

33.01 BOARDS, COMMISSIONS, AND COMMITTEES PROCEDURES.

- (1) Purpose and Intent. The purpose of Chapter 33 is to compile in one location the ordinances establishing and regulating City boards, commissions, and committees. In some cases, however, it has been deemed advantageous to maintain these regulations with the ordinance related to the subject matter of the board, commission, or committee. Furthermore, those boards, commissions, and committees that are created by resolution of the Common Council are not included in the Madison General Ordinances.
- (2) Chairperson Restriction. After December 31, 2003 or after the expiration of any current appointment, no alderperson shall be the chairperson, co-chairperson, or vice-chairperson of any City committee, commission, board, subcommittee, ad hoc committee, ad hoc commission or ad hoc board authorized to have more than two citizen members appointed by the Mayor and confirmed by the Common Council. Alderpersons who currently chair City committees, commissions, boards, subcommittees, ad hoc committees, ad hoc commissions or ad hoc boards with more than two citizen appointments may not be re-appointed to or re-elected to said position after the effective date of this ordinance. In the event the citizen chair and vice-chair are absent from a meeting, an alder, upon consensus of the members present, may assume the chair. However, in no event shall an alder serve as chair of any such committee, commission or board for more than two (2) consecutive meetings. (Cr. by Ord. 13,383, 8-23-03)
- (3) Attendance, Quorum and Voting.
 - (a) If at any board, commission or committee meeting, a quorum is not secured within fifteen (15) minutes of the officially scheduled meeting time, the board, commission or committee shall adjourn without taking any action, except that it may set a date and time for its next meeting.
 - (b) The chair of each board, commission, and committee shall report to the Mayor each instance in which a member is absent without excuse from three of four consecutive meetings. The Mayor shall take appropriate action to secure the attendance of such members including, in the Mayor's discretion, requesting their resignation.
 - (c) In the absence of any statute or ordinance that establishes the quorum for any board, commission or committee, the quorum of any such body is the number that constitutes a majority of the authorized voting membership of the board, commission or committee. Vacant positions shall be counted in determining the quorum of such a body. (Cr. by Ord. 13,652, 7-7-04; Renum. by ORD-07-00048, 4-12-07)
 - (d) In the absence of any statute or ordinance to the contrary, motions before any board, commission or committee shall be passed by an affirmative vote of not less than a majority of the board, commission or committee in attendance so long as such majority vote exceeds a majority of the quorum of the board, commission or committee. (Cr. by Ord. 13,652, 7-7-04; Renum. by ORD-07-00048, 4-12-07)
- (4) Officers, Minutes, and Rules of Procedures.
 - (a) Every board, committee and commission, whether created by ordinance or by resolution, shall select officers and shall keep minutes of its proceedings. After the minutes have been approved by the board, committee or commission, a copy shall be filed with the City Clerk.

