 - Transportation Commission

- (1) Organization . A Transportation Commission is hereby created for the City of Madison.
- (2) Purpose . The Common Council recognizes that the City’s transportation system consists of multiple elements as defined in Section 3.14(1), MGO, including bicycles; busses, trains, and motor vehicles; pedestrians; street, curb, and right-of-way use; parking; and transit. For the City to be a safe and healthy place for all of its residents and visitors to live, work, do business, learn, and play, it must develop and maintain a complete transportation system that is safe, efficient, economical, equitable, and sustainable. The Common Council also recognizes the importance of ensuring that the city's transportation system complements and is consistent with the city's land use system. Finally, the Common Council recognizes the critical role that the city's transportation system plays in the movement of people and goods throughout the greater Madison region, and that the successful future growth of the city and region depends, in part, on a transportation system that is responsive to the needs of current and future users. The purpose of the Transportation Commission is to develop transportation policies and make decisions regarding transportation system changes that are consistent with the stated purpose of this ordinance and any transportation policies or plans adopted

by the Common Council.

(3) Composition .

(a) Members .

1. The Transportation Commission shall have eleven (11) voting members and two (2) alternate members to serve without compensation. The Voting Members shall include four (4) members of the Common Council, ~~six (6)~~ seven (7) residents of the City of Madison, ~~and one (1) regional representative (an elected official of a political subdivision that contracts with Metro Transit for transit services)~~. The two (2) alternate members shall be residents of the City of Madison. The term of any Alder shall expire with the expiration of their term in office.
2. Each member of the Commission must be capable of and committed to holding a multi-element, system-wide perspective on transportation issues. Moreover, one (1) member must be knowledgeable of equity issues and the needs of marginalized communities; one (1) member must be knowledgeable of issues facing people with disabilities; one (1) member whose primary mode of transportation in the City is the bicycle; one (1) member whose primary transportation in the City is walking; one (1) member whose primary mode of transportation in the city is transit; one (1) member must be a member of the Plan Commission; one (1) member must be a member of the Board of Public Works; and one (1) member who is also a member of the Madison Area MPO Policy Board; and one (1) member must be a member of the Sustainable Madison Committee. The Mayor shall give strong consideration to appointing an individual who is also a member of the Sustainable Madison Committee. A single member may satisfy more than one of these requirements. For example, a Plan Commission member whose primary mode of transportation is bicycle can satisfy both of the requirements above. Alternate members may satisfy the above requirements.
3. For any remaining resident appointments, preference should be given to appointing people of under-represented groups; one (1) additional member whose primary mode of transportation in the city is the bicycle; and one (1) additional member whose primary mode of transportation in the city is transit.

(b) Appointment and Terms of Common Council Members . Common Council members of the Transportation Commission shall be appointed by the Mayor subject to confirmation by the Common Council. Terms for Common Council members shall coincide with their terms on the Common Council. Appointments for such terms shall be made at the organizational meeting of the Common Council on the third Tuesday in April or as soon thereafter as the Mayor makes the appointment.

(c) Appointment and Terms of Resident Members and Alternate Resident Members . Resident Members and Alternate Resident Members shall be appointed by the Mayor subject to confirmation by the Common Council, and shall have a term of three (3) years. Resident Members and Alternate Resident Members of the Transportation Commission shall be residents of the City of Madison at the time of appointment and throughout the Member's term.

(d) Role of Alternate Members . The first alternate member shall act with full power when any other member of the Transportation Commission is absent or is unable to act because of a conflict of interest. The second alternate member shall so act only when the first alternate refuses or is absent or when more than one member of the commission is so unable or is absent. In addition, alternates may participate in Transportation Commission discussion and serve on subcommittees or as commission representative on other City boards, commissions, or committees at any time.

(e) Appointment and Term of Regional Representative . ~~The Regional Representative shall be an~~

~~elect~~ed official of a political subdivision that contracts with Metro Transit for transit services. Political subdivisions that contract with Metro Transit for transit services shall submit nominations for the Regional Representative to the Mayor in each year that an appointment is necessary. From the nominations submitted, the Mayor shall appoint the Regional Representative subject to confirmation by the Common Council. The Regional Representative shall have a two-year term. If the Regional Representative resigns or is not re-elected to his or her elected office before his or her two-year term on the Transportation Commission ends, the Mayor shall appoint a new Regional Representative to complete the two-year term. The same Regional Representative may not serve two consecutive full two-year terms. Terms . Members shall have staggered three-year terms, except that when the Board is initially created and filled, four (4) members shall be appointed for three-year terms, four (4) Members shall be appointed for two-year terms, and three (3) Members, including the two (2) alternate Members, shall be appointed for one-year terms.

- (4) Executive Secretary . The Director of Transportation or designee shall serve as executive secretary of the Transportation Commission.
- (5) Commission Procedures. The Transportation Commission shall follow the procedures contained in Sec. 33.01, MGO, except that notwithstanding Sec. 33.01(7)(b), MGO, a Common Council member may serve as chairperson, co-chairperson, or vice-chairperson of the Commission.
- (6) Power and Duties .
 - (a) Transportation System Policies .
 - 1. Work collaboratively with the Director of Planning, Community, and Economic Development to develop and recommend for adoption by the Common Council the transportation element of the City's comprehensive plan;
 - 2. Consider, develop, and recommend for adoption by the Common Council transportation policies and plans for all elements of the City's transportation system;
 - 3. Work to eliminate any disparities that people of color experience and people of low income experience with respect to the City's transportation policies, programs, services and destinations;
 - 4. Make recommendations to the Common Council regarding proposed ordinances related to all elements of the City's transportation system;
 - 5. Make recommendations to the Common Council regarding the proposed budgets of each division of the Department of Transportation;
 - 6. Provide annual reports to the Common Council listing any transportation policies or plans that have been adopted by the Commission in the previous year;
 - 7. Recommend that the Common Council establish a Disabled Parking Council of at least seven (7) members, on an ad hoc basis, pursuant to Wis. Stat. § 346.50(3m), if any proposed ordinance imposes a 3-hour or less limitation on parking of a motor vehicle used by a physically disabled person.
 - (b) Transportation System Oversight .
 - 1. Except as provided below, the Transportation Commission shall review and approve all major changes to the City's transportation system, including Transit, Pedestrian, Bicycle, and Motor Vehicles elements of the City's transportation system, or changes outside of adopted policies. In approving changes, the Transportation Commission shall ensure that its decisions are consistent with the transportation element of the Comprehensive Plan and all transportation policies adopted by the Common Council.

- i. It is authorized that the Director of Transportation or designee to make changes to the City's transportation system according to written policies adopted by the Transportation Commission establishing administrative authority, and that the Director or Designee follows the Commission's written policies when implementing such changes.
 - ii. This requirement shall not apply to changes that related to day-to-day operations or routine maintenance.
 2. Additionally, the Director of Transportation or designee may make such changes to the transportation system they deem necessary to protect the public health, safety and welfare of users of the City's transportation system, provided that any such change is reviewed and approved by the Transportation Commission within forty-five (45) days of implementation if such a change is not already authorized by the written policies adopted by the Transportation Commission.
 3. The Transportation Commission shall have the power to:
 - i. Modify the Complete Green Streets Guide
 - ii. Approve updates to the Transit Priority Network
 - iii. Approve updates to the All Ages and Abilities Bike Network
 - iv. Approve any design variances from the Complete Green Streets Guide
 - v. Provide recommendation to the Plan Commission for needed variances associated with sub-area plans and plats that propose street facilities and right-of-way widths that vary from the Complete Green Streets Guide.
 - vi. Approval of amendments and modification to mitigation point values in the Transportation Demand Management Program administered by the Transportation Department, and any amendments thereto.
 - vii. To hear and decide appeals where it is alleged there is error in a determination made by the Transportation Department or where additional relief in the form of mitigation points is required regarding a Transportation Demand Management Plan submitted under Sec. 16.03 MGO.
 - viii. To hear and decide appeals where it is alleged there is error in any order, requirement, decision or determination made by the Transportation Department in the enforcement of Sec. 16.03 MGO.
 - ix. Review and approve requests made through the Safe Streets Madison program after considering all program priorities and evaluation criteria.
 - x. Approve any changes to the Safe Streets Madison program.
 4. The Transportation Commission shall review other items related to the City's transportation system referred by the Common Council or Director of Transportation or Designee.
- (c) Road Construction Projects . Final authority for approving road construction projects lies with the Common Council, which takes action after receiving a recommendation from the Board of Public Works. The Transportation Commission shall determine the right-of-way use and geometric designs to be included in the final plans and specifications sent to the Board of Public Works and Common Council for approval, with Transportation Commission approval required for any geometric design variances from the Complete Green Streets Guide. In making a recommendation to the Common Council, the Board of Public Works may recommend approval of the road construction project, including the road geometry approved by the Transportation