- (b) Boards, committees, and commissions may adopt rules of procedure. Such rules may not conflict with ordinances or resolutions of the Common Council. In case the board, committee or commission does not adopt rules of procedure, it shall be governed by Robert's Rules of Order, insofar as Robert's Rules of Order does not conflict with ordinances or resolutions of the Common Council. Unless modified by its own rules of procedure or otherwise required by ordinance or statute, boards, committees and commissions shall follow the procedure set forth in sec. 2.21, MGO, on motions for reconsideration. (Cr. by Ord. 11,233, 4-13-95; Am. by ORD-06-00077, 6-30-06; Renum. by ORD-07-00048, 4-12-07)
- (c) Any board, committee or commission may create committees or subcommittees and may appoint any of its members to serve on such committees or subcommittees. No board, committee or commission may appoint to any of its committees or subcommittees any person who is not a member of the board, committee or commission unless the person has been nominated by the board, committee or commission and approved by the Common Council. If the board, committee or commission includes committees or subcommittees created or authorized by the Common Council, the members of such committees or subcommittees may serve as members of other committees or subcommittees created by the parent body. (Cr. by Ord. 11,497, 1-5-96; Renum. by ORD-07-00048, 4-12-07)
- (d) Notwithstanding Subdivision (c) above, any number of boards, committees and commissions may form joint committees or subcommittees consisting of members of the various boards, committees or commissions which have approved such action. (Cr. by Ord. 11,497, 1-5-96; Renum. by ORD-07-00048, 4-12-07)
- (e) Every board, committee and commission, whether created by ordinance or by resolution, shall permit any member of the Common Council to take part in its deliberations and to speak on any agenda item. Nevertheless, Council members who are not members of the board, committee or commission shall not vote, shall not be counted in determining whether or not there is a quorum, and may not make or second any motion. This subdivision does not apply to quasi-judicial hearings on contested matters, nor to deliberations concerning such hearings on contested matters nor to closed sessions of the Ethics Board held for the purpose of hearing and deliberating confidential requests for advisory opinions pursuant to Sec. 3.35(11)(b). (Renum. by Ord. 11,497, 1-5-96; Am. by Ord. 12,251, 11-17-98; Renum. by ORD-07-00048, 4-12-07)
- (f)
 - 1. Any ordinance amendment or resolution affecting the terms of or the qualifications of members of boards, commissions or committees shall, unless otherwise explicitly provided therein, have prospective application only and shall not have any affect upon the remainder of any terms of office nor upon the appointment of any member of a board, commission, or committee in existence on the date said ordinance amendment or resolution becomes effective. (Cr. by Ord. 13,267, 3-11-03; Am. by ORD-05-00111, 6-28-05; Renum. by ORD-07-00048, 4-12-07)
 - 2. Notwithstanding any fixed term of office, the terms of board, commission and committee members shall run until their successors are appointed and confirmed or for a period of ninety (90) days after the end of the fixed term. This ordinance shall apply to every person holding such office on January 1, 2003 and thereafter. (Cr. by ORD-05-00111, 6-28-05; Am. by ORD-05-00133, 8-5-05; Renum. by ORD-07-00048, 4-12-07)

- (g) Every board, committee and commission, including committees and subcommittees created under Subsection (4)(c), above, shall establish a period for public comment at or near the beginning of each meeting. The board, committee, or commission shall not take action on a matter raised in the public comment portion of the meeting unless that matter is otherwise on the agenda. Members of the public who comply with applicable rules shall be permitted at least three (3) minutes to speak. If the speaker requires an interpreter, either because of his/her limited English proficiency or because of a disability, he/she shall be allowed no less than six (6) minutes.

This subdivision shall not apply to quasi-judicial hearings on contested matters, nor to deliberations concerning such hearings on contested matters nor to closed sessions of the Ethics Board held for the purpose of hearing and deliberating confidential requests for advisory opinions pursuant to Sec. 3.35(11)(b). (Cr. by Ord. 13,129, 8-28-02; Renum. by Ord. 13,267, 3-11-03; ORD-05-00015, 2-15-05; Renum. by ORD-07-00048, 4-12-07)

- (h) Boards, committees, and commissions shall not schedule meetings on the same nights that the Board of Estimates is considering the annual Operating and Capital budgets. (Cr. by ORD-06-00002, 1-9-06)
- (i) No Meetings Election Day. No committee, board or commission created by the Madison General Ordinances shall meet on any general or primary election day at which local city offices or positions are decided. (Cr. by Ord. 13,308, 4-30-03; Renum. by ORD-06-00176, 12-8-06; Renum. by ORD-07-00048, 4-12-07)

(5) Reports.

- (a) Every board, committee, or commission, whether created by ordinance or resolution, shall act on items the Council refers to it, where the votes are contested, by roll call vote. Its report to the Council shall include a list of members who voted and the vote of each. In case any report of a board, committee, or commission shall fail to contain the list of members and votes, the City Clerk shall reject the report and shall return it to the board, committee or commission. Any board, committee, or commission, which fails to act upon any matter referred to it by the Common Council, within the deadline for such action as may be set by the Common Council, shall have been deemed to have waived the opportunity to report to the Common Council on the matter referred. The Common Council may then take up the referred item notwithstanding the board, committee or commissions failure to file a report. (Am. by Ord. 13,652, 7-7-04; Renum. by ORD-07-00048, 4-12-07)
- (b) In January and June of each year, the City Clerk shall notify the chair of each board, committee and commission of the requirements contained in Subsection 3.30(5)(a) and shall send to the department or division head responsible for providing staff services to the board, committee or commission a copy of the notification.
- (c) During the first six calendar months following the effective date of this Subsection, the Clerk may accept reports which do not contain the required roll call votes but shall, in writing, notify the submitter of the incomplete report of the requirement contained in Subdivision (a) hereof.