Commission, refer the road geometry decision back to the Transportation Commission for reconsideration, or recommend against approval of the road construction project on the basis that it does not agree with the Transportation Commission's decision regarding road geometry. For road construction projects identified as appropriate for administrative approval and in compliance with the Complete Green Streets Guide, The Transportation Commission may authorize the Director of Transportation or designee to determine the right-of-way use and geometric designs to be included in the final plans and specifications sent to the Board of Public Works and Common Council for approval.

- (7) Final Decisions . Decisions made by the Transportation Commission under Section (6)(b) above related to any of the following items are final decisions appealable to the Common Council as provided in Section (8) below.
- (a) Transit service standards;
 - (b) Transit fares;
 - (c) Transit route additions, extensions or contractions;
 - (d) Transit changes in headways, and hours of service;
 - (e) Rules necessary to ensure safety for bus passengers;
 - (f) Regional transit contracts (services and pass programs);
 - (g) Bus routes and stops;
 - (h) Charter service, taxis, limousines, courtesy cars, hotel busses, jitney services, hire and drive services, ride-sharing, car-sharing, transportation network companies, ~~subscriptions~~ subscription bus service, park and ride facilities, and any other issues pertaining to the operation of the City's transit and services;
 - (i) Transit for people with disabilities
 - (j) Off-street parking rates;
 - (k) Rules necessary to ensure safe and proper operation of parking facilities;
 - (l) Revenue Parking revenue collection technology and systems;
 - (m) Pedestrian and bicycle safety, enforcement, and facility maintenance programs;
 - (n) School crossings;
 - (o) Safety programs and projects;
 - (p) Traffic signals;
- (8) Appeal . The Mayor, any alderperson, or any member of the Transportation Commission may appeal to the Common Council any final decision of the Transportation Commission. For any appeal, the appellant(s) shall file a petition of appeal with the City Clerk within twenty (20) days of the Transportation Commission's final decision. The petition shall state the decision being appealed, the reasons for appeal, and the relief being requested. Once the petition is filed, the City Clerk shall set the appeal for a public hearing on the next Council agenda that is at least seven (7) days after receipt of the appeal. After a public hearing, the Common Council may, by favorable two-thirds ($\frac{2}{3}$) vote of its members, reverse or modify the decision of the Transportation Commission with or without conditions, or refer the matter back to the Transportation Commission with or without instructions, if it finds that the decision is inconsistent with the transportation element of the Comprehensive Plan is inconsistent with any transportation policy or plan adopted by the Common Council, or is contrary to the public health, safety or welfare.
- (9) Effective Date . This ordinance shall become effective upon the appointment of members to the

Transportation Commission, at which point the Transportation Policy and Planning Board and Transportation Commission (as originally comprised by ORD-17-00099) shall be eliminated."

3. Subsection (2) entitled "Director of Transportation" of Section 3.14 entitled "Department of Transportation" of the Madison General Ordinances is amended as follows:

- "(2) Director of Transportation . The Department of Transportation shall be managed and directed by a Director of Transportation, who shall:
- (a) Ensure that the city's transportation system operates in a manner that is safe, efficient, affordable, and equitable for all of its users;
 - (b) Ensure that the city's transportation system operates in a manner that is sustainable and responsive to the environmental needs of the city and region;
 - (c) Ensure that each element of the city's transportation system operates as an integrated part of the overall transportation system;
 - (d) Work to eliminate any disparities that people of color and people of low income experience with respect to the city's transportation policies, programs, services, and destinations;
 - (e) Provide annual operational reports to the ~~Transportation Policy and Planning Board and Transportation Commission~~ regarding the operation, management, control, progress towards equity, and maintenance of each element of the City's transportation system;
 - (f) Serve as chief administrative officer and executive secretary of the ~~Transportation Policy and Planning Board Commission~~;
 - (g) Provide the necessary administrative and staff support services to the ~~Transportation Policy and Planning Board and the Transportation Commission~~;
 - (h) Work collaboratively with the ~~Transportation Policy and Planning Board Commission~~ and the Director of Planning, Community, and Economic Development on the development of transportation policies and plans, including the transportation element of the city's comprehensive plan;
 - (i) Coordinate the implementation of the transportation policies and plans adopted by the ~~Transportation Policy and Planning Board Commission~~ and the Common Council;
 - (j) Develop and maintain communication with City residents to ensure that the public is aware of the City's transportation policies and plans and progress towards implementation;
 - (k) Work with the City Engineer and Director of Public Works in the planning of highway programs or projects;
 - (l) Work with the Director of Planning, Community, and Economic Development to ensure that the transportation system supports and compliments the city's land use decisions;
 - (m) Work with the Madison Area Transportation Planning Board (MATPB) to ensure that the city's transportation policies and plans are consistent with the regional transportation plan and work to implement city and regional plans so that the city's transportation system continues to effectively and efficiently move people and goods through the Madison region;
 - (n) Work with surrounding local governments to ensure that the City's transportation system allows for the safe and efficient movement of people and goods through the greater Madison region;
 - (o) Work with Federal, State and County governments to coordinate transportation projects or programs and pursue financial aids, grants, and other assistance that would benefit such projects or programs; and
 - (p) Conduct studies as necessary to evaluate present and future transportation needs and make recommendations to the Transportation Policy and Planning Board regarding policies, plans, or projects necessary to ensure the city's transportation system is and will remain able to safely,

- effectively and efficiently move people and goods throughout Madison and the surrounding region;
- (q) Supervise the Traffic Engineering, Parking, and Transit Divisions of the Department of Transportation; and
 - (r) Perform other duties as assigned by the Common Council and the Mayor and report to the Mayor for day-to-day administrative purposes.”

4. Subsection (2) entitled “Composition” of Section 16.01 entitled “City Plan Commission” of the Madison General Ordinances is amended as follows:

“(2) Composition . The City Plan Commission shall consist of nine (9) voting members. The Mayor or his/her designee shall serve as a member of the commission. The other members shall be three (3) members of the Common Council and five (5) citizens. The Mayor, at the annual organizational meeting each year, shall indicate to the Common Council whether he/she will serve as chairperson of the Plan Commission or inform the Common Council of the name of his/her designee. The Mayor may elect to assume membership on the commission at any time. In the event the Mayor names a designee, the commission shall elect one (1) of its members to be chairperson. One (1) member of the Plan Commission shall also be a member of the ~~Transportation Policy and Planning Board~~ Commission.

This is a Charter Ordinance and became effective June 3, 1997.”

EDITOR’S NOTE:

Section 33.55 entitled “Transportation Policy and Planning Board” of the Madison General Ordinances currently reads as follows:

“33.55 - TRANSPORTATION POLICY AND PLANNING BOARD

- (1) Organization . A Transportation Policy and Planning Board is hereby created for the City of Madison.
- (2) Purpose . The Common Council recognizes that for the City of Madison to be a safe and healthy place for all of its residents and visitors to live, work, do business, learn, and play, it must develop and maintain a transportation system that is safe, efficient, economical, equitable, and sustainable. The Common Council also recognizes the importance of ensuring that the city’s transportation system compliments and is consistent with the city’s land use system. Finally, the Common Council recognizes the critical role that the city’s transportation system plays in the movement of people and goods throughout the greater Madison region, and that the successful future growth of the city and region depends, in part, on a transportation system that is responsive to the needs of current and future users. The purpose of the Transportation Policy and Planning Board is to consider and address transportation policy and planning issues pertaining to each element of the city’s transportation system, including bicycles; bus, freight, and automobile traffic; parking; pedestrians; street, curb and right-of-way use; transit; and other transportation elements as may be identified by the Common Council by ordinance or resolution.
- (3) Board Composition .
 - (a) Members . The Transportation Policy and Planning Board shall have nine (9) voting members to serve without compensation consisting of three (3) members of the Common Council, one (1) Regional Representative (an elected official of a political subdivision that contracts with Metro Transit for transit services), four (4) residents of the City of Madison, one (1) member of the

Plan Commission who may be either a Common Council member or resident, and two (2) alternate members who may be either a Common Council member or resident. When appointing members of the Common Council and residents to the Transportation Policy and Planning Board, the Mayor shall give strong consideration to appointing individuals who are also members of the Board of Public Works and Madison Area Transportation Policy Board.

- (b) Appointment and Terms of Common Council Members . Common Council members of the Transportation Policy and Planning Board shall be appointed by the Mayor subject to confirmation by the Common Council. Terms for Common Council members shall coincide with their terms on the Common Council. Appointments for such terms shall be made at the organizational meeting of the Common Council on the third Tuesday in April or as soon thereafter as the Mayor makes the appointment. In appointing Common Council members to the Transportation Policy and Planning Board, the Mayor shall consider the need for representation of the various geographic areas of the City. Furthermore, at least one Common Council member of the Transportation Policy and Planning Board must also be a member of the Transportation Commission.
 - (c) Appointment and Term of Regional Representative . The Regional Representative shall be an elected official of a political subdivision that contracts with Metro Transit for transit services. Political subdivisions that contract with Metro Transit for transit services shall submit nominations for the Regional Representative to the Mayor in each year that an appointment is necessary. From the nominations submitted, the Mayor shall appoint the Regional Representative subject to confirmation by the Common Council. The Regional Representative shall have a two-year term. If the Regional Representative resigns or is not re-elected to his or her elected office before his or her two-year term on the Transportation Policy and Planning Board ends, the Mayor shall appoint a new Regional Representative to complete the two-year term. The same Regional Representative may not serve two consecutive full two-year terms.
 - (d) Appointment and Terms of Resident Members . Resident members of the Transportation Policy and Planning Board shall be residents of the City of Madison at the time of appointment and throughout the member's term. Resident members shall be appointed by the Mayor subject to confirmation by the Common Council. Resident members shall have a three-year term. In appointing resident members to the Transportation Policy and Planning Board, the Mayor shall consider the need to appoint individuals with a multi-element perspective who have knowledge of equity issues and the needs of marginalized communities. The Mayor shall also consider individuals with a multi-element perspective who are frequent users of specific elements of the city's transportation system, and, in particular, people of color and people of low income who are frequent users of specific elements of the city's transportation system. Furthermore, at least one resident member of the Transportation Policy and Planning Board must also be a member of the Transportation Commission.
 - (e) Appointment, Term and Role of Alternate Members . The alternate members shall be either a Common Council member or resident whose appointment and term shall be the same as described in sub. (b) or (d) above. The alternate member shall act with full power when any other member of the Transportation Policy and Planning Board is absent or is unable to act because of a conflict of interest. The second alternate member shall so act only when the first alternate member is unable or is absent. In addition, alternates may participate in Transportation Policy and Planning Board discussion and serve on subcommittees or as a representative of the Board on other City committees at any time.
- (4) Board Procedures . The Board shall follow the procedures contained in Sec. 33.01, MGO, except that notwithstanding Sec. 33.01(7)(b), MGO, a Common Council member may serve as chairperson, co-chairperson, or vice-chairperson of the Board.
 - (5) Executive Secretary . The Director of Transportation shall serve as chief administrative officer and executive secretary of the Transportation Policy and Planning Board and, with the assistance of the

Director of Planning, Community & Economic Development, the City Engineer, the City Transit Manager, and the City Traffic Engineer, and the Parking Division Manager, shall ensure that the Board has the resources necessary to address the transportation issues the Board considers.

- (6) Powers and Duties . The Transportation Policy and Planning Board shall:
- (a) Work collaboratively with the Director of Planning, Community, and Economic Development to develop and recommend for adoption by the Common Council the transportation element of the City's comprehensive plan;
 - (b) Consider, develop, and recommend for adoption by the Common Council transportation policies and plans for all elements of the City's transportation system that are consistent with the purpose set forth in sub. (2) above;
 - (c) Work to eliminate any disparities that people of color experience and people of low income experience with respect to the City's transportation policies, programs, services and destinations;
 - (d) Make recommendations to the Common Council regarding proposed ordinances related to all elements of the City's transportation system;
 - (e) Make recommendations to the Common Council regarding the proposed budgets of each division of the Department of Transportation;
 - (f) Provide annual reports to the Common Council listing any transportation policies or plans that have been adopted by the Board in the previous year;
 - (g) Recommend that the Common Council establish a Regional Transit Subcommittee made up of contracting partners with the City of Madison for the provision of transit service. The purpose of this subcommittee is to provide the Board with a regional perspective on transit policy, service, and related issues. The composition of the subcommittee and other organizing details shall be stated in the ordinance authorizing the creation of the subcommittee. The City Transit Manager shall be responsible for staffing this subcommittee and ensuring that it meets jointly with the Board at least one time per year; and
 - (h) Recommend that the Common Council establish a Disabled Parking Council of at least seven (7) members, on an ad hoc basis, pursuant to Wis. Stat. § 346.50(3m), if any proposed ordinance imposes a 3-hour or less limitation on parking of a motor vehicle used by a physically disabled person."

Section 33.56 entitled "Transportation Commission" of the Madison General Ordinances currently reads as follows:

"33.56 - TRANSPORTATION COMMISSION

- (1) Organization . A Transportation Commission is hereby created for the City of Madison.
- (2) Purpose . The purpose of the Transportation Commission is to decide the transportation issues listed in sub. (5) below in a manner that is consistent with the transportation policies and plans adopted by the Common Council.
- (3) Commission Composition .
 - (a) Members . The Transportation Commission shall have nine (9) voting members to serve without compensation consisting of two (2) members of the Common Council, seven (7) residents of the City of Madison, and two (2) alternate residents of the City of Madison. Each member of the Commission must be capable of and committed to holding a multi-element, system-wide perspective on transportation issues. Moreover, one (1) Common Council or resident member must be knowledgeable of equity issues and the needs of marginalized communities; one (1) Common Council or resident member must be knowledgeable of issues facing people with

disabilities; one (1) Common Council or resident member must be knowledgeable of issues facing users of the city's on- and off-street parking system; one (1) Common Council or resident member whose primary mode of transportation in the City is the bicycle; one (1) Common Council or resident member whose primary transportation in the City is walking; and one (1) Common Council or resident member whose primary mode of transportation in the city is transit. For any remaining resident appointments, preference should be given to appointing people of color and people of low income; one (1) additional member whose primary mode of transportation in the city is the bicycle; and one (1) additional member whose primary mode of transportation in the city is transit. Finally, at least one Common Council member and one resident member must also be a member of the Transportation Policy and Planning Board.

- (b) Appointment and Terms of Common Council Members . Common Council members of the Transportation Commission shall be appointed by the Mayor subject to confirmation by the Common Council. Terms for Common Council members shall coincide with their terms on the Common Council. Appointments for such terms shall be made at the organizational meeting of the Common Council on the third Tuesday in April or as soon thereafter as the Mayor makes the appointment.
- (c) Appointment and Terms of Resident Members and Alternate Resident Members . Resident Members and Alternate Resident Members of the Transportation Commission shall be residents of the City of Madison at the time of appointment and throughout the Member's term. Resident Members and Alternate Resident Members shall be appointed by the Mayor subject to confirmation by the Common Council, and shall have a term of three (3) years.
- (d) Role of Alternate Members . The first alternate member shall act with full power when any other member of the Transportation Commission is absent or is unable to act because of a conflict of interest. The second alternate member shall so act only when the first alternate refuses or is absent or when more than one member of the commission is so unable or is absent. In addition, alternates may participate in Transportation Commission discussion and serve on subcommittees or as commission representative on other City boards, commissions, or committees at any time.
- (4) Executive Secretary . The Director of Transportation shall designate either the City Transit Manager, the City Traffic Engineer, or the Parking Division Manager to serve as executive secretary of the Transportation Commission. Each designation shall last for two years at which point the Director of Transportation shall consider alternating the appointment to the other division manager.
- (5) Powers and Duties . The Transportation Commission shall decide the transportation issues listed below in a manner that is consistent with the transportation policies and plans adopted by the Common Council:
 - (a) Transit .
 1. Transit service standards;
 2. Transit fares;
 3. Transit route additions, extensions or contractions;
 4. Transit changes in schedules and hours of service;
 5. Rules necessary to ensure safety for bus passengers;
 6. Regional transit contracts (services and pass programs);
 7. Bus routes and stops;
 8. Charter service, taxis, limousines, courtesy cars, hotel buses, jitney services hire-and-drive service, ride-sharing, car-sharing, transportation network companies, subscription bus service, park and ride facilities, and any other issues pertaining to the operation of the City's transit and services;
 9. Transit for people with disabilities; and

10. Other items referred by the Common Council, Transportation Policy and Planning Board, or Director of Transportation.
- (b) Parking .
1. Off-street parking rates;
 2. Provide recommendations to the Common Council regarding on-street parking rates.
 3. Rules necessary to ensure safe and proper operation of parking facilities;
 4. Revenue collection technology and systems; and
 5. Other items referred by the Common Council, Transportation Policy and Planning Board, or Director of Transportation.
- (c) Pedestrian, Bicycle, and Motor Vehicle .
1. Pedestrian and bicycle safety, enforcement, and facility maintenance programs;
 2. School crossings;
 3. Safety programs and projects;
 4. Traffic signals;
 5. Crossing guard assignments;
 6. Traffic calming;
 7. Provide recommendations to the Board of Public Works regarding right-of-way use and geometric design on arterial and collector street projects;
 8. Development Review; and
 9. Other items referred by the Common Council, Transportation Policy and Planning Board, or Director of Transportation.
- (d) Transportation Demand Management .
1. Approval of the Transportation Demand Management Program administered by Transportation Department, and any amendments thereto.
 2. To hear and decide appeals where it is alleged there is error in a determination made by the Transportation Department or where additional relief in the form of mitigation points is required regarding a Transportation Demand Management Plan submitted under Sec. 16.08 MGO.
 3. To hear and decide appeals where it is alleged there is error in any order, requirement, decision or determination made by the Transportation Department in the enforcement of Sec. 16.08 MGO.
 4. Other items referred by the Common Council, Transportation Policy and Planning Board, or Director of Transportation.
- (6) Appeal . The Mayor, any alderperson, or any member of the Transportation Commission may appeal to the Common Council any final decision of the Transportation Commission related to one of the items listed in sub. (5) above. For purposes of this ordinance, final decisions do not include recommendations made to the Transportation Policy and Planning Board or Common Council. For any appeal, the appellant(s) shall file a petition of appeal with the City Clerk within ten (10) days of the Transportation Commission's final decision. The petition shall state the decision being appealed, the reasons for appeal, and the relief being requested. Once the petition is filed, the City Clerk shall set the appeal for a public hearing on the next Council agenda that is at least seven (7) days after receipt of the appeal. After a public hearing, the Common Council may, by favorable two-thirds ($\frac{2}{3}$) vote of its members, reverse or modify the decision of the Transportation Commission with or without conditions, or refer the matter back to the Transportation Commission with or without instructions, if it finds that the decision is inconsistent with the transportation element of the Comprehensive Plan, is inconsistent with any transportation policy or plan adopted by the Transportation Policy and Planning Board, or is

contrary to the public health, safety or welfare.